

5-100 Student Enrollment and Attendance

© 5-101 Attendance Boundaries

The District will establish attendance areas. In the event the Board intends to change the current attendance boundaries, the Board will notify parents/legal guardians, students, and residents within the proposed or then-existing boundaries about the adopted or changed boundaries.

Pursuant to [A.R.S. § 15-341](#), attendance boundaries may not be used to require students to attend certain schools based on the student's place of residence.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

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Attendance Boundaries

© 5-101.A Procedure - Attendance Boundaries

Recommendations to the Board for the adoption of new attendance boundaries or change in current attendance boundaries will be presented along with a map during at least one public meeting that provides for public comments.

Notice of the meeting will be provided to parents/legal guardians, students, and residents within the proposed or then-existing boundaries a minimum of ten (10) days prior to the public meeting. The notice will include the time, place, date, a call for public input, and where a map delineating the proposed adoption/change may be viewed. Notice will be given by:

- A. email;
- B. written notification to the parents/legal guardians of affected students provided through the District's parent communication system; and
- C. posting information and the map on the District's web site.

The meeting will be held at the same location as the District's normal meeting location or a public location, if available, with proximity to the area suggested for school attendance change and which will accommodate the expected participants. Up to one (1) hour will be scheduled for receipt of affected persons' comments with the time for individual presentations determined by the time scheduled divided by the participants requesting to speak. Additional time may be allocated by specific Board action.

Following Board action, parents/legal guardians, students, and residents affected by a boundary change decision and the Arizona Department of Real Estate will be informed by means of the minutes and other school and District communications including a posting on the District's website within ninety (90) days of the adoption or change.

If the boundary changes will result in changes to grade configurations or pupil square footage, the District will notify the School Facilities Oversight Board.

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5-100 Student Enrollment and Attendance

© 5-102 Enrollment Requirements

The District will comply with all federal and state laws regarding:

- entrance age requirements;
- admission of resident students;
- admission of transfer students;
- Admission of non-resident students and tuition requirements for non-resident students;
- students without a permanent residence;
- students in foster care; and
- exchange and foreign students

The Superintendent shall develop procedures as necessary for implementation of these laws.

Adopted:

Legal Authority:

[A.R.S. § 8-201](#)

[A.R.S. § 15-346](#)

[A.R.S. § 15-461](#)

[A.R.S. §15-701.01](#)

[A.R.S. §15-745](#)

[A.R.S. § 15-771](#)

[A.R.S. § 15-796](#)

[A.R.S. § 15-797](#)

[A.R.S. § 15-802](#)

[A.R.S. § 15-803](#)

[A.R.S. § 15-806](#)

[A.R.S. § 15-807](#)

[A.R.S. § 15-816](#)

[A.R.S. § 15-816.01](#)

[A.R.S. § 15-816.07](#)

[A.R.S. § 15-821](#)

[A.R.S. § 15-823](#)

[A.R.S. § 15-823.01](#)

[A.R.S. § 15-824](#)

[A.R.S. § 15-825](#)

[A.R.S. § 15-825.01](#)

[A.R.S. § 15-825.02](#)

[A.R.S. § 15-826](#)

[A.R.S. § 15-828](#)

[A.R.S. § 15-872](#)

[A.R.S. § 15-873](#)

[A.R.S. § 15-901](#)

[A.R.S. § 15-901.08](#)

[A.R.S. § 36-899.10](#)

[A.R.S. § 44-166](#)

[A.R.S. § 44-5001](#)

[42 U.S.C. § 11301](#)

[42 U.S.C. § 11432](#)

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Enrollment Requirements

© 5-102.A Procedure - Enrollment Requirements

Entrance age requirements

Kindergarten

Pursuant to [A.R.S. § 15-821](#)(C), a child is eligible for admission to kindergarten if the child is five (5) years of age before September 1 of the current school year.

The Governing Board may admit children who have not reached age five (5) by September 1 if (a) it is determined to be in the best interest of the child and (b) that child will reach age five (5) by January 1 of the current school year.

First Grade

Pursuant to [A.R.S. § 15-821](#)(C), a child is eligible for admission to first grade if the child is six (6) years of age before September 1 of the current school year.

The Board may admit children who have not reached age six (6) by September 1 if (a) it is determined to be in the best interest of the child and (b) that child will reach age six (6) by January 1 of the current school year. The determination for early entrance into first grade shall be based on one or more consultations with the parent/legal guardian, the child, the teacher, and the school principal.

High School

The District shall not deny a student who is between the ages of sixteen (16) and twenty-one (21) years of age admission to a high school, except that if a student who meets the criteria for admission already holds a recognized diploma, a District may refuse that student admission.

A student who is under sixteen (16) years of age and does not hold an eighth-grade promotion certificate can be admitted to high school at the District's discretion. Students without a promotion certificate may be required to demonstrate competency requirements for promotion as determined by the Arizona State Board of Education in the areas of mathematics, writing, reading, science and social studies.

Admission Requirements

Resident Students

The District shall enroll all students seeking enrollment who (a) reside within District boundaries and (b) meet the requirements for enrollment in the program in which the student is seeking enrollment.

For purposes of this Procedure, residence within the District shall be determined by:

- A. the residence of the student's parent/legal guardian if the student resides with the parent/legal guardian;
- B. the student's residence if the student is at least eighteen (18) years old, is an emancipated minor, or is a student without a permanent residence who does not reside with the student's parent/legal guardian;
- C. the attendance boundaries of the last school a student attended before becoming a student without a permanent residence;
- D. the residence of a family member with whom the student lives pending the outcome of a guardianship or custody proceeding if the student is able to provide documentary proof of the legal proceeding; or
- E. the pending residence of a parent/legal guardian while on active military duty who is subject to an official military order to transfer or be transferred to a military installation within District boundaries. Proof of residency must be provided within ten (10) days of arrival date, and the parent/legal guardian may use the address of a temporary on-base billeting facility, a purchased or leased home or apartment, or any federal government housing of off-base military housing, including off-base military housing that may be provided through a public-private venture.

[A.R.S. § 15-802\(B\)](#) requires Districts to obtain and maintain proof of Arizona residency upon enrollment. This documentation must be provided at the time of enrollment and renewed annually. Acceptable documentation includes one or more of the following:

- A. valid Arizona driver's license, Arizona identification card;
- B. valid Arizona motor vehicle registration;
- C. valid Arizona Address Confidentiality Program (ACP) authorization card;
- D. property deed;
- E. mortgage documents
- F. property tax bill
- G. rental agreement or lease (including Section 8 agreement or off-base military housing);
- H. utility bill (water, electric, gas, cable, phone);
- I. bank or credit card statement;
- J. W-2 wage statement;
- K. current payroll stub;
- L. certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe located in Arizona;
- M. other documentation from a state, tribal, or federal agency (Social Security Administration, Veterans' Administration, Arizona Department of Economic Security, etc.); or
- N. temporary on-base billeting facility (for military families)

If a parent/legal guardian cannot provide one of the above documents because they do not maintain their own residence, the District shall obtain:

- A. an Affidavit of Shared Residency form that includes the parent's/legal guardian's and the District address, and the school in which the student is being enrolled;
- B. a signed and notarized affidavit from the individual who maintains the residence where the student lives that attest to the fact that the student resides at that address; and

- C. one of the documents listed above bearing the name and address of the person signing the affidavit.

Transfer Students

Pursuant to [A.R.S. § 15-828](#)(G), within ten (10) school days after enrolling a transfer student, a school shall request directly from the student's previous school a certified copy of the student's record.

Students transferring from homeschool instruction, shall be tested pursuant to [A.R.S. § 15-745](#) to determine appropriate grade level placement.

The assignment of academic credit for transfer students (including foster care students) shall comply with the requirements of [A.R.S. § 15-701.01](#) and [A.R.S. § 15-701.04](#). See Procedures 5-217.A and 5-217.B (if applicable for a high school student).

Non-resident students

A non-resident student is any student who is a resident of Arizona but is not a resident of the District as described in this Procedure who is currently enrolled or seeking enrollment.

Policy 5-105 contains policies regarding the enrollment of non-resident students without payment of tuition.

Mandatory Admission Upon Payment of Tuition by Non-resident Students

In accordance with [A.R.S. §15-824](#), the District shall admit the following non-resident students and charge tuition in accordance Arizona law:

- A. Students who are Arizona residents if the District provides a high school and the student is a resident of an Arizona common school district that is not in a high school district and that does not offer instruction in the student's grade. Special circumstances may apply in accordance with Arizona law.
- B. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.
- C. A student who is issued a certificate of educational convenience to attend school in the District or adjoining the school district to that in which the student is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in [A.R.S. § 15-825](#).
- D. A student who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with [A.R.S. § 15-824\(E\)\(3\)](#).

Discretionary Admission without Payment of Tuition

The Governing Board may admit students who are residents of the United States, but who are nonresidents of Arizona, without payment of tuition if all of the following conditions exist:

- A. The student is enrolled in a year-round residential boarding academy located in this state specializing in intensive instruction and skill development in sports, music or acting.
- B. The child's parents/legal guardians have executed a current notarized guardianship agreement covering the child while enrolled at the academy, which is a condition of enrollment at the academy and authorizes academy representatives to act on the child's parent's or legal guardian's behalf in making all decisions on a daily basis as to the child's activities and needs for medical, educational and other personal issues.

The District shall not include in its student membership count students who are not Arizona residents. Unless authorized by statute, the District is prohibited from obtaining state funding for any student who is not a resident of the state.

Students Without a Permanent Residence

In compliance with Arizona law, the Arizona Administrative Code and McKinney-Vento Homeless Education Assistance Improvement Act, the District ensures that students without a permanent residence are not stigmatized or segregated due to their homelessness, are immediately enrolled in their school of origin or residence and that transportation is provided to and from the school as if they were a resident student.

To aid in accomplishing these requirements, the District has appointed a liaison for students without a permanent residence whose purpose is to coordinate activities and programs in the best interest of students without a permanent residence and to facilitate:

- A. the continuation of a student's education for the duration of their homelessness or for the remainder of the academic year if the student finds permanent residence during that time; and
- B. ensure enrollment of the student in the school that any non-homeless student who lives in the area would be enrolled.

When determining the best interest of a student without a permanent residence, the liaison shall:

- A. to the extent feasible, keep a homeless student in the school of origin, except when doing so is contrary to the wishes of the student's parent/legal guardian;
- B. provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, if the homeless student is sent to a school other than the school of origin or a school requested by the parent/legal guardian; and
- C. in the case of an unaccompanied youth, assist in placement or enrollment decisions, considering the views of such unaccompanied youth, and providing notice to such student of the right to appeal.

Students without a permanent residence cannot be denied enrollment due to a failure to provide records normally required for enrollment.

The school where the student without a permanent residence is enrolled must make a good faith effort to obtain the relevant academic and other records from the student's former schools.

In the event of a dispute over school selection or enrollment, the student must be enrolled in the selected school pending resolution of the dispute. The school is then responsible for providing a written explanation of the decision including informing the student, parent/legal guardian of their right to appeal and a referral to the liaison for students without a permanent residence to continue the dispute resolution process.

Students in Foster Care

Pursuant to Arizona law, the Arizona Administrative Code and the foster care provisions of the Every Student Succeeds Act, the District has designated an appropriate staff to serve as the liaison or point of contact for children in foster care. That staff member's responsibilities include, but are not limited to, coordination of transportation services, enrollment and transfer of records, coordination of efforts to continue the student's education and maintaining school stability, determining the child's best interest in placement, facilitating the transfer of academic credit and a graduation plan, and ensuring that school staff are properly trained on matters involving educating children in foster care.

Pursuant to [A.R.S. § 8-530.04](#), the District shall participate in a meeting to determine if it is in the best interests of the student in foster care to remain at the school of origin. If it is determined that it is in the student's best interest to enroll in the District, the District shall enroll within two (2) days even if the student does not possess the records normally required to enroll. A school of origin shall transfer a foster care student's education records within two (2) days of a change in educational placement.

Students in foster care may be given enrollment preference pursuant to [A.R.S. § 15-816.01](#) over non-resident students or those seeking open enrollment, if so authorized by the Board.

Exchange and Foreign Students

Pursuant to [A.R.S. § 15-823](#), non-resident foreign students who are in exchange programs may be admitted to the District without payment of tuition.

The Board may admit the same number of non-resident students who are in exchange programs and who are recipients of a J-1 visa pursuant to federal law, that is equal to the number of resident students enrolled in the District who are currently participating in a foreign exchange program without payment of tuition.

Decisions regarding exchange and foreign students are within the Board's discretion in regard to admittance and payment of tuition.

Enrollment Requirements

© 5-102.B Procedure - Enrollment Requirements – Vision Screening

Each school shall provide vision screening services as required by [A.R.S. § 36-899.10](#) and in accordance with administrative regulations and recommended guidance issued by the Arizona Department of Health Services (ADHS). Schools shall conduct vision screenings:

1. upon initial entry of a student to school and for not more than two additional grade levels or as otherwise required by ADHS;
2. for students who receive or are being evaluated for special education services and who have not been screened in the last year;
3. upon teacher request, if the student has not been screened in the last year; and
4. for students who are not reading by the third grade pursuant to the state assessment

The District shall require those completing vision screenings to have completed training as required by ADHS regulations. The District will provide the results to parents or legal guardians for students who do not pass the vision screening within forty-five (45) days after the vision screening with the notices to the parent/legal guardian required by [A.R.S. § 36-899.10\(D\)](#). A parent or legal guardian may opt a student out of a vision screening as permitted by state law.

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Enrollment Requirements

© 5-102.C Procedure - Enrollment Requirements – Reading Deficiency Screening

Pursuant to [A.R.S. § 15-701](#) *et seq.*, the District shall provide for universal screenings of all students in preschool programs, kindergarten programs and grades one through three that is designed to identify students who have reading deficiencies.

The District shall employ at least one kindergarten through third grade teacher, literacy coach or literacy specialist in each school that has received training related to dyslexia as prescribed by state law.

The Governing Board shall select an appropriate evaluation methods and/or assessments to administer to kindergarten students. The Board may consider the kindergarten entry evaluation tool adopted by the State Board of Education.

The District shall administer the kindergarten entry evaluation tool selected by the Board within forty-five (45) days after the beginning of each school year or within forty-five (45) days after a student enrolls.

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5-100 Student Enrollment and Attendance

© 5-103 Compulsory Attendance and Excuse from Student Attendance

A student between the ages of six (6) and sixteen (16) is required to attend school during the school's hours. The student's parent/legal guardian is required to notify the school regarding the student's absence.

Exceptions to School Attendance Requirement

A student between the ages of six (6) and sixteen (16) is excused from attending school if any of the following is shown to the satisfaction of the school principal:

1. The student is in such physical or mental condition that instruction is inexpedient or impracticable.
2. The student has completed the high school course of study necessary for completion of grade ten as prescribed by the State Board of Education.
3. The student has presented reasons for nonattendance at a public school that are satisfactory to the school principal.
4. The student is over fourteen years of age and is employed, with the consent of the parent or legal guardian, at some lawful wage-earning occupation.
5. The student is enrolled in a work training, career education, career and technical education, vocational education, or manual training program that meets the educational standards established and approved by the Arizona Department of Education.

The student may also be excused from attendance if the student was:

1. suspended and not directed to participate in an alternative education program;
2. expelled from another educational institution or is in the process of being expelled from another educational institution; or
3. enrolled in an education program provided by a state educational or other institution.

School Closure

In the following situations, students may be excused from school attendance if a school closure is authorized by the Arizona Department of Education:

1. widespread illness for any period of three (3) consecutive days or more;
2. adverse weather conditions for any period of three (3) consecutive days or more;
3. concerted refusal by students to attend classes for any period of three (3) consecutive days or more;
4. threats of violence against school property, school personnel, or students for any period of one (1) day or more; and/or
5. situations affecting the safety of persons or property resulting from fire, flooding or floodwater, an earthquake, a hazardous material event, or another cause if approved by the Arizona Department of Education.

Religious Instruction

A student may be excused from school attendance for religious purposes, including participation in religious exercises and religious instruction subject to the following conditions:

1. the student's parent/legal guardian has given written consent to the District; and
2. any religious instruction or exercise takes place at a suitable place away from school property designated by the church or religious denomination or group.

Notification to Parent

The school in which the student is enrolled shall make a reasonable effort to promptly telephone and notify the parent/legal guardian or other person who has custody of the student of the student's absence from school.

For all students enrolled in kindergarten through grade eight (8), the student's school shall make a reasonable effort to promptly notify the student's parent or other custodial adult by telephone that their student is absent without excuse or without proper notice as follows:

1. within two (2) hours after the first class in which the student is absent for a student in a kindergarten program or in any of grades one (1) through six (6);
2. within two (2) hours after the first class in which the student is absent for a student in grade seven (7) or eight (8) if the first class in which the student is absent is the student's first class of the school day; or
3. within five (5) hours after the first class in which the student is absent for a student in grade seven (7) or eight (8) if the first class in which the student is absent is after the student's first class of the school day.

On or before the enrollment of a student in a kindergarten program or in any of grades one (1) through eight (8), the District shall notify the parent/legal guardian:

1. of the responsibility to authorize any absence of the student from school and to notify the school in which the student is enrolled in advance or at the time of any absence; and
2. that the District requires the parent or legal guardian to provide at least one telephone number, if available. The District requires that the telephone number, if available, be given at the time of enrollment of the student in school and that the school of enrollment be promptly notified of any change in the telephone number.

The District, Governing Board members, and District staff or agents are not liable for failure to notify the parent/legal guardian of a student's absence from school.

Adopted:

Legal Authority:

[A.R.S. § 15-802](#)

[A.R.S. § 15-803](#)

[A.R.S. § 15-806](#)

[A.R.S. § 15-807](#)

[A.R.S. § 15-841](#)

[A.R.S. § 15-873](#)

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5-103.A Procedure - Compulsory Attendance and Excuse from Student Attendance – Truancy

To facilitate legal action regarding school attendance, the following procedures are to be followed:

A. When a student's absences become excessive - eighteen (18) or ten percent (10%) of the school attendance days per year in kindergarten (K) through grade eight (8), or ten (10) days per semester plus loss of credit in grades nine (9) through twelve (12) - and reasonable alternatives have been exhausted whereby the recalcitrant student or parent does not respond to school authorities, the principal may contact legal authorities.

B. The District may also use employees and/or volunteers to assist with attendance tracking and contacting parents.

The following may occur:

A. If appropriate, a complaint/referral form will be completed and forwarded to the juvenile probation office. The juvenile probation office will intervene with students and parents. The intervention may include either formal or informal court action. After twelve (12) days of absence or lack of responsiveness to intervention, a complaint/referral form will be completed and forwarded to the juvenile probation office;

or

B. A referral to law enforcement may be pursued against the parent/ guardian/custodian for educational neglect.

If excessive absences are excused due to illness or other legitimate reasons, the school will implement appropriate interventions.

School handbooks may also provide additional attendance information and requirements for each campus.

5-100 Student Enrollment and Attendance

© 5-104 Homebound or Hospitalized Students and Students with Chronic Health Problems

This Policy is designed to provide continuing learning opportunities for students with chronic health problems and homebound or hospitalized students while they are absent from school and to provide for their integration into the regular education program as much as possible.

Definitions

"Homebound or hospitalized student" means a student who is capable of receiving academic instruction and completing assignments but: (a) who is unable to attend school due to illness, disease, accident, pregnancy or health other conditions, who has been examined by a competent medical doctor and who is certified by that doctor as being unable to attend regular classes for a period of not less than three school months; or (b) who is unable to attend school regularly due to chronic or acute health problems, who has been examined by a competent medical doctor and who is certified by that doctor as being unable to attend regular classes for intermittent periods of time totaling three school months during a school year.

"Student with a chronic health problem" means a student: (a) who is not homebound, but who is unable to attend regular classes for intermittent periods of one or more consecutive days because of illness, disease, pregnancy complications or accident as certified by a licensed health professional or a licensed registered nurse practitioner; (b) who suffers from a condition requiring management on a long-term basis as certified by a licensed health professional or a licensed registered nurse practitioner; or (c) who has an infant with a severe health condition as certified by a licensed health professional or a licensed registered nurse practitioner.

"Health care professional" means a licensed podiatrist, chiropractor, medical doctor, naturopathic physician, chiropractor, osteopathic physician, physician assistant or a licensed, registered nurse practitioner as those terms are defined in [Arizona Revised Statutes Title 32](#).

Students with chronic health problems will be provided the opportunity for:

1. homework availability to ensure they have the opportunity to keep up with assignments and avoid losing credit because of their absence from school; and
2. flexibility in physical education activity requirements so they may participate in the regular physical education program to the extent that their health permits.

Nothing in this Policy shall be construed to:

1. obstruct, interfere with, or override the rights of parents/legal guardians concerning the education and health care of students with chronic health problems;
 2. authorize school personnel to authorize absences from school for a student with a chronic health problem without the prior consent of the student's parent/legal guardian;
- or

3. authorize school personnel to recommend, prescribe, or provide medication to a student with a chronic health problem without the prior consent of the student's parent/legal guardian.

Adopted:

Legal Authority:

[A.R.S. § 15-346](#)

[A.R.S. § 15-901](#)

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Homebound or Hospitalized Students and Students with Chronic Health Problems

© 5-104.A Procedure - Homebound or Hospitalized Students and Students with Chronic Health Problems - Certification and Program Plan

A student may be provided an opportunity to receive course credit after obtaining medical certification documenting a condition that interferes with regular school attendance.

A. Certification Process

1. When a student is identified as possibly requiring services as a student with a chronic health condition (via registration, screening procedures, attendance data, or parent referral), a chronic health condition certification form with a letter of explanation shall be sent to the parents. The chronic health condition certification shall be returned by the parent to the campus as soon as possible.
2. A student who will be absent for more than ninety (90) days must provide medical certification from a licensed medical doctor. A student who will be absent for less than ninety (90) days must provide medical certification from a health care professional.
3. Certification of a chronic health condition is effective on the date when the licensed health care provider certifies the student's chronic health condition.
4. The certification shall detail the (a) student's condition; (b) student's prognosis; (c) physical limitations affecting physical education and corresponding requirements; (d) any anticipated surgeries, treatments, or hospitalizations; and (e) certified healthcare provider signature and date.
5. Certification is not retroactive and will not excuse any absences occurring prior to the date of certification.
6. The attendance clerk will document the chronic health condition in the student's file.
7. The teacher(s) and parent/legal guardian shall meet promptly following return of the chronic health condition certification to develop an instructional plan.
8. The parent/legal guardian must call in each absence, and the student must complete all assignments necessary for class credit within the timeframe provided.

On a yearly basis, the District shall review instructional needs of any student with a chronic health condition. An updated chronic health condition certification shall be obtained for each school year to verify the need for continuing instructional support. However, the student may be recertified at any time to reevaluate appropriate services needed.

B. Instructional Plan

The appropriate instructional services needed are to be recommended by the teacher(s) after consultation with the parent/legal guardian according to the following considerations:

1. the nature of the health condition relevant to the student's anticipated activity level during absences (based on review of the chronic health condition certification);
2. the student's academic capacity;
3. the teacher's recommendations for service delivery based on course-work difficulty and the student's ability to learn independently;

4. the amount of face-to-face instruction time required by the student for optimum continuous learning outside the regular classroom; and
5. the most appropriate service delivery in order to maintain integration in the regular education program as much as possible (i.e., regular physical education activities).

If the student will be absent for less than three (3) months of school or accrue absences intermittently, then the plan will provide opportunities for the student to complete assignments for class credit.

For students with current individualized education plans/Section 504 plans, the team should convene to determine the services and supports that should be provided during periods of absences.

C. Homebound or Hospitalized Students Plan

Homebound instruction shall not be less than four (4) hours/week by a certified teacher. Homebound instruction will be directly correlated with the instruction and work the student is missing from in-class instruction and geared to the student's needs and what the student is capable of doing during the period away from school.

Homebound is not the same as "home-based instruction" under the Individuals with Disabilities Education Act, which is a level of placement along the continuum of alternative placements for students with disabilities whose least restrictive environment is instruction in the home and is needed for the student to receive a free appropriate public education as determined by the student's IEP team.

PRESCOTT UNIFIED SCHOOL DISTRICT

300 EAST GURLEY Street

Prescott, AZ 86301

APPLICATION FOR HOMEBOUND/HOSPITALIZED INSTRUCTION

Name of Student _____ School Year: _____

School Attended _____ Birth _____ Date _____

_____ Student _____ Street _____ Address _____

_____ Grade _____

_____ City _____

_____ Zip _____ Home _____ Phone _____

_____ Parent/Guardian _____ Name _____

_____ Parent _____ Cell _____ Phone _____

Does your child currently have an IEP? Yes No _____ Parent _____ Work _____ Phone _____

_____ Does your child currently have a

504 Plan? Yes No

PHYSICIAN STATEMENT (Must be a M.D. or D.O.)

Sign below or attach a letter with diagnosis and signature

I hereby certify this student as being unable to attend regular classes for a period of not less than three months. _____ Diagnosis _____

Signature of Physician

Street Address

Printed Name of Physician

City

Zip

Date

PARENT/GUARDIAN STATEMENT

I hereby request and approve homebound/hospitalized instruction for my child.

Signature of Parent/Guardian

Street Address

City

Zip

SCHOOL DISTRICT STATEMENT

I hereby certify that the student named on this application meets all requirements of A.R.S. §15-761 for homebound/hospitalized instruction, and that this student’s attendance will be reported.

Date Enrolled in Homebound

Date Homebound Services Terminated

Signature of Superintendent

**EXCLUSIONS AND EXEMPTIONS
FROM SCHOOL ATTENDANCE**

**CERTIFICATION OF STUDENTS WITH
CHRONIC HEALTH CONDITIONS**

(Obtained from a Licensed health professional or nurse practitioner to be provided to the district each school year)

Acknowledgment of Disclosure of HIPAA protected information: The student, through their parent/guardian, is hereby requesting the below information for the benefit of their student's education. Disclosure is permitted by 45 C.F.R.164.502(a)

School year: _____

Students Name: _____ DOB: _____

Parent/Legal Guardian Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number(s): _____

School: _____ Grade: _____

Date of initial consultation: _____

Licensed health professional or nurse practitioner diagnosis:

Licensed health professional or nurse practitioner prognosis:

Physical limitations affecting physical education activities:

Anticipated absences due solely to illness, disease, pregnancy complications, an accident, or severe health problems of an infant child of a student (include anticipated surgeries, treatments, or hospitalizations that may interfere with school attendance during the _____year):

***Example 1:** Student's physical condition may result in frequent absences in the school year that may exceed ten (10) consecutive school days per semester, but I do not anticipate that the student will be absent enough days to require homebound services.*

***Example 2:** Student will require three (3) hospitalizations of approximately four (4) days duration each and three to five (3-5) treatments of one (1) day each during the school year.*

Other relevant information:

Print Licensed health professional or nurse practitioner name and licensed title

_____ **Date:** _____

Licensed health professional or nurse practitioner signature and title

_____ **Date:** _____

Parent/Legal Guardian signature

**EXCLUSIONS AND EXEMPTIONS
FROM SCHOOL ATTENDANCE**

**INSTRUCTIONAL AGREEMENT FOR STUDENTS WITH
CHRONIC HEALTH CONDITIONS**

School year: _____

Student Name: _____

Parent/Legal Guardian Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Person responsible for homework coordination: _____

Position: _____ School: _____

Certified teacher(s) to provide homework and maintain contact with students and parents during absences for the school year.

Parent/guardian/student agrees to return completed homework to the school for absences during the school year as follows:

Eligibility checklist *(this portion to be completed by PUSD District Office):*

_____ Medical certification of chronic health condition (exhibit JHD-EB) received.

_____ Medical certification of physical limitations for physical education.

_____ District office has informed PowerSchool Administrator of the chronic condition. Chronic Illness has been noted on the attendance register.

_____ School nurse informed of student's chronic health condition.

_____ Student's teacher(s) informed of student's chronic health condition.

_____ Students advisor informed of student's chronic health condition.

_____ Physical education activities/requirements adapted according to medical certification.

For the _____ school year

(student name)

- Should
- Should not

Be registered as having a chronic health condition.

Approved:

Superintendent's signature

Date

5-100 Student Enrollment and Attendance

5-105 Open Enrollment

Definitions

"Open enrollment" means a policy that is adopted and implemented by the Governing Board to allow resident transfer students to enroll in any school within the District, to allow resident students to enroll in any school located within other school districts in this state, and to allow nonresident students to enroll in any school within the District pursuant to [A.R.S. § 15-816.01](#).

"Nonresident student" means a student who resides in this state, and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides.

"Resident student" means a student whose parents or legal guardian reside within the attendance area of a District school.

"Resident school" means a school that is within the designated attendance area in which a student resides.

"Resident transfer student" means a resident student who is enrolled in or seeking enrollment in a school that is within the school District but outside the attendance area of the student's residence.

Capacity

The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils. The estimate of excess capacity shall be made for each school and grade level and shall take into consideration:

- A. District resident pupils in assigned school attendance areas, including those issued certificates of educational convenience and those required to be admitted by statute.
- B. The enrollment of eligible children of persons who are employed by the District.
- C. Resident transfer pupils who were enrolled in the school the previous year.
- D. Nonresident pupils who were enrolled in the school the previous year.

The Governing Board shall make the final determination of excess capacity and may require resident transfer pupils and/or nonresident pupils to be subject to the enrollment priorities and procedures found below. The excess-capacity estimates shall be made available to the public in June of each year.

Enrollment Priorities

If the Governing Board has determined that there is excess capacity to enroll additional pupils, such pupils shall be selected on the basis of designated priority categories from the pool of pupils:

- A. Who have properly completed and submitted applications; and
- B. Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

- A. Enrollment preference shall be given to resident transfer pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.
- B. Enrollment preference shall be given to nonresident pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.
- C. Enrollment preference shall be given to resident transfer pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.
- D. Enrollment preference shall be given to nonresident pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

Enrollment preference may be given to children who are in foster care.

Schools Without Attendance Boundaries

The District may establish schools that do not have attendance boundaries. Student attendance for such schools shall be based upon open enrollment applications. Transfer is subject to the capacity limit established for the school, program, and/or grade level. Student transportation will be the responsibility of the parent/legal guardian.

Notification

The District shall notify the emancipated pupil, parent, or legal guardian in writing by June 1 whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or rejected. The District shall also notify the resident school district of an applicant's acceptance or placement on a waiting list. If the applicant is placed on a waiting list, the notification shall inform the emancipated pupil, parent, or legal guardian of the date when it will be determined whether there is capacity for additional enrollment in a school. If the pupil's application is rejected, the reason for the rejection shall be stated in the notification.

As provided by A.R.S. § [15-816.07](#), the District and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

Exception

Should there be excess capacity remaining for which no applications were submitted by the date established, the Superintendent, upon approval by the Board, shall authorize additional enrollment of nonresident pupils:

- A. Up to the determined capacity.
- B. On the basis of the order of the completed applications submitted after the notification date established in this Policy.
- C. Without regard to enrollment preference.
- D. As long as admission standards are met.
- E. Whose applications are submitted beginning March 1.

Nondiscrimination and Equitable Enrollment

The District will not deny enrollment based on ethnicity, or race, national origin, sex, income level, disability, English language proficiency, athletic ability, or academic performance.

The implementation of this Policy must not disproportionately impact any group or class of students.

Adopted:

Legal Authority:

[A.R.S. § 15-816](#)

[A.R.S. § 15-816.01](#)

[A.R.S. § 15-816.07](#)

[A.R.S. § 15-841](#)

[42 U.S.C. § 11434a](#)

Open Enrollment

5-105.A Procedure - Open Enrollment - Enrollment Process

All applicants will be accepted if there is sufficient capacity in the school, grade level, and/or program. If there is insufficient capacity, applicants will be selected from the submitted applications for enrollment by the priority assigned and by the date of application.

A. General Open Enrollment Process

The procedure for selection shall be as follows:

Parents of resident transfer pupils and nonresident transfer pupils must complete an application each time they change schools. Once they have been accepted into a school, they do not have to reapply each year. However, they do have to apply when changing levels, i.e., preschool, elementary, middle, and high school.

In order for the District to maintain a special education student-teacher ratio that allows the teacher to work effectively and efficiently toward the individualized education program (IEP) objectives of each student with a disability, special education caseloads are reviewed annually. Therefore, parents of nonresident students receiving services through Extended Resources, STEPS, Pathways, or RISE programs must reapply annually for admittance to these programs.

The District will enroll at any time any resident student who applies for enrollment and will accept open enrollment students throughout the school year as capacity in the particular program, class, or grade level allows. The District will reserve capacity for and grant enrollment preference to students residing within the attendance boundaries of the school, returning students, and siblings of students currently enrolled at the school.

B. Admission Criteria

The Superintendent will determine if resident transfer and nonresident students will be admitted in accordance with whether the school in which the student seeks to enroll has the capacity to serve the student without adversely impacting educational opportunities for resident students attending their resident school.

Factors to be considered in making this determination include, but are not limited to, the following:

1. physical capacity of school facilities;
2. availability of staff (e.g., administrators, teachers, other certificated employees, related service providers); and
3. capacity of grade levels, core and elective courses, and relevant special programs.

The District may also consider whether the student has been expelled by another school or is in the process of being expelled by another school.

No school within the District shall limit admission based on any of the following:

1. ethnicity or race,
2. national origin,
3. sex,
4. income level,
5. disability,
6. proficiency in the English language, or
7. athletic ability.

The capacity of each school and whether it is currently accepting open enrollment students by grade level and specialized program will be posted on the school's website and will be updated at least every twelve (12) weeks unless there are no changes to report.

C. Priority of Admissions

The District will reserve capacity for and grant enrollment preference to students residing within the attendance boundaries of the school, students returning from the prior year, and to siblings of students currently enrolled at the school and siblings of students selected through the equitable selection process. Other students seeking open enrollment will be admitted if the school has capacity at that time. If a particular school reaches capacity after enrolling resident students and students with preferential enrollment eligibility, students seeking open enrollment will be placed on a wait list and will be selected by lottery.

D. Transportation

A resident transfer student is eligible for District transportation on routes within the attendance boundaries of the school to which the student has been accepted for open enrollment transfer. It is the responsibility of the parents or guardians of the resident transfer student to have the student at a designated pickup point within the receiving school's transportation area.

Nonresident open enrollment students are eligible for District transportation from a designated pickup point on a bus route serving the attendance area of the school to which the student has been admitted, or as may be otherwise determined by the District.

The District *may* provide transportation for open enrollment nonresident students who meet the economic eligibility requirements established under the national school lunch and child nutrition acts for free or reduced price lunches:

1. of not more than thirty (30) miles to and from:

- a. the school of attendance, or
 - b. a pickup point on a regular District transportation route, or
 - c. for the total miles traveled each day to an adjacent district.
2. The District *shall* provide transportation for nonresident transfer students with disabilities whose individualized education program (IEP) specifies that transportation is necessary for fulfillment of the program:
- a. of not more than thirty (30) miles to and from:
 - b. the school of attendance, or
 - c. a pickup point on a regular District transportation route, or
 - d. for the total miles traveled each day to an adjacent district.

The District may provide transportation to students accepted for open enrollment, even when not required to do so, based upon the District's capacity to do so.

5-100 Student Enrollment and Attendance

© 5-106 Homeschooled Student Participation in Interscholastic Activities

A child who resides within the District and who is homeschooled shall be allowed to try out for interscholastic activities for the District in the same manner as a student enrolled at the District.

Homeschool means a nonpublic school conducted primarily by the parent, guardian or other person who has custody of the child or nonpublic instruction provided in the child's home.

Homeschoolers are parents or legal guardians who choose to educate their own children at home in at least the required subjects of reading, grammar, math, science, and social studies.

Parents of homeschooled students ages 6-16 are required to file a notarized Affidavit of Intent to Homeschool with the County School Superintendent within 30 days of starting to homeschool (or within 30 days following the child's 6th birthday for children who've been homeschooled prior to age 6).

Under A.R.S 15-802, "Homeschool" students are not those receiving ESA vouchers.

Homeschooled students may participate in District extracurricular and/or interscholastic athletics/activities at the school in which their residence would make them eligible to enroll. However, in selection of members to a team with limited membership, preference shall be given to District students. Homeschooled students participating in extracurricular and/or interscholastic athletics/activities must meet all applicable participation and eligibility requirements, including:

1. payment of the same participation or activity fee(s), if any, paid by District students,
2. insurance,
3. transportation,
4. physical condition,
5. qualifications,
6. standards of behavior, and
7. academic performance policies.

The school will request that the individual providing primary instruction to the homeschooled child submit written verification that provides whether:

1. the student is receiving a passing grade in each course or subject being taught, and
2. the student is maintaining satisfactory progress towards advancement or promotion.

Homeschool students shall not be permitted to participate in District athletics in a manner that would violate Arizona Interscholastic Association rules applicable to District students. A homeschooled student is as defined in A.R.S. § 15-802 and shall include only those students whose parents/legal guardians have filed affidavits with the county school superintendent.

Homeschool students suspended or expelled from any school may not participate in District programs until they have completed all requirements for readmission. A child who is homeschooled and who was previously enrolled in a public, private or charter school shall be ineligible to participate in interscholastic activities for the remainder of the school year during which the child was enrolled in a school.

Adopted:

Legal Authority:

A.R.S. § 15-802

[A.R.S. § 15-802.01](#)

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5-200 Curriculum and Instruction

© 5-201 Patriotic Exercises and Observance Days

U.S. Flag Display

The District shall display a United States flag in each classroom and on or near the outside of the school building during school hours and at such other times as school authorities direct. The flags must be manufactured in the United States, be at least 2x3 feet, and use appropriate hardware.

The District shall set aside a specific time each day for students who wish to recite the pledge of allegiance to the flag.

U.S. Constitution and Bill of Rights

For grades seven (7) through twelve (12), the District shall place a legible copy of the U.S. Constitution and Bill of Rights adjacent to each classroom flag. The documents must be manufactured in the United States.

Period of Silence

A period of silence shall be observed at the beginning of the day. The teacher in charge of the room shall announce that a period of silence for at least one minute but not more than two minutes will be observed. During that time, no activities shall take place and silence shall be maintained.

Declaration of Independence

Each student in grades four (4) through six (6) shall recite the following passage from the Declaration of Independence at the commencement of the first class of the school day:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed.

Should a parent/legal guardian of a student object to the recitation of the passage set forth above, the student shall not be required to participate.

Observance Days

1. 9/11 Education Day

September 11th of each year shall be observed as 9/11 Education Day. On 9/11 Education Day, the District shall provide age appropriate instruction for grades seven (7) through twelve (12) on the terrorist attacks of September 11, 2001.

2. Sandra Day O'Connor Civics Celebration Day

September 25th of each year shall be observed as Sandra Day O'Connor Civics Celebration Day. On Sandra Day O'Connor Civics Celebration Day, each school shall dedicate the majority of the school day to civics education.

If 9/11 Education Day or Sandra Day O'Connor Civics Celebration Day falls on a day when the District is not in session, the observance shall take place on the preceding or following school day.

The Superintendent is directed to emphasize the use of the resources developed by the State Board of Education relating to civics education that aligns to the academic standards in social studies pursuant to [A.R.S. 15-701](#) and [15-701.01](#).

Adopted:

Legal Authority:

[A.R.S. § 15-203](#)

[A.R.S. § 15-506](#)

[A.R.S. § 15-701](#)

[A.R.S. § 15-701.01](#)

[A.R.S. § 15-710.02](#)

[Ariz. Admin. Code R7-2-305](#)

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5-200 Curriculum and Instruction

© 5-202 Students with Disabilities (Section 504 of the Rehabilitation Act of 1973)

The District does not discriminate against individuals with disabilities in its policies or practices.

Definitions

"Student with a disability" means any person who (a) has a physical or mental impairment which substantially limits one or more major life activities, (b) has a record of such an impairment, or (c) is regarded as having such an impairment and is (i) of an age during which non-disabled persons are provided such services, (ii) of any age during which it is mandatory under state law to provide such services to students with disabilities, or (iii) to whom a state is required to provide a free appropriate public education under section 612 of the Education of the Handicapped Act.

"Physical or mental impairment" means (a) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive, digestive, genito-urinary; hemic and lymphatic; skin; and endocrine; or (b) any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

"Major life activities" means functions such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

"Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

"Is regarded as having an impairment" means (a) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation; (b) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (c) has none of the impairments defined above as a "physical or mental impairment" but is treated by a recipient as having such an impairment.

"Program or activity" means all of the operations of a local educational agency (as defined in [20 U.S.C. § 8801](#)(19)).

Child Find and Evaluation

It is the responsibility of the District to identify and evaluate students who, within the intent of Section 504 of the Rehabilitation Act of 1973, need or are believed to need special education or related services because of a disability in order that such students may receive the required free appropriate education.

Educational Services

Students may be eligible for services under the provisions of Section 504 even though they do not require services pursuant to the Individuals with Disabilities in Education Act (IDEA). Students who are identified as individuals with exceptional needs, according to IDEA criteria, are not addressed under this policy.

Procedural Safeguards

The District has developed procedural safeguards for actions related to the identification, evaluation, and placement of students entitled to Section 504 protections. For questions regarding Section 504 or the District's procedural safeguards, please contact the District's Section 504/ADA Coordinator:

Rhette Buller
300 E. Gurley Street
Prescott, AZ 86301
1-928-445-5400

Grievance Procedure

The District has established a grievance procedure for disability discrimination complaints. For questions regarding the District's grievance procedure, or any other information, please contact the District's Section 504/ADA Coordinator.

Adopted:

Legal Authority:

[A.R.S. § 15-708](#)

[29 U.S.C. § 706](#)

[29 U.S.C. § 794](#), Rehabilitation Act of 1973, (Section 504)

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Students with Disabilities (Section 504 of the Rehabilitation Act of 1973)

© 5-202.A Procedure - Students with Disabilities (Section 504 of the Rehabilitation Act of 1973)

Child find applies to children who are suspected of having a disability even though they are advancing from grade to grade, highly mobile, such as migrant and homeless, wards of the state, private school students and homeschooled students.

Each qualified student within the District who is eligible to receive regular or special education or related aids or services, regardless of the nature or severity of the condition necessitating such programs or services, shall receive free appropriate education in the District.

A. Location and Notification

The District will annually undertake to identify and locate every qualified child with a disability residing in the District who is not receiving a public education; and take appropriate steps to notify children with disabilities and their parents/legal guardians of the District's duty under this paragraph.

B. Identification and Referral Procedures

Parents/legal guardians, teacher, or other certificated school staff may refer for identification and evaluation of the student's individual education needs, a student who they suspect needs special education or related services not available through existing programs to receive a free appropriate public education.

The Superintendent will monitor the identification and evaluation to ensure that qualified personnel participate. The identification and evaluation will be completed by persons knowledgeable about the student, the student's school history, the student's individual needs, the meaning of evaluation data, and the placement options.

The District will consider a Section 504 referral and decide whether an evaluation is appropriate after reviewing the student's education records, including academic, social, and behavioral records. If the District denies a parents'/guardians' request for an evaluation, the District will inform the parents/legal guardians of this decision in writing and provide the parents/legal guardians with a copy of the parents'/legal guardians' procedural rights.

C. Evaluation Procedures

The District has established procedures for the evaluation, re-evaluation and placement of students who, because of their disability, need or are believed to need special education or related services which ensure that:

1. Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained staff in conformance with the instructions provided by their producer.
2. Tests and other evaluation materials include those tailored to assess specific areas of educational need and not just those designed to provide a single general intelligence quotient.
3. Tests are selected and administered to best ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).
4. Students who have been provided special education and related services are periodically reevaluated. A reevaluation procedure consistent with the Individuals with Disabilities Education Act (IDEA) is one way of meeting this requirement.

D. Placement Procedures

In interpreting evaluation data and making placement decisions, the District:

1. draws upon information from a variety of sources, including aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior,
2. establishes procedures to ensure that information obtained from all such sources is documented and carefully considered,
3. ensures that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; and
4. ensures that the student is placed in an education setting with students who are not disabled to the maximum extent appropriate to the needs of the student with a disability.

Prior to any significant change in placement, a comprehensive reevaluation of the student's needs will be conducted.

E. Education Services

For a student who has been identified as having a disability within the meaning of Section 504 and in need of special education or related aids and services, the District shall be responsible for determining what special services are needed.

The parents/legal guardians shall be invited to participate in District meetings where services for the student will be determined and shall be given an opportunity to examine all relevant records.

The District shall document the elements of the student's free appropriate public education (FAPE) under Section 504 in a document, typically referred to as a Section 504 plan. The plan will describe the regular or special education and related aids and services the student needs and the appropriate setting in which to receive those services.

If the District determines special education or related services are not appropriate, the District will create a record stating the identification of the student as a person with a disability and state the basis for the decision that the student does not currently require special services.

Parents/legal guardians will be notified in writing of the District's final decision concerning the services to be provided.

When a Section 504 plan is developed, all staff who work with the student shall be informed of the plan.

F. Progress Monitoring

The District will review and assess the effectiveness of the student's Section 504 plan annually to determine whether special education or related services are appropriate and necessary, and that the student's needs are being met as adequately as the needs of a nondisabled student.

G. Non-Academic Services

The District provides non-academic and extracurricular services and activities in such manner as is necessary to afford students with a disability an equal opportunity for participation in such services and activities.

Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District, referrals to agencies which provide assistance to people with disabilities, and employment of students, including both employment by the District and assistance in making available outside employment.

1. In providing or arranging for the nonacademic and extracurricular services and activities, including meals, recess periods, and other services and activities, the District ensures that students with disabilities participate with non-disabled peers in such activities and services to the maximum extent appropriate to the needs of the student with a disability.
2. Wherever the District provides personal, academic, or vocational counseling, guidance, or placement services to its students, it provides these services without discrimination on the basis of disability. The District ensures qualified

students with disabilities are not counseled toward more restrictive career objectives than their non-disabled peers with similar interests and abilities.

3. In providing physical education courses and athletics and similar aids, benefits, or services to any of its students, the District does not discriminate on the basis of disability. If the District offers physical education courses or operates or sponsors interscholastic, club, or intramural athletics, it also provides to qualified students with a disability an equal opportunity for participation.

H. Procedural Safeguards

A student's parents/legal guardians shall receive written notice of all District decisions regarding the identification, evaluation or educational placement of a student under this procedure.

The District shall provide an opportunity for the parents/legal guardians of the student to examine relevant records.

The District shall provide an opportunity for the parents/legal guardians of the student to an impartial hearing with opportunity for participation by the student's parents/legal guardians and representation by counsel, and a review procedure. Compliance with the procedural safeguards of section [34 C.F.R. § 300.504](#) of the IDEA is one way of meeting this requirement.

I. Grievance and Due Process Procedures

Parents/legal guardians or students who feel unlawfully discriminated against or who have been the victim of unlawful discrimination by an agent or staff of the District or who know of such discrimination against another person concerning issues relevant to the Section 504, should file a complaint with the 504 Coordinator. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the Governing Board. Procedure 1-201.A provides details on how to file a complaint/grievance.

Parents/legal guardians or the District may initiate a due process hearing on a matter related to: 1) eligibility and related procedures; 2) procedural safeguards; 3) provision of a free and appropriate public education to the student; or 4) placement of the student.

An impartial hearing officer shall render a decision. The parents/legal guardians shall be notified in writing of the decision. Either party may seek review of the decision of the Section 504 hearing officer by a state or federal court of competent jurisdiction.

The parties shall abide by the decision of the Section 504 hearing officer unless the decision is appealed to a state or federal court of competent jurisdiction and the decision is stayed by the court.

J. Programs, Services and Activities not Covered by the IDEA

The District shall comply with Section 504 and with the Americans with Disabilities Act in all services, programs, or activities, including those open to parents/legal guardians or to the public. The District must provide program accessibility to parents/legal guardians with disabilities to these programs, activities, or services, and appropriate auxiliary aids and services whenever necessary to ensure effective communication, as long as the provision of the auxiliary aids results neither in an undue burden or in a fundamental alteration of the program.

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5-200 Curriculum and Instruction

© 5-203 Students with Disabilities (Individuals with Disabilities Education Act [IDEA])

A. Child Find

The District will ensure that all children with disabilities within its jurisdiction who are in need of special education and related services are identified, located and evaluated.

1. The District will identify, locate and evaluate all children with disabilities within its population served who are in need of special education and related services.
2. Child find must also include children who are suspected of being a child with a disability and in need of special education, including:
 - a. Children who are advancing from grade to grade; and
 - b. Highly mobile children, including migrant children.
3. The District will maintain a record of children who are receiving special education and related services.
4. The District shall establish, implement, and disseminate written procedures for the identification and referral of all children with disabilities from birth through twenty-one (21) years.
5. The District will require all District-based staff to review the written procedures related to child identification and referral on an annual basis and maintain documentation of the staff review.
6. Identification (screening for possible disabilities) shall be completed within forty-five (45) calendar days after:
 - a. Entry of each preschool or kindergarten student and any student enrolling without appropriate records of screening, evaluation, and progress in the District; or
 - b. Parent/legal guardian notification of developmental or educational concerns.
7. Screening procedures shall include vision and hearing status and consideration of the following areas:
 - a. cognitive or academic;
 - b. communication;
 - c. motor;
 - d. social or behavioral; and
 - e. adaptive development.
8. For a student transferring into the District, the District shall review enrollment data and educational performance in the prior district. If there is a history of special education for a student not currently eligible for special education or an indication of inadequate progress, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services.
9. If a concern about a student is identified through screening procedures or review of records, the parent/legal guardian of the student shall be notified of the concern

within ten (10) school days and informed of the District's procedures to follow-up on the student's needs.

10. The District shall maintain documentation of the identification procedures utilized, the dates of entry into the District, notification by the parent/legal guardian of a concern and the dates of screening. The dates shall be maintained in the student's permanent records.
11. If the screening indicates a possible disability, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services. A parent/legal guardian or a student may request an evaluation of the student.
12. If, after consultation with the parent/legal guardian, the District determines that a full and individual evaluation is not warranted, the District shall provide prior written notice and procedural safeguards notice to the parent/legal guardian in a timely manner.

B. Parental Consent

1. If the District proposes to conduct an initial evaluation to determine if a child qualifies as a child with a disability after reviewing existing data with the parent/legal guardian and providing prior written notice, it will obtain informed consent from the parent/legal guardian of the child before collecting any additional data.
 - a. Parental consent for initial evaluation must not be construed as consent for initial provision of special education and related services.
 - b. The District must make reasonable efforts to obtain the informed consent from the parent/legal guardian for an initial evaluation.
2. For initial evaluations only, if the child is a ward of the state and is not residing with the child's parent/legal guardian, the District is not required to obtain consent from the parent/legal guardian if:
 - a. despite reasonable efforts to do so, the District cannot discover the whereabouts of the parent/legal guardian of the child;
 - b. the rights of the parent/legal guardian of the child have been terminated by the court; or
 - c. the rights of the parent/legal guardian to make educational decisions have been subrogated by a judge and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
3. The District may, but is not required to, seek informed consent through due process procedures if the parent/legal guardian of a child who is enrolled or seeking to enroll in the District refuses consent for an initial evaluation.
4. The District must obtain informed consent from the parent/legal guardian of the child before the initial provision of special education and related services to the child and must make reasonable efforts to obtain that consent.
5. If a parent/legal guardian refuses consent for the initial provision of special education and related services, the District may not seek consent through due process hearing procedures. The District:

- a. will not be considered to be in violation of the requirement to provide a free appropriate public education (FAPE); and
 - b. is not required to convene an individualized education program (IEP) team meeting or develop an IEP for the child.
- 6. If the parent/legal guardian revokes consent in writing for the continued provision of special education and related services at any time subsequent to the initial provision of special education and related services, the District:
 - a. may not continue to provide special education and related services to the child but must provide prior written notice prior to ceasing the provision of special education and related services;
 - b. may not utilize the due process hearing procedures;
 - c. will not be considered to be in violation of the requirement to provide FAPE; and
 - d. is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education and related services.
- 7. The District must obtain informed consent prior to conducting any reevaluation of a child with a disability.
 - a. If the parent/legal guardian refuses consent, the District may utilize due process hearing procedures to seek consent but does not violate its obligation if it declines to pursue the evaluation or reevaluation.
 - b. The informed parental consent for reevaluation need not be obtained if the District can demonstrate that:
 - 1. it made reasonable efforts to obtain such consent and has documented those attempts; and
 - 2. the child's parent/legal guardian has failed to respond.
- 8. Parental consent is not required before:
 - a. reviewing existing data as part of an evaluation or reevaluation; or
 - b. administering a test or other evaluation that is administered to all children unless consent is required of the parent/legal guardian of all children prior to administration.
- 9. The District may not use a parent's/legal guardian's refusal to consent to one service or activity under this section to deny the parent/legal guardian or child any other service, benefit, or activity of the District, except as required by the IDEA implementing regulations.
- 10. If a parent/legal guardian of a child who is homeschooled or placed in a private school by the parent/legal guardian at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent/legal guardian fails to respond to a request to provide consent, the District may not utilize due process hearing procedures to seek consent.

C. Evaluation and Eligibility

A full and individual initial evaluation will be conducted by the District before the initial provision of special education and related services to a child with a disability in accordance with [34 C.F.R. §§ 300.300 through 300.311](#) of the IDEA regulations.

A reevaluation of each child with a disability will be conducted by the District in accordance with [34 C.F.R. §§ 300.300 through 300.311](#) of the IDEA regulations.

Initial Evaluations

1. Consistent with consent requirements of [34 C.F.R. § 300.300](#), either a parent/legal guardian of a child or the District may initiate a request for an initial evaluation to determine if a child is a child with a disability.
2. The initial evaluation must both:
 - a. be completed within sixty (60) days of receiving parental consent for the evaluation, unless:
 - i. the parent/legal guardian and the District agree that it is in the best interest of the child to extend the timeline to complete the evaluation for an additional thirty (30) days;
 - ii. the child enrolls in the District from another District after the parent/legal guardian has provided consent and before the determination of eligibility by the other District. In that event, the District will ensure prompt completion of the evaluation; or
 - iii. the parent/legal guardian of a child with a disability repeatedly fails or refuses to produce the child for the evaluation.
 - b. consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child.

Reevaluations

1. The District will conduct a reevaluation of a child with a disability if:
 - a. The District determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
 - b. The child's parent/legal guardian or teacher requests a reevaluation.
2. The District will not conduct a reevaluation more than once a year unless the parent/legal guardian and District agree otherwise.
3. The District will conduct a reevaluation at least once every three (3) years, unless the parent/legal guardian and the District agree that a reevaluation is unnecessary.

Evaluation Procedures

1. The District must publish on its website and make available to parents/legal guardians its procedures related to requesting an evaluation for special education, including the District's points of contact.
2. If a parent/legal guardian requests an evaluation, the District will within fifteen (15) school days either begin the evaluation by reviewing existing data or provide a

- prior written notice refusing to conduct the evaluation. The sixty (60) day evaluation period commences on receipt of the signed informed consent.
3. The District will provide prior written notice to the parent/legal guardian of a child who has, or who is suspected of having, a disability, that describes the evaluation procedures that the District proposes to conduct. The consent for evaluation and prior written notice may be simultaneously provided to the parent/legal guardian following the determination that additional data are needed as a part of the review of existing data process.
 4. In conducting an evaluation or reevaluation, the District will:
 - a. use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent/legal guardian in order to determine;
 - i. whether the child is a child with a disability; and
 - ii. if the child is a child with a disability, information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities);
 - b. not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
 - c. use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.
 5. The District will ensure that evaluation materials and strategies:
 - a. are selected and administered so as not to be discriminatory on a racial or cultural basis;
 - b. are administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
 - c. are used for the purposes for which the assessment(s) or measure(s) are valid and reliable;
 - d. are administered by trained and knowledgeable personnel;
 - e. are administered in accordance with the instructions provided by the assessment publisher;
 - f. are selected and administered so as to ensure that if administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impairments (unless those skills are the factors being measured);
 - g. assess the child in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general

- intelligence, academic performance, adaptive behavior, communicative status, and motor abilities;
 - h. are sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not those needs are commonly associated with the child's disability; and
 - i. provide relevant information that directly assists in determining the educational needs of the child.
6. Evaluations of children who transfer to or from another District in the same school year shall be coordinated with the prior and subsequent Districts, in order to expedite the completion of a full evaluation.

Additional Evaluation Requirements

1. As part of an initial evaluation (if appropriate), and as part of any reevaluation, the IEP team and other qualified professionals, as appropriate, will do as follows.
 - a. The IEP team will review existing data on the child including:
 - i. evaluations and information provided by the parent/legal guardian;
 - ii. current classroom-based, local and state-wide assessments, and classroom-based observations; and
 - iii. observations by teachers, and related services providers.
 - b. On the basis of that review, and with input from the child's parent/legal guardian, the IEP team will identify what additional data, if any, are needed to determine:
 - i. whether the child is or continues to be a child with a disability, and, if so, the educational needs of the child;
 - ii. the present levels of academic achievement and related developmental needs of the child; and
 - iii. whether the child needs special education and related services to enable the child to meet measurable annual IEP goals and to participate, as appropriate, in the general education curriculum.
 - c. The IEP team may conduct the review without a meeting.
2. If additional data are needed, the District will administer the assessments required to obtain the additional data.
3. If additional data are not needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the District will notify the parent/legal guardian of:
 - a. the determination and the reasons for the determination; and
 - b. the right of the parent/legal guardian to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

4. The District will evaluate a child before determining that the child is no longer a child with a disability, except when the termination is due to graduation with a regular high school diploma or the child reaching age twenty-two (22).
5. When the child's eligibility terminates because of graduation or reaching age twenty-two (22), the District will provide a summary of the child's academic achievement and functional performance that includes recommendations on how to assist the child in meeting the child's postsecondary goals.

For the following disabilities, the full and individual initial evaluation shall include:

1. emotional disability: verification of a disorder by a qualified professional;
2. hearing impairment: an audiological evaluation by a qualified professional; and an evaluation of communication/language proficiency;
3. other health impairment: verification of a health impairment by a qualified professional;
4. specific learning disability: a determination of whether the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade-level standards, or intellectual development that meets the District's criteria through one of the following methods:
 - a. a discrepancy between achievement and ability,
 - b. the child's response to scientific, research-based interventions, or
 - c. other alternative research-based procedures;
5. orthopedic impairment: verification of the physical disability by a qualified professional;
6. speech/language impairment: an evaluation by a qualified professional;
7. speech impairments appear to be limited to articulation, voice, or fluency problems:
 - a. an audiometric screening within the past calendar year;
 - b. a review of academic history and classroom functioning;
 - c. an assessment of the speech problem by a speech therapist; or
 - d. an assessment of the student's functional communication skills;
8. traumatic brain injury: verification of the injury by a qualified professional, and/or
9. visual impairment: verification of a visual impairment by a qualified professional.

The Arizona Department of Education maintains a list of qualified professionals, subject to review and approval by the State Board of Education..

Determination of Eligibility

1. Upon completion of the evaluation process, the District will ensure that:
 - a. a group of qualified professionals and the parent/legal guardian of the child determine:
 - i. if the child is a child with a disability under the Individuals with Disabilities Education Act and the Arizona state statutes; and
 - ii. if so, the educational needs of the child; and

- b. the parent/legal guardian is provided, at no cost, a copy of the evaluation report and eligibility determination.
2. A child will not be determined to be a child with a disability if the primary factor for the determination is:
 - a. lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in 1208(3) of the Elementary and Secondary Education Act (ESEA);
 - b. lack of appropriate instruction in math; or
 - c. limited English proficiency.
3. The eligibility determination, including education needs, will be based on all of the information sources used in the evaluation process, and if deemed eligible and in need of special education and related services, an IEP will be developed in accordance with [34 C.F.R. §§ 300.320 through 300.324](#).

Observation

1. The District must ensure that the child is observed in the child's learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty.
2. In the case of a child less than school age or out of school, a group member must observe the child in an environment appropriate for a child that age.

Additional Procedures for Identifying Students with Specific Learning Disabilities

The District will determine, on an individual child basis, the criteria for determining whether a child has a specific learning disability using one of the following criteria in conformity with IDEA regulations [34 C.F.R. §§ 300.307 through 300.311](#):

1. the state-adopted criteria based on a child's response to scientific, research-based intervention;
2. the identification of a severe discrepancy between intellectual ability and achievement; or
3. other alternative research-based procedures.

If a student is found eligible as a student with a disability due to a specific learning disability, the student's IEP shall indicate whether the student has been diagnosed with dyslexia.

Additional Group Members

The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's parent/legal guardian and a team of qualified professionals, which must include:

1. the child's regular teacher; or

2. if the child does not have a regular teacher, then a regular teacher qualified to teach children of that age; or
3. for a child of less than school age, an individual qualified by the State to teach children of that age; and
4. at least one person qualified to conduct individual diagnostic evaluations of children, such as the District psychologist, speech-language pathologist, or remedial reading teacher.

Determining the Existence of a Specific Learning Disability

1. A child may be determined to have a specific learning disability if:
 - a. the child does not achieve adequately for the child's age or meet State-approved grade level standards in one or more of the following areas when provided with learning experiences and instruction appropriate for the child's age or meet State-approved grade level standards in:
 - i. oral expression
 - ii. listening comprehension
 - iii. written expression
 - iv. basic reading skills
 - v. reading fluency skills
 - vi. reading comprehension
 - vii. mathematics calculation
 - viii. mathematics problem solving;
 - b. the child does not make sufficient progress to meet age or State-approved grade level standards in one or more of the areas in (1)(a) when using a process based on the child's response to scientific, research-based intervention; or
 - c. the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State-approved grade level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments.
2. The findings of underachievement are not primarily the result of:
 - a. a visual, hearing, or motor disability;
 - b. intellectual disability;
 - c. emotional disturbance;
 - d. cultural factors;
 - e. environmental or economic disadvantage; or
 - f. limited English proficiency.
3. The group must ensure that the underachievement is not due to a lack of appropriate instruction in reading or math and must consider:
 - a. data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
 - b. data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress

during instruction, which was provided to the child's parent/legal guardian.

4. The District must promptly request parent/legal guardian consent to evaluate if, prior to referral, the child has not made adequate progress after an appropriate period of time when provided instruction described in (3)(a) and (3)(b).

Observation

In determining whether a child has a specific learning disability, the team must decide to:

- a. use information from an observation in routine classroom instruction and monitoring of the child's performance that was done before the child was referred for an evaluation; or
- b. have at least one member of the team conduct an observation of the child's academic performance in the regular classroom after the child has been referred for an evaluation and parental consent is obtained.

Specific Documentation for the Eligibility Determination

1. For a child suspected of having a specific learning disability, the eligibility determination must contain a statement of:
 - a. whether the child has a specific learning disability;
 - b. the basis for making the determination, including an assurance the determination was made in accordance with the Individuals with Disabilities Education Act;
 - c. the relevant behavior, if any, noted during the observation and the relationship of that behavior to the child's academic functioning;
 - d. the educationally relevant medical findings, if any;
 - e. whether the child does not achieve adequately for the child's age or to meet State-approved grade level standards consistent with IDEA implementing regulations; and either (1) does not make sufficient progress to meet age or State-approved grade level standards consistent with IDEA implementing regulations; or (2) exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State approved grade level standards or intellectual development consistent with IDEA implementing regulations; and
 - f. the determination of the group concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency on the child's achievement level.
2. If the child participated in a process that assessed the child's response to scientific, research-based intervention, the eligibility determination must contain:
 - a. the instructional strategies used, and the student-centered data collected;

- b. the documentation that the child's parent/legal guardian was notified about the State's policies regarding the amount and nature of student performance that would be collected and the general education services that would be provided;
 - c. strategies for increasing the rate of learning; and
 - d. the parent's/legal guardian's right to request an evaluation.
3. Each group member must certify in writing whether the report reflects the member's conclusion. If it does not, the group member must submit a separate statement presenting the member's conclusions.

D. Free Appropriate Public Education

A free appropriate public education (FAPE) will be available to all children within the boundaries of responsibility of the District, including children with disabilities who have been suspended or expelled from the District as provided for in [34 C.F.R. § 300.530](#)(d) of the IDEA regulations.

The District will make the determination that a child is eligible for special education and related services on an individual basis by a properly constituted team.

The District will make FAPE available to any child who needs special education and related services, even though the child has not failed or been retained in a course or grade and is advancing from grade to grade.

E. Powers of the Governing Board

1. The District will establish policy and procedures with regard to allowable pupil-teacher ratios and pupil-staff ratios within the District for provision of special education services.
2. The special education programs and services shall be provided only in a District facility that houses regular education classes or in other facilities approved by the Arizona Department of Education Division of Special Education.

F. Assistive Technology

1. The District will ensure that assistive technology devices or services or both will be available to a child with a disability, if required, as a part of:
 - a. special education,
 - b. related services, and
 - c. supplementary aids and service.
2. On a case-by-case basis, the District will ensure the use of District-purchased assistive technology devices in a child's home or other setting, if the child's IEP team determines that the child needs access to those devices in order to receive FAPE.

G. Extended School Year Services (ESY)

1. The District will make extended District year services available as necessary to provide FAPE to children with disabilities.
 - a. ESY services will be provided only if a child's IEP team determines, in accordance with [34 C.F.R. §§ 300.320 through 300.324](#), that the services are necessary for the provision of FAPE.
 - b. Services will not be:
 - i. limited to a particular category of disability; or,
 - ii. unilaterally limited to the type, amount, or duration of services.
2. The ESY services that are provided to a child with a disability will:
 - a. be provided beyond the normal school year of the District;
 - b. be provided in accordance with the child's IEP;
 - c. be provided at no cost to the parent/legal guardian of the child; and
 - d. meet the standards of the State.
3. Eligibility shall be determined by the IEP team no later than forty-five (45) calendar days prior to the last day of school.
4. Participation in ESY is not mandatory and services are not required for all students with a disability.
5. Eligibility shall not be based on need or desire for any of the following:
 - a. a day care or respite care;
 - b. Aa program to maximize the academic potential of a student with a disability; or
 - c. a summer recreation program for students with a disability.

H. Nonacademic Services

1. The District will afford children with disabilities an equal opportunity for participation in nonacademic and extracurricular services and activities including, as determined appropriate and necessary by the child's IEP team, the provision of supplementary aids and services.
2. Nonacademic and extracurricular services and activities may include but are not necessarily limited to: (a) counseling services; (b) athletics; (c) transportation; (d) health services; (e) recreational activities; (f) special interest groups or clubs sponsored by the District; (g) referrals to agencies that provide assistance to individuals with disabilities; and (h) employment of students, including both employment by the District and assistance in making outside employment available.

I. Physical Education

1. The District will make regular physical education services available to children with disabilities to the same extent that the District provides those services to children without disabilities, unless:
 - a. the child is enrolled full time in a separate facility; or
 - b. the child needs specially designed physical education as prescribed in the child's IEP.

2. If a child is enrolled in a separate facility, the District will ensure that the child receives appropriate physical education services.
3. If special physical education is prescribed in a child's IEP, the District will provide for those services, either directly or through other public or private programs.

J. Program Options

The District will ensure that children with disabilities have available to them the variety of education programs and services that are available to nondisabled children, including art, music, industrial arts, consumer and homemaking education, and vocational education.

K. Routine Checking of Hearing Aids and External Components of Surgically Implanted Medical Devices

1. The District will ensure that the hearing aids worn in school by children with hearing impairments are functioning properly.
2. The District will ensure that the external components of surgically implanted medical devices (e.g., cochlear implants) are functioning properly, except that the District will not be responsible for any post-surgical maintenance, programming or replacement of any component, external or internal, of the medical device.

L. Methods of Ensuring Services

1. The District may use Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under IDEA, as permitted under the public benefits or insurance program, except that the District:
 - a. may not require the parent/legal guardian to sign up for or enroll in public benefits or insurance programs to receive FAPE;
 - b. may not require the parent/legal guardian to incur out-of-pocket expenses such as payment of a deductible or co-pay for services required by IDEA, but may pay the cost that the parent/legal guardian otherwise would be required to pay; and
 - c. may not use a child's public benefit if that use would:
 - i. decrease lifetime benefits;
 - ii. result in the family paying for non-District services that would otherwise be paid for by public benefits;
 - iii. increase premiums or lead to discontinuation of benefits; or
 - iv. risk loss of eligibility.
2. The District must notify the parent/legal guardian that their refusal to allow access to public benefits does not relieve the District of its responsibility to provide all required IDEA services.
3. Prior to accessing a child's or parent's/legal guardian's public benefits or insurance for the first time, and after providing written notification to the child's parent/legal guardian, the District must obtain written parental consent.

M. Individualized Education Program

The District shall ensure that an IEP is developed and implemented for each eligible child served by the District and for each eligible child placed in or referred to a private school or facility by the District in accordance with [34 C.F.R. §§ 300.320 through 300.325](#) of the IDEA regulations.

Contents of the IEP

The contents of each IEP will include a statement of:

1. the child's present levels of academic achievement and functional performance, including:
 - a. how the child's disability affects the child's involvement and progress in the general curriculum; or
 - b. for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
2. measurable annual goals, including academic and functional goals designed to:
 - a. meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum;
 - b. meet each of the child's other educational needs that result from the child's disability; and
 - c. for children with disabilities who take alternative assessments aligned to alternative achievement standards, a description of benchmarks or short-term objectives;
3. how the child's progress toward meeting the IEP goals will be measured and when periodic reports on the child's progress toward the goals will be provided;
4. the special education and related services to be provided to the child, the supplementary aids and services to be provided to the child or on behalf of the child, and the program modifications or supports for District personnel that will be provided to enable the child:
 - a. to advance appropriately toward attaining the annual goals; and
 - b. to be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities with other children with disabilities and nondisabled children;
5. the extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic activities;
6. any individual accommodations that are needed to measure the academic achievement and functional performance of the child on State and District-wide assessments; and
7. the projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications.

If the IEP team determines that the child must take an alternative assessment instead of a particular regular state or District-wide assessment of student achievement, the IEP must include a statement of why:

- a. the child cannot participate in the regular assessment; and
- b. the particular alternate assessment selected is appropriate for the child.

Beginning not later than the first IEP to be in effect when the child ends ninth grade or turns sixteen (16), whichever is first, or younger if determined appropriate by the IEP team, and updated annually, the IEP will also include a statement of:

- a. appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate independent living skills;
- b. transition services (including courses of study) needed to assist the child in reaching those goals; and
- c. the child's estimated graduation date as aligned with the transition plan.

Beginning not later than one year before a student reaches the age of eighteen (18), the IEP will include a statement that the parent/legal guardian and the student have been informed of the rights under Part B, if any, that will transfer to the student on reaching the age of eighteen (18).

The District will provide written notification to the parent/legal guardian of a student's anticipated graduation date at least one year before the anticipated high school graduation date.

IEP Team

1. The IEP team for each child with a disability will include:
 - a. the parent/legal guardian of the child;
 - b. not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
 - c. not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;
 - d. a representative of the District who:
 - i. is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - ii. is knowledgeable about the general education curriculum;
 - iii. is knowledgeable about the availability of resources of the District; and
 - iv. may be the District team member described in (b) through (f) if the above criteria are met;

- e. an individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in (b) through (f);
 - f. at the discretion of the parent/legal guardian or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
 - g. whenever appropriate, the child with a disability.
2. The District will include a child of any age if the purpose of the meeting is to consider postsecondary goals and transition services needed to assist the child in reaching the IEP goals. If the student does not attend the IEP meeting, the District will take other steps to ensure that the student's preferences and interests are considered.
3. To the extent appropriate and with consent of the parent/legal guardian or the adult child, the District will invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services for a child who is transitioning from the Arizona Early Intervention Program (AzEIP). Representatives from AzEIP must be invited to the initial IEP team meeting if the parent/legal guardian requests.
4. A member of the IEP team described in (1)(b) through (1)(e) is not required to attend the IEP meeting if the parent/legal guardian and the District agree in writing prior to the meeting that attendance is not necessary because the member's area of curriculum or related services is not being modified or discussed in the meeting.
5. A member of the IEP team described in (1)(b) through (1)(e) may be excused from attending the IEP meeting in whole or part when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the parent/legal guardian, and the District consent in writing to the excusal and the member submits, in writing to the IEP team, input into the development of the IEP prior to the meeting.
6. In the case of a child previously served by AzEIP, an invitation to the initial IEP team meeting must, at the request of the parent/legal guardian, be sent to the AzEIP service coordinator to assist with the smooth transition of services.

Parent Participation

1. The District will ensure that the parent/legal guardian of a child with a disability shall:
 - a. be given an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and the provision of FAPE to the child;
 - b. be provided notice consistent with [34 C.F.R. § 300.322](#) to ensure they have opportunity to participate in meetings; and
 - c. be members of any group that makes decisions on the educational placement of their child.
2. The District will take steps to ensure the parent/legal guardian of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate by:

- a. notifying the parent/legal guardian of the meeting early enough to ensure that they will have an opportunity to attend; and
 - b. scheduling the meeting at a mutually agreed on time and place.
3. The meeting notice will:
 - a. indicate the purpose, time, and location of the meeting and who will be in attendance; and
 - b. inform the parent/legal guardian of the provisions relating to the participation of other individuals who have knowledge or special expertise about the child and of representatives of the AzEIP (if the meeting is for an initial IEP of a child transitioning from AzEIP).
 - c. beginning not later than the first IEP to be in effect when the child turns 16, the notice will also:
 - i. indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services;
 - ii. indicate that the District will invite the student; and
 - iii. identify any other agency that will be invited to send a representative.
4. If neither parent/legal guardian can attend, the District will use other methods to ensure parent/legal guardian participation, including individual or conference telephone calls.
5. A meeting may be conducted without a parent/legal guardian in attendance if the District is unable to convince the parent/legal guardian that they should attend. In this case, the District will maintain a record of its attempts to arrange a mutually agreed on time and place, such as:
 - a. detailed records of telephone calls made or attempted and the results of those calls;
 - b. copies of correspondence sent to the parent/legal guardian and any responses received; and
 - c. detailed records of visits made to the parent's/legal guardian's home or place of employment and the results of those visits.
6. The District will take whatever action is necessary to help the parent/legal guardian understand the proceedings at the IEP meeting, including arranging for an interpreter for a parent/legal guardian with deafness or whose native language is other than English.
7. The District will give the parent/legal guardian a copy of the child's IEP at no cost to the parent/legal guardian.

When IEPs Must Be In Effect

1. At the beginning of each school year, the District must have in effect for each child with a disability in its jurisdiction an IEP as defined in [34 C.F.R. § 300.320](#).
2. The District will ensure that:
 - a. A meeting to develop an IEP for an eligible child is conducted within thirty (30) days of a determination of eligibility for special education and related services.

- b. As soon as possible following the development of the IEP, the services indicated in the IEP are made available to the child. An IEP will be in effect at the beginning of each school year.
3. The District will ensure that each child's IEP is accessible to each regular education teacher, special education teacher, related service provider and any other service provider who is responsible for implementing the IEP. Each teacher and related service provider will be informed of the teacher's and related serviced provider's specific responsibilities in implementing the IEP and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.
4. For a child with an IEP who transfers into the District from another District in Arizona, the District, in consultation with the parent/legal guardian, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until the District:
 - a. reviews and adopts the child's IEP from the previous District; or
 - b. develops, adopts, and implements a new IEP.
5. For a child with an IEP who transfers into the District from another state, the District, in consultation with the parent/legal guardian, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until the District:
 - a. conducts an evaluation for eligibility for special education in Arizona or determines that such an evaluation is unnecessary; and
 - b. develops, adopts, and implements a new IEP, if appropriate.
6. To facilitate the transition of a child enrolling from another public education agency, either from within or from outside of Arizona, the District will take reasonable steps to promptly obtain the child's education records, including all records pertaining to special education, from the previous school in which the child was enrolled.
7. When a records request is received from another public agency, from either within or outside of Arizona, the District will promptly respond to the request within ten (10) school days.

Development, Review, and Revision of an IEP

1. In developing each child's IEP, the IEP team will consider:
 - a. the strengths of the child and the concerns of the parent/legal guardian for enhancing the education of their child;
 - b. the results of the initial or most recent evaluation of the child; and
 - c. the academic, developmental, and functional needs of the child.
2. In consideration of special factors, the IEP team must:
 - a. in the case of a child whose behavior impedes the child's learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies to address that behavior;
 - b. in the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;

- c. in the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) that instruction in Braille or the use of Braille is not appropriate for the child;
 - d. consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode; and
 - e. consider whether the child requires assistive technology devices and services.
3. The regular education teacher of a child with a disability, as a member of the IEP team, must, to the extent appropriate, participate in the development, review, and revision of the child's IEP, including the determination of:
 - a. appropriate positive behavioral interventions and strategies for the child; and
 - b. supplementary aids and services, program modifications, and/or supports for District personnel that will be provided for the child, consistent with [34 C.F.R. § 300.320\(a\)\(4\)](#).
4. In making changes to the IEP after the annual IEP meeting, the parent/legal guardian and the District may agree to amend the IEP without a meeting for the purpose of making those changes and, instead, develop a written document to amend or modify the child's current IEP. The District must:
 - a. inform all members of the child's IEP team of those changes; and
 - b. upon request, provide the parent/legal guardian with the revised copy of the IEP.
5. To the extent possible, the District will encourage the consolidation of evaluation, reevaluation and IEP meetings for a child.
6. The District will ensure that the IEP team reviews the child's IEP periodically, but not less than annually, to determine if goals are being achieved, and revise the IEP, when appropriate, to address:
 - a. any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate;
 - b. the results of any reevaluation;
 - c. information about the child provided to or by the parent/legal guardian;
 - d. the child's anticipated needs; and
 - e. other matters.
7. If a participating agency other than the District fails to provide the transition services in an IEP, the District must reconvene the IEP team to identify alternative strategies to meet the child's transition outcomes.

A parent/legal guardian or the District may request in writing a review of the IEP. Such review shall take place within forty-five (45) school days of receipt of the request or at a mutually agreed upon time.

N. Least Restrictive Environment (LRE)

Children with disabilities, including children in public or private institutions or other care facilities, will be educated to the maximum extent appropriate with children who are not disabled in accordance with [34 C.F.R. §§ 300.114 through 300.117](#) of the IDEA regulations.

The District will ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

Continuum of Alternative Placements

1. The District will make available a continuum of alternative placements to meet the needs of children with disabilities for special education and related services.
2. The continuum of alternative placements will include:
 - a. instruction in regular classes, special classes, special schools, home instruction, and instruction in hospitals and institutions; and
 - b. supplementary services, such as a resource room or itinerant instruction, to be provided in conjunction with regular class placement.

Educational Placements

The District must ensure that the parent/legal guardian of a child with a disability are members of any group that makes decisions on the educational placement of their child.

1. The placement decision for each child will be:
 - a. made by a group that includes the parent/legal guardian and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options;
 - b. in conformity with the LRE provisions of the IDEA regulations;
 - c. determined at least annually;
 - d. based on the child's IEP; and,
 - e. as close as possible to the child's home.
2. Unless the IEP of a child requires some other arrangement, the child will be educated in the school that the child would attend if not disabled.
3. In selecting the LRE, consideration will be given to any potential harmful effect on the child or on the quality of services that s/he needs.
4. A child with a disability will not be removed from age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

Private Placements by the District

1. Before the District places a child with a disability in a private school or facility, the District must initiate and conduct a meeting to develop an IEP for the child and ensure that a representative of the private school or facility attends the meeting in person or by conference call.
2. Subsequent IEP reviews may be initiated and conducted by the private school at the discretion of the District. However, the District must ensure that the parent/legal guardian and District representative:
 - a. are involved in any decisions about the child's IEP; and
 - b. agree to any proposed changes in the IEP before those changes are implemented.
3. The District remains responsible to ensure that FAPE is provided to a child placed by the District in a private school or facility.

Nonacademic Settings

1. In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and other nonacademic activities, the District must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child.
2. The District will ensure that the supplementary aids and services determined by the IEP team to be appropriate and necessary are provided to allow the child to participate in nonacademic settings.

O. Discipline

A child with a disability may be disciplined for a violation of the student code of conduct, including removal from the child's current placement to an appropriate interim alternative educational setting, another setting, suspension, or expulsion in accordance with IDEA Regulations [34 C.F.R. §§ 300.530 through 300.536](#).

Authority of District Personnel

1. On a case-by-case basis and in consideration of any unique circumstances, District personnel may remove a child with a disability who violates a student code of conduct from the child's current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten (10) consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under [34 C.F.R. § 300.536](#).

2. After a child with a disability has been removed from the child's current placement for ten (10) school days in the same school year, during any subsequent days of removal, the District must provide services to the extent required to:
 - a. enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the child's IEP goals; and
 - b. receive, as appropriate, a functional behavioral assessment, behavioral intervention services, and modifications that are designed to address the behavior violation so that it does not recur.
3. The District is only required to provide services during periods of removal to a child with a disability who has been removed from the child's current placement for ten (10) days or less in that school year, if it provides services to non-disabled children similarly removed.
4. After a child with a disability has been removed from the child's current placement for ten (10) school days, and the current removal is for not more than ten (10) consecutive school days and not a change of placement, District personnel, in consultation with at least one of the child's teachers, shall determine the extent to which services are needed, so as to enable the child to continue to participate in the general education curriculum and to progress toward meeting the IEP goals.
5. If the removal is a change in placement, the child's IEP team determines the appropriate services.
6. Within ten (10) school days of any decision to change the placement of a child with a disability because of a violation of a student code of conduct, the District, parent/legal guardian, and relevant members of the IEP team must review all relevant information in the student's file, the IEP, teacher observations, and any relevant information to determine:
 - a. if the conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
 - b. if the conduct in question was the direct result of the District's failure to implement the IEP.
7. The conduct must be determined to be a manifestation of the disability if either (6)(a) or (6)(b) occurred, and, if the IEP was not implemented, the District must take immediate steps to remedy that deficiency.
8. If the District, parent/legal guardian, and relevant members of the IEP team determine that the conduct was a manifestation of the child's disability, the child must be returned to the placement from which the child was removed, unless the parent/legal guardian and District agree to a change of placement. The IEP team must either:
 - a. conduct a functional behavioral assessment, unless already done, and implement a behavioral intervention plan; or
 - b. if a behavioral intervention plan has already been developed, review the plan and modify it, as necessary, to address the behavior.
9. District personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to manifestation of disability if the child:

- a. carries a weapon to or possesses a weapon at school, on District premises to or at a District function;
 - b. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on District premises, or at a District function; or
 - c. has inflicted serious bodily injury upon another person while at school, on District premises, or at a District function.
10. The District will notify the parent/legal guardian and provide notice of procedural safeguards on the day the District determines that the student has violated the code of conduct and that the violation constitutes the basis for a change in placement (i.e., interim alternative education setting).

Determination of Setting

The child's IEP team determines the interim alternative educational setting for services.

Appeal

1. The parent/legal guardian of a child with a disability who disagrees with any decision regarding placement under [34 C.F.R. §§ 300.530](#) and [300.531](#) or the manifestation determination may appeal the decision by requesting an expedited due process hearing in conformance with [34 C.F.R. §§ 300.310 through 300.314](#) and [A.A.C. R7-2-405.I](#).
2. A District that believes that maintaining the current placement of the child is substantially likely to cause injury to the child or others may request an expedited due process hearing in conformance with [34 C.F.R. §§ 300.310 through 300.314](#) and [A.A.C. R7-2-405.I](#).

Placement During Appeals

The student must remain in the interim alternative educational setting pending the decision of the Administrative Law Judge or expiration of the interim setting, whichever comes first, unless the parent/legal guardian and District agree otherwise.

Protections for Children Not Determined Eligible for Special Education and Related Services

1. A non-eligible student who engaged in a behavior that violated a student code of conduct may assert protections, if the District had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The District must be deemed to have such knowledge if any of the following occurred:
 - a. The parent/legal guardian of the child expressed concern in writing to supervisory or administrative personnel of the District school or a teacher of the child, that the child is in need of special education and related services,

- b. The parent/legal guardian of the child requested an evaluation of the child pursuant to [34 C.F.R. §§ 300.300 through 300.311](#),
 - c. The teacher of the child, or other personnel of the District, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education or to other supervisory personnel of the District or school.
- 2. The District is not deemed to have knowledge if the parent/legal guardian of the child:
 - a. has not allowed an IDEA evaluation of the child;
 - b. has refused special education services for the child; or
 - c. if the child has been evaluated and determined to not be a child with a disability under IDEA.
- 3. If the District does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be disciplined in the same manner as other children without disabilities who engage in comparable behaviors.
- 4. If an evaluation is requested during the time in which a child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
 - a. Until the evaluation is completed, the child remains in the educational placement determined by the District, which can include suspension or expulsion without educational services.
 - b. If the child is determined to be a child with a disability, the District must provide special education and related services in accordance with IDEA and state and federal regulations, including the requirements of [34 C.F.R. §§ 300.530 through 300.536](#).

Referral to and Action by Law Enforcement and Judicial Authorities

- 1. The District may report a crime committed by a child with a disability to appropriate authorities to enable them to exercise their responsibilities.
- 2. The District in reporting a crime committed by a child with a disability will ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the agency reports the crime, but only to the extent permitted by the Family Education Rights and Privacy Act (FERPA).

Change of Placement Because of Disciplinary Removals

- 1. A change of placement occurs if:
 - a. the removal is for more than ten (10) consecutive school days; or
 - b. the child has been subjected to a series of removals that constitute a pattern:
 - i. because the series of removals total more than ten (10) school days in a school year;

- ii. because the child’s behavior is substantially similar to the behavior in previous incidents that resulted in a series of removals; and/or
 - iii. because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.
- 2. The District will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement, and such determinations are subject to review through due process and judicial proceedings.

P. Records

The District shall maintain a record of parties who have obtained access to educational records collected under IDEA (other than parents/legal guardians and District employees) to include the name of the accessing party; the date of access; and the purpose.

Upon request, the District shall provide parents/legal guardians with information regarding education records. The District shall comply with requisite provisions of the IDEA and federal regulation regarding the destruction of student records once no longer needed to provide educational services.

Adopted:

Legal Authority:

[A.R.S. § 15-763](#)

[A.R.S. § 15-764](#)

[Ariz. Admin. Code R7-2-408](#)

[Ariz. Admin. Code R7-2-401](#) *et seq.*

[20 U.S.C. § 1414](#)

[34 C.F.R. § 300.101](#)

[34 C.F.R. § 300.105](#)

[34 C.F.R. § 300.106](#)

[34 C.F.R. § 300.107](#)

[34 C.F.R. § 300.108](#)

[34 C.F.R. § 300.110](#)

[34 C.F.R. § 300.113](#)

[34 C.F.R. § 300.114](#)

[34 C.F.R. § 300.115](#)

[34 C.F.R. § 300.116](#)

[34 C.F.R. § 300.117](#)

[34 C.F.R. § 300.154](#)

[34 C.F.R. § 300.300](#)

[34 C.F.R. § 300.301](#)

[34 C.F.R. § 300.303](#)

[34 C.F.R. § 300.304](#)

[34 C.F.R. § 300.305](#)

[34 C.F.R. § 300.306](#)

[34 C.F.R. § 300.307](#)

[34 C.F.R. § 300.308](#)

[34 C.F.R. § 300.309](#)

[34 C.F.R. § 300.310](#)

[34 C.F.R. § 300.311](#)

[34 C.F.R. § 300.320](#)

[34 C.F.R. § 300.321](#)

[34 C.F.R. § 300.322](#)

[34 C.F.R. § 300.323](#)

[34 C.F.R. § 300.324](#)

[34 C.F.R. § 300.325](#)

[34 C.F.R. § 300.327](#)

[34 C.F.R. § 300.530](#)

[34 C.F.R. § 300.531](#)

[34 C.F.R. § 300.532](#)

[34 C.F.R. § 300.533](#)

[34 C.F.R. § 300.534](#)

[34 C.F.R. § 300.535](#)

[34 C.F.R. § 300.536](#)

[34 C.F.R. § 300.614](#)

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© 5-204 Students with Disabilities Procedural Safeguards (Individuals with Disabilities Education Act) (IDEA)

The District will establish, maintain, and implement procedural safeguards that meet the requirements of [34 C.F.R. §§ 300.500 through 300.536](#) of the IDEA regulations.

Opportunity to Examine Records

The District will ensure that the parents/legal guardians of a child with a disability shall be given an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child.

Independent Educational Evaluations

1. The parent/legal guardian of a child with a disability have the right to obtain an independent educational evaluation of their child. The District must provide to the parent/legal guardian upon request for an independent educational evaluation:
 - a. information about where an independent educational evaluation may be obtained; and
 - b. the District criteria applicable for independent educational evaluations. The District criteria for the independent educational evaluation must be the same as the criteria the District uses when it conducts an evaluation, to the extent consistent with the parent/legal guardian right to an evaluation.
2. A parent/legal guardian has the right to an independent educational evaluation at public expense if the parent/legal guardian disagrees with an evaluation obtained by the District. If a parent/legal guardian requests an independent educational evaluation at public expense, the District must, without unnecessary delay, either
 - a. file for a due process hearing to show that its evaluation is appropriate; or
 - b. ensure that an independent educational evaluation is provided at public expense, unless the District demonstrates in a hearing that the evaluation obtained by the parent/legal guardian did not meet District criteria.
3. If a due process hearing decision is that the District's evaluation is appropriate, the parent/legal guardian still has the right to an independent educational evaluation, but not at public expense.
4. If a parent/legal guardian requests an independent educational evaluation, the District may ask for the parent's/legal guardian's reasons for the objections but may not require the parent/legal guardian to provide an explanation and may not unreasonably delay either providing the independent educational evaluation at public expense or filing a request for due process to defend its evaluation.
5. A parent/legal guardian is entitled to only one independent educational evaluation at public expense each time the District conducts an evaluation with which the parent/legal guardian disagrees.
6. The results of any independent educational evaluation that is obtained by or provided to the District:

- a. must be considered by the District, if it meets District criteria, in any decision with respect to the provision of FAPE to the child; and
 - b. may be presented by any party as evidence in a due process hearing.
7. If an Administrative Law Judge requests an independent educational evaluation as part of a due process hearing, the cost of the evaluation must be at public expense.

Prior Notice by the District; Content of Notice

1. Written notice must be given to the parents/legal guardians of a child with a disability a reasonable time before the District:
 - a. proposes to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child; or
 - b. refuses to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child.
2. The notice must include:
 - a. a description of the action proposed or refused by the District;
 - b. an explanation of why the District proposes or refuses to take the action;
 - c. a description of each evaluation procedure, assessment, record, or report the District used as a basis for the proposed or refused action;
 - d. a statement that the parent/legal guardian of a child with a disability have protection under the procedural safeguards of this policy and, if the notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
 - e. sources for the parent/legal guardian to contact to obtain assistance in understanding the provisions of this policy;
 - f. a description of other options that the IEP team considered and the reasons why those options were rejected; and
 - g. a description of other factors that are relevant to the District's proposal or refusal.
3. The notice must be written in language understandable to the general public and provided in the native language or other mode of communication used by the parent/legal guardian.
4. If the native language or other mode of communication used by the parent/legal guardian is not a written language, the District must ensure that:
 - a. the notice is translated orally or by other means to the parent/legal guardian in the parent's/legal guardian's native language or other mode of communication;
 - b. the parent/legal guardian understands the content of the notice; and
 - c. there is written evidence of these requirements.

Procedural Safeguards Notice

1. A copy of the procedural safeguards available to the parent/legal guardian of a child with a disability must be given to the parent/legal guardian only one time a school year, except that a copy also must be given to the parent/legal guardian:

- a. upon initial referral or parent/legal guardian request for evaluation;
 - b. upon receipt of a first complaint to the state or first request for a due process hearing in the school year;
 - c. when a disciplinary change of placement /removal has been initiated; and/or
 - d. upon request by a parent/legal guardian.
2. The procedural safeguards notice must include a full explanation of all the procedural safeguards available under [34 C.F.R. § 300.148](#), [§§ 300.151 through 300.153](#), [§ 300.300](#), [§§ 300.502 through 300.503](#), [§§ 300.505 through 300.515](#), [§ 300.520](#), [§§ 300.530 through 300.536](#), and [§§ 300.610 through 300.625](#) relating to:
- a. independent educational evaluations;
 - b. prior written notice;
 - c. parental consent;
 - d. access to education records;
 - e. opportunity to present and resolve complaints through the due process hearing and state complaint procedures, including;
 - i. the time period in which to file a complaint;
 - ii. the opportunity for the District to resolve the complaint; and
 - iii. the difference between due process hearing and state complaint procedures, jurisdictions, issues that may be raised, timelines, and relevant procedures.
 - f. the availability of mediation;
 - g. the child's placement during the due process hearing;
 - h. procedures for students subject to placement in an interim alternate educational setting;
 - i. requirements for unilateral placements by parents/legal guardians of children in private schools at public expense;
 - j. due process hearings including requirements for disclosure of evaluation results and recommendations;
 - k. civil actions, including timelines; and
 - l. attorney fees.
3. This notice must meet the same requirements for understandable language as for the written prior notice described in [34 C.F.R. § 300.503](#).

Electronic Mail

The parent/legal guardian of a child with a disability may elect to receive required notices by an electronic mail communication if the District makes that option available.

Filing a Due Process Complaint

1. A parent/legal guardian or District may file a request for a due process hearing relating to the identification, evaluation, or educational placement of a child with a disability.

2. The request for a due process hearing must allege a violation that occurred not more than two years before the date the parent/legal guardian or District knew or should have known about the alleged violation.
3. The District must inform the parent/legal guardian of any free or low cost legal and other relevant services available in the area upon parent/legal guardian request.

Due Process Complaint (Hearing)

1. The District will have procedures that require either party, or the attorney representing a party, to provide to the other party a confidential due process complaint.
2. The party filing the complaint must forward a copy of the complaint to the Arizona Department of Education, Exceptional Student Services.
3. The due process hearing complaint must include the following for the complaint to be heard:
 - a. the name of the child;
 - b. the residential address of the child;
 - c. the District of attendance;
 - d. a description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and
 - e. a proposed resolution of the problem to the extent known and available to the party at the time.
4. The due process complaint will be deemed sufficient unless the party receiving the complaint notifies the Administrative Law Judge and the other party in writing, within fifteen (15) days of receipt of the complaint, that it believes the complaint does not meet the content requirements.
5. Within five (5) days of receipt of notice, the Administrative Law Judge must determine whether the complaint meets the requirements and notify the parties, in writing, of that determination.
6. The parent/legal guardian or District may amend its due process complaint only if:
 - a. the other party consents in writing and is given an opportunity to resolve the complaint through the resolution process; or
 - b. the Administrative Law Judge grants permission, but in no case later than five (5) days before the due process hearing begins.
7. If a party files an amended complaint, the relevant timelines begin again.
8. If the District has not sent a prior written notice to the parent/legal guardian regarding the subject matter contained in the due process complaint, it must do so within ten (10) days of receiving the complaint.
9. Within ten (10) days of receiving the complaint, the receiving party will send to the other party a response that specifically addresses the issues raised in the due process complaint.

Mediation

1. The Arizona Department of Education's Exceptional Student Services has established procedures to allow parties to disputes, including those matters arising prior to a request for a due process hearing, to resolve disputes through mediation. Procedures ensure that the mediation process:
 - a. is voluntary on the part of the parties;
 - b. is not used to deny or delay a parent's/legal guardian's right to a due process hearing or any other right under IDEA; and
 - c. is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.
2. The District may establish procedures to offer to the parent/legal guardian an opportunity to meet, at a time and location convenient to the parties, with a disinterested party:
 - a. who is under contract with an appropriate alternate dispute resolution entity, a parent/legal guardian training and information center, or a community parent/legal guardian resource center; and
 - b. who would explain the benefits of, and encourage the mediation process to the parent/legal guardian.

Resolution Process

1. Within fifteen (15) days of receiving the notice of the parent's/legal guardian's due process complaint, and prior to the initiation of a due process hearing, the District must convene a meeting with the parent/legal guardian and the relevant members of the IEP team who have specific knowledge of the facts identified in the complaint that:
 - a. includes a District representative with decision-making authority; and
 - b. may not include an attorney of the District unless the parent/legal guardian is accompanied by an attorney.
2. The purpose of the meeting is for the parent/legal guardian of the child to discuss the due process complaint, and the factual basis of the complaint, so the District has the opportunity to resolve the dispute.
3. The resolution meeting need not be held if:
 - a. the parent/legal guardian and District agree in writing to waive the meeting; or
 - b. the parent/legal guardian and District agree to use the mediation process.
4. The parent/legal guardian and the District determine the relevant IEP team members to attend the meeting.
5. If the District has not resolved the complaint to the satisfaction of the parent/legal guardian within thirty (30) days of the receipt of the complaint, the due process hearing may occur. The timeline for issuing a final decision begins at the end of this 30-day period.
6. The failure of the parent/legal guardian to participate in the resolution meeting that has not been mutually agreed to be waived, will delay the timelines for the resolution process and due process hearing until the meeting is held.
7. If the District is unable to obtain the participation of the parent/legal guardian after reasonable efforts have been made and documented, the District may, at the

- conclusion of the 30-day period, request the Administrative Law Judge dismiss the parent's/legal guardian's complaint.
8. If the District fails to hold the resolution meeting within fifteen (15) days of receiving the complaint or fails to participate in the meeting, the parent/legal guardian may request that the Administrative Law Judge begin the hearing timeline.
 9. The 45-day timeline for the due process hearing starts the day after:
 - a. both parties agree in writing to waive the resolution meeting;
 - b. either the mediation or resolution meeting starts, but before the end of the 30-day resolution period, if the parties agree in writing that no agreement is possible; or
 - c. if both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, one party withdraws from the mediation process.
 10. If a resolution is reached at the meeting, the parties must execute a legally binding agreement that is:
 - a. signed by both the parent/legal guardian and District representative who has authority to legally bind the District; and
 - b. enforceable in any state court of competent jurisdiction or in a district court of the United States.
 11. Either party may void the agreement within three (3) business days of the agreement's execution.

Child's Status During Proceedings

1. The child involved in the due process hearing complaint must remain in the child's current educational placement:
 - a. unless a discipline appeal has been filed as provided in [34 C.F.R. § 300.533](#);
 - b. during the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing under [34 C.F.R. § 300.507](#); or
- c. Unless the District and parent/legal guardian of the child agree otherwise.
2. If the complaint involves an application for initial admission to a District school, the child, with the consent if the parent/legal guardian, must be placed in the school until the completion of all the proceedings.
3. If the complaint involves an application for initial services for a child who has turned three and is transitioning from Part C to Part B, the District is not required to provide the Part C services the child had been receiving. If the child is found eligible for special education and related services under Part B, and the parent/legal guardian consents to the initial provision of services under [34 C.F.R. § 300.300\(b\)](#), then the District must provide those services that are not in dispute.
4. If the Administrative Law Judge agrees with the child's parent/legal guardian that a change of placement is appropriate, that placement must be treated as an

agreement between the state and the parent/legal guardian for the purposes of (1)(c) of this section.

Surrogate Parents

1. The District will ensure that the rights of a child are protected by following the process set forth by the Arizona Department of Education to assign an individual to act as a surrogate for the parent/legal guardian when:
 - a. no parent/legal guardian can be identified;
 - b. after reasonable efforts are made, no parent/legal guardian can be located;
 - c. the child is a ward of the state (with no foster parent); or
 - d. the child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act.
2. The District will have a method for determining when a surrogate parent is needed and for making surrogate parent assignments.
3. The District will ensure that a person/legal guardian selected as a surrogate parent:
 - a. is not an employee of the State, the agency, or any other agency that is involved in the education or care of the child;
 - b. has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and
 - c. has knowledge and skills that ensure adequate representation of the child.
4. In the case of an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents until a surrogate parent can be appointed that meets all the requirements of this section.

Transfer of Parental Rights at Age of Majority

1. When a child with a disability reaches age eighteen (18), unless that child has been determined to be incompetent:
 - a. the District will provide any notice required by the IDEA regulations to both the child and the parent/legal guardian; and
 - b. all rights accorded to parents/legal guardians under Part B of the Act transfer to the child.
2. When the rights are transferred, the District will provide notice to the child and parent/legal guardian of the transfer of rights.

Discipline

A child with a disability may be disciplined for a violation of the student code of conduct, including removal from the student's current placement to an appropriate interim alternate educational setting, another setting, suspension, or expulsion in accordance with IDEA regulations [34 C.F.R. §§ 300.530 through 300.536](#).

Authority of District Personnel

1. On a case-by-case basis and in consideration of any unique circumstances, District personnel may remove a child with a disability who violates a student code of conduct from the student's current placement to an appropriate interim alternate educational setting, another setting, or suspension, for not more than ten (10) consecutive school days (to the extent those alternates are applied to children without disabilities), and for additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under [34 C.F.R. § 300.536](#).
2. After a child with a disability has been removed from the child's current placement for ten (10) school days in the same school year, during any subsequent days of removal, the District must provide services to the extent required to:
 - a. enable the student to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting the student's IEP goals; and
 - b. receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.
3. The District is only required to provide services during periods of removal to a student with a disability who has been removed from the student's current placement for ten (10) school days or less in that school year, if the District provides services to students without disabilities who are similarly removed.
4. After a child with a disability has been removed from the student's current placement for ten (10) school days, and the current removal is for not more than ten (10) consecutive school days and not a change of placement, District personnel, in consultation with at least one of the child's teachers, will determine the extent to which services are needed so as to enable the child to continue to participate in the general education curriculum and to progress toward meeting the IEP goals.
5. If the removal is a change in placement, the child's IEP team determines the appropriate services.
6. Within ten (10) school days of any decision to change the placement of a child with a disability because of a violation of a student code of conduct, the District, the parent/legal guardian, and relevant members of the IEP team must review all relevant information in the student's file, the IEP, teacher observations, and any relevant information to determine:
 - a. if the conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
 - b. if the conduct in question was the direct result of the District's failure to implement the IEP.
7. The conduct must be determined to be a manifestation of the disability if either (6)(a) or (6)(b) occurred, and, if the IEP was not implemented, the District must take immediate steps to remedy that deficiency.

8. If the District, parent/legal guardian, and relevant members of the IEP team determine that the conduct was a manifestation of the child's disability, the child must be returned to the placement from which the child was removed, unless the parent/legal guardian and District agree to a change of placement. The IEP team must either:
 - a. conduct a functional behavioral assessment, unless already done, and implement a behavioral intervention plan; or
 - b. if a behavioral intervention plan has already been developed, review the plan and modify it, as necessary, to address the behavior.
9. District personnel may remove a student to an interim alternate educational setting for not more than forty-five (45) school days without regard to manifestation of disability if the child:
 - a. carries a weapon to or possesses a weapon at school, on District premises to or at a District function.
 - b. knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on District premises, or at a District function; or
 - c. has inflicted serious bodily injury upon another person while at school, on District premises, or at a District function.
10. The District will notify parents/legal guardians and provide notice of procedural safeguards on the day the District determines that the student has violated the code of conduct and that the violation will result in a change in placement (i.e., interim alternate education setting).

Determination of Setting

The child's IEP team determines the interim alternate educational setting for services.

Appeal

1. The parent/legal guardian of a child with a disability who disagrees with any decision regarding placement under [34 C.F.R. § 300.530](#) and [§ 300.531](#) or the manifestation determination may appeal the decision by requesting an expedited due process hearing in conformance with [34 C.F.R. §§ 300.310 through 300.314](#) and [AAC R7-2-405.I](#).
2. If the District believes that maintaining the current placement of the child is substantially likely to cause injury to the child or others it may appeal the decision by requesting an expedited due process hearing in conformance with [34 C.F.R. §§ 300.310 through 300.314](#) and [AAC R7-2-405.I](#).

Placement During Appeals

The student must remain in the interim alternate educational setting pending the decision of the Administrative Law Judge or expiration of the interim setting, whichever comes first, unless the parent/legal guardian and District agree otherwise.

Protections for Children Not Determined Eligible for Special Education and Related Services

1. A non-eligible student who engaged in a behavior that violated a student code of conduct may assert protections, if the District had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The District must be deemed to have such knowledge if:
 - a. the parent/legal guardian of the child expressed concern in writing to supervisory or administrative personnel of the District or a teacher of the child, that the child is in need of special education and related services
 - b. the parent/legal guardian of the child requested an evaluation of the child pursuant to [34 C.F.R. §§ 300.300 through 300.311](#); or
 - c. the teacher of the child or other personnel of the District expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education or to other supervisory personnel of the District.
2. The District would not be deemed to have knowledge if the parent/legal guardian of the child:
 - a. has not allowed an IDEA evaluation of the child;
 - b. has refused special education services for the child; or
 - c. the child has been evaluated and determined not to be a child with a disability under IDEA.
3. If the District does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be disciplined as other children without disabilities who engage in comparable behaviors.
4. If an evaluation is requested during the time in which a child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner.
 - a. Until the evaluation is completed, the child remains in the educational placement determined by the District, which can include suspension or expulsion without educational services.
 - b. If the child is determined to be a child with a disability, the District must provide special education and related services in accordance with this part, including the requirements of [34 C.F.R. §§ 300.530 through 300.536](#).

Referral to and Action by Law Enforcement and Judicial Authorities

1. The District may report a crime committed by a child with a disability to appropriate authorities to enable them to exercise their responsibilities.
2. The District in reporting a crime committed by a child with a disability, will ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the District reports the crime, but only to the extent permitted by FERPA.

Change of Placement Because of Disciplinary Removals

1. A change of placement occurs if:
 - a. The removal is for more than ten (10) consecutive school days; or
 - b. The child has been subjected to a series of removals that constitute a pattern
 - i. because the series of removals total more than ten (10) school days in a school year;
 - ii. because the child's behavior is substantially similar to the behavior in previous incidents that resulted in a series of removals; and
 - iii. because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.
2. The District will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement, and such determinations are subject to review through due process and judicial proceedings.

Adopted:

Legal Authority:

[20 U.S.C. § 1415](#)

[34 C.F.R. § 300.501](#)

[34 C.F.R. § 300.502](#)

[34 C.F.R. § 300.503](#)

[34 C.F.R. § 300.504](#)

[34 C.F.R. § 300.505](#)

[34 C.F.R. § 300.506](#)

[34 C.F.R. § 300.507](#)

[34 C.F.R. § 300.508](#)

[34 C.F.R. § 300.510](#)

[34 C.F.R. § 300.518](#)

[34 C.F.R. § 300.519](#)

[34 C.F.R. § 300.520](#)

5-200 Curriculum and Instruction

© 5-205 Gifted Education Programs and Services

Definitions

"Gifted education" means appropriate academic course offerings and services that are required to provide an educational program that is an integral part of the regular school day and that is commensurate with the academic abilities and potential of a gifted student.

"Gifted student" means a child who is of lawful school age, who due to superior intellect or advanced learning ability, or both, is not afforded an opportunity for otherwise attainable progress and development in regular classroom instruction and who needs appropriate gifted education services, to achieve at levels commensurate with the child's intellect and ability.

Gifted Programs

The District shall provide gifted education to gifted students. The District shall modify the course of study and adapt teaching methods, materials and techniques to provide educationally for those students who are gifted and possess superior intellect or advanced learning ability, or both, but may have an educational disadvantage resulting from a disability or a difficulty in writing, speaking or understanding the English language due to an environmental background in which a language other than English is primarily or exclusively spoken. Identification of gifted students shall be based on tests or subtests that are demonstrated to be effective with special populations including those with a disability or difficulty with the English language.

Adopted:

Legal Authority:

[A.R.S. § 15-779](#)

[A.R.S. § 15-779.01](#)

[A.R.S. § 15-779.02](#)

[Ariz. Admin. Code R7-2-406](#)

Gifted Education Programs and Services

© 5-205.A Procedure - Gifted Education Programs and Services - Eligibility and Services

A. Eligibility

The District shall make testing available for students K through 12 on a periodic basis but not less than three times per year.

Students shall be served in gifted programs who score at or above the 97th percentile on national norms in any one of the three areas - verbal, nonverbal, or quantitative reasoning - on any test from the State Board-approved list. Students who score below the 97th percentile may also be served.

The District shall accept, as valid for placement, scores at or above the 97th percentile on any State Board-approved test submitted by other Arizona public schools or by qualified professionals.

The District shall place transfer students as soon as the District has verified eligibility.

B. Curriculum, Differentiated Instruction, and Supplemental Services

Programs and services for gifted pupils shall be provided as an integrated, differentiated learning experience during the regular school day.

Expanded academic course offerings may include, for example, one or more of the following: acceleration, enrichment, flexible pacing, interdisciplinary curriculum, and seminars.

Differentiated instruction, which emphasizes the development of higher order thinking, may include critical thinking, creative thinking, and problem-solving skills.

Supplemental services, which may be offered to meet the individual needs of each gifted student, may include, for example, guidance and counseling, mentorships, independent study, correspondence courses, and concurrent enrollment.

C. Scope and Sequence

The District shall develop a scope and sequence for the identification process of and curriculum modifications for gifted pupils to ensure that gifted pupils receive gifted education commensurate with their academic abilities and potentials.

The scope and the sequence shall:

1. Be a written program description which demonstrates articulation across all grades and schools to ensure opportunities for continuous progress and include:
 - a. Statement of purpose;
 - b. General population description;
 - c. Identification process and placement criteria including provisions for special populations;
 - d. Goals and objectives;
 - e. Curriculum, differentiated instruction, and supplemental services;
 - f. Program models;
 - g. Time allocations for services;
 - h. Procedures and criteria for evaluation of student and program outcomes.
2. Provide for routine screening for gifted pupils using one or more tests adopted by the state board as prescribed in [A.R.S. § 15-203.A\(15\)](#) and [A.R.S. § 15-779.01](#).
3. Include an explanation of how gifted education for gifted pupils differs from regular education in such areas:
 - a. Content, including a broad-based interdisciplinary curriculum.
 - b. Process, including higher level thinking skills.
 - c. Product, including variety and complexity.
 - d. Learning environment, including flexibility.
4. Include criteria, which shall be reviewed by the Arizona Board of Education and the department of education at least once every four years, that address the elements of program design, identification, curriculum, instruction, social development, emotional development, professional development of administrators, teachers, school psychologists and counselors, parent's/legal guardian's involvement, community involvement, program assessment and budgeting. The budget information shall include separate data on identification and program costs and any other data required by the Superintendent of Public Instruction to administer and evaluate the program effectively.

The District shall submit the scope and the sequence to the Arizona Department of Education for approval on or before July 1 if any changes were made during the previous fiscal year.

The District shall submit the scope and the sequence to the Arizona Department of Education for approval on or before July 1 every five years if no changes were made during the previous five years. The District shall provide to gifted pupils gifted education commensurate with their academic abilities and potentials.

D. Parent Involvement

The District shall provide the following information to all parents/legal guardians:

1. definition of a gifted student;
2. services mandated for gifted students by the state of Arizona;
3. services available from the District; and
4. written criteria of the District for referral, screening, selection and placement.

The District shall inform parents/legal guardians of the results of the District administered test(s) within thirty (30) school days of determining test results and, upon request, provide an explanation of test results.

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5-200 Curriculum and Instruction

© 5-206 English Instruction

District students shall be taught English in English language classrooms unless a student meets the exceptions outlined in [A.R.S. § 15-753](#).

Adopted:

Legal Authority:

[42 U.S.C. § 2000d](#) *et seq.*

[A.R.S. § 15-751-756](#)

[A.R.S. § 15-756.02 through § 15-756-05](#)

[A.R.S. § 15-756.08](#)

[A.R.S. § 15-756.10 through § 15-756.13](#)

[A.R.S. § 15-757](#)

[Ariz. Admin. Code R7-2-306](#)

[Ariz. Admin. Code R7-2-310](#)

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English Instruction

© 5-206.A Procedure - English Instruction Programs and Waivers

A. Definitions

"Bilingual education/native language instruction" means a language acquisition process for students in which much or all instruction, textbooks, or teaching materials are in the student's native language other than English.

"English language classroom" means a classroom in which English is the language of instruction used by the teaching personnel, and in which such teaching personnel possess a good knowledge of the English language. English language classrooms encompass both English language mainstream classrooms and sheltered English immersion classrooms.

"English language mainstream classroom" means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English.

"English learner" means a student who does not speak English or whose native language is not English, and who is not currently able to perform ordinary classroom work in English.

"Sheltered English immersion" or "structured English immersion" means an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Books and instructional materials are in English and all reading, writing, and subject matter are taught in English. Although teachers may use a minimal amount of the child's native language, when necessary, no subject matter shall be taught in any language other than English, and children in this program learn to read and write solely in English. This educational methodology represents the standard definition of "sheltered English," or "structured English" found in educational literature.

"Compensatory instruction" means educational services, such as tutoring, after school classes or academic summer camps designed to assist students achieving academic standards.

"English language development" means instruction designed specifically for English language learners to develop their listening, speaking, reading, and writing skills in English.

"Primary home language other than English" means the language most spoken in the home, the language most spoken by the student, or the first acquired language.

B. Sheltered English Immersion

All students who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one year. Once English learners have acquired a good working knowledge of English based on the state English proficiency assessment and are able to do regular schoolwork in English, they shall no longer be classified as English learners and shall not require the EL designated instructional minutes.

C. Program

Each school shall use research based Structured English Instruction (SEI) models developed and approved by the Arizona State Board of Education for their English Learner (EL) program. All ELs are to be provided with appropriate daily English language development and instruction that include a minimum of one hundred and twenty (120) minutes per day of English language development (ELD) for grades K-5, and a minimum of one hundred (100) minutes per day of ELD for grades 6-12. Additionally, approved instructional models must adhere to the following criteria:

- provide coherent instruction aligned with the state's English Language Proficiency Standards;
- include oral and written language instruction, including structured opportunities to develop verbal and written skills and comprehension strategies;
- include access to complex language content through grade level textbooks with appropriate supports;
- include an asset-based approach to language teaching to move toward emergent bilinguals versus English learners; and
- include parental engagement strategies.

The District's Language Acquisition Department or Superintendent will annually review the required EL program specifics with all instructional staff and provide aligned professional development.

D. Student Identification

A home language survey form will be completed at the time of enrollment of new or transfer students. If the primary home language is a language other than English, the student shall be considered to have a primary or home language other than English. The student will then be assessed using the state language proficiency assessment to determine English language proficiency. The timeline to test and notify parents/legal guardians of results is thirty (30) calendar days for those students who enroll at the beginning of the school year or within ten (10) school days of a student's enrollment in school after the first 30 calendar days of school.

Those students who are determined not proficient using the state English language proficiency assessment upon initial entry shall be administered a state English language reassessment typically after February 1st to measure language growth and proficiency. New and continuing ELs may be assessed at the midpoint of the academic year, but no

student may be assessed more than three times per year. The midyear assessment (not a wholesale assessment of all students) will provide those who warrant assessment an opportunity to enter a mainstream classroom as soon as possible.

The tests will be administered at the times indicated by trained personnel except when federal grants require different timelines or when an individualized education program (IEP) team finds the procedure inappropriate for a student who qualifies for exceptional student services.

E. Student Progress and Reassessment for Reclassification

At least annually, parents/legal guardians shall receive a notice of overall student proficiency level, all four language domains and program placement through a copy of the language assessment report and teacher conference.

ELs not progressing as evidenced by failure to improve scores on the Arizona state standards tests or the nationally standardized test of [A.R.S. § 15-741](#) may be provided compensatory instruction to assist them in achieving those standards. A written individualized compensatory plan that documents the scope and type of instructional services provided to an EL shall be kept in the student's file.

Reassessment of classification may take place following assessment testing but shall be considered at least once a year. If appropriate, parents/legal guardians shall receive a reclassification notice with a copy of the notice to be placed in the student EL file.

When a student is reclassified as a fluent English language (FEL) student, the school shall monitor the student for two years after the reclassification to determine if the student is performing satisfactorily. Students will be monitored in reading, writing and mathematics skills and mastery of academic content areas. Assessment data of progress should be included in the two-year monitoring form. The form shall be maintained in the student's EL file.

F. Bilingual Instruction/Native Language Instruction Exception

Individual schools in which twenty or more students of a given grade level receive parental exception waivers shall offer classes teaching English and other subjects through bilingual education techniques or other generally recognized educational methodologies permitted by law. Where the individual school is not required to offer these classes, students shall be permitted to transfer to a school in which such a class is offered.

G. Prerequisites for Parental Exception Requests

Parents/legal guardians may apply annually for a waiver of the requirement that their student be placed in an English language classroom pursuant to [A.R.S. § 15-752](#) by

submitting prior written informed consent. In order to provide informed written consent a parents/legal guardians must:

- physically visit the student's school, and
- receive a full description of the educational materials to be used in the different educational program choices and a description of all education opportunities available to the student.

H. Parental Exception Waiver

After meeting the above prerequisites, an application for waiver may be submitted if one or more of the following applies:

1. The student already possesses good English language skills, as measured by oral evaluation or standardized tests of English vocabulary comprehension, reading, and writing where the student scores.
2. The student is at or above the state average for the student's grade level or at or above the fifth-grade average, whichever is lower.
3. The student is age ten or older, and it is the informed belief of the school principal and educational staff that an alternative course of educational study would be better suited to the student's overall educational progress and rapid acquisition of basic English language skills.
4. The student has special individual needs. A decision to issue a waiver based on a student's special individual needs is made subject to the examination, approval, and authorizing signature of the Superintendent within, but not limited to, the following guidelines:
 - a. The student must have been placed in an English language classroom for not less than thirty calendar days during the current school year.
 - b. It is the informed belief of the principal and educational staff that the child has such special and individual physical or psychological needs, above and beyond the lack of English proficiency, and that an alternative course of educational study would be better suited to the student's overall educational development and rapid acquisition of English.
 - c. A waiver based on a student's special individual needs is subject to the examination, approval, and authorizing signature of the Superintendent.
 - d. A written description of not less than two hundred fifty (250) words documenting the student's special individual needs must be provided and permanently added to the student's official school record.
 - e. The waiver must contain the original and authorizing signature of the school principal and Superintendent.
 - f. If the student has been determined to be a student with a disability under the Individuals with Disabilities Education Act, all procedural safeguards, including those relative to evaluation and the provision of a free appropriate public education must be followed.
 - g. If the student has been determined to be a student with a disability under Section 504 of the Rehabilitation Act of 1973, evaluation, and such

- accommodations as are necessary to provide a free appropriate public education shall be provided in accordance with the Act.
- h. Teachers and the District may reject waiver requests regarding special individual needs without explanation or legal consequence. The existence of such special individual needs shall not compel issuance of a waiver.
 - i. Parents/legal guardians shall be fully informed of the right to refuse to agree to a waiver for special individual needs.

I. Denial of Waiver

Any request that does not meet the above requirements shall be denied. The reasoning behind the denial must be provided in writing to the parents/legal guardians.

J. Duration of Waiver

All waivers shall be effective for one year. Parents/legal guardians are permitted to submit waiver applications annually.

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5-200 Curriculum and Instruction

© 5-207 Curriculum Adoption

Definition

"Textbook" means printed instructional materials or digital content, or both, and related printed or non-printed instructional materials, that are written and published primarily for use in school instruction and that are required by a state educational agency or a local educational agency for use by students in the classroom, including materials that require the availability of electronic equipment in order to be used as a learning resource.

Purpose

The Arizona legislature has declared that public school students should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people.

The District shall not include in its program of instruction any courses or classes that include any of the following:

1. promote the overthrow of the United States government;
2. promote resentment toward a race or class of people;
3. are designed primarily for students of a particular ethnic group; or
4. advocate ethnic solidarity instead of the treatment of students as individuals.

The above shall not be construed to restrict or prohibit:

1. courses or classes for Native American students that are required to comply with federal law;
2. the grouping of students according to academic performance, including capability in the English language, which may result in a disparate impact by ethnicity;
3. courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class—promotes the overthrow of the United States government; promotes resentment toward a race or class of people; is designed primarily for students of a particular ethnic group; or advocates ethnic solidarity instead of the treatment of students as individuals;
4. courses or classes that include the discussion of controversial aspects of history; or
5. instruction on the Holocaust, any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class.

Curriculum Adoption K-8

The Governing Board shall approve for grades K-8 the course of study, the basic textbook for each course and all units recommended for credit under each general subject title prior to implementation of the course.

Enforce the course of study and select all textbooks used grades K-8 and purchase the textbooks from the publishers. District funds may be budgeted and expended by the Board for teaching aids, including instructional computer software.

For courses that do not require that each student have a textbook other than for classroom instruction, the District need only purchase one textbook for each student in the largest group that would be receiving classroom instruction at any one time.

If any course does not include a basic textbook, the Board shall approve all supplemental books used in the course prior to approval of the course.

If any course includes a basic textbook and uses supplemental books, the Board may approve all supplemental books and teaching aids, including instructional computer software, that are used in the course prior to approval of the course.

If the course includes a basic textbook and uses supplemental books that have not been approved by the Board at the time of approval of the course, a teacher may use the supplemental books at any time during the school year. Use of the supplemental books shall be brought to the attention of the Board during the school year in which they are added for ratification.

Before approval of textbooks for grades K-8, the Board shall:

1. require that all meetings of committees authorized for the purposes of textbook review and selection be open to the public in accordance with Arizona's open meeting laws; and
2. make available at the District office for review by the public, for a period of sixty (60) days prior to formal selection of textbooks, a copy of each textbook that is being considered for selection.

Curriculum Adoption 9-12

The Board shall approve for high schools the course of study and all units that are recommended for credit under each general subject title before implementing the course.

The Board shall approve for high schools the basic textbook for each course and may purchase the textbooks from the publishers if approved by the Board.

If any course does not include a basic textbook, the Board shall approve all supplemental books that are used in the course before usage.

If any course includes a basic textbook and uses supplemental books or instructional computer software, the Board may approve all supplemental books and instructional computer software that are used in the course before usage.

If the course includes a basic textbook and uses supplemental books that have not been approved by the Board at the time of approval of the course, a teacher may use the supplemental books at any time during the school year. Use of the supplemental books shall be brought to the attention of the Board during the school year in which they are added for ratification.

The Board shall prescribe up to five (5) textbooks for each course and the teacher, with the consent of the Board, may use any one of the prescribed textbooks for the purposes of the teacher's course.

Before the approval of any basic textbook for high schools, the Board shall do all of the following:

1. Provide information on the District's website, if the district maintains a website, on the basic textbooks that are proposed for approval.
2. Require that all meetings of committees authorized for the purposes of textbook review and selection be open to the public in accordance with Arizona's open meeting laws.
3. Provide an opportunity for public comment for at least sixty (60) days. Public comment may include written comments, oral comments, and comments submitted through e-mail.
4. Make available at the District office for review by the public, for a period of at least sixty (60) days prior to the formal selection of the textbooks, a copy of each textbook that is being considered for selection.

Adopted:

Legal Authority:

[A.R.S. § 15-111](#)

[A.R.S. § 15-112](#)

[A.R.S. § 15-721](#)

[A.R.S. § 15-722](#)

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5-200 Curriculum and Instruction

© 5-208 Availability of and Access to Instructional Materials and Activities

Definitions

"Harmful material" includes learning materials or activities that contain sexual content, violent content, or profane or vulgar language or if the material/activity questions beliefs or practices in sex, morality, or religion.

"Sexually explicit material" is as defined in [A.R.S. § 15-120.03\(C\)](#).

Access to Instructional Materials

On written request, parents or guardians shall have access to instructional materials currently used by or being considered for use by the District. At least one (1) copy of instructional material must be made available for review. Printed textbooks, supplemental books and other printed subject matter may be checked out and removed from District premises for up to forty-eight (48) hours. All other materials, including films, may be reviewed only on District premises.

A copy of each textbook considered for selection shall be available for public review for a period of sixty (60) days prior to formal selection.

Parents/legal guardians who object to any learning material or activity on the basis that the material or activity constitutes harmful material may withdraw their children from the activity or from the class or program in which the material is used by submitting an objection to their child's school.

An objection must be made in writing to the principal by the individual student's parents/legal guardians and contain a specific description of the activity or instructional material objected to. The objection must state that the parents/legal guardians understands that the concepts or information may not be covered in any other matter and that the student may not be able to make up the material or activity in any other way.

Standardized testing material cannot be objected to as harmful material and is not subject to the review process described above.

Sexually Explicit Materials

Except as authorized pursuant to [A.R.S. § 15-711](#) and Policy 5-218, the District shall not refer students to or use any sexually explicit material unless:

1. The exempted material possesses serious educational value for minors or possesses serious literary, artistic, political or scientific value.
2. The District obtains written parental consent on a per material basis before referring a student to or using the exempted material.

Adopted:

Legal Authority:

[A.R.S. § 15-102](#)

[A.R.S. § 15-113](#)

[A.R.S. § 15-120.03](#)

[A.R.S. § 15-711](#)

[A.R.S. § 15-721](#)

[A.R.S. § 15-722](#)

[A.R.S. § 15-730](#)

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Availability of and Access to Instructional Materials and Activities

© 5-208.A Procedure - Availability of and Access to Instructional Materials and Activities

Upon receipt of a valid, written objection from a parent or guardian, the principal shall forward a copy of the written objection to the Superintendent along with a recommendation on whether to grant or deny removal of the student from the instruction or activity.

Upon receipt of a valid, written objection from a parent or guardian, the principal shall determine whether to grant or deny removal of the student from the instruction. If it is determined that the student should be removed from the instruction, the student will be provided an alternative assignment substantially equivalent in academic rigor and time to complete.

No penalty will accrue to the student in grades or credit unless the objection removes a student from a substantial portion of a class. All promotion and credit decisions will be based on applicable District policies.

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Availability of and Access to Instructional Materials and Activities

5-208.B Procedure - Availability of and Access to Instructional Materials and Activities – Technology Resources (Movies/Videos/Electronic Materials)

Movies, videos and electronic materials with MPAA ratings other than for G or PG are not to be shown in classrooms or at any District facility (this includes buses and motels where students are present) except when:

1. The movie, video or electronic material has been previewed by the teacher or other certificated staff member.
2. The movie, video or electronic material has been determined to not contain material that is objectionable or inappropriate for the age group to which it is intended to be shown.
3. The responsible school administrator has approved the use of the movie, video or electronic material prior to its showing.
4. The teacher or other certificated staff member has provided advance notification to each student's parent(s), or other responsible adult, of the title of the movie, video or electronic material and the date on which it will be shown.
5. When a movie, video or electronic material has a rating the above advance notification will include the rating and the source providing the rating.
6. A student whose parent(s) or other responsible adult has provided notice of their disapproval will not be permitted to view the movie, video or electronic material.

Parents or guardians have the right to have advance access to instructional materials, learning materials and activities currently in use, or being considered for use, in the District.

Parents have the right to request that their child not view any movie or video, regardless of its rating or the purpose for which it is to be shown.

A parent or guardian who objects to any learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion or, because of sexual content, violent content, or profane or vulgar language, may request to withdraw that student from the activity or from the class or program in which the material is used and request an alternative assignment.

5-200 Curriculum and Instruction

© 5-209 School Libraries, Media, and Resource Centers

The District shall be responsible for the care of the library, media or resource center with the assistance of District librarian or other qualified individual appointed by the Governing Board. When requested, the Board shall report on the libraries to the County School Superintendent on forms supplied by the Superintendent of Public Instruction.

The Superintendent shall annually recommend to the Board an expenditure level for the purchase of library books, materials, and electronic media. The Superintendent shall establish procedures for the removal of books, materials, and electronic media.

The District shall:

- enforce the rules prescribed for school libraries;
- exclude from school libraries all books, publications and papers of a sectarian, partisan or denominational character, except where permitted under the law;
- allow students of suitable age who attend the school to use the facility free of charge; and
- develop policies and procedures regarding the use of the facility by the general public.

Access

If the District employs a full time library media specialist or its equivalent and does not have an agreement with county free library districts, municipal libraries or other entities pursuant to [A.R.S. § 15-362](#)(d), then the District shall develop procedures to allow for parents to have access to:

- the school library's collection of available books and materials; and
- a list of books and materials borrowed from the library by their child or children.

The District shall make available on the District's website for review by the public a list of all books and materials purchased for any of the District's school libraries for a period of at least sixty (60) days after the purchase. This does not include books and materials purchased to replace a lost or damaged item. The District shall ensure that each school notifies the parents of each enrolled student regarding the opening and closing dates of the public review no less than seven (7) days prior to the opening date.

Adopted:

Legal Authority:

[A.R.S. § 15-102](#)

[A.R.S. § 15-362](#)

[A.R.S. § 15-535](#)

[A.R.S. § 15-717.01](#)

[A.R.S. § 15-721](#)

[A.R.S. § 15-722](#)

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5-200 Curriculum and Instruction

© 5-210 Special Interest Materials

Pursuant to [A.R.S. § 15-341](#) and [A.R.S. § 15-535](#) the District shall exclude from schools all books, publications, papers, or audiovisual materials of a sectarian, partisan, or denominational character.

The District may offer an elective course for students in grades nine (9) through twelve (12) pertaining to how the Bible has influenced western culture. This course shall be designed to:

1. familiarize students with the contents, characters, poetry, and narratives that are prerequisites to understanding society and culture, including literature, art, music, mores, oratory, and public policy; and
2. familiarize students with the contents of the old and new testaments, the history recorded by the old and new testaments, the literary style and structure of the old and new testaments and the influence of the old and new testaments on laws, history, government, literature, art, music, customs, morals, values, and culture.

A teacher who uses sectarian or denominational books or teaches any sectarian doctrine or conducts any religious exercises in school, unless teaching an authorized class described above, is guilty of unprofessional conduct.

All supplementary materials intended for classroom use (printed materials, models, films, slides, pictures, charts, or other educational materials) must be approved in accordance with District policies.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

[A.R.S. § 15-535](#)

[A.R.S. § 15-717.01](#)

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5-200 Curriculum and Instruction

5-210.01 Teaching About Controversial/Sensitive Issues

Democratic tradition often involves dealing with controversial issues. Knowledge and understanding of such issues are an indispensable part of education.

The teacher holds a position of authority and respect in the classroom and community, and by virtue of that position has great responsibility in the formation of the education of all students. It must be clear that personal views are not a part of the instructional program and must be tempered by the responsibility to maintain professionalism.

To ensure that controversial issues are dealt with fairly and objectively, and with instruction as their goal, such issues may be a part of the curriculum as long as the following policies are observed:

1. Teachers should instruct students in the principles and techniques of the scientific method and provide opportunities for practice in applying established facts to specific problems.
2. Teachers should seek to develop in students the ideals of truth and honesty.
3. All personnel should seek to create an atmosphere in which difference of opinion can be voiced without fear and hostility and with mutual respect for all viewpoints.
4. Constitutional guarantees of due process and freedom of speech will continue to be observed as to students and teachers alike when they are involved in a controversial issue.
5. Teachers should encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined, and checked for accuracy.
6. Teachers should seek to develop in students a sense of responsibility for their beliefs, opinions, attitudes, and actions.
7. Teachers should place major emphasis upon "why" and "how" to think rather than "what" to think.

Adopted:

5-200 Curriculum and Instruction

© 5-211 Class Size

Regular Education

The District is responsible for providing adequate staffing based on student needs, legal requirements for curriculum and instructional delivery, and budgetary resources.

The Superintendent shall make staffing recommendations annually within the budgetary process that are individualized to the District's adopted ratio or maximum number of students per class.

Special Education

The District will strive to maintain the recommended student-teacher ratios in accordance with the District's procedure. If a class or caseload requires increased capacity, the school will work in conjunction with the Special Education Director to decide what support is necessary.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

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Class Size

© 5-211.A Procedure - Class Size - Special Programs

Exceptional Student Services Staff to Student Ratios for Specialized Programs

[PUSD SPED Program Descriptors 2025/2026](#)

The Governing Board recognizes its responsibility to provide appropriate staffing to ensure the effective implementation of each student's Individualized Education Program (IEP). The District shall maintain special education teacher–student and staff–student ratios that support student achievement, compliance with federal and state law, and efficient delivery of services.

Student assignments shall be made within available resources and in accordance with the guidelines set forth below. These ratios are program targets and may be adjusted based on individual student needs, IEP team decisions, program requirements, maturity of students, and available funding. Additional staffing support shall be considered based upon IEP determinations and documented student needs.

Program Staffing Guidelines

Resource

Staffing: One (1) teacher

Typical Caseload: Ideal maximum of thirty-five (35) students, scheduled in smaller groups

When a resource caseload reaches twenty-five (25) students, the addition of IEP writing support or a paraprofessional assistance will be discussed. Additional paraprofessional support will be considered for every additional 20 students beyond 25.

Extended Resource

Staffing: One (1) teacher

Typical Caseload: Ideal maximum of eighteen (18) students, scheduled in smaller groups

Support: One (1) classroom paraprofessional

Paperwork caseloads shall be shared with Resource teachers.

STEPS Program

Staffing: One (1) teacher

Typical Caseload: Ideal maximum of fifteen (15) students

Support: Two (2) classroom paraprofessionals

RISE Program

Staffing: One (1) teacher

Typical Caseload: Ideal maximum of eight (8) students
Support: Two (2) classroom paraprofessionals

PATHWAYS – Emotional Disability Program (EDP) – Private School Placement

Staffing: One (1) teacher

Typical Caseload: Ideal maximum of twelve (12) students

Support: Two (2) classroom paraprofessionals

One (1) staff member shall be available for de-escalation. The designated de-escalator may be one of the assigned paraprofessionals or another designated staff member at the school site.

In accordance with Arizona requirements, once enrollment reaches thirteen (13) students, an additional paraprofessional or teacher shall be added based upon student needs. These ratios are program targets and may be adjusted based on individual student needs.

Exceeding Staffing Guidelines

If student enrollment exceeds established program targets, the Superintendent or designee may implement one or more of the following:

1. Addition of a paraprofessional
2. Increase in paraprofessional hours
3. Addition of certified staff
4. Provision of additional IEP writing support or caseload balancing with colleagues
5. Other adjustments deemed appropriate by the Superintendent

The Administrator for Special Education shall make student assignments consistent with this regulation and within available resources.

5-200 Curriculum and Instruction

© 5-212 Student Clubs and Activities

Noncurricular Student Clubs

The District permits noncurricular student groups on campus for the grades seven (7) through twelve (12). The Superintendent shall adopt procedures to ensure that noncurricular student groups meet the requirements of the [20 U.S.C. § 4071](#) *et seq.* (the Equal Access Act) and [A.R.S. § 15-720](#).

Student Activities Fund

The Superintendent shall develop procedures to ensure that all funds in the student activities fund comply with the requirements of [A.R.S. §§ 15-1121 through 1124](#).

Adopted:

Legal Authority:

[A.R.S. § 15-720](#)

[A.R.S. § 15-1121](#)

[A.R.S. § 15-1122](#)

[A.R.S. § 15-1123](#)

[A.R.S. § 15-1124](#)

[20 U.S.C. § 4071](#) *et seq.*

[20 U.S.C. § 7905](#)

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Student Clubs and Activities

© 5-212.A Procedure - Student Clubs and Activities - Student Groups

A. Definitions

"Curricular student group" means a student organization that is directly supported and sponsored by the District and through which students may receive academic credit.

"Extracurricular student group" means a student organization that is directly supported and sponsored by the District and whose activities directly relate to classes for which students receive credit toward graduation.

"Noncurricular student group" means any student organization other than a curricular student group or an extracurricular student group or whose activities do not substantially enhance, extend or reinforce the subject matter of an academic course that is currently offered at the school.

"Non-Instructional time" means time set aside by the school before actual classroom instruction begins or after actual instruction ends, including the lunch period or any period during which student attendance is not required.

"Non-School person" means any individual or group whose funding or leadership originates from anywhere other than the District or funds raised by students in the student activity fund.

"Faculty advisor" means an employee of the District who is charged with supervising and ensuring the orderly conduct of a noncurricular student group.

"Faculty sponsor" means an employee of the District who is charged with supervising and leading students in a curricular student group or an extracurricular student group.

B. Curricular and Extracurricular Student Groups

All curricular student groups must:

1. permit a participating student to receive academic credit upon meeting the criteria for academic credit;
2. align with the educational goals of the District;
3. not engage in any activity that implies the District's endorsement of any political or religious views or beliefs; and
4. have a faculty sponsor who oversees the activities of the curricular student group.

All extracurricular student groups must:

1. directly relate to or support a course, class, or subject for which students may receive academic credit;
2. align with the educational goals of the District;
3. not engage in any activity that implies the District's endorsement of any political or religious views or beliefs; and
4. have a faculty sponsor who oversees the activities of the curricular student group.

C. Noncurricular Student Groups

The District permits noncurricular student groups for 7th through 12th grade.

All noncurricular student groups must:

1. be student-led, student-initiated, and subject to voluntary participation;
2. occur during non-instructional time;
3. have a faculty advisor who supervises meetings and activities (see below); and
4. have equal access to school facilities (see below).

D. Faculty Advisor

Faculty advisors attend meetings and activities of noncurricular student groups to ensure the care on proper use of school facilities. The District may not require any employee to serve as a faculty advisor for any noncurricular student group or attend or participate in any meeting or activity whose content is contrary to the employee's beliefs.

Faculty advisors should:

1. ensure the proper use of school facilities;
2. ensure that noncurricular student groups follow district policies and procedures and school regulations;
3. ensure student safety; and
4. answer questions from student leaders regarding the availability of school facilities and resources.

E. Religious Noncurricular Student Groups

Faculty advisors do not actively participate in or sponsor noncurricular student groups whose meetings and activities are religious in nature.

Faculty advisors for religious noncurricular student groups may not:

1. recruit students for participation;
2. recruit guest speakers;
3. select student leaders;

4. proactively make announcements (as opposed to relaying announcements per school announcement policies);
5. participate actively in student discussions, prayer, etc.;
6. require any person to participate in prayer or any religious activity;
7. influence the content of any student prayer or religious activity; or
8. hold themselves out as "sponsors" or "leaders" of the student club.

F. Participation of Outside Groups

Non-school persons may not: (a) direct, conduct, control, or regularly attend meetings or activities of any noncurricular student group; or (b) select the student leadership or faculty advisor for any noncurricular student group. The principal of each school may place reasonable limitations on participation by non-school persons in noncurricular student groups as long as such limitations are applied uniformly to all noncurricular student groups within the school.

G. Access to School Facilities

School facilities must be provided to noncurricular student groups on a uniform and equal basis. A noncurricular student group may not be denied access to announcements, space in school publications, computers, printers, etc., if such access is granted to another noncurricular student group.

H. Prohibited Activities

Notwithstanding any statement in this Procedure to the contrary, the principal may:

1. place limits on the size of meetings of noncurricular student groups as long as such limits are applied uniformly to all noncurricular student groups;
2. prohibit any unlawful content associated with a noncurricular student group; and
3. restrict, cancel, or prohibit the meeting of a noncurricular student group if the meeting would materially and substantially interfere with the orderly conduct of educational or operational activities within the school.

I. Duties of the Principal

The principal shall ensure that all groups classified as curricular student groups and extracurricular student groups meet the criteria set forth in this Procedure. The principal shall also ensure that information regarding other school-sponsored or approved student activities is available to parent/legal guardian upon request.

The principal of each school shall maintain a list of all active student groups that includes the name of the group, the name of the faculty sponsor or faculty advisor, and a general description of the purpose and nature of the student group. The list shall include the classification of each group as curricular, extracurricular, and noncurricular.

In the case of extracurricular student groups, the list shall include the credit-earning courses that directly relate to the extracurricular student group.

The list of student groups shall be made available to students and the parent/legal guardian of a student upon request.

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Student Clubs and Activities

© 5-212.B Procedure - Student Clubs and Activities - Student Activities Fund

All funds raised in accordance with District policies and procedures or with specific approval of the Governing Board by the efforts of students in support of student organizations, clubs, school plays or other student entertainment, except funds designated for the auxiliary operations fund, shall be deposited to the student activities fund.

All funds in the student activities fund shall be administered in accordance with the Uniform System of Financial Records and [A.R.S. §§ 15-1121 through 1124](#). Funds raised through student efforts for the benefit of noncurricular student groups are not funds of the District and may therefore be used for any lawful purpose designated by the student leadership of the noncurricular student group, including for activities with a religious component.

A Board appointed employee shall be designated as the student activities treasurer. If applicable, the Board may also designate an assistant student activities treasurer.

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5-200 Curriculum and Instruction

© 5-213 District-Sponsored Activities

The District shall comply with applicable laws and state rules pertaining to District-sponsored activities, including:

- extracurricular activities;
- interscholastic extracurricular activities;
- interscholastic athletic activities; and
- academic contests.

Adopted:

Legal Authority:

[A.R.S. § 15-120.02](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-347](#)

[A.R.S. § 15-705](#)

[A.R.S. § 15-802.01](#)

[A.R.S. § 15-1241](#)

[Ariz. Admin. Code R7-2-808](#)

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District-Sponsored Activities

© 5-213.A Procedure - District-Sponsored Activities - Requirements Relating to Participation and Accommodations

A. Definitions

"Academic contests fund" means the fund established by the Arizona State Board of Education in accordance with [A.R.S. § 15-1241](#).

"Extracurricular activity" means an activity that is:

1. not integral to or required to receive credit for graduation or promotion; and
2. organized, planned, and sponsored by the District consistent with District policies.

"Contest advisor" means an employee of the District with responsibility for student participation in an academic contest.

"Interscholastic extracurricular activity" means an extracurricular activity that is of a competitive nature involving more than one school where a championship, winner, or rating is determined. All references herein to extracurricular activities include interscholastic extracurricular activities and interscholastic athletic activities.

"Interscholastic athletic activity" means an interscholastic extracurricular activity consisting of a sport or other athletic competition.

"Faculty sponsor" means an employee of the district who is charged with supervising and leading students in an interscholastic extracurricular activity.

"Progress report" means a report submitted by a student's teacher to the school principal every five (5) weeks at PHS that includes the student's cumulative grade for the current grading period.

"Fiscal agent" means the Chief Financial Officer.

B. Cultural Accommodations

Extracurricular activities shall be open to all eligible students. District personnel organizing extracurricular activities should ensure that rules related to the extracurricular activity do not interfere with the cultural traditions, including religious traditions, of potential participants. If rules related to an extracurricular activity would prohibit a student from participating because of the student's cultural traditions, the faculty sponsor shall implement alternative rules, schedules, or other aspects of the activity if doing so would not: (a) alter the fundamental purposes of the extracurricular activity; or (b) affect the health and safety of participants.

If an extracurricular activity's rules or schedule are governed by an outside association, the faculty sponsors of the extracurricular activity shall, in consultation with the affected student or students and their parent/legal guardian, take reasonable steps to request and obtain accommodations allowing students to participate.

Extracurricular activities shall not require a student to remove a religious or cultural accessory or hairpiece if the accessory or hairpiece does not jeopardize the health or safety of the student or other participants in the activity, as determined by the supervisor or officiant of the activity.

Examples of accommodations may include, but are not limited to, modifications to uniforms, jerseys, or other clothing associated with the activity or rearranging schedules to avoid conflicts with religious or cultural observances.

C. Academic Contests

All travel and expenditures related to academic contests that are eligible for funding from the state academic contests fund must first be approved by the Board.

The fiscal agent is designated as an authorized representative of the District and is responsible for the disbursement of travel funds.

All requests for funds from the state academic contests fund should be directed to the fiscal agent. Before submitting requests for funding for academic contests, the contest advisor should first ensure that the contest is on the Arizona State Board of Education's list of approved contests and that all the following are verified:

1. The contest is academic in nature and motivates students to be creative and to demonstrate excellence.
2. The contest is sponsored by a recognized national organization.
3. The contest is open to all students, regardless of race, creed, gender or national origin, except that a contest may separate pupils by age or grade level.
4. No other sponsoring agency is assuming the total costs.
5. The participation of the students shall be the result of successfully competing at the local or state level, or both, of that contest.

After Board approval of participation in an academic contest, the Superintendent shall apply to the Arizona State Board of Education for funding.

Not more than thirty (30) days after the academic contest, the contest advisor shall submit a completion report to the fiscal agent. Not more than ninety (90) days after the academic contest, the fiscal agent will verify the accuracy of the completion report and submit the completion report, together with any unused funds, to the Arizona Department of Education.

D. Interscholastic Extracurricular Activities

Students participating in any interscholastic extracurricular activity must meet both of the following criteria:

1. The student has a passing grade as defined in District procedures as evidenced by either:
 - a. Performance in each course in which the student is currently enrolled, if available; or
 - b. If current grades are not available, in each course which the student was enrolled in the previous semester or quarter.
2. The student is maintaining satisfactory progress toward promotion or graduation as defined in District procedures.

If a student does not meet the above criteria, the student shall be ineligible to participate in the activities until the criteria above are met.

Teachers shall regularly assess students' progress toward earning a passing grade and, upon determining that a student is at risk for losing eligibility to participate in interscholastic extracurricular activities, shall immediately notify the student and the student's parent/legal guardian of pending ineligibility. Such notice shall be confidential and may be verbal or in writing. The teacher shall also notify the faculty sponsor for all interscholastic extracurricular activities in which the student participates. The teacher and faculty sponsor(s) then discuss appropriate educational support services that they may offer to encourage maintaining eligibility.

If, based on a student's most recent progress report, the principal determines that a student is ineligible to participate in the activities, the principal shall send written notice to the ineligible student, the student's parent/legal guardian, and the faculty sponsor for all applicable activities, of the student's ineligibility. The student shall receive support services designed to help the student meet eligibility requirements. The student shall remain ineligible until a subsequent check on eligibility is performed and the student meets eligibility requirements.

The teacher and faculty sponsor(s) should continue to provide appropriate educational support services after a determination of ineligibility.

E. Passing Grade

A student shall be deemed to have a passing grade if the student has received a D grade or better in the student's most recent progress report. For elementary and middle schools, a passing grade is based on mastery of the academic standards. Passing grades shall be determined on a cumulative basis, from the beginning of instruction to the recording of a final grade for the course.

F. Progress toward Promotion or Graduation

A student shall be deemed to be maintaining satisfactory progress toward promotion or graduation if maintaining passing grades and/or mastery of academic standards.

G. Students with Disabilities

The District shall adhere to the requirements of federal and state laws to provide students with disabilities access to its District-sponsored activities.

H. Homeschooled Students

Except as otherwise noted, children who reside within the attendance area of any school in the District shall be permitted to participate in interscholastic extracurricular activities on the same basis as District students.

Before permitting a homeschooled student to participate in such activities, District personnel shall verify that the student lives within the attendance boundaries of the school, and the individual providing primary instruction for the homeschooled student shall submit written verification of eligibility requirements on the same schedule as District students.

Homeschooled students participating in interscholastic extracurricular activities must meet all applicable participation and eligibility requirements, including:

- payment of the same participation or activity fee(s), if any, paid by District students,
- insurance,
- transportation,
- physical condition,
- qualifications,
- standards of behavior, and
- academic performance policies.

A homeschooled student who was previously enrolled in a public, private, or charter school is ineligible to participate in interscholastic extracurricular activities for the remainder of the school year in which the student was enrolled in a school.

The District shall not contract with any private entity that supervises interscholastic activities if the private entity prohibits the participation of homeschooled students in interscholastic extracurricular activities at public, private or charter schools.

I. Interscholastic Athletic Activities

Policy 5-410 contains additional information regarding interscholastic athletic activities.

5-200 Curriculum and Instruction

© 5-214 Course, Activity, and Program Fees

Definition

“Extracurricular activity” means any optional, noncredit, educational, or recreational activity that supplements the education program of the school, whether offered before, during or after regular school hours.

Participation Fees

The following participation fees will be assessed of students:

- fees for the costs associated with each student's participation in optional extracurricular activities and programs; and
- fees for a character education program if the program is not offered during regular school hours.

The following participation fees will be assessed of high school students:

- fees for the costs associated with fine arts and vocational education courses and for optional services, equipment and materials offered to the students beyond those required to successfully complete the basic requirements of any other course; and
- rental fees for the use of non-required textbooks, subject matter materials, and supplementary books.

The nonpayment of fees will not prevent a student from generally enrolling in, applying to or remaining enrolled in the school.

Fee Waiver

The principal may reduce or waive any fee if, in the discretion of the principal, the fee creates an economic hardship for the student.

Prohibited Fees

Students shall not be charged for access to or use of computers or related materials.

Adopted:

Legal Authority:

[A.R.S. § 15-342](#)

[A.R.S. § 15-116](#)

[A.R.S. § 15-719](#)

[A.R.S. § 15-714](#)

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5-200 Curriculum and Instruction

© 5-215 Loss and Damage Deposits

Loss/Damage Deposit

Students are expected to take pride in the school and its property. Any reckless, knowing, willful, intentional, or malicious damage or loss of school property may result in discipline, cost-assessment, and legal action involving the responsible person(s).

Reasonable damage/loss deposits may be assessed from students in grades seven (7) through twelve (12) for textbooks, musical instruments, band uniforms or other equipment required for academic courses.

Deposit Refund

The District shall return the full amount of the deposit for any textbook or other item if the student returns the textbook or other item in reasonably good condition within the time period prescribed. For the purposes of this paragraph, "in reasonably good condition" means the textbook or other item is in the same or a similar condition as it was when the student received it, ordinary wear and tear excepted.

Deposit Waiver

The principal may waive the deposit requirement for any textbook or other item if the payment of the deposit would create an economic hardship for the student, as determined by the principal.

Consequences and Costs for Damage

The payment of a deposit does not, by itself, exculpate or absolve any person who has violated school policy and/or committed a criminal act in the damage of school property (e.g., intentional, willful, or malicious damage).

To the extent that the damage exceeds the deposit amount, the payment of a deposit does not, by itself, negate parent/legal guardian liability for property damage caused while in the possession of or checked out to their child(ren).

Use of Lost / Damaged Textbook Funds

The District may use funds resulting from lost or damaged textbooks to repair or replace textbooks, subject matter materials, supplementary books or instructional computer software which are lost or damaged. These monies are to be used in addition to the monies budgeted for those purposes.

Adopted:

Legal Authority:

[A.R.S. § 15-342\(28\)](#)

[A.R.S. § 15-727](#)

[A.R.S. § 15-729](#)

[A.R.S. § 15-842](#)

[A.R.S. § 15-843\(K\)](#)

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5-200 Curriculum and Instruction

© 5-216 Promotion and Retention of Students; Passing Grades

The Superintendent shall ensure that students are promoted from one grade to another after meeting minimum competency requirements as defined by the Arizona State Board of Education, together with other requirements adopted by the Governing Board.

Procedures regarding promotion or retention of students shall give students and parents/legal guardians the opportunity to request in writing that the Board review the decision of a teacher to promote or retain a student.

The Board does not review the decisions of teacher with respect to failing or passing individual classes.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

[A.R.S. § 15-342](#)

[A.R.S. § 15-701](#)

[Ariz. Admin. Code R7-2-301](#)

[Ariz. Admin. Code R7-2-309](#)

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5-200 Curriculum and Instruction

© 5-216.01 Assessments

The District shall administer all tests prescribed by the State Board of Education pursuant to [A.R.S. § 15-741](#). The District shall survey staff on achievement related non-test indicator data as required.

As permitted by [A.R.S. § 15-741](#)(E), a District that provides high school education shall accept the official score report of a nationally recognized assessment and allow the student to opt out of State Board prescribed testing if the parent/legal guardian submits the official score report before the date of the requisite State Board testing. Upon submission by the parent/legal guardian of the official score report, the District shall record the score in the student's file and report the score to the State Board and the Arizona Department of Education. The District shall use the official score report as the student's achievement test data.

District staff shall adhere to all testing protocols for any proctored examination required by either the District or State Board and may be subject to discipline and/or termination for failure to do so.

Adopted:

Legal Authority:

[A.R.S. § 15-741](#)

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Promotion and Retention of Students; Passing Grades

© 5-216.A Procedure - Promotion and Retention of Students; Passing Grades - Standards and Processes

A. Promotion from the Third Grade

Teachers who teach students in the third grade shall ensure that all students who are promoted from the third grade have demonstrated sufficient reading skills as measured by the reading portion of the statewide assessment. A student who has not demonstrated sufficient reading skills on the reading portion of the statewide assessment shall not be promoted from the third grade unless the student:

1. is an English language learner or limited English proficient student as defined in [A.R.S. § 15-751](#) and has fewer than three (3) years of English language instruction;
2. is (a) in the process of a special education referral or evaluation for placement in special education, (b) has been diagnosed with a significant reading impairment, including dyslexia, or (c) is a child with a disability as defined in [A.R.S. § 15-761](#) and the individualized education program (IEP) team agrees that promotion is appropriate;
3. demonstrates sufficient reading skills or adequate progress toward sufficient reading skills of the third grade reading standards through a collection of reading assessments; or
4. receives intervention and remedial services during the summer or subsequent year and demonstrates sufficient reading progress.

If the District does not have data on the student's performance on the reading portion of the statewide assessment, the student shall be promoted.

No student shall be retained in third grade more than once for failure to demonstrate sufficient reading skills.

B. Notification and Intervention

The District shall provide annual written notification to the parent/legal guardian of students in kindergarten programs and first, second, and third grades that a student who does not demonstrate sufficient reading skills will not be promoted from the third grade.

Each teacher who teaches kindergarten, first, second, or third grade will notify the principal of any student who is at risk of reading below grade level in kindergarten and grades one, two, and three, based on local or statewide assessments. The teacher shall provide such notification as soon as the teacher identifies the deficiency, but in all cases no later than at the time progress reports are issued.

The principal shall provide to the parent/legal guardian of any student with a reading deficiency a specific written notification of the reading deficiency within three weeks after identifying the reading deficiency. The notification shall include the following information:

1. a description of the student's specific individual needs;
2. a description of the current reading services provided to the student;
3. a description of the available supplemental instructional services and supporting programs that are designed to remediate reading deficiencies. The District shall offer more than one evidence-based intervention strategy and more than one remedial strategy developed by the Arizona State Board of Education for students with reading deficiencies. The notification shall list the intervention and remedial strategies offered and shall instruct the parent/legal guardian to choose, in consultation with the student's teacher, the most appropriate strategies to be provided and implemented for that student;
4. parental strategies to assist the student to attain reading proficiency;
5. the frequency with which the District will provide timely updates and information to the parent/legal guardian on the student's progress toward reading proficiency, which shall be determined by the principal in consultation with the teacher;
6. a statement that the student will not be promoted from the third grade if the student does not demonstrate sufficient reading skills, unless the student is exempt from mandatory retention in grade three or the student qualifies for an exemption; and
7. a description of the District's policies on midyear promotion to a higher grade.

C. Promotion from the Eighth Grade

Students shall be promoted from eighth grade after demonstrating competency as defined by academic standards adopted by the Arizona State Board of Education in the following subject areas:

1. English language arts;
2. Mathematics;
3. Science; and
4. Social Studies; including civics.

Competency shall be demonstrated if the student has achieved a mastery of the academic standards in a course focused on the subject area, or, if approved by the principal, through testing that adequately demonstrates competency in each area.

D. Promotion from Other Grades

For all grades except the third grade and the eighth grade, students shall be promoted from one grade to another if the student has demonstrated competency in or progress toward achieving competency in a majority of subject areas as defined by state academic standards. Competency shall be demonstrated if a high school student has

achieved a grade of D or better in each academic subject, or, if approved by the principal, through testing that adequately demonstrates competency in reading, writing, mathematics, science and social studies. Progress may be demonstrated by improvement in coursework and learning objectives as determined by the student's teacher.

Teachers shall notify the principal and the student's parent/legal guardian if the teacher determines that the student is not making satisfactory progress toward promotion. In consultation with the principal and the student's parent/legal guardian, the teacher shall suggest resources to help the student make progress toward promotion.

Teachers may recommend that a student be retained if the teacher and the principal, in consultation with the student's parent/legal guardian, determine that retention would help the student achieve competency in the majority of subject areas. Before recommending retention, the teacher and principal should consider alternatives, including, but not limited to, summer classes, tutoring, and other remedial and supplementary educational opportunities.

E. Midyear Promotion of Retained Students

Teachers may recommend a retained student for midyear promotion to the next grade if the student has demonstrated grade-level competency in all subject areas. For students recommended for midyear promotion from third grade or eighth grade, the student must also meet all other applicable requirements for promotion as set forth in state law. If approved by the principal, the student shall be promoted to the next grade and begin coursework. The principal may consider scheduled tests and other coursework when determining the timing of promotion.

F. Passing Grades for High School

A student shall earn academic credit in a course if the student receives a grade of D or better. Teachers shall assign grades based on the student's demonstration of competency in the subject area through tests, papers, projects, and other coursework as determined by the teacher. Competency standards shall be based on standards adopted by the Arizona State Board of Education or the Governing Board.

Students shall have regular opportunities to review their progress through progress reports and other teacher feedback. Teachers shall notify students and their parent/legal guardian if the teacher determines that the student is not making satisfactory progress toward a passing grade.

G. Requisite Instruction

Pursuant to [A.R.S. § 15-701.02](#), students shall be taught about the Holocaust and other genocides for at least three class periods (or the equivalent) on at least two separate occasions between the 7th and the 12th grades.

H. Appeals

A parent/legal guardian of a student or an emancipated student may appeal a decision to promote or retain the student by submitting a written request to the Board. The emancipated student or parent/legal guardian has the burden of proof to overturn the decision of the teacher. The Board shall overturn a decision to retain [or fail] a student if the emancipated student or parent/legal guardian demonstrates to the Board that the student has mastered the academic standards adopted by the Arizona State Board of Education for the applicable subject area. If the Board overturns a decision to retain [or fail] a student, the Board shall adopt a written finding that the student has mastered the academic standards.

Unless otherwise requested by the student's parent/legal guardian or the emancipated student, review of a decision to promote or retain a student shall be in executive session. If review is conducted in executive session, the Board shall notify the teacher of the date, time, and place of the review and shall allow the teacher to be present at the review. If the teacher is not present at the review, the Board shall consult with the teacher before making its decision. All requests, written evidence presented at the review, and other written records of the review, including the Board's decision, shall be retained by the Board as part of its permanent records.

I. Special Education

These procedures may be modified for students participating in a special education program for students with disabilities.

5-200 Curriculum and Instruction

© 5-217 Graduation

Definition

"Civics test" means a test that is identical to the civics portion of the naturalization test used by the United States citizenship and immigration services.

Promotion and Retention

A student shall graduate and receive a high school diploma upon passing the civics test and earning a total of [twenty-two (22)] credits, including elective courses and the following required courses, which shall include at a minimum the course of study prescribed by the State Board of Education ([Ariz. Admin. Code R7-2-302.02](#)):

Required Credits	Course
4	English or English as a Second Language Social Studies
1	American History (including Arizona history)
1	World History/Geography (including instruction on the Holocaust and other genocides)
.5	American Government (including civics and Arizona government)
.5	Economics
	Mathematics
1	Algebra I
1	Geometry
1	Algebra II or comparable course
1	Other Mathematics
3	Science
1	Arts or Career Technical Education
7	Electives (including one unit of physical education)

Students may earn credit through online education, transfer credits, dual enrollment, and career and technical education courses consistent with Board policies and applicable law.

The assignment of academic credit for transfer students (including foster care students) shall comply with the requirements of [A.R.S. § 15-701.01](#) and [A.R.S. § 15-701.04](#).

.Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

[A.R.S. § 15-342](#)

[A.R.S. § 15-701.01](#)

[A.R.S. § 15-701.04](#)

[A.R.S. § 15-1821.01](#)

[Ariz. Admin. Code R7-2-302](#)

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Graduation

© 5-217.A Procedure - Graduation - Qualifications

A. Algebra II

The District may designate alternative coursework to qualify as alternatives to Algebra II for the purpose of graduation credit requirements.

B. College and University Courses

With Board approval, credit earned at a college or university may fulfill graduation requirements if (a) the college or university course is appropriate to the specific requirement the student intends to fulfill, and (b) the college or university course is at least as rigorous as a high school course. If a student is not satisfied with the Board's decision to award credit or the amount of credit awarded, the student may request the State Board of Education to review the decision. In such cases, the District shall award credit according to the State Board of Education's review.

C. Alternative Demonstration of Competency

Upon a student's request, the District shall provide the opportunity for the student to demonstrate competency in the subject areas required for graduation in lieu of classroom time. If a student requests a demonstration of competency in lieu of classroom time, the Superintendent shall designate a teacher who is qualified to teach the subject to administer a competency exam. The exam shall test and a passing score shall require the same skills and knowledge as would be required of a student taking a course for credit in the same subject.

A student may elect to take a competency exam only once per subject per academic year.

D. Civics Education

To qualify for graduation, a student must correctly answer at least seventy (70) of the one hundred (100) questions listed on a test that is identical to the civics portion of the naturalization test used by the United States citizenship and immigration services.

For all students

All District courses in United States history and United States government shall administer the civics test to students. After the test is administered, the District shall document a pass or fail designation (using the applicable passing score based on graduation year) for each student taking the test. A student who does not obtain a passing score on the civics test may retake the test until the student obtains a passing score.

Students in the seventh or eighth grades may optionally take the civics test. If a student passes the civics test in seventh or eighth grade, the passing grade will be recorded in the student's records.

If a student transfers into the District from another school district or charter school, and the student's records indicate that the student has passed the civics test, the District shall not require the student to take the civics test again.

E. Failed Classes

A student shall not receive credit for any course in which the student did not receive a passing grade. If a failing grade in a course makes it unlikely that a student will graduate on schedule, the principal or a school guidance counselor shall meet with the student and the student's parents/legal guardians to discuss opportunities to make up credit.

F. Special Education

Alternative requirements for graduation for students with disabilities participating in a special education program shall meet the requirements of state and federal law. Adjustments for exceptional students shall not alter the minimum number of credits required for graduation or otherwise conflict with the District's obligations to provide a free appropriate public education.

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Graduation

5-217.B—Procedure—Graduation—Transfer Credits

The District welcomes new enrollments who were previously enrolled in a school outside the District and wish to transfer to a District secondary school. New enrollments will meet with an academic advisor to discuss transfer of course credits and placement in courses that will enable the student to earn a high school diploma and meet the student's personal interests.

A District high school will accept credits earned for successful completion of a course in a core subject at a non-District school, including a home school, if any of the following conditions are met:

- A. The course or similar course is offered in the District curriculum, and the course was provided by a school that is fully accredited (excluding special purpose and distance learning designations) by a recognized accreditation agency.
- B. All students who transfer from a district or local education agency (LEA) where courses considered by that school to be high school level have been completed in middle school years will only receive credit for Algebra 1/Geometry/Algebra 2. Any other courses completed during middle school years will not be accepted for high school credit, and must be completed at Prescott High School. This regulation will be effective starting with new enrollments for the 2020/2021 school year.
- C. A student who obtains prior approval and completes a course in a core or elective subject at an accredited Arizona community college or university will receive credit, with one-half (0.5) high school credit awarded for each three (3)-semester hour college or university course.

Definition

For the purposes of this regulation, "core subject" means any of the subject areas for courses required for high school graduation by the State Board of Education or the Governing Board.

Transfer from Non-Accredited Schools

Credits earned by a student in ninth grade or higher at a non-accredited school with the exception of credits earned for religious study courses will be accepted by the District's high school as elective credit for graduation purposes. If the course, or a similar course, is offered in the District curriculum, then the District high school will accept a credit as a core subject credit for graduation purposes when the student demonstrates competency in the subject matter by earning a grade of sixty percent (60%) or better on a challenge exam. The challenge exam grade will be the grade posted on the student's transcript.

Transfer Credit from Summer Programs other than from District Summer School

Permission to transfer credit from summer programs must be obtained prior to enrolling in the summer program. All transfer credit regulations apply.

The District shall adhere to the requirements of [A.R.S. § 15-701.01](#), [A.R.S. § 15-701.04](#), [Ariz. Admin. Code R7-2-302](#) and the State Board of Education's guidelines in considering the acceptance of academic credits for students transferring into the District in grades nine (9) through twelve (12).

Graduation

© 5-217.C—Procedure—Graduation—Protections for Foster Care Students

The District shall adhere to the requirements of [A.R.S. § 15-701.04](#) and the State Board of Education’s guidelines in considering the acceptance of academic credits for foster care students enrolling in grades nine (9) to twelve (12) when the foster care student is transferred pursuant to a best interest educational placement determination.

A. Definitions

“Academic credit” means credits that will count toward graduation. This term shall include partial credit when used in this Procedure.

“Best interest educational placement determination” means the determination of a student’s best interest education placement team pursuant to [A.R.S. § 8-530.04](#).

“Core credit” means units of credit required for graduation as specified by the State Board of Education in [Ariz. Admin. Code R7-2-302.02](#).

“Foster care student” means a foster child as that term is defined in [A.R.S. § 8-501](#).

“School of origin” means the school in which a child is enrolled at the time of placement in foster care. If a foster care placement changes, the school of origin may be the school in which the child is enrolled at the time of the placement change.

B. Credit Acceptance

The District shall:

1. calculate full and partial academic credits earned by the foster care student at the student’s school of origin;
2. accept all academic credits, including partial credits, earned by the foster care student in courses or instructional programs at the student’s school of origin; and
3. determine whether to accept academic credits earned by the foster care student as core credits or as electives.

The District shall strive to accept all academic credits earned by the foster care student as core academic credits and shall consider each learning outcomes mastered and competency requirements demonstrated when making the determination of credits earned.

The District may administer a competency assessment to the foster care student in order to award academic credit for a core course as identified in the foster care student's educational records from the school of origin.

The District may not require a foster care student who transfers in the grades eleven (11) or twelve (12) to satisfy a course of study or competency requirements that exceeds the minimum course of study and competency requirements prescribed by the State Board of Education in order to graduate.

C. Graduation Plan

Within ten (10) school days after receiving a foster care student's academic records from the student's school of origin, the District shall meet with the foster child to update the student's graduation plan, including addressing participation in any credit recovery program. The District shall provide a written copy of the graduation plan to the foster care student, each parent whose parental rights have not been terminated, and the student's guardian, custodian, caregiver, or foster parent.

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5-200 Curriculum and Instruction

© 5-218 Family Life Education/Sex Education

Definitions

"Dating abuse" means a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal or emotional abuse to control the person's dating partner.

"Dating partner" means any person who is involved in an intimate association with another person that is primarily characterized by the expectation of affectionate involvement and that includes casual, serious and long-term dating partners.

Sex Education

The District is not required to teach sex education in its schools.

The Governing Board may adopt a sex education curriculum in accordance with Arizona laws. The District may develop its own sex education course of study or adopt an existing sex education course of study to meet the requirements of Arizona law.

Employees shall not deviate from the Board-approved sex education curricula.

If the District decides to provide sex education instruction after school hours, it shall comply with the provisions in [A.R.S. §§ 15-102](#) and [15-711](#).

Notwithstanding the provisions of this Policy and Arizona law, nothing shall prohibit the District from providing age and grade appropriate classroom instruction regarding child assault awareness and abuse prevention.

Parent/Guardian Consent

A student's parent/legal guardian must provide prior written permission ("opt-in") for the student to participate in the sex education curricula. A student's parent/legal guardian may revoke permission at any time by providing written notification to the principal.

Minimum Grade Requirements

The District may not provide sex education instruction before grade five (5).

Nature of Instruction, Governing Board Approval, and Lesson Format for Common Schools

Common schools of Arizona may provide a specific elective lesson or lessons concerning sex education as a supplement to the health course of study.

The District shall inform the parent/legal guardian of their right to review the instructional materials and activities at the time consent is sought for sex education.

Alternative elective lessons from the state adopted optional subjects shall be provided for students who do not enroll in elective sex education.

Elective sex education lessons shall not exceed the equivalent of one class period per day for 1/4 of the school year for grades five (5) through eight (8).

All elective sex education lessons to be offered shall first be approved by the Board.

If the Board is contemplating the offering of elective sex education, it shall establish an advisory committee with membership representative of district size and the racial and ethnic composition of the community to assist in the development of lessons and advise the local governing board on an ongoing basis.

All meetings of committees that are authorized for the purposes of reviewing and selecting the sex education course of study shall be publicly noticed at least two weeks before occurring and be open to the public in accordance with Arizona's open meeting law.

The Board shall review the total instructional materials and approve all lessons and curricula in the course of study to be offered in sex education.

The Board shall make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the Board decides whether to approve that course of study.

The Board shall publicize and hold at least two public hearings within the sixty (60) day period for the purpose of receiving public input. These hearings must take place at least one week prior to the Board meeting at which the sex education lessons will be considered for approval. Public input may include written comments, oral comments and comments submitted electronically.

The Board shall notify and provide parent/guardian with the opportunity to review (online and in-person) the sex education curricula to be used in approved elective sex education lessons within the District at least two (2) weeks before any instruction is offered.

The Board shall ensure the following format is implemented for sex education lessons and curricula:

- Lessons shall be taught to boys and girls separately.
- Lessons shall be ungraded, require no homework, and any evaluation administered for the purpose of self-analysis shall not be retained or recorded by the school or the teacher in any form.

- Lessons shall not include tests, psychological inventories, surveys, or examinations containing any questions about the student's or the student's parents'/legal guardians' personal beliefs or practices in sex, family life, morality, values or religion.

Nature of instruction, Governing Board Approval, and Lesson Format for High Schools

A course in sex education may be provided in the high schools of Arizona.

Alternative elective lessons from the state-adopted optional subjects shall be provided for students who do not enroll in elective sex education.

All meetings of committees that are authorized for the purposes of reviewing and selecting the sex education course of study shall be publicly noticed at least two (2) weeks before occurring and be open to the public in accordance with Arizona's Open Meeting laws.

The Board shall review the total instructional materials and approve all lessons and curricula in the course of study to be offered in sex education.

The Board shall make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the governing board or governing body decides whether to approve that course of study.

The Board shall publicize and hold at least two public hearings within the sixty-day period for the purpose of receiving public input at least one week prior to the Board meeting at which the elective sex education lessons will be considered for approval.

Public input may include written comments, oral comments and comments submitted electronically.

Lessons shall not include tests, psychological inventories, surveys, or examinations containing any questions about the student's or the student's parents'/legal guardians' personal beliefs or practices in sex, family life, morality, values or religion.

The Board shall maintain for viewing by the public, both online and in-person according to [A.R.S. § 15-102\(A\)\(2\)](#), the total instructional materials to be used in all sex education courses to be offered in high schools within the school district or charter school at least two weeks before any instruction is offered.

Curriculum Content and Requirements for Common and High Schools

All sex education materials and instruction, as required by law, shall:

- be age appropriate;
- recognize the needs of exceptional students;

- meet the needs of the District;
- recognize local community standards and sensitivities;
- not include the teaching of abnormal, deviate, or unusual sexual acts and practices;
- stress that students should abstain from sexual intercourse until they are mature adults;
- emphasize that abstinence from sexual intercourse is the only method for avoiding pregnancy that is one hundred percent (100%) effective;
- Stress that sexually transmitted diseases have severe consequences and constitute a serious and widespread public health problem;
- include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual intercourse and the consequences of preadolescent and adolescent pregnancy;
- advise students of Arizona law pertaining to the financial responsibilities of parenting, and legal liabilities related to sexual intercourse with a minor; and
- include instruction on the laws relating to sexual conduct with a minor for grades seven (7) through twelve (12);

The instruction shall emphasize the power of individuals to control their own personal behavior. Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control and ethical considerations such as respect for self and others.

Instruction shall be given on how to say "no" to unwanted sexual advances and to resist negative peer pressure. Students shall be taught that it is wrong to take advantage of, or to exploit, another.

If instruction is provided in the topics discussed below, the following requirements shall be observed:

- *Preference for childbirth and adoption over elective abortion:* The District shall not allow any presentation during instructional time or furnish any materials to students as part of any instruction that does not give preference, encouragement and support to childbirth and adoption as preferred options to elective abortion.
- *Instruction on alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs:*
 - Instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs on the human system and instruction on the laws related to the control of these substances and the nonuse and prevention of use and abuse of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs may be included in the courses of study in common and high schools, with emphasis on grades five (5) through nine (9).
 - Instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs on a human fetus may be included in the courses of study in grades six (6) through twelve

(12). The instruction may be integrated into existing health, science, citizenship, or similar studies and shall meet the criteria for chemical abuse prevention education programs developed pursuant to guidance set forth by the Arizona Department of Education.

- *Dating abuse*: A school district that provides instruction in grades seven (7) through twelve (12) may incorporate dating abuse information that is age appropriate into the school district's existing health curriculum for students in grades seven (7) through twelve (12) that includes the following components:
 - a definition of dating abuse;
 - the recognition of dating abuse warning signs; and
 - the characteristics of healthy relationships.

On written request to the principal of the school where a child is enrolled, the parent/legal guardian of a student who is under eighteen years of age shall be permitted to review the dating abuse information instructional materials within a reasonable time after submitting the written request.

- *Instruction on acquired immune deficiency syndrome*: The District may provide instruction acquired immune deficiency syndrome and the human immunodeficiency virus. At a minimum, instruction shall:
 - be appropriate to the grade level in which it is offered;
 - be medically accurate;
 - promote abstinence;
 - discourage drug abuse; and
 - dispel myths regarding transmission of the human immunodeficiency virus.

At the request the District, the Arizona Department of Health Services or the Arizona Department of Education shall review instruction materials to determine their medical accuracy.

At the request of the District, the Arizona Department of Education shall provide the following assistance:

- a suggested course of study;
- teacher training; and
- a list of available films and other teaching aids.

At the request of a parent/legal guardian a student shall be excused from instruction on the acquired immune deficiency syndrome and the human immunodeficiency virus. The District shall provide a description of the course curriculum to all parents/legal guardians and notify all parents/legal guardians of their ability to withdraw their child from the instruction.

Certification of Compliance

The District shall certify, under the notarized signatures of both the Board President and the Superintendent, compliance with [Ariz. Admin. Code R7-2-303](#). Acknowledgment of

receipt of the compliance certification from the Arizona State Board of Education is required as a prerequisite to the initiation of instruction. Certification of compliance shall be in a format and with such particulars as shall be specified by the Arizona Department of Education.

Adopted:

Legal Authority:

[A.R.S. § 15-102](#)

[A.R.S. § 15-115](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-711](#)

[A.R.S. § 15-712](#)

[A.R.S. § 15-712.01](#)

[A.R.S. § 15-716](#)

[A.R.S. § 15-720](#)

[Ariz. Admin. Code R7-2-303](#)

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5-200 Curriculum and Instruction

© 5-220 Dropout Recovery Programs

Definitions

“Alternative school” means an alternative high school within the District that has been approved by the Arizona Department of Education and meets these criteria:

- a. A mission statement that clearly identifies that its purpose is to serve a specific student population that will benefit from an alternative school setting.
- b. The educational program and support services align with the mission of the school.
- c. Students are offered a high school diploma of graduation.
- d. The school will receive current year assessment scores for their students.
- e. At least 70% of the student body falls into the categories below:
 - i. students with a documented history of disruptive behavior issues;
 - ii. students who have dropped out of school and are now returning;
 - iii. student in poor academic standing (at least one year behind on grade level performance or academic credits);
 - iv. student who are primary caregivers or are financially responsible for dependents;
 - v. students who are adjudicated; and/or
 - vi. students who are wards of the state and need an alternative school setting.
- f. The alternative school is not also an online course provider pursuant to [A.R.S. 15-808](#).

“Eligible student” means a student who is not currently enrolled in a school district or charter school and who has been withdrawn from a school district or charter school for at least ten days, unless the District determines the student is unable to participate in other District programs.

“Satisfactory monthly progress” means an amount of progress that is measurable on a monthly basis and that, if continued for twelve months, would result in the same amount of academic credit being awarded to the student as would be awarded to a student in a traditional education program who completes a full school year; provided that, such progress could include a lesser amount of progress for the first two months of the student’s participation in the program so that wraparound services or support services provided pursuant to the student’s learning plan may be established.

Dropout Recovery Program

The District has instituted a dropout recovery program in an alternative school within the District.

The District's dropout recovery program shall adhere to the standards and achievement testing requirements proscribed by the Arizona State Board of Education (State Board) and provide curricula aligned to the academic standards adopted by the State Board. Such standards will include: (1) providing standardized tests required by federal and state law; (2) making available appropriate and sufficient supports for students, including tutoring, career counseling and college counseling; (3) complying with federal and state laws governing students with disabilities; and (4) meeting state requirements for high school graduation.

Written Learning Plan

Each eligible student will have a written learning plan developed by the student's assigned mentor.

The learning plan will contain all of the following elements:

1. the start date and anticipated ending date;
2. courses to be completed by the student during the academic year;
3. whether the courses will be taken sequentially or concurrently;
4. state competency exams to be taken, as necessary;
5. expectations for satisfactory monthly progress;
6. expectations for contact with the student's assigned mentor; and
7. a statement of whether the student will receive wraparound services or support services, including social work coaching sessions, trauma coaching session or food and housing security coaching sessions that count to the student's satisfactory monthly progress. Such services may count toward a student's satisfactory participation only during the student's initial entry into the program.

Adopted:

Legal Authority:

[A.R.S. § 15-901.06](#)

[A.R.S. § 15-1042](#)

5-200 Curriculum and Instruction

© 5-220.A Procedure – Dropout Recovery Programs – Administrative Requirements

A. Monthly Participation

Monthly participation in a dropout recovery program shall be recorded on or before the tenth school day of each month and reported to the Arizona Department of Education (ADE) at the same time as other data required by [A.R.S. § 15-1042](#).

Monthly participation calculations shall include:

1. newly enrolled students with a written learning plan on file on or before the first school day of the prior month;
2. students who met the expectations for satisfactory monthly progress in the prior month;
3. students who did not meet the expectations for satisfactory monthly progress in the prior month but who did meet the expectations in the month before the prior month; and
4. students who met expectations for program reentry in the revised written learning plan in the prior month.

B. Average Daily Attendance

Students shall be counted as being in attendance in the school's average daily attendance calculations if the student meets one of the following conditions.

1. The student is in the first month of enrollment in the program and completes the program orientation during that month.
2. The student is enrolled in teacher facilitated synchronous or asynchronous courses and meets the expectations for satisfactory monthly progress for the current or previous month. A student who does not meet expectations of monthly progress for two (2) or more consecutive months shall not be counted as being in attendance until the student meets the expectations for program reentry.
3. The student meets the expectations for program reentry in the revised written learning plan.

The District shall be responsible for tuition charges and fees related to student participation in a dropout recovery program, including course materials and access to technology for use with online courses.

C. Educational Management Organizations

The District may employ an educational management organization to provide dropout recovery program services.

If an educational management organization provides services, the District shall ensure that the following requirements are met:

1. The educational management organization is accredited by a regional accrediting body.
2. Teachers provided by the educational management organization hold a current teaching license from any state and a valid Arizona fingerprint clearance card, and teachers of core subjects are highly qualified in the subjects to which they are assigned.

The District shall notify ADE within thirty days after entering or terminating a contract with an educational management organization for dropout recovery program services.

D. Reporting Requirements

On or before July 31 of each year, the District shall report to ADE the following information in the form and manner prescribed by the Department:

1. the total number of students who are continuously enrolled in the dropout recovery program for at least eighty (80) school days and earn at least four and one-half (4½) credits or earn all the remaining credits that the student needs to graduate;
2. the total number of students who are enrolled in the dropout recovery program on or before January 31 during the fiscal year and who either graduated before January 31 or who were enrolled in the dropout recovery program, needed three (3) or fewer credits to satisfy the graduation requirements and needed one (1) fewer math credits to satisfy the graduation requirements;
3. the percentage of students described in paragraph 2 of this subsection who graduated during the fiscal year; and
4. the percentage of students described in paragraph 2 of this subsection who earned at least one (1) college and career readiness indicator point.

5-300 Student Rights and Responsibilities

© 5-301 Student Freedom of Expression

Students enjoy certain rights protected by the [First Amendment of the U.S. Constitution](#) and as outlined by applicable state law. The rights of students under the First Amendment are applied in light of the special characteristics of the school environment. The Governing Board reserves any and all right to determine the manner of speech and expression that are appropriate for the school environment.

Student Freedom of Speech

The District and Board recognize that students enjoy the freedom of speech. However, the free speech rights of students are not unlimited and are subject to certain restrictions. A non-exhaustive list of permissible restrictions is discussed in more detail below.

In certain circumstances, the District and/or Board reserve the right to regulate student speech that may be considered vulgar, lewd, plainly offensive, speech that promotes drug use, or illegal activities and that speech that may reasonably be perceived as bearing the imprimatur of the school. In addition, the District and/or Board reserve the right to regulate speech that materially disrupts classwork or involves substantial disorder or invasion of the rights of others. Depending on the facts and circumstances surrounding speech, the District and/or Board may also regulate speech that occurs both on and off campus as well as before, during, or after school or any school activity.

Student Religious Expression

The District does not discriminate against a student on the basis of a religious viewpoint or religious expression. Additionally, a student shall neither be rewarded nor penalized on the basis of religious content or a religious viewpoint if such a viewpoint is expressed in an assignment that requires a student to express the student's viewpoint.

Students may pray or engage in religious activities or religious expression before, during, and/or after the school day in the same manner and to the same extent that students may engage in nonreligious activities or expression.

Students may wear clothing, accessories and jewelry that display religious messages or religious symbols in the same manner and to the same extent that other types of clothing, accessories and jewelry that display messages or symbols are permitted.

This Policy shall not be construed as authorizing the District to require any person to participate in prayer or in any other religious activity or violate the constitutional rights of any person.

Reservations by the District and Governing Board

Nothing in this Policy should be read as prohibiting the District from:

1. maintaining order and discipline in a content and viewpoint-neutral manner;
2. prohibiting speech or expression that is vulgar, lewd, or plainly offensive;
3. protecting the safety of District students, employees, and visitors;
4. enforcing editorial control of school publications to the extent educationally appropriate;
5. adopting and enforcing policies and procedures regarding student speech at school provided that the policies and procedures do not violate the rights of students as guaranteed by the United States and Arizona constitutions and laws; or
6. adopting and enforcing policies and procedures that prohibit students from wearing any type of clothing, accessories and jewelry that is worn with the intent to convey affiliation with a criminal street gang as defined in [A.R.S. § 13-105](#).

Action by Students, Parents, or Legal Guardians

Neither a student nor the student's parent/legal guardian may initiate a legal action for a violation of this Policy unless the student or the student's parent/legal guardian has done the following:

1. The parent/legal guardian has submitted a complaint in writing with the specific facts of the alleged violation to the principal of the school the student attends. The principal shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within fifteen (15) days of receiving the written complaint.
2. If the action taken by the principal does not resolve the complaint, the student or the student's parent/legal guardian shall submit a complaint in writing with the specific facts of the alleged violation to the Superintendent or designated administrator. The Superintendent or designated administrator shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within twenty-five (25) days of receiving the written complaint.
3. If the action taken by the Superintendent or designated administrator does not resolve the complaint, the student or the student's parent/legal guardian may pursue legal action to enforce this section.

Adopted:

Legal Authority:

[A.R.S. § 15-110](#)

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5-300 Student Rights and Responsibilities

© 5-302 Student Attire

Student attire may be regulated as necessary and appropriate to maintain order and decorum within the educational system and to avoid material and substantial interference with schoolwork or discipline.

A. Prohibited Attire

Attire may be prohibited when it:

- significantly interferes with the District's ability to maintain order; such as disrupting schoolwork, school programs and activities, creates disorder, or prevents any student(s) from achieving educational objectives;
- affects the health or safety of students, personnel or visitors;
- conveys affiliation with a criminal street gang;
- exposes the wearer's midriff, undergarments, or undergarment areas.
- contains or conveys obscene language, symbols or messages;
- promotes or depicts the unlawful use of alcohol, tobacco, or drugs;
- violates the constitutional rights of any other person(s); or
- is inconsistent with or prohibited by the course, program, or activity.

B. Religious Attire

The District does not discriminate against students or parents/legal guardians on the basis of religious viewpoint or expression. Students may wear clothing, accessories and/or jewelry ("attire") displaying religious messages or symbols in the same manner and to the same extent that other types of attire are permitted.

Student and Parent/Legal Guardian Complaints

Students or parents/legal guardians may challenge a District decision on religious attire by submitting a written complaint pursuant to Policy 5-301 (Student Freedom of Expression).

C. Tribal Attire at Graduation Ceremony

The District does not prohibit any student who is an enrolled member or who is eligible to be an enrolled member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance ("tribal objects") at the student's graduation ceremony.

Adopted:

Legal Authority:

[A.R.S. § 15-110](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-712](#)

[A.R.S. § 13-105](#)

[A.R.S. § 15-348](#)

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5-300 Student Rights and Responsibilities

© 5-303 Student Records

General Information

Student records will be created, managed, and disclosed in a manner consistent with state and federal laws, including the Family Educational Rights and Privacy Act (FERPA); the Individuals with Disabilities Education Act (IDEA), the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT), the Every Student Succeeds Act of 2015 (ESSA), the requirements of the Arizona Uniform System of Financial Records (USFR), and the Arizona Department of Libraries, Archives and Public Records.

The Board directs the Superintendent to establish procedures for such compliance, including informing parents/legal guardians, students, and the public of the procedures. The Superintendent will implement procedures as required by law and will establish procedures for addressing violations.

Annual Notification

The District shall annually notify parents/legal guardians of students currently in attendance, or eligible students currently in attendance, of their rights under FERPA. The notice must inform parents/legal guardians or eligible students that they have the right to:

- inspect and review the student's education records;
- seek amendment of the student's education records that the parent/legal guardian or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;
- consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that state or federal regulations authorize disclosure without consent; and
- file a complaint with the United States Department of Education under [34 C.F.R. §§ 99.63](#) and [99.64](#) concerning alleged failure by the District to comply with the requirements of FERPA and its implementing regulations.

The District shall also provide parents/legal guardians with access to:

- the procedure for exercising the right to inspect and review education records;
- the procedure for requesting amendment of records under [34 C.F.R. § 99.20](#); and
- the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

The Superintendent may provide the notice by any means reasonably likely to inform the parents/legal guardians and eligible students of their rights. The Superintendent

shall ensure effective notification for parents/legal guardians of students with disabilities and those whose primary or home language is other than English.

Access to Educational Records by Parents and Guardians

In addition to the rights granted by federal law, state law mandates that a parent/legal guardian shall have access to all written and electronic records of the District or District employees concerning the parent's/legal guardian's child and to the electronic accounts of the parent's/legal guardian's child, including the following:

- attendance records;
- test scores of school-administered tests and statewide assessments
- grades;
- extracurricular activities or club participation;
- disciplinary records;
- counseling records;
- psychological records;
- applications for admission;
- health and immunization information, including any medical records that are maintained by a health clinic or medical facility operated or controlled by the District or located on District property;
- teacher and counselor evaluations;
- reports of behavior patterns;
- Email accounts; and
- online or virtual accounts or data.

All parents/legal guardians are entitled to have equal access to District records pertaining to their student, unless otherwise provided by court order or law.

Access to Directory Information

Federal and state law permit the District to disclose directory information to third parties without parental consent, provided that the District first provides notice and an opportunity to opt out. "Directory information" means information contained in the education record of a student that would generally not be considered harmful or an invasion of privacy if disclosed.

The District shall notify parents, legal guardians or eligible students (over 18 or emancipated) of the following on an annual basis:

1. the information the District has designated as directory information;
2. the right of the parent/legal guardian/eligible student to refuse to permit the designation of information about the student as directory information; and
3. the time period in which the parent/legal guardian/eligible student has to opt out of the disclosure of directory information by notifying the District in writing.

Pursuant to A.R.S. § 15-142, the District may disclose a student's address, telephone number or email address only if: 1) disclosure is required by state or federal law; 2) the District has obtained affirmative written consent from the parent/legal guardian/eligible student; or 3) the parent/legal guardian/eligible student has not opted out of the disclosure of directory information and the disclosure is to enrolled students for an educational purpose or to school employees for school business.

The Board permits the release of student directory information to persons who inform students of educational or occupational opportunities subject to the opt out provisions and constraints discussed above.

Because the Board permits the release of directory information as indicated above, the Board shall also provide the same access to directory information and District property to official recruiting representatives of the militia of this state and the armed services of the United States for the purpose of informing students of educational and occupational opportunities available in the militia and the armed services.

Notwithstanding the release of directory information as indicated above, student transcripts shall not be released to representatives of postsecondary institutions, the militia of this state, or the armed services of the United States unless the student consents in writing to the release of the student's transcript. The District shall provide the student with a transcript release form that allows the student to designate in separate check boxes whether the transcript is to be released to postsecondary institutions, the militia of this state, the armed services of the United States, or to any combination of these entities.

The Superintendent shall develop procedures to communicate to students and their parents/legal guardians in a timely manner information relating to access to the Arizona Department of Education form which is designed to allow pupils to request that directory information not be released pursuant to the Elementary and Secondary Education Act (ESEA) as reauthorized by the Every Student Succeeds Act of 2015 (ESSA). The Superintendent shall also develop forms to notify parents/legal guardians of their right to opt-out of the disclosure of directory information pursuant to FERPA and of opt-out procedures.

The District shall comply with the requirements of [A.R.S. § 15-701.04\(C\)](#) in transferring records as a school of origin if a foster care student is transferred in grades nine (9) through twelve (12) pursuant to best interest educational placement determination.

Complaints

If a parent/legal guardian or eligible student believes that the District is violating FERPA, that person has a right to file a complaint directly with the U.S. Department of Education. The address is:

The Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605
Telephone number: (202) 260-3887

Any person who suspects that a school or the District has knowingly violated FERPA may also notify the principal or the Superintendent.

If the matter is not satisfactorily resolved by the principal or the Superintendent within sixty (60) days after the notice, the person may file a complaint with the Superintendent of Public Instruction.

Retention and Destruction of Student Records

The retention and destruction of student records shall be as specified by the USFR, the Arizona Department of Library Archives and Public Records, and relevant federal statutes and regulations.

Adopted:

Legal Authority:

[A.R.S. § 15-102](#)

[A.R.S. § 15-141](#)

[A.R.S. § 15-142](#)

[A.R.S. § 15-143](#)

[A.R.S. § 15-602](#)

[A.R.S. § 15-701.04](#)

[A.R.S. § 15-828](#)

[A.R.S. § 15-829](#)

[A.R.S. § 25-403.06](#)

[A.R.S. § 44-1373](#)

[10 U.S.C. § 503](#)

[20 U.S.C. § 1232](#)

[20 U.S.C. § 1400](#) *et seq.*

[20 U.S.C. § 6301](#) *et seq.*

[20 U.S.C. § 7908](#)

[34 C.F.R. § 300](#) *et seq.*

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Student Records

© 5-303.A Procedure - Student Records - Annual Notification of Rights

The District shall annually notify parent/legal guardian of students currently in attendance, or eligible students currently in attendance, of their rights under FERPA. The principal of each school shall ensure the following information is disseminated to every student and the student's parent/legal guardian at the beginning of each school year and any time a student transfers into the District.

Notification of Rights under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parent/legal guardian and students who are 18 years of age or older ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within forty-five (45) days after the day the District receives a request for access.

Parent/legal guardian or eligible students who wish to inspect their child's or their education records should submit to the principal [or appropriate school official] a written request that identifies the records they wish to inspect. The school official will make arrangements for access and notify the parent/legal guardian or eligible student of the time and place where the records may be inspected.

All records subject to disclosure under this Procedure shall be available for inspection free of charge. If copies are desired, they shall be furnished by the District to the parent/legal guardian or eligible student on request and free of charge. Additional copies may be sent to other schools or agencies without charge. However, the District reserves the right to charge up to thirty-five cents (35¢) per page for multiple or excessive requests. Copies of available records shall be produced as promptly as possible upon receipt of the request. No fee will be charged for search and retrieval of records [[34 C.F.R. §§ 300.617](#) and [99.11](#)].

The District will provide copies of records to a parent/legal guardian or eligible student:

- when the refusal to provide copies effectively denies access to the records by the parent/legal guardian or eligible student [[34 C.F.R. § 300.617](#)];
- at the request of the parent/guardian or eligible student when the District has provided the records to third parties with written consent of the parent/legal guardian or eligible student; and/or
- at the request of the parent/legal guardian or eligible student when the District has forwarded the records to another school where the student seeks or intends to enroll.

2. The right to request the amendment of the student's education records that the parent/legal guardian or eligible student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA.

Parent/legal guardian or eligible students who wish to ask the District to amend their child's or their education record should write the principal [or appropriate school official], clearly identify the part of the record they want changed and specify why it should be changed. If the District decides not to amend the record as requested by the parent or eligible student, the District will notify the parent/legal guardian or eligible student of the decision and of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/legal guardian or eligible student when notified of the right to a hearing.

3. The right to provide written consent before the District discloses personally identifiable information from the student's education records, except to the extent that FERPA authorizes disclosure without consent.

One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests.

A "school official" includes a person employed by the District as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel) or a person serving on the Board. A school official also includes a volunteer, contractor, or consultant who, while not employed by the District, performs an institutional service or function for which the District would otherwise use its own employees and who is under the direct control of the District with respect to the use and maintenance of personally identifiable information from education records, such as an attorney, auditor, medical consultant, or therapist; a parent/legal guardian or student volunteering to serve on an official committee, such as a disciplinary or grievance committee; or a parent/legal guardian, student, or other volunteer assisting another school official in performing the school official's tasks.

A school official has a "legitimate educational interest" if the official needs to review an education record in order to fulfill the official's professional responsibility.

Upon request, the District discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA.

Contact information for filing a complaint can be found in Policy 5-303.

A parent/legal guardian or eligible student may also file a complaint with the principal or the Superintendent. If the matter is not satisfactorily resolved by the principal or the

Superintendent within sixty (60) days after the notice, the person may file a complaint with the Superintendent of Public Instruction.

5. Permissible disclosures under FERPA without consent of the parent/legal guardian or eligible student.

FERPA permits the disclosure of personally identifiable information from students' education records without consent of the parent/legal guardian or eligible student if the disclosure meets certain conditions found in [34 C.F.R. § 99.31](#) of the FERPA regulations. Except for disclosures to school officials, disclosures related to some judicial orders or lawfully issued subpoenas, disclosures of directory information, and disclosures to the parent/legal guardian or eligible student, [34 C.F.R. § 99.32](#) of the FERPA regulations requires the District to record the disclosure. A parent/legal guardian and eligible student have a right to inspect and review the record of disclosures. The District may disclose personally identifiable information from the education records of a student without obtaining prior written consent of the parent/legal guardian or the eligible student to:

- a. to other school officials, including teachers, within the District whom the District has determined to have legitimate educational interests. This includes contractors, consultants, volunteers, or other parties to whom the District has outsourced institutional services or functions, provided that the conditions listed in [34 C.F.R. §§ 99.31\(a\)\(1\)\(i\)\(B\)\(1\) through \(a\)\(1\)\(i\)\(B\)\(3\)](#) are met. ([34 C.F.R. § 99.31\(a\)\(1\)](#));
- b. to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll, or where the student is already enrolled if the disclosure is for purposes related to the student's enrollment or transfer, subject to the requirements of [34 C.F.R. § 99.34](#). ([34 C.F.R. § 99.31\(a\)\(2\)](#));
- c. to authorized representatives of the U.S. Comptroller General, the U. S. Attorney General, the U.S. Secretary of Education, or State and local educational authorities, such as the Arizona Department of Education. Disclosures under this provision may be made, subject to the requirements of [34 C.F.R. § 99.35](#), in connection with an audit or evaluation of Federal- or State-supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs. These entities may make further disclosures of personally identifiable information to outside entities that are designated by them as their authorized representatives to conduct any audit, evaluation, or enforcement or compliance activity on their behalf, if applicable requirements are met. ([34 C.F.R. §§ 99.31\(a\)\(3\)](#) and [99.35](#));
- d. in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to determine eligibility for the aid, determine the amount of the aid, determine the conditions of the aid, or enforce the terms and conditions of the aid. ([34 C.F.R. § 99.31\(a\)\(4\)](#));
- e. to State and local officials or authorities to whom information is specifically allowed to be reported or disclosed by a State statute that concerns the juvenile justice

- system and the system's ability to effectively serve, prior to adjudication, the student whose records were released, subject to [34 C.F.R. § 99.38](#). ([34 C.F.R. § 99.31\(a\)\(5\)](#));
- f. to organizations conducting studies for, or on behalf of, the school, in order to: (a) develop, validate, or administer predictive tests; (b) administer student aid programs; or (c) improve instruction, if applicable requirements are met. ([34 C.F.R. § 99.31\(a\)\(6\)](#));
 - g. to accrediting organizations to carry out their accrediting functions. ([34 C.F.R. § 99.31\(a\)\(7\)](#));
 - h. to a parent/legal guardian of an eligible student if the student is a dependent for IRS tax purposes. ([34 C.F.R. § 99.31\(a\)\(8\)](#));
 - i. to comply with a judicial order or lawfully issued subpoena if applicable requirements are met. ([34 C.F.R. § 99.31\(a\)\(9\)](#));
 - j. to appropriate officials in connection with a health or safety emergency, subject to [34 C.F.R. § 99.36](#). ([34 C.F.R. § 99.31\(a\)\(10\)](#));
 - k. to requesting parties if the District has designated information as "directory information" and if applicable requirements under [34 C.F.R. § 99.37](#) are met. ([34 C.F.R. § 99.31\(a\)\(11\)](#));
 - l. to an agency caseworker or other representative of a State or local child welfare agency or tribal organization who is authorized to access a student's case plan when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student in foster care placement. ([20 U.S.C. § 1232g\(b\)\(1\)\(L\)](#)); and/or
 - m. to the Secretary of Agriculture or authorized representatives of the Food and Nutrition Service for purposes of conducting program monitoring, evaluations, and performance measurements of programs authorized under the Richard B. Russell National School Lunch Act or the Child Nutrition Act of 1966, under certain conditions. ([20 U.S.C. § 1232g\(b\)\(1\)\(K\)](#)).

Student Records

© 5-303.B Procedure - Student Records - Directory Information

The Superintendent shall ensure the following notice is distributed to parents/legal guardians or eligible students (over 18 or emancipated) at the beginning of each school year.

The *Family Educational Rights and Privacy Act* (FERPA) requires Prescott Unified School District (the "District"), with certain exceptions, to obtain your written consent prior to the disclosure of personally identifiable information from your child's education records.

However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in writing. The primary purpose of directory information is to allow the District to include information from your child's education records in certain school publications.

Examples include:

- a playbill, showing your student's role in a drama production;
- the annual yearbook;
- honor roll or other recognition lists;
- graduation programs; and
- sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's/legal guardian's/eligible student's prior written consent.

Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965, as amended (ESEA) to provide military recruiters, upon request, with the following information - names, addresses and telephone listings - unless parents/legal guardians/eligible students have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want the District to disclose any or all of the types of information designated below as directory information from your child's education records without your prior written consent, you must notify the District, in writing-within fifteen (15) business days from the date of issuance of this notice. The District has designated the following information as directory information:

- student's name;
- address;
- telephone listing;
- electronic mail address;
- photograph;
- date and place of birth;
- major field of study;
- dates of attendance;
- grade level;
- participation in officially recognized activities and sports;
- weight and height of members of athletic teams;
- degrees, honors, and awards received;
- the most recent educational agency or institution attended;
- student ID number, user ID, or other unique personal identifier used to communicate in electronic systems but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user; and
- student ID number or other unique personal identifier that is displayed on a student ID badge, but only if the identifier cannot be used to gain access to education records except when used in conjunction with one or more factors that authenticate the user's identity, such as a PIN, password, or other factor known or possessed only by the authorized user.

Unless otherwise required by state or federal law, the District may disclose your student's address, telephone number or email address only if 1) the District has obtained affirmative written consent from you; or 2) you have not opted out of the disclosure of directory information and the disclosure is to enrolled students for an educational purpose or to school employees for school business.

The District may disclose your student's address, telephone number or email address only if 1) disclosure is required by state or federal law; 2) the District has obtained affirmative written consent from you; or 3) you have not opted out of the disclosure of directory information and the disclosure is to enrolled students for an educational purpose or to school employees for school business.

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Student Records

© 5-303.C Procedure - Student Records - Requests to Amend Records and Hearing Procedure

If a parent/legal guardian or eligible student believes the education records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy, the parent/legal guardian/eligible student may ask the District to amend the record. Note: A parent/legal guardian or eligible student may not use this process to review or amend a grade provided by a teacher, unless a grading error occurred due to a miscalculation.

An initial request to amend a record shall be directed to the school principal, who will decide whether to amend the record, as requested, within ten (10) work days after the principal receives the request.

If the school principal decides not to amend the record as requested, the principal shall inform the parent/legal guardian or eligible student of its decision and of the parent's/legal guardian's or the eligible student's right to a hearing.

Hearing Procedure

The District shall give a parent/legal guardian or eligible student an opportunity for a hearing to challenge the content of the student's education records on the grounds that the information contained in the education records is inaccurate, misleading, or in violation of the privacy rights of the student.

A request for a hearing must be filed with the Superintendent. The Superintendent may conduct the hearing or designate a hearing officer to hear the evidence and provide a recommendation to the Superintendent. The hearing officer may be an employee of the District, so long as the employee does not have a direct interest in the outcome of the hearing.

The hearing shall be scheduled within ten (10) work days of the parent/legal guardian or eligible student's request for a hearing, unless the parent/legal guardian or eligible student and Superintendent agree to extend the date of the hearing.

The parent/legal guardian shall be provided written notice of the date, time, and place of the hearing at least three (3) calendar days in advance of the hearing. The parent/legal guardian or eligible student shall be notified that they have the right to be represented, at their own expense, by a representative of their choice, including an attorney.

At the hearing, the parent/legal guardian or eligible student shall be provided a full and fair opportunity to present evidence relevant to the request to amend records. The school principal or representative of the school principal shall also be provided an opportunity to present relevant evidence.

The hearing officer shall issue a written decision within five (5) business days of the hearing. The decision must be based solely on the evidence presented at the hearing and must include a summary of the evidence and the reasons for the decision.

If the hearing was conducted by a hearing officer, the Superintendent shall consider the decision of the hearing officer and determine whether to uphold, reject, or modify the decision. The Superintendent shall deliver a final decision to the parties within five (5) business days of receiving the recommendation from the hearing officer. The Superintendent's decision is final.

If, as a result of the hearing, District decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall:

- amend the record accordingly; and
- inform the parent/legal guardian or eligible student of the amendment in writing.

If, as a result of the hearing, the District decides that the information in the education record is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, it shall inform the parent/legal guardian or eligible student of the right to place a statement in the record commenting on the contested information in the record or stating why parent/legal guardian/eligible student disagrees with the decision of the District or both.

If the parent/legal guardian or eligible student places a statement in the education records of a student, the District shall:

- maintain the statement with the contested part of the record for as long as the record is maintained; and
- disclose the statement whenever it discloses the portion of the record to which the statement relates.

Student Records

© 5-303.D Procedure—Student Records—Foster Care Students

If a foster care student is transferred from the school of origin in grades nine (9) to twelve (12) pursuant to a best interest educational placement determination, the school of origin must transfer records to the receiving school within two (2) days as required by [A.R.S. §8-530.04](#).

If the District is the school of origin, it must include the following in the foster care student's educational records:

1. all academic credits, including partial credits, earned by the foster care student; and
2. if the foster care student did not receive partial credit in a course in which the student was enrolled, documentation of the competencies achieved by the student.

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5-300 Student Rights and Responsibilities

© 5-304 Staff Interviews of Students and Searches

Interviews

District employees have broad authority to question students regarding prohibited or illegal activity and all matters involving the health, safety, and welfare of the student(s).

Parent/legal guardian will be contacted regarding the interview of their student depending on the seriousness of the offense.

Searches

1. District employees may search students and their belongings and/or seize property pursuant to the law if reasonable suspicion exists to believe that prohibited objects are present, a school rule has been violated, illegal activity has occurred, or the student's parent/legal guardian consent to the search.
2. Reasonable suspicion is a good faith belief of wrongdoing based on specific, articulable facts.
3. Students have no reasonable expectation of privacy in any items provided by the District, including but not limited to lockers and desks.
4. When reasonable suspicion exists, District employees may request that a student remove the student's shoes and socks, turn out pockets, or remove outerwear that will not require the student to expose underclothing.

Prohibited Searches

District employees are not authorized to conduct a search of a student that would require the student to expose or remove the student's underclothing without the advice and consent of the District's legal counsel.

Adopted:

Legal Authority:

[U.S. Constitution, Fourth Amendment](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-342](#)

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5-300 Student Rights and Responsibilities

© 5-305 Student Code of Conduct

1. Disruptive Conduct—A student shall not engage, or attempt to engage, in any conduct that is reasonably likely to disrupt, or that does disrupt, any school function, process, or activity.
2. Threatening an Educational Institution— A student shall not make a false report regarding a serious offense or threaten a school or the District by interfering with or disrupting a school, the District, or any school or District activity in violation of [A.R.S. § 13-2911](#), [A.R.S. § 15-841.H](#), and/or [A.R.S. § 13-2907](#).
3. Violation of Federal, State, or Local Law—A student shall not violate any federal, state, or local law.
4. Violation of School Policies and Rules—A student shall not violate any Governing Board policy, regulation, or rule.
5. Defiance of Authority; Untruthfulness—A student shall obey the reasonable orders of teachers, administrators, and other District employees and shall respond to requests for information from those persons in a truthful manner.
6. Alcohol—A student shall not possess, sell, offer to sell, purchase, offer to purchase, use, transfer, or be under the influence of alcohol. The term "alcohol" means beer, wine, or any distilled spirits as defined in [A.R.S. § 4-101](#).
7. Drugs—Drug Paraphernalia—a student shall not possess, distribute, dispense, be under the influence of, purchase, obtain, use, sell, or transfer, or attempt to purchase obtain, sell, or transfer any controlled substance, dangerous drug, narcotic drug, or precursor chemical. The terms "controlled substance," "dangerous drug," "narcotic drug," and "precursor chemical," have the meaning as defined in Policy 4-205.
 - a. A student shall not purchase, transfer, or sell any drug that is available by prescription only, or any over-the-counter medication.
 - b. A student shall not possess or use any drug that is available by prescription only, or an over-the-counter medication, without the authorization of the building principal or the principal's designee.
 - c. A student, including a cardholder as defined in [A.R.S. § 36-2801](#), shall not possess or use marijuana on any District property or at any District-sponsored event
 - d. A student shall not possess, sell, offer to sell, transfer, or use drug paraphernalia as defined by [A.R.S. § 13-3415](#).
8. Vandalism; Destruction of Property—a student shall not damage, destroy, or deface any school property or property belonging to any other person.

9. Weapons or Dangerous Items—a student shall not possess or use a firearm, weapon, explosive, fireworks, or any other instrument capable of harming any person or property or that reasonably would create the impression of such harm.

10. Toy Guns and Weapons—a student shall not possess a toy gun or other toy weapon that appears to be capable of causing bodily harm.

11. Gang Activity or Association—a student shall not wear, carry, or display gang paraphernalia and/or exhibit behavior or gestures that symbolize gang membership or affiliation.

12. Threats; Assault; Fighting—a student shall not verbally or physically threaten, abuse, assault, or engage in a fight with any student, school employee, or any other person.

13. Defamation— a student shall not use defamatory words or phrases or distribute defamatory materials. Defamatory words or materials are those that are false and expose a person to hatred, contempt, ridicule, disgust, or an equivalent reaction or are false and have a tendency to impugn a person's occupation, business, or office.

14. Obscenity; Vulgarity— a student shall not use obscene or vulgar language or gestures or distribute obscene or vulgar materials. Obscene materials, language, or gestures are those that an average person, applying contemporary community standards of the school community, would find that taken as a whole, appeal to the prurient interests and lack serious literary, artistic, political, or scientific value. Vulgar language, materials, or gestures include language, materials, or gestures that depict sexual and/or excretory activities in a patently offensive manner.

15. Harassment— a student shall not harass another person. Harassment includes, but is not limited to, verbal abuse that insults or humiliates others. It also includes sexual innuendos, unsolicited and unwelcome conduct that has sexual overtones, or continuing to express sexual or social interest after being informed that the interest is unwelcome. Harassment also includes non-sexually-oriented conduct that includes words, actions, jokes, or comments based upon an individual's sex, disability, race, national origin, religion, political beliefs/affiliation, marital status, home language, family, social or cultural background, or other legally protected characteristic.

16. Dress and Appearance— A student's dress or appearance shall not present health or safety problems or cause disruption of educational activities. Items of attire with words, slogans or graphics that are obscene or that are related to drugs or alcohol shall not be worn or displayed. Footwear must be worn.

17. Forgery; Plagiarism; Cheating—a student shall not use or attempt to use the identity, signature, academic work, or research of another person (or of a generative artificial intelligence application) and represent that it is the student's own. A student shall not share the student's knowledge or work with another student during an

examination or test unless specifically approved in advance by the teacher. A student shall not use during any examination or test any materials or notes unless approved by the teacher. A student shall not forge a parent's/legal guardian's, or any other person's signature on any communication to the school, or on any school document or form.

18. Misrepresentation—a student shall not provide false information to school personnel or impersonate another person verbally or in writing to provide false or misleading information to a school.

19. Gambling—a student shall not engage in any game or activity that involves the element of risk or chance with the intention that property or money will be exchanged based on the outcome of the game or activity unless the activity is otherwise lawful and properly supervised and has received the express approval of the school principal.

20. Initiation and Hazing—a student shall not engage in any activity involving an initiation, hazing, intimidation, assault or other activity related to group affiliation that is likely to cause, or does cause bodily injury, mental harm, or personal degradation or humiliation. All initiations, including those related to any school club, athletic team, or other group are subject to these prohibitions whether or not the conduct occurs on school grounds.

21. Bullying and Cyberbullying—a student shall not bully or cyberbully another student or any District employee. Bullying and cyberbullying include acting toward someone in an unwelcome manner, repeated over time, that exerts or attempts to exert power over that person. It also includes actions that contribute to a substantial risk of, or cause, injury, mental harm, degradation or social exclusion.

22. Emergency Alarms and Fire Control Devices—A student shall not activate or use any fire alarm or emergency control device unless the student reasonably believes that an emergency exists justifying the use of the device.

23. Arson—a student shall not start, attempt to start, or promote the continuation or any fire or explosion. This does not preclude teacher-approved and supervised class activities such as an approved and supervised experiment in chemistry class.

24. Unauthorized Entry—a student shall not gain, or attempt to gain, forceful or unauthorized entry to, or occupation of, school buildings or grounds or designated off-limits areas on school property.

25. Misrepresentation; Extortion; Theft— a student shall not take, use, or borrow any property by misrepresentation, deception, or by an express or implied threat. A student shall not take, use, or borrow property belonging to another person without that person's permission to use or take the property.

26. Tobacco, Cigarettes, Vaping—a student shall not possess or use tobacco, cigarettes, e-cigarettes, a vaping device, inhalant product, any nicotine product, matches, or lighters.
27. Tardiness—a student shall not be tardy to class or to any required school activity.
28. Endangering the Health and Safety of Others—a student shall not engage in conduct that endangers or reasonably appears to endanger the health or safety of other students, school employees, or other persons.
29. Traffic and School Bus Rules—when operating a motor vehicle on school grounds or at a school event, a student shall follow all school and other traffic rules and shall operate the motor vehicle in a safe and prudent manner. A student shall abide by all school rules regarding the student's conduct while in a school bus or other vehicle and shall obey the directives of school bus drivers and monitors.
30. Cellular Telephone and Other Wireless Communication Devices—a student shall not use a cellular telephone or other electronic wireless communication device during school day (including meals, passing periods and recess) except as expressly permitted by the District. Restrictions are listed in Procedure 5-305.A, the District's technology use agreement and A.R.S. § 15-120.05. A student shall not record or transmit speech or other communications of other persons without those persons' express consent.
31. Leaving Class or School Grounds—a student shall not leave class without the teacher's permission. A student shall not leave school grounds during regular school hours without authorization by the principal or the principal 's designee.
32. Bomb Threat; Chemical or Biological Threat—a student shall not threaten to cause harm to property or persons using a bomb, explosive, or arson-causing device or dangerous chemical or biological agent.
33. Inappropriate use of Technology—a student shall not use District computers, network, or other technology to post, send, or share personal information about the student or others without prior permission of both a teacher and parent/legal guardian. A student shall not make or attempt unauthorized access to any District information system. A student shall not use District technology to bypass or attempt to bypass any firewall, or to perform any illegal act, or to access a District-prohibited website. A student shall not use generative artificial intelligence in a manner that is not expressly authorized by the District. A student shall not use their personal wireless communication devices during the school day unless permitted by District policy 3-403. A student shall not access the internet, including social media platforms, unless permitted by a supervising teacher for educational purposes.

Adopted:

Legal Authority:

[A.R.S. § 15-843](#)

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© 5-305.A Procedure—Student Code of Conduct—Restrictions on Use of Wireless Communication Devices

Students are required to adhere to District restrictions regarding the use of all wireless communication devices, including their personal cellular telephones, as outlined in this Procedure and in the District’s technology use agreement.

A. Definitions

“School day” means periods of time when students are at school, including meals, passing periods and recess.

“Social media platform” means a website, computer application or other digital platform that is used for social networking and creating or exchanging virtual content.

“Wireless communication device” includes personal devices and devices that are provided by the school.

B. Permitted Uses

Students shall be permitted to use wireless communication devices:

1. for educational purposes, as determined by the student’s teacher or individualized education program (IEP) team;
2. during an emergency; and
3. if the student needs the student’s wireless communication device to address their own medical condition.

All access to the internet using the District’s network must be in accordance with the District’s technology use agreement.

Students may use their wireless communication devices before and after school hours for personal use, including on school transportation. Students are required to use their wireless communication devices in conformity with the student code of conduct. Students may not use a device to disrupt the educational environment.

C. Contact with Parent/Legal Guardian

Students may contact their parent/legal guardian during the school day with express permission from a teacher or staff member. Parents/legal guardians who seek to communicate with their student on the student’s wireless communication device during the school day may contact the school’s front office.

D. Restrictions

Students are permitted to have wireless communication devices in their possession

while on campus during the school day, subject to the following restrictions:

1. Restrictions for K-8 grade students

- Before and after school: Students may use their wireless communication devices before and after the official school day in designated areas such as the cafeteria or common areas.
- Storage: Wireless communication devices must be turned off or set to silent and stored out of sight (e.g., in a backpack) during the entirety of the school day, unless instructed otherwise by a staff member.
- During instructional time: Students shall use their wireless communication devices during instructional time only when permitted by their teacher or a staff member for educational purposes. Students may not use wireless communication devices to text, call, access gaming, or for any other non-instructional activity during instructional time periods.
- Social media networks: Students may not access social media networks during instructional time periods except as expressly permitted by a teacher or staff member for educational purposes.

2. Restrictions for 9-12 grade Students

Students in grades 9-12 are permitted to use wireless communication devices under the following circumstances:

- Before school: Students may use their wireless communication devices before the school day officially begins in designated areas such as the cafeteria or common areas.
- After school: Students may use their wireless communication devices after school hours for personal use.
- Lunch break: Students may use their wireless communication devices during lunch, either inside the cafeteria or in designated outdoor areas.
- Passing periods: Students may use their wireless communication devices to quickly check messages between classes.
- Storage during instructional time: Wireless communication devices must be turned off or set to silent and stored out of sight (e.g., in a backpack) during all instructional time periods, unless instructed otherwise by a staff member.
- Use during instructional time: Students shall use their wireless communication devices during instructional time only when permitted by their teacher or a staff member for educational purposes. Students may not use wireless communication devices to text, call, access gaming, or for any other non-instructional activity during instructional time periods..
- Social media networks: Students may not access social media networks during instructional time periods except as expressly permitted by a teacher or staff member for educational purposes.

E. Procedures regarding Permitted Uses

1. Emergency use: In case of emergency, students should ask for permission from a teacher or staff member to use their wireless communication devices.
2. Medical need or disability: The District may alter restrictions regarding the use of wireless communication devices to accommodate a student's medical needs or disability. The student is required to obtain advanced approval prior to use outside of the restrictions established. Typically, the accommodations and permitted uses will be determined by a team convened pursuant to Section 504 of the Rehabilitation Act or the Individuals with Disabilities in Education Act.
3. Other: The District may grant other exceptions in the District administration's sole discretion as is in the best interests of the student.

F. Consequence for Non Compliance

Students who fail to follow the restrictions established by the District regarding the use of wireless communication devices may be subject to discipline under the District's student code of conduct. The District administration may also confiscate the wireless communication devices and require parent/legal guardian pick up of the device.

The District is not responsible for the loss, damage and/or theft of a student's personal wireless communication device.

5-300 Student Rights and Responsibilities

© 5-306 Student Discipline

Definitions

"Firearm" means a firearm as defined in [18 U.S.C. § 921](#).

"Threatened an educational institution" means to interfere with or disrupt an educational institution as defined in [A.R.S. § 13-2911](#) by doing any of the following:

- For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.
- For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.
- Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.
- Refusing to obey a lawful order to leave the property of an educational institution.

"Corporal punishment," means inflicting, or causing the infliction of, physical pain on a student as a means of discipline.

"Expulsion" means the permanent withdrawal of the privilege of attending a school unless the Governing Board reinstates the privilege of attending the school.

"Suspension" means the temporary withdrawal of the privilege of attending a school for a specified period of time.

Student Discipline

1. Students shall comply with the rules, pursue the required course of study and submit to the authority of the teachers, the administrators and the Governing Board.
2. Students will be held strictly accountable for disorderly conduct on school property or that takes place to and from school.
3. A teacher may send a student to the principal's office to maintain effective discipline in the classroom. If a student is sent to the principal 's office, the principal shall employ appropriate discipline management techniques that are consistent with rules adopted by the Board.

Teacher Removal of Students from the Classroom

1. A teacher may remove a student from the classroom if either of the following conditions exist:
 - a. The teacher has documented that the student has repeatedly interfered with the teacher's ability to communicate effectively with the other students in the classroom or with the ability of the other students to learn.
 - b. The teacher has determined that the student's behavior is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other students in the classroom or with the ability of the other students to learn
2. Each school shall establish a placement review committee to determine the placement of a student if a teacher refuses to readmit the student to the teacher's class and to make recommendations to the Board regarding the readmission of expelled students.
3. The process for determining the placement of a student in a new class or replacement in the existing class shall not exceed three (3) work days after the date the student was first removed from the teacher's class.
4. The principal shall not return a student to the classroom from which the student was removed without the teacher's consent unless the committee determines that the return of the student to that classroom is the best or only practicable alternative.
5. The committee shall be composed of two teachers who are employed at the school and who are selected by the faculty members of the school and one administrator who is employed by the school and who is selected by the principal. The faculty members of the school shall select a third teacher to serve as an alternate member of the committee. If the teacher who refuses to readmit the student is a member of the committee, that teacher shall be excused from participating in the determination of the student's readmission and the alternate teacher member shall replace that teacher on the committee until the conclusion of all matters relating to that student's readmission.

Suspension and Expulsion of Students

1. A student may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in [A.R.S. § 13-105](#), use or possession of a gun, or excessive absenteeism.
2. A student may be expelled for excessive absenteeism only if the student has reached the age or completed the grade after which school attendance is not required as prescribed in [A.R.S. § 15-802](#).
3. A student may be suspended or expelled for other conduct that is deemed a violation of District policies, regulations, or the student code of conduct.
4. A student shall be expelled from school for a period of at least one (1) year if the student is determined to have brought a firearm to a school within the jurisdiction

of the school district, except that the school district may modify this expulsion requirement for a student on a case-by-case basis.

5. A student shall be expelled for at least one (1) year if the student is determined to have threatened an educational institution, except that the school district may modify this expulsion requirement for a student on a case-by-case basis if the student participates in mediation, community service, restitution, or other programs in which the student takes responsibility for the results of the threat. A student may be reassigned to an alternative education program if the student participates in mediation, community service, restitution or other programs in which the student takes responsibility for the threat. The student's parent/legal guardian may be required to participate in mediation, community service, restitution or other programs in which the parent/legal guardian takes responsibility with the student for the threat.
6. A student who cuts, defaces, or otherwise injures any school property may be suspended or expelled. On complaint of the Board, the parent/legal guardian of minors who have injured school property, are liable for all damages caused by their children or wards.
7. A student may be suspended or expelled for excessive absenteeism pursuant to [A.R.S. § 15-803](#). This provision shall not be applied to students who have completed the course requirements or whose absence from school is due solely to illness, disease or accident as certified by a person who is licensed pursuant to [title 32, chapter 7, 13, 14, 15 or 17](#).
8. Students who have been found to have committed incidents of harassment, intimidation or bullying may be disciplined up to and including suspension and expulsion. Students may also be disciplined for submitting false reports of incidents of harassment, intimidation, or bullying.
9. The suspension and expulsion of students shall not be based on real or perceived race, color, sex, national origin, or ancestry discrimination.
10. If a student withdraws from school after receiving notice of possible action concerning discipline, suspension, or expulsion, the District may continue with the action after the withdrawal and may record the results of such action in the student's permanent file.
11. The principal of each school shall ensure that a copy of all rules pertaining to discipline, suspension and expulsion of students is distributed to the parent/legal guardian of each student at the time the student is enrolled in school or transfers into the school.

Suspension and Expulsion Hearings

1. The Board is statutorily authorized to discipline students and to suspend or expel students as it deems appropriate. The Board vests the Superintendent, or a person designated by the Superintendent with the power to suspend students. In schools that do not have a Superintendent or principal, a teacher may suspend a student from school.
2. All hearings concerning the expulsion of a student will be conducted before a hearing officer selected from a list of hearing officers approved by the Board

unless the Board in executive session determines that the Board will conduct the expulsion hearing.

3. The District will give written notice, at least five working days before the hearing by the Board or the hearing officer or officers designated by the Board, to all students subject to expulsion and their parent/legal guardian of the date, time and place of the hearing. If the Board decides that the hearing is to be held in executive session, the written notice shall include a statement of the right of the parent/legal guardian or an emancipated student who is subject to expulsion to object to the Board's decision to have the hearing held in executive session. Objections shall be made in writing to the Board.

Student Defenses

1. In any suspension hearing in which the issue of self-defense, defense of others or defense of property is raised by a student, the principal, hearing officer or Board shall consider the defense raised and whether the physical force threatened or used by the student in the situation was justified as being the action of a reasonable person of similar age and experience.
2. Notwithstanding the above:
 - a. verbal provocation alone shall never be deemed to justify the threat or use of physical force;
 - b. students are never entitled to violate the District's weapons policy; and
 - c. excessive physical force or deadly physical force may never be used in defense of property.
3. If the principal, a hearing officer or the Board determines the student justifiably acted in self-defense, in whole or part, the recommended discipline may be reduced, or it may be determined that no discipline shall be imposed.

Refusal to Admit Expelled Students

The District may refuse to admit any student who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.

Alternative to Suspension Programs

1. As an alternative to suspension or expulsion, the District may reassign any student to an alternative education program.
2. The District may reassign a student to an alternative education program if the student refuses to comply with rules, refuses to pursue the required course of study or refuses to submit to the authority of teachers, administrators or the Board.
3. An alternative to suspension and expulsion program shall be developed in consultation with local law enforcement officials or school resource officers.
4. Students who would otherwise be subject to suspension and who meet the District's requirements for participation in the alternative to suspension program

shall be transferred to a location on school premises that is isolated from other students or transferred to a location that is not on school premises.

5. The alternative to suspension program shall be discipline intensive and require academic work, and may require community service, groundskeeping and litter control, parent/legal guardian supervision, and evaluation or other appropriate activities. The community service, groundskeeping and litter control, and other appropriate activities may be performed on school grounds or at any other designated area.

Discipline, Suspension, and Expulsion of Students with Disabilities

School employees shall ensure that any discipline, suspension, or expulsion of students with disabilities complies with the provisions of the Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act.

Criminal Activity

The principal or designee shall contact law enforcement if a student is suspected of committing a crime.

Corporal Punishment

The District does not permit the use of corporal punishment.

Annual Reporting

The District shall annually report to the Arizona Department of Education in a manner prescribed by the department the number of suspensions and expulsions that involve the possession, use or sale of an illegal substance under [title 13, chapter 34](#) and the type of illegal substance involved in each suspension or expulsion.

The Board authorizes the Superintendent to develop procedures for the suspension and expulsion of students consistent with this Policy, and state and federal law.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

[A.R.S. § 15-342](#)

[A.R.S. § 15-840](#)

[A.R.S. § 15-841](#)

[A.R.S. § 15-842](#)

[A.R.S. § 15-843](#)

[A.R.S. § 15-844](#)

[20 U.S.C. § 1400](#) *et seq.*

[20 U.S.C. § 7151](#) *et seq.*

[29 U.S.C. § 794](#)

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© 5-306.A Procedure - Student Discipline – Suspension Procedures

A. Special Considerations for Kindergarten through Fourth Grade

The District may suspend a kindergarten through fourth grade student for two (2) or fewer days for a violation of the code of conduct but may not suspend the student for more than ten (10) aggregate days within any school year.

Except in cases where a student is determined to have brought a firearm to school or as stated above, a student enrolled in kindergarten through fourth grade may be suspended only if all the following apply:

1. The student is seven years of age or older.
2. The student engaged in conduct on school grounds that meets one or more of the following criteria:
 - a. Involves the possession of a dangerous weapon without authorization from the school.
 - b. Involves the possession, use or sale of a dangerous drug as defined in [A.R.S. § 13-3401](#) or a narcotic drug as defined in [A.R.S. § 13-3401](#) or a violation of [A.R.S. § 13-3411](#).
 - c. Immediately endangers the health or safety of others.
 - d. The student's behavior is determined by the Board to qualify as "aggravating circumstances" and that all the following apply:
 - i. The student is engaged in persistent behavior that has been documented by the school and that prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.
 - ii. The student's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with a school counselor, school psychologist or other mental health professional or social worker if available within the school District or through a state-sponsored program.
 - iii. The student's parent/legal guardian was notified and consulted about the ongoing behavior.
 - iv. Before a long-term suspension, the school provides the student with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

3. Failing to remove the student from the school building would create a safety threat that cannot otherwise reasonably be addressed or that qualifies as "aggravating circumstances" as specified in paragraph 2 above.
4. Before suspending the student, the school considers and, if feasible while maintaining the health and safety of others, in consultation with the student's parent/legal guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the school, that are appropriate to the circumstances and that are considerate of health and safety. The school shall document the alternative behavioral and disciplinary interventions it considers and employs.

B. Short Term Suspension (Ten [10] School Days or Less)

A building principal or other designated administrator has the authority to suspend a student for ten (10) school days or less. Prior to imposing a short-term suspension, the principal will conduct an informal hearing. The principal will orally inform the student of the alleged behavior that is considered a violation of the rules and the basis of the allegation(s). The student will be given an opportunity to respond.

Following the informal hearing, if the principal determines that a short-term suspension is appropriate, the suspension will be imposed, and the student's parent/legal guardian will be notified.

The principal may immediately suspend a student when the student's presence creates a danger to others. In those circumstances, the principal will initiate the informal hearing as soon as practicable.

The principal may, where appropriate, impose a short-term suspension pending a recommendation for long-term suspension or expulsion.

No appeal process is available for a short-term suspension.

C. Long Term Suspension

The Superintendent, a designated hearing officer, and the Governing Board (upon appeal) are authorized to impose a long-term suspension.

A student may be placed on a short-term suspension pending the outcome of a long-term suspension discipline proceeding.

The District shall provide notice of the procedures outlined below to the parent/legal guardian and/or directly to the student if the student is emancipated or over the age of eighteen (18).

1. Written Notice of Intent to Impose Long-Term Suspension

If a long-term suspension is recommended, a written notice of intent to impose a long-term suspension shall be mailed and/or hand-delivered to the parent/legal guardian at the last known address. The District may also email a copy to the parent/legal guardian. This notice should contain the following information:

- a. the nature of the offense(s) alleged, and the policies, procedures or rules allegedly violated and known to the administration at that time;
- b. a statement that the principal has recommended that a long-term suspension be imposed;
- c. the definition of long-term suspension;
- d. the extent of the discipline recommended, including the restrictions placed on the student during the period of suspension;
- e. a statement that the parent/legal guardian is welcome to meet with the principal to discuss the situation in an informal setting;
- f. a statement that the student and the parent/legal guardian are entitled to a hearing prior to the imposition of the long-term suspension unless the hearing is waived in writing by the parent/legal guardian; and
- g. information regarding where the applicable due process procedures, student handbook, and policies may be found and how to obtain copies.

2. Written Notice of Long-Term Suspension Hearing

If the parent/legal guardian requests a hearing regarding the District's intent to impose a long-term suspension, the District shall schedule a hearing and provide written notice of the hearing. Written notice regarding the hearing shall be mailed and/or hand-delivered to the parent/legal guardian at the last known address no less than five (5) working days prior to the hearing. The District may also email a copy to the parent/legal guardian.

This notice shall include the following information:

- a. the time, date, and place of the hearing;
- b. the student's right to be represented by legal counsel at the student's own cost;
- c. the obligation for the student to provide the District with notice that the student will be represented by legal counsel at least two (2) working days prior to the hearing;
- d. a list of the administration's witnesses who may testify at the hearing;
- e. the student's right to present witnesses, cross-examine the administration's witnesses, and introduce documentary evidence;
- f. the administration's right to cross-examine the student's witnesses and to introduce documentary evidence;
- g. copies of any documentary evidence the administration may present at the hearing;
- h. notice that the administration bears the burden of proof for the offense(s); and

- i. the student's right to have the hearing audio recorded and to audio record the meeting at the student's own expense.

3. Rescheduling the Hearing

The hearing may be rescheduled:

- upon request of the parent/legal guardian or the administration if good cause is shown;
- upon written agreement of the parties; or
- as deemed necessary by the Superintendent or hearing officer.

4. Hearing Findings and Decision

The Superintendent or the designated hearing officer shall prepare a written decision within five (5) working days after the hearing. Copies of the decision shall be provided to the student, parent/legal guardian of the student, and principal.

The decision of the Superintendent or the designated hearing officer is binding upon the parties, subject to appeal to the Board. The decision shall take effect upon verbal or written notification of the decision, whichever occurs first.

The decision of the Superintendent or the designated hearing officer is not binding on the Board in the event of an appeal to the Board.

The suspension shall be reported to the Board within five (5) working days.

5. Appeal to Governing Board

The decision of the Superintendent or the designated hearing officer may be appealed to the Board on the following grounds only:

- alleged denial of a right available to the student that resulted in an unfair hearing;
- new evidence that was unavailable at the time of the hearing;
- allegation of insufficient evidence; or
- allegation of excessive discipline.

A written notice of appeal must be received by the District within five (5) working days after the decision has been hand-delivered or within ten (10) working days of the date the decision was mailed to the parent/legal guardian, student and principal. The notice of appeal shall indicate the specific factual and/or legal basis for the appeal.

The Board shall review the appeal in executive session unless the parent/legal guardian demands an open meeting.

The Board shall consider the appeal at its next regularly scheduled Board meeting or within fourteen (14) working days, whichever is more appropriate.

The parent/legal guardian shall be provided notice of the date, time and place of the meeting at which the appeal is to be considered by the Board. The parent/legal guardian may object to having the review of the appeal considered in executive session. Such objections must be made in writing to the Board at least thirty-six (36) hours prior to the Board meeting. Upon receipt of the objection, the review will be held in open meeting once appropriately noticed on a Board agenda but in no event later than the next regularly scheduled Board meeting after the objection is received.

The Board shall not be bound by the decision of the Superintendent or the designated hearing officer.

The Board may, in its sole discretion, listen to oral argument and/or receive written memoranda setting forth the factual and other grounds of the appeal.

No separate hearing to hear additional evidence shall be held by the Board, unless, in its sole discretion, it determines that such a hearing is warranted. If the Board determines such a hearing is warranted, written notice regarding the hearing shall be mailed and/or hand-delivered to the parent/legal guardian and administration. The District may also email a copy to the parent/legal guardian.

The notice shall be sent no less than five (5) working days prior to the hearing. The notice of hearing shall include the following information:

- a. the date, time and place of the hearing;
- b. the student's right to be represented by legal counsel at his/her own cost;
- c. a statement of the issue(s) upon which the Board will hear evidence and in what form the Board will allow the evidence to be presented (e.g., witnesses, documents, oral argument, and/or written memorandum);
- d. a statement of any limitations of time in which the parties have to present evidence on the issue(s), either through witness testimony, documents and/or oral argument, on the issue(s);
- e. a statement that the parent/legal guardian bear(s) the burden of proof on the appeal;
- f. the Board's right to cross-examine the parent's/legal guardian's and/or administration's witnesses;
- g. notice that the parent/legal guardian must provide a written list of witnesses and/or exhibits and/or written memorandum, along with copies of any exhibits and/or written memorandum, to the administration and the Board at least two (2) working days prior to the hearing along with notice that failure to comply with this requirement may result in the denial of admission of said evidence;
- h. the right to have the hearing audio recorded and to audio record the meeting at student's own expense;

- i. a statement that the hearing may be rescheduled for one time only by the Board upon request of the parent/legal guardian or the administration, only upon the showing of good cause;
- j. notice that any period of delay caused by the rescheduling may extend the recommended period of suspension proportionate to the period of delay caused by the rescheduling, as determined in the sole discretion of the Board; and
- k. a statement that if the parent/legal guardian do not appear at the time and place set for the hearing, the Board may render its decision based upon the record and include the result of such action in the student's permanent file.

D. Board Decision regarding Appeal of Long Term Suspension

If the Board determines that the recommended long term suspension was not reasonable or warranted, it may modify the discipline accordingly. If the Board decides to impose a long-term suspension upon the student, the suspension shall become effective the day after the Board's decision. The Board's decision is final. Written notice of the decision shall be mailed and/or hand-delivered to the parent/legal guardian and to the student. The District may also email a copy to the parent/legal guardian.

E. Restrictions

During the period of long-term suspension, a suspended student shall not be permitted on District property and shall not be permitted to participate in District functions or activities. No course assignments for suspended students will be provided by the teachers. The student will receive no credit for the semester(s) during which the long-term suspension is imposed.

F. Readmission Procedures

The parent/legal guardian of a student who is in kindergarten through fourth grade, and who has served at least five (5) school days of a long-term suspension, may appeal for readmission. The Superintendent shall develop an application process for readmission.

A student who is in fifth through twelfth grade who has been long-term suspended from school shall be readmitted upon completion of the long-term suspension term.

© 5-306.B Procedure - Student Discipline - Expulsion Procedures

A. Special Considerations for Kindergarten through Fourth Grade

Except in cases where a student is determined to have brought a firearm to school, a student enrolled in kindergarten through fourth grade may be expelled only if all the following apply:

1. The student is seven years of age or older.
2. The student engaged in conduct on school grounds that meets one of the following criteria:
 - a. Involves the possession of a dangerous weapon without authorization from the school.
 - b. Involves the possession, use or sale of a dangerous drug as defined in [A.R.S. § 13-3401](#) or a narcotic drug as defined in [A.R.S. § 13-3401](#) or a violation of [A.R.S. § 13-3411](#).
 - c. Immediately endangers the health or safety of others.
 - d. The student's behavior is determined by the Board to qualify as "aggravating circumstances" and that all the following apply:
 - i. The student is engaged in persistent behavior that has been documented by the school and that prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.
 - ii. The student's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with a school counselor, school psychologist or other mental health professional or social worker if available within the school District or through a state-sponsored program.
 - iii. The student's parent/legal guardian was notified and consulted about the ongoing behavior.
 - iv. Before an expulsion, the school provides the student with a disability screening and the screening finds that the behavioral issues were not the result of a disability.
3. Failing to remove the student from the school building would create a safety threat that cannot otherwise reasonably be addressed or that qualifies as "aggravating circumstances" as specified in paragraph 2 above.

4. Before expelling the student, the school considers and, if feasible while maintaining the health and safety of others, in consultation with the student's parent/legal guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the school, that are appropriate to the circumstances and that are considerate of health and safety. The school shall document the alternative behavioral and disciplinary interventions it considers and employs.

B. Expulsion Hearing

All hearings concerning the expulsion of a student will be conducted before a hearing officer selected from a list of hearing officers approved by the Board unless the Board in executive session determines that the Board will conduct the expulsion hearing.

The District shall provide notice of the procedures outlined below directly to the parent/legal guardian and/or to the student if the student is emancipated or over the age of eighteen (18).

1. Written Notice of Intent to Expel

If expulsion is recommended, a written Notice of Intent to Expel shall be mailed and/or hand-delivered to the parent/legal guardian at the last known address. The District may also email a copy to the parent/legal guardian.

The notice should contain the following information:

- a. the nature of the offense(s) alleged and the policies, regulations or rules allegedly violated;
- b. a statement that the principal has recommended that an expulsion be imposed;
- c. the definition of expulsion;
- d. the restrictions placed on the student during the period of expulsion;
- e. a statement that the parent/legal guardian are welcome to meet with the principal to discuss the situation in an informal setting;
- f. a statement that the student and the parent/legal guardian are entitled to a hearing prior to the imposition of an expulsion unless the hearing is waived in writing by the parent/legal guardian; and
- g. information regarding where the applicable due process procedures, student handbook, and policies may be found and how to obtain copies.

2. Written Notice of Expulsion Hearing

Written notice regarding the expulsion hearing shall be mailed and/or hand-delivered to the parent/legal guardian at the last known address no less than five (5) working days prior to the hearing. The District may also email a copy to the parent/legal guardian. This notice shall include the following information:

- a. the date, time and place of the hearing;
- b. notice of whether the Board will conduct the hearing or, if a hearing officer has been appointed, the name of the hearing officer;
- c. notice of the right to object to the Board's decision to hold the hearing in executive session, whether conducted by the Board or a hearing officer;
- d. notice of the right of the parent/legal guardian and the student to attend and/or have legal counsel attend any hearing or executive session pertaining to the proposed expulsion, to have access to the minutes and testimony of such hearing or executive session, and to record such session at their own expense;
- e. a list of the witnesses that the administration may call at the hearing and a copy of all exhibits that the administration may use at the hearing;
- f. a brief description of the subject matter of the testimony of each witness who will be called to testify at the hearing;
- g. notice of the right of the parent/legal guardian to access any and all adverse evidence that may be presented, as well as access to the student's records prior to the hearing;
- h. notice that the parent/legal guardian shall provide the administration with the student's list of witnesses and exhibits prior to the hearing and with a brief description of the subject matter of the testimony of each witness who will be called to testify at the hearing;
- i. notice of the parent's/ legal guardian's responsibility to notify the District at least two (2) working days prior to the hearing whether the student will be represented by legal counsel; and
- j. an explanation of the due process rights available to the student at the hearing, including that:
 - i. the student has the right to be represented by legal counsel at the student's own cost;
 - ii. the student has the right to present witnesses, to cross-examine the administration's witnesses, and to introduce documentary evidence;
 - iii. the administration has the right to cross-examine the student's witnesses, and to introduce documentary evidence;
 - iv. the Board's/hearing officer has the right to examine all witnesses;
 - v. the administration bears the burden of proof for the offense(s);
 - vi. the hearing will be audio recorded; and
 - vii. the student may request a copy of the record.

3. Open/Closed Hearing

If a parent/legal guardian or student has objected to the Board's decision to hold the hearing in executive session, the hearing shall be held in an open meeting unless:

- If only one (1) student is subject to expulsion and disagreement exists between the student's parents/legal guardians, the Board, after consultation

with the student's parents/legal guardians shall decide in executive session whether the hearing shall be in executive session or in an open meeting.

- If more than one (1) student is subject to the proposed action and disagreement exists between the parent/legal guardian of different students, then separate hearings shall be held subject to the provisions of [A.R.S. § 15-843](#).

4. Hearing Officer's Role

If the hearing is conducted by a hearing officer, the hearing officer shall hear the evidence, prepare a record, and make a recommendation to the Board. The hearing officer shall provide a copy of the recommendation to the parent/legal guardian, the student, the Superintendent, and the Board within five (5) working days after the hearing concludes.

5. Rescheduling

An expulsion hearing may be rescheduled:

- upon request of the parent/legal guardian or the administration if good cause is shown;
- upon written agreement of the parties or as deemed necessary by the hearing officer/Board; or
- as deemed necessary by the hearing officer/Board.

C. Board Review

If the Board has not conducted the hearing, the Board shall consider the hearing officer's recommendation and make its decision.

The Board shall consider the matter at its next regularly scheduled meeting or within fourteen (14) working days from the date the hearing officer's decision is received by the Board.

The parent/legal guardian will be provided notice of the date, time and place of the meeting at which the Board will consider the hearing officer's recommendation and make its decision. The parent/legal guardian may object to having such consideration made in executive session. Such objections must be made in writing to the Board at least thirty-six (36) hours prior to the Board meeting. Upon receipt of the objection the consideration will be made in open meeting once appropriately noticed on a Board agenda, but in no event later than the next regularly scheduled Board meeting after the objection is received.

The Board shall not be bound by the hearing officer's recommendation.

The Board may, in its sole discretion, permit oral argument and/or receive written memoranda setting forth the reasons why expulsion should or should not be imposed.

No separate hearing to hear additional evidence shall be held by the Board, unless, in its sole discretion, it determines that such a hearing is warranted. If the Board determines such a hearing is warranted, written notice regarding the hearing shall be mailed and/or hand-delivered to the parent/legal guardian and administration no less than five (5) working days prior to the hearing. This notice shall include the following information:

1. the date, time, and place of the hearing;
2. the student's right to be represented by legal counsel at his/her own cost;
3. a statement of the issue(s) upon which the Board will hear evidence and in what form the Board will allow the evidence to be presented (e.g., witnesses, documents, oral argument, and/or written memorandum);
4. a statement of any limitations of time in which the parties have to present evidence on the issue(s), either through witness testimony and/or documents and/or oral argument;
5. a statement that the parent/legal guardian/student bear(s) the burden of proof on the appeal;
6. the Board's right to cross-examine the student's/parent's/legal guardian's and/or administration's witnesses;
7. notice that the parent/legal guardian/student must provide a written list of witnesses and/or exhibits and/or written memorandum, along with copies of any exhibits and/or written memorandum, to the administration and the Board at least two (2) working days prior to the hearing along with notice that failure to comply with this requirement may result in the denial of admission of said evidence;
8. the right to have the hearing audio recorded, and to audio record the meeting at the student's own expense;
9. a statement that the hearing may be rescheduled for one time only by the Board upon request of the parent/legal guardian/student or the administration, and only upon the showing of good cause; and
10. a statement that if the parent/legal guardian/student do not appear at the time and place set for the hearing, the Board may render its decision based upon the record and include the result of such action in the student's permanent file.

D. Board Decision

The Board may accept the hearing officer's recommendation, reject the recommendation, or modify the recommendation. The Board may also grant a new hearing, take the matter under advisement, or take any further action deemed necessary. If the Board decides to reject a recommendation to expel a student, the student's readmission shall become effective the day after the Board's decision.

The decision of the Board is final.

Written notice of the decision shall be mailed and/or hand-delivered to the parent/legal guardian and to the student. The District may also email a copy to the parent/legal guardian.

E. Readmission Following Expulsion

A student expelled from the District may request readmission by making a written application to the Board. Readmission to the District is at the discretion of the Board. In addition, it is the prerogative of the Board to stipulate appropriate conditions for readmission, including assigning the student to a particular school.

The parent/legal guardian of a student who is in kindergarten through fourth grade, and who has served at least twenty (20) school days of an expulsion or alternative to expulsion may apply to the Board for readmission.

The parent/legal guardian of a student who is in fifth through twelfth grade may apply to the Board for readmission no less than nine (9) months after the date of the expulsion; however, the student may not be readmitted until at least one (1) calendar year has passed. The application shall be filed with the Superintendent and must meet the following criteria:

1. be written and be directed to the attention of the Board;
2. contain all information that the student and parent/legal guardian consider relevant to the Board's determination as to whether to readmit the student;
3. express an appreciation by the student of the severity and inappropriateness of the student's prior misconduct;
4. contain a statement that such misconduct or similar misconduct will not be repeated; and
5. include a description of the student's activities since the expulsion, including but not limited to:
 - courses taken and grades received;
 - attendance records;
 - discipline records;
 - evidence of participation in counseling to remediate the misconduct that resulted in the expulsion; and/or
 - community service.

In consultation with the principal and other District administration, the Superintendent will make a recommendation concerning the readmission of the expelled student.

The Board shall meet in executive session to consider an initial application for readmission. The student and parent/legal guardian have the right to be present in the executive session but do not have the right to make a presentation or address the Board unless they are asked to do so by the Board.

The Board, in its sole discretion, shall determine whether the student should be readmitted and, if so, under what restrictions and conditions, including assigning the student to a particular school. The burden is on the student and parent/legal guardian to convince the Board that readmission is appropriate considering the interests of the expelled student, the District, and the interests of the other students and staff members.

The Board's decision is final.

A student may file more than one (1) application for readmission; however, applications subsequent to an initial application may not be filed more frequently than every ninety (90) days.

As a condition for readmission, the student, with parent/legal guardian affirmation, shall agree to the following minimum conditions:

- regular attendance - no unexcused absences;
- no violation of school rules or policies that carry the consequence of a suspension or expulsion; and
- completion of all classroom tasks in a timely fashion, as directed.

Depending upon the nature of the original violation for which the expulsion was provided, the student may be limited as to attendance or participation in after school activities, school sports, and extracurricular events or activities.

A student who is readmitted following expulsion shall receive a written admonition that the original expulsion will be summarily reinstated should the student commit a violation of the conditions for readmission or a criminal or civil violation that disrupts the school order.

Student Discipline

5-400 Student Health, Safety and Welfare

© 5-401 Police Interview Notification

Police Interview Notification

When a peace officer seeks to interview a student on school grounds, school staff will make reasonable attempts to notify the student's parent/legal guardian before the interview occurs.

However, school staff will not impede a peace officer from performing the peace officer's duties. Peace officers have the right of immediate access to a student when making an arrest, serving a subpoena, or serving or executing warrants (including search warrants). In such circumstances, advance notification and an opportunity for the parent/legal guardian to attend an interview may not be proper or possible.

Parent/legal guardian notification will *not* be provided when:

- Any alleged criminal conduct involves a parent/legal guardian.
- Advance notification creates an unreasonable risk to personal or public safety.
- The investigating peace officer expressly prohibits such notification.

Notification of Temporary Custody

If a peace officer takes a juvenile offender into temporary custody on District property, the District shall notify the student's parents/legal guardian/custodian immediately after consulting with the law enforcement agency to ensure that notification will not pose a risk to the juvenile or the investigation. If the juvenile is a ward of the State, the District shall notify the Department of Child Safety.

Adopted:

Legal Authority:

[A.R.S. § 1-602\(10\)](#)

[A.R.S. § 8-303](#)

[A.R.S. § 15-342\(32\)](#)

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Police Interview Notification

© 5-401.A Procedure - Police Interview Notification - Student Interviews

A. When the Student is Accused or Suspected of Criminal Conduct

Without inquiring into the specific alleged criminal conduct at issue, school staff will ask the peace officer if the student is suspected or accused of criminal conduct. If the peace officer states that the student is so accused or suspected, school staff will respectfully request that the interview not take place until the student's parent/legal guardian is present. Notwithstanding the foregoing, school staff will not take any action to impede or postpone an interview or other peace officer action; rather, this request is simply a procedural safeguard and is subject to the sole discretion of the peace officer.

If the student is suspected or accused of criminal conduct, school staff may include that fact in the parent/legal guardian notification, unless doing so is expressly prohibited by the peace officer.

B. When the Student May be a Victim of a Crime

Pursuant to [A.R.S. § 13-3620](#) and [A.R.S. § 15-514](#), a student who is alleged to be a potential victim of a mandatory reportable offense may be interviewed only as provided by local county protocol adopted pursuant to [A.R.S. § 8-817](#). This does not prevent a student from voluntarily reporting an allegation that the student is the victim of a mandatory reportable offense to a school resource officer, school safety officer or District employee.

C. Parent/Legal Guardian Presence

When advance notification is appropriate, the school will request the peace officer to wait twenty (20) minutes after notification was made or reasonably attempted before commencing the interview. If the parent/legal guardian does not appear, or at least respond (e.g., telephonically), within that time, the parent/legal guardian may not be allowed to be present in the interview, subject to the discretion of the peace officer. Any arrangements or discussion regarding, or the allowance of, parent/legal guardian presence during an interview of a student will be discussed between the parent/legal guardian and the peace officer and will be determined at the discretion of the peace officer.

Except in instances where parent/legal guardian notification is not required as set forth above school staff may inform the student that the student may consult with their parent/legal guardian prior to being interviewed.

If the parent/legal guardian is unavailable to attend the interview, school staff may request to attend the interview if permitted by the peace officer. School staff attending a peace officer interview will not question the student during the interview.

D. Interview by School Staff

School staff should consult with District or school administration prior to engaging in any interview of a student under a peace officer's direction. If school staff interview or ask questions of a student at the request or under the direction of a peace officer, the peace officer shall first provide juvenile Miranda warnings to the student.

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5-400 Student Health, Safety and Welfare

© 5-402 Department of Child Safety Interview and Custody

Department of Child Safety Interview

When a Department of Child Safety ("DCS") case worker seeks to interview a student on school grounds, staff will notify the principal. Staff will request the DCS case worker complete the "Form for Signature of Interviewing Case Worker." Staff will collect and retain the completed "Form for Signature of Interviewing Case Worker." Staff will not impede a DCS case worker from performing the DCS case worker's duties. Staff shall notify a student's parent/legal guardian when a DCS case worker seeks to interview a student unless:

1. the offense was allegedly committed by the student's parent or legal guardian; or
2. the offense was already reported to the police or DCS and the investigator has determined that notifying the parent/legal guardian would impede the investigation.

Department of Child Safety Custody of Student

If the DCS case worker intends to take custody of the student or otherwise remove the student from the campus, staff will request that the DCS case worker complete the "Form for Student Custody by Case Worker." Staff will collect and retain the completed "Form for Student Custody by Case Worker."

Identification Requirements

When a DCS case worker visits a school for the purpose of an interview, the District shall require the DCS case worker to present their DCS identification. The District may also request the DCS case worker to present a valid driver license or nonoperating identification license. The District shall not keep a digital or physical record of the DCS case worker's personal identifying information but may keep a record of the DCS identification.

If the DCS case worker does not provide the forms of identification listed above, the District shall contact DCS and verify the case worker's identification and employment.

Adopted:

Legal Authority:

[A.R.S. § 1-602\(A\)\(10\)](#)

[A.R.S. § 8-530.08](#)

[A.R.S. § 15-160.03](#)

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5-400 Student Health, Safety and Welfare

© 5-403 Immunization and Communicable Diseases

Definitions

"Homeless children and youths" has the same definition as set forth in [42 U.S.C. § 11434a](#).

"Immunization documentation" means either (a) proof of immunization that meets the requirements of [Ariz. Admin. Code R-9-6-704](#), or (b) a certification regarding immunity, a medical exemption certification, a religious beliefs exemption statement, or a personal beliefs exemption statement that meets the requirements of [Ariz. Admin. Code R-9-6-706](#).

"Listed disease" means a disease listed in [Ariz. Admin. Code R9-6-702](#).

Immunization Requirements

The Superintendent shall develop procedures to (a) ensure that the District obtains and maintains immunization documentation as required by [A.R.S. § 15-872](#) and corresponding regulations and (b) ensure that students attending school have met applicable immunization requirements.

Communicable Diseases

The Superintendent shall develop procedures for notifying the county or local health department if District personnel become aware of the presence of listed diseases in accordance with [Ariz. Admin. Code R9-6-201 through 207](#).

Homeschooled Students

Homeschooled students shall be required to provide immunization documentation before participating in District classes or activities on the same basis as students enrolled in the District.

Adopted:

Legal Authority:

[A.R.S. § 15-871](#)

[A.R.S. § 15-872](#)

[A.R.S. § 15-873](#)

[A.R.S. § 15-874](#)

[A.R.S. § 36-672](#)

[42 U.S.C. §§ 11431 through 11435](#)

[Ariz. Admin. Code R9-6-701 through R9-6-707](#)

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Immunization and Communicable Diseases

© 5-403.A Procedure - Immunization and Communicable Diseases - Proof, Exemptions, Reporting Requirements

A. Definitions

"Arizona Immunization Handbook" means the Arizona Department of Health Services *Arizona Immunization Handbook for Schools, Child Care, and Preschool Programs*.

"Homeless children and youths" has the same definition as set forth in [42 U.S.C. § 11434a](#).

"Immunization documentation" means proof of immunization, an immunity certification, a medical exemption certification, a religious beliefs exemption statement, or a personal belief exemption statement.

"Immunity certification" means a certification of medical exemption from immunization due to immunity that meets the requirements of [Ariz. Admin. Code R9-6-706\(D\)](#).

"Listed disease" means diseases listed in [Ariz. Admin. Code R9-6-702](#).

"Medical exemption certification" means a certification of medical exemption from immunization that meets the requirements of [Ariz. Admin. Code R9-6-706\(C\)](#).

"Religious beliefs exemption statement" means a signed statement of a student's parent or guardian that meets the requirements of [Ariz. Admin. Code R9-6-706\(B\)](#).

"Personal belief exemption statement" means a signed statement of a student's parent or guardian that meets the requirements of [Ariz. Admin. Code R9-6-706\(A\)](#).

"Proof of immunization" means documentary proof of immunization that meets the requirements of [Ariz. Admin. Code R-9-704](#).

B. Procedures

The District shall follow the recommended record-keeping and reporting procedures set forth in the Arizona Immunization Handbook. In implementing these procedures, the Superintendent shall ensure that the District:

1. obtains and maintains immunization documentation for all enrolled students;
2. regularly reviews records of immunization documentation to verify the accuracy of such records;
3. submits an annual immunization data report to the Arizona Department of Health Services;

4. maintains a list of students who do not have either proof of immunization or an immunity certification for listed diseases; and
5. notifies students and prospective students of non-compliance with immunization requirements.

C. Standards for Documentary Proof of Immunization

The Superintendent shall designate District personnel to review the immunization records of students upon enrollment in the District to ensure that the District has received immunization documentation for each student. The standards for documentary proof, the schedule of required immunizations, record-keeping procedures, and reporting procedures shall be as set forth in the Arizona Immunization Handbook.

Parents/legal guardians requesting exemption from immunization requirements shall submit a medical exemption certification, a religious beliefs exemption statement, or a personal beliefs exemption statement using forms provided by the Arizona Department of Health Services.

<https://azdhs.gov/preparedness/epidemiology-disease-control/immunization/index.php#schools-immunization-forms>

D. Disease Reporting

The Superintendent shall designate District personnel to receive reports of the possible presence of listed diseases among students of the District. Such reports shall be made confidentially and in compliance with FERPA and other applicable state and federal privacy laws. Designated personnel receiving a report shall use the reporting process as set forth in the Arizona Immunization Handbook.

E. Student Attendance

Except as required by state or federal law, no student shall be permitted to attend school unless the District has first obtained immunization documentation for all listed diseases with respect to that student. Notwithstanding the previous sentence, the District shall immediately enroll homeless children and youths. District personnel shall work with the corresponding McKinney-Vento liaison to promptly obtain immunization records or required immunizations.

During an outbreak of a listed disease, no student who does not have either proof of immunization or an immunity certification for such listed disease shall be permitted to attend school for the duration of the outbreak. The Superintendent shall develop procedures by which students who are unable to attend school during an outbreak may remain current with their coursework.

5-400 Student Health, Safety and Welfare

© 5-404 Administration of Medication

Definitions

"Administration of a prescription medication or a patent or proprietary medication" means the giving of a single dose of medication or the giving of a treatment package in its original container.

"Anaphylactic shock" is a severe systemic allergic reaction, resulting from exposure to an allergen, which may result in death.

"Authorized entity" refers to the District.

"Epinephrine delivery system" means a single-use device or product that contains a premeasured dose of epinephrine and that is approved by the U.S. Food and Drug Administration to prevent or treat a life threatening allergic reaction.

"Bronchodilator" means albuterol or another short-acting bronchodilator that is approved by the United States Food and Drug Administration for the treatment of respiratory distress.

"Dietary supplement" means any of the following substances when contained in the form of a pill or powder: a vitamin; a mineral; an herb or other botanical; an amino acid; a dietary substance used to increase or decrease body weight, muscle mass or metabolism; or any concentrate, metabolite, extract, or combination of the foregoing ingredients.

"Health care provider" means a licensed doctor of medicine or osteopathic medicine, nurse practitioner, physician assistant, or pharmacist.

"Inhaler" means a device that delivers a bronchodilator to alleviate symptoms of respiratory distress that is manufactured in the form of a metered-dose inhaler or dry powder inhaler that includes a spacer or holding chamber that attaches to the inhaler to improve the delivery of the bronchodilator.

"Medical monitoring device" means any device used to monitor blood glucose, oxygen saturation, heart rate, or other physiological function.

"Medication" means any prescription medication or over-the-counter medication.

"Over-the-counter medication" means any non-narcotic drug that may be sold without a prescription and is prepackaged and labeled for use by a consumer in accordance with the requirements of state and federal law.

"Person" includes District staff acting in the person's official capacity.

"Prescription medication" means any drug that is dispensed for use pursuant to a health care provider's order for a named student.

"Patent or proprietary medication" means an over-the-counter (nonprescription) medicine or medicinal preparation that is typically protected and advertised by a trademark and trade name (and sometimes a patent) and claimed to be effective against minor disorders and symptoms.

"Staff" means District-employed staff or nurses who are under contract with the District.

"Standing order" means a prescription protocol or instructions issued by the chief medical officer of the Arizona Department of Health Services, the chief medical officer of a county health department, or an authorized health care provider as designated by statute.

General

The Governing Board directs the Superintendent to prescribe and enforce procedures governing the administration of a prescription medication or a patent or proprietary medication to students by District staff.

The District will coordinate with the parent/legal guardian and the student's health care provider when it is necessary for a student to take medication during the school day. Before administering prescription medication to a student, the District will obtain a written order from the physician, nurse practitioner, or physician assistant stating the name of the medicine, the dosage, and the time it is to be given. In the case of a minor student, the District shall obtain written permission from the student's parent/legal guardian to allow the school to administer or the student to self-administer the medicine, except for an emergency administration pursuant to [A.R.S. §15-157](#) (epinephrine) or [A.R.S. § 15-158](#) (inhalers) or [A.R.S. § 15-341](#), subsection A, paragraph 43 (naloxone hydrochloride/any other opioid antagonist).

Medication administered by the District under this Policy, whether prescription or over the counter, must be delivered to the District in the original container with all warnings and directions intact.

An administrator may designate school staff to administer the medication. Each administration of medication must be documented, making a record of the student having received the medication. Medication must be kept in their original containers in a locked cabinet.

Prescription Medication

A. Epinephrine

The Board directs the Superintendent to prescribe and enforce procedures for the emergency administration of epinephrine by trained District staff pursuant to [A.R.S. § 15-157](#) and subsequent to the adoption of rules by the State Board of Education pertaining to annual training in the administration of epinephrine, recognition of anaphylactic shock symptoms or life threatening allergic reaction, the procedures to follow when anaphylactic shock/life threatening allergic reaction occurs, and the requirements of [A.R.S. § 15-203\(A\)\(39\)](#) and [Ariz. Admin. Code R7-2-809](#). These procedures shall address, at a minimum, the following requirements:

1. determining if symptoms indicate possible anaphylactic shock or life threatening allergic reaction;
2. selecting the appropriate dosage of epinephrine to administer pursuant to a standing order;
3. injecting epinephrine via the delivery system pursuant to a standing order, noting the time and dose given;
4. calling 911 to advise that anaphylactic shock or life threatening allergic reaction is suspected, and epinephrine was administered;
5. keeping the person stable until emergency responders arrive;
6. advising school medical personnel and administration of the incident;
7. repeating the dose pursuant to a standing order when symptoms persist, and emergency responders have not arrived;
8. providing emergency responders with the used epinephrine delivery system labeled with name, date, and time administered;
9. assuring that parent/legal guardian has been notified and advised to promptly alert the student's primary care physician of the incident;
10. completing written documentation of the incident, detailing who administered the epinephrine, the rationale for administering the epinephrine, the approximate time of the administration, and notifications made to school administration, emergency responders, the student's parent/legal guardian, and the doctor or chief medical officer who issued the standing order;
11. ordering replacement dose or doses of epinephrine delivery systems; and
12. reviewing any incident involving emergency administration of epinephrine to determine the adequacy of response.

Staff Administration of Epinephrine in an Emergency

If the District voluntarily chooses or is required to stock epinephrine delivery systems, the following provisions apply.

The District will designate a minimum of two school personnel for each school site who shall be required to receive annual training in the proper administration of epinephrine delivery systems in cases of anaphylactic shock or life threatening allergic reaction pursuant to standing order. One or more of the trained personnel may be a school nurse or athletic trainer, if employed by the school.

The District shall maintain and make available upon request a list of those school personnel authorized and trained to administer epinephrine.

Report of Incidents of Epinephrine Use

The District shall report to the Arizona Department of Health Services all incidents of use of epinephrine delivery systems in the format prescribed by the Arizona Department of Health Services.

Self-Administration

Students who have been diagnosed with anaphylaxis by a health care provider may carry and self-administer emergency medications including epinephrine while at school and school sponsored events, provided the student's name is on the prescription label on the medication container or device and annual written documentation from the student's parent/legal guardian that authorizes possession and self-administration is on file with the school. Following the self-administration of the medication at school or a school sponsored event, the student shall notify the school office nurse as soon as practicable.

Annual Training in Administration of Epinephrine

Training in the administration of epinephrine shall be conducted in accordance with minimum standards and curriculum developed by the Arizona Department of Health Services in consultation with the Arizona Department of Education.

Annual Training on the Recognition of Anaphylactic Shock Symptoms and Procedures to Follow When Anaphylactic Shock Occurs

The District shall designate at least two school personnel for each school site who shall be required to receive annual training on the recognition of anaphylactic shock symptoms and in the proper administration of epinephrine to standing order. One or more of the trained personnel may be a school nurse or athletic trainer if they are employed by the school.

Training shall be conducted in accordance with minimum training standards developed by the Arizona Department of Health Services in consultation with the Arizona Department of Education and shall follow the most current guidelines issued by the American Academy of Pediatrics. Training shall be conducted in collaboration with a public health organization by a regulated health care professional whose competencies include the recognition of anaphylactic shock symptoms and procedures to follow when anaphylactic shock occurs, including but not limited to a licensed school nurse, certified emergency medical technician, or licensed athletic trainer.

At a minimum, training shall include procedures to follow when responding to anaphylactic shock, including direction regarding summoning appropriate emergency care, and documenting, tracking, and reporting of the event.

Training shall also include standards and procedures for acquiring a supply of at least two juvenile doses and two adult doses of epinephrine, restocking epinephrine delivery systems upon use or expiration, and storing all epinephrine delivery systems prescribed in the standing order and in secure, easily accessible locations on school sites.

The District shall obtain a standing order from its designated district physician licensed pursuant to [A.R.S. Title 32](#), and if no such physician is available to provide a standing order, from the chief medical officer of the Arizona Department of Health Services or the chief medical officer of a county health department.

Standing orders shall be renewed annually and upon the change of any designated school district physician.

Standing orders shall identify the appropriate dosage of epinephrine to administer based upon weight and the frequency at which epinephrine may be administered if symptoms persist or return.

The Board recognizes that the prescribed annual training is optional during any fiscal year in which a school does not stock epinephrine delivery systems at the school during that fiscal year.

The District may accept monetary donations for, or apply for grants for, the purchase of epinephrine delivery systems, or may participate in third-party programs to obtain epinephrine delivery systems at fair market, free, or reduced prices.

B. Inhalers

The Board directs the Superintendent to prescribe and enforce regulations and procedures in consultation with the Arizona Department of Education, medical professionals, school health professionals, school administrators, and an organization that represents school nurses in this state for the administration of inhalers.

Emergency Administration of Inhalers

If the District voluntarily chooses or is required to stock inhalers, the following provisions apply.

Pursuant to a standing order, the school nurse or District staff trained in the administration of inhalers may administer or assist in the administration of an inhaler to a student or adult whom he/she believes in good faith to be exhibiting symptoms of respiratory distress while at a school or at a school sponsored event.

The Superintendent shall develop procedures for the administration of inhalers in emergency situations, as directed on the prescription protocol.

The District shall designate at least two staff at each school to administer inhalers and be trained in the recognition of respiratory distress symptoms and the procedures to follow when respiratory distress occurs, in accordance with good clinical practice. At least two District staff members at each school shall be trained in the administration of inhalers, as directed on the prescription protocol.

Procedures to Follow When Respiratory Distress Occurs

A District that administers inhalers shall:

1. prescribe and enforce policies and procedures for the emergency administration of inhalers by designated and trained medical and non-medical personnel;
2. designate at least two District staff members at each school to be trained to recognize respiratory distress and administer inhalers;
3. require designated District staff to participate in annual training and provide a certificate of successful completion to the school;
4. designate District staff who have completed the required training to be responsible for the storage, maintenance, control, and general oversight of the inhalers and spacers or holding chambers acquired by the school;
5. acquire and stock a supply of inhalers and spacers or holding chambers pursuant to a standing order prescription; and
6. store medication in a secure, temperature-appropriate location, unlocked and readily accessible to designated personnel.

Pursuant to a standing order, District staff trained in the administration of inhalers may administer or assist in the administration of an inhaler to a student or adult whom the personnel believe in good faith to be exhibiting symptoms of respiratory distress while at school or a school-sponsored activity.

Procedures for the Administration of Inhalers In Emergency Situations

The Superintendent shall adopt procedures for the emergency administration of inhalers by designated trained personnel. The procedures shall address, at a minimum, the following required steps:

1. determine if symptoms indicate possible respiratory distress or emergency and determine if the use of an inhaler will properly address the respiratory distress or emergency;
2. administer the correct dose of inhaler medication, as directed by the prescription protocol, regardless of whether the individual who is believed to be experiencing respiratory distress has a prescription for an inhaler and

- spacer or holding chamber or has been previously diagnosed with a condition requiring an inhaler;
3. restrict physical activity, encourage slow breaths, and allow the individual to rest;
 4. ensure that trained District staff stays with the subject who has been administered inhaler medication until it is determined whether the medication alleviates symptoms;
 5. if applicable, instruct office staff to notify the school nurse if the inhaler is administered by a trained but non-licensed person;
 6. instruct District staff to notify the parent/legal guardian;
 7. call 911 if severe respiratory distress continues, advise that inhaler medication was administered, and stay with the person until emergency medical responders arrive;
 8. if the individual shows improvement, keep under supervision until breathing returns to normal, with no more chest tightness or shortness of breath, and the individual can walk and talk easily;
 9. allow a student to return to class if breathing has returned to normal and all symptoms have resolved;
 10. notify a parent/legal guardian once the inhaler has been administered and the student has returned to class;
 11. document the incident detailing:
 - a. who administered the inhaler,
 - b. the approximate time of the incident, and
 - c. notifications made to the school administration, emergency responders, and the parent/legal guardian;
 12. retain the incident data on file at the District pursuant to the District's general records retention schedule established by the Arizona State Library, Archives and Public Records; and
 13. order replacement inhalers, spacers, and holding chambers as needed.

Report of Incidents of Inhaler Use

The District shall report to the parent/legal guardian all incidents of staff administration of an inhaler. The District shall develop procedures for notifying a parent/legal guardian once an inhaler has been administered.

Self-Administration

For breathing disorders, students who have been prescribed the medication by a health care provider for breathing disorders may carry a handheld inhaler for self-administration provided the student's name is on the prescription label, on the medication container, or on the handheld inhaler device and annual written documentation from the student's parent/legal guardian that authorizes possession and self-administration is on file with the school.

Annual Training in Administration of Inhalers

Training in the recognition of respiratory distress symptoms, the procedures to follow when respiratory distress occurs and the administration of inhalers, shall be conducted in accordance with good clinical practice, as directed on the prescription protocol, by designated medical and nonmedical school personnel.

The District shall be required to train a minimum of two school staff for each school site in the recognition of respiratory distress symptoms, the procedures to follow when respiratory distress occurs, and the administration of inhalers, as directed on the prescription protocol. While each school is required to have two trained personnel in order to implement the stock inhaler policies, schools may train as many personnel as they feel necessary.

Training in the administration of inhalers shall be conducted by a nationally recognized organization or professionally certified medical professionals that are experienced in training laypersons in emergency health treatment.

Training may be conducted online or in person and at a minimum shall include:

1. how to recognize signs and symptoms of respiratory distress in accordance with good clinical practice;
2. standards and procedures for the storage of inhalers;
3. standards and procedures for the administration of an inhaler, as directed on the prescription protocol; and
4. if necessary, emergency follow-up procedures after the administration of an inhaler.

Annual training is required for all District designated staff. District staff who participate in the training and are issued certificates of completion shall submit this certificate to the school.

Standing Orders

The District shall develop procedures for annually requesting a standing order for inhalers and spacers or holding chambers pursuant to [A.R.S. § 15-158](#). The District shall obtain a standing order and prescription for inhalers and spacers or holding chambers from the chief medical officer of a county health department or a statutorily authorized health care provider. Standing orders and prescriptions shall be requested and renewed annually.

The District may accept monetary donations for, or apply for grants for, the purchase of inhalers and spacers or holding chambers, or may accept donations of inhalers and spacers or holding chambers directly from the product manufacturers.

C. Diabetes Management

The Board directs the Superintendent to adopt procedures for students who have been diagnosed with diabetes by a health care provider to manage their diabetes in the classroom, on school grounds and at school-sponsored activities as authorized by the health care provider. The procedures shall include the following components:

1. The parent/legal guardian shall annually submit a diabetes medical management plan to the student's school authorizing the student to carry appropriate medications and monitoring equipment. If applicable, the plan will acknowledge the student is capable of self-administration of those medications and equipment. The diabetes medical management plan provided by the parent/legal guardian shall be signed by a health care provider and shall state that the student is capable of self-monitoring blood glucose and shall list the medications, monitoring equipment, and nutritional needs that are medically appropriate for the student to self-administer and that have been prescribed or authorized for that student.
2. The plan shall contain a requirement that any medication administration services specified in the child's diabetes medical management plan shall be provided.
3. The diabetes medical management plan shall specify a method to dispose of equipment and medication in a manner agreed upon by the parent/legal guardian and the school.
4. The student must be capable of practicing proper safety precautions for the handling and disposing of the equipment and medication authorized for use in the student's diabetes medical management plan.
5. The District may withdraw a student's authorization to self-monitor blood glucose and self-administer diabetes medication if the student fails to practice proper safety precautions as set forth in the diabetes medical management plan.
6. The District may designate two (2) or more staff to serve as voluntary diabetes care assistants, subject to approval by the student's parent/legal guardian. Voluntary diabetes care assistants may administer insulin, assist the student with self-administration of insulin, and administer glucagon in an emergency as described in [A.R.S. § 15-344.01](#).

Diabetes Care Assistants and Emergency Administration of Insulin and/or Glucagon

Two (2) or more school staff, subject to final approval by the student's parent/legal guardian, may volunteer to serve as diabetes care assistants. Voluntary diabetes care assistants are allowed to administer insulin, assist the student with self-administration of insulin, administer glucagon in an emergency to a student or perform any combination of these actions if all the following conditions exist:

1. A school nurse or another health care provider is not immediately available to attend to the student at the time of the emergency.
2. If the voluntary diabetes care assistant is authorized to administer glucagon, either the parent/legal guardian must provide to the school an unexpired

glucagon kit prescribed for the student by an appropriately licensed health care provider, or the District must obtain glucagon pursuant to a standing order authorized by [A.R.S. § 15-344.01](#).

3. If the voluntary diabetes care assistant is authorized to administer insulin, and the parent/legal guardian of the student has provided insulin and all equipment and supplies that are necessary for insulin administration by voluntary diabetes care assistants.

Self-Administration

When a parent/legal guardian has provided the school with a diabetes medical management plan that meets the standards set forth in District policy, the student may be authorized by the plan to carry appropriate medications and monitoring equipment and shall be recognized as capable of self-administration of the medication. Any medication administration services specified in the student's diabetes medical management plan shall be provided to the school.

Training

Training in the recognition of symptoms and treatment of hyperglycemia and hypoglycemia and the administration of glucagon shall be conducted in accordance with [A.R.S. § 15-344.01](#).

All employees or District contractors who implement a diabetes medical management plan are required to provide to the school a written statement signed by an appropriately licensed health professional that the employee or contractor has received proper training in the administration of glucagon, including the training specified in [A.R.S. § 15-344.01](#).

The training provided by an appropriately licensed health professional must include all the following:

1. an overview of all types of diabetes,
2. the symptoms and treatment of hyperglycemia and hypoglycemia,
3. techniques for determining the proper dose of insulin in a specific situation based on instructions provided in the orders submitted by the student's physician,
4. techniques for recognizing the symptoms that require the administration of glucagon, and
5. techniques for administering glucagon.

Standing Orders

The District may annually request a standing order to stock glucagon as permitted by [A.R.S. § 15-344.01\(E\)](#) for the emergency administration to a student by a health care professional as authorized by statute.

The District may accept donations or apply for grants to purchase glucagon or may participate in third-party programs to obtain glucagon for free or at a reduced cost.

Immunity

District staff shall not be subject to any penalty or disciplinary action for refusing to serve as a voluntary diabetes care assistant.

The District, District staff, and properly licensed volunteer health care providers are immune from civil liability for the consequences of the good faith adoption and implementation of policies and procedures pursuant to District policy and this regulation.

D. Seizure Management and Treatment Plans

The parent/legal guardian of a student who has a seizure disorder and who is enrolled with the District may submit to the District a copy of a seizure management and treatment plan, developed by the parent/legal guardian and student's physician responsible for the student's seizure treatment, for school staff to use if the student suffers a seizure at school or while participating in a school-sponsored activity. The plan must be submitted to and reviewed by the District before or at the beginning of the school year, when the student enrolls (if enrollment occurs after the start of the school year) or as soon as practicable following a diagnosis of the student's seizure disorder.

Seizure management and treatment plans must:

1. outline procedures recommended by the physician responsible for the student's seizure treatment to manage an active seizure if the student suffers a seizure at school or while participating in a school-sponsored activity;
2. outline health care services available at the school that may help the student manage his/her seizure disorder at school or while participating in a school-sponsored activity; and
3. be signed by the student's parent/legal guardian and the physician responsible for the student's seizure treatment.

A school nurse employed by or under contract with the District shall review each seizure management and treatment plan. If a school nurse is not available, the District shall designate an employee to be responsible for reviewing seizure management and treatment plans.

Immunity

District staff are immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of a seizure management and treatment plan submitted pursuant to state statute, including an action or failure to act in administering a medication, assisting with self-administration, or otherwise providing for

the care of a student under a seizure management and treatment plan submitted for the student, except in cases of gross negligence, willful misconduct, or intentional wrongdoing.

Training

A school nurse employed by or under contract with the District shall complete an online course of instruction for school nurses regarding managing students with seizure disorders. The course must be approved by the state board of education and include information about seizure recognition and related first aid.

Each school shall have at least one employee at the school other than a school nurse who has met the training requirements necessary to administer or assist with the self-administration of both of the following:

1. a seizure rescue medication or a medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration; and
2. a manual dose of prescribed electrical stimulation using a vagus nerve stimulator magnet as approved by the United States Food and Drug Administration.

District staff whose duties at the school include regular contact with students shall complete an online course of instruction for District staff regarding awareness of students with seizure disorders. The course must be approved by the Arizona State Board of Education and include information about seizure recognition and related first aid.

The District is compliant with this section if a student requires an educational accommodation under Section 504 of the Rehabilitation Act of 1973 and the student's accommodation plan includes a seizure management and treatment plan.

E. Naloxone

The Board directs the Superintendent to prescribe and enforce procedures for the emergency administration of naloxone hydrochloride or any other opioid antagonist approved by the United States Food and Drug Administration by district staff pursuant to [A.R.S. § 36-2267](#), which, in part states the following:

1. A person may administer an opioid antagonist that is prescribed or dispensed pursuant to [A.R.S. §§ 32-1979](#) or [36-2266](#) in accordance with the protocol specified by the health care provider to a person who is experiencing an opioid-related overdose.
2. A person who in good faith and without compensation administers an opioid antagonist to a person who is experiencing an opioid-related overdose is not liable for any civil or other damages as the result of any act or omission by

the person rendering the care or as the result of any act or failure to act to arrange for further medical treatment or care for the person experiencing the overdose, unless the person while rendering the care acts with gross negligence, willful misconduct, or intentional wrongdoing.

The District may obtain, directly or by a standing order, from a health care provider authorized by law to prescribe drugs or any other health professional who has prescribing authority and who is acting within the health professional's scope of practice, naloxone hydrochloride or any other opioid antagonist that is approved by the United States food and drug administration for use according to the protocol specified by the health care provider to a person who is at risk of experiencing an opioid-related overdose, to a family member of that person, to a community organization that provides services to persons who are at risk of an opioid-related overdose, or to any other person who is in a position to assist a person who is at risk of experiencing an opioid-related overdose.

The District shall summon emergency services as soon as practicable, either before or after administering the opioid antagonist.

F. Over-the-Counter Medication

When it is necessary for a student to receive a medicine that does not require a prescription order but is sold, offered, promoted, and advertised to the general public, the District shall establish procedures to ensure the protection of the school and the student.

Protection of Students

Use or administration of medication on school premises may be disallowed or strictly limited if it is determined by the Superintendent, in consultation with medical personnel, that a threat of abuse or misuse of the medicine may pose a risk of harm to a member of the student population.

The student shall take extraordinary precautions to keep secure any medication or drug, and under no circumstances shall make available, provide, or give the item to another person. The student shall immediately report the loss or theft of any medication brought onto a school campus. Violations of these requirements may subject the student to disciplinary action.

Adopted:

Legal Authority:

[A.R.S. § 15-157](#)

[A.R.S. § 15-158](#)

[A.R.S. § 15-160.02](#)

[A.R.S. § 15-203](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-344](#)

[A.R.S. § 15-344.01](#)

[A.R.S. § 36-2266](#)

[A.R.S. § 36-2267](#)

[Ariz. Admin. Code R7-2-809](#)

[Ariz. Admin. Code R7-2-810](#)

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Administration of Medication

© 5-404.A Procedure—Administration of Medication—Procedures for Administration

A. Epinephrine

Prior to the emergency administration of epinephrine, a District nurse, health assistant, or other trained staff shall:

1. determine if symptoms indicate possible anaphylactic shock or life threatening allergic reaction, and
2. select the appropriate dosage of epinephrine to administer pursuant to the District standing order.

After the emergency administration of epinephrine via an epinephrine delivery system, the District nurse, health assistant, or other trained staff shall:

1. Document the time and dose given to the student.
2. Call 911 to advise that anaphylactic shock is suspected, and epinephrine was administered.
3. Keep the student stable until emergency responders arrive.
4. Advise District health care providers and administration of the incident.
5. Repeat the dose pursuant to a standing order if symptoms persist and emergency responders have not arrived.
6. Provide emergency responders with the used epinephrine delivery system labeled with name, date, and time administered.
7. Ensure that the parent/legal guardian or emergency contact have been notified and advised to promptly alert the student's primary care physician of the incident.
8. Complete written documentation of the incident, which shall include the following:
 - a. name and position of District staff who administered the epinephrine;
 - b. the rationale for administering the epinephrine;
 - c. the approximate time of the epinephrine delivery; and
 - d. notifications made to school administration, emergency responders, the student's parent/legal guardian, and the prescribing health care provider or agency who issued the standing order.

Periodically, a District nurse, health assistant, or other trained staff shall:

1. order replacement epinephrine delivery systems; and
2. review any incident involving emergency administration of epinephrine to determine the adequacy of response.

B. Inhalers

Procedures for the Administration of Inhalers In Emergency Situations

A District nurse, health assistant, or other trained staff shall adhere to the following procedures in the emergency administration of an inhaler:

1. Determine if symptoms indicate possible respiratory distress or emergency and determine if the use of an inhaler will properly address the respiratory distress or emergency.
2. Administer the correct dose of inhaler medication, as directed by the prescription protocol, regardless of whether the individual who is believed to be experiencing respiratory distress has a prescription for an inhaler and spacer or holding chamber or has been previously diagnosed with a condition requiring an inhaler.
3. Restrict the student's physical activity, encourage slow breaths, and allow the student to rest.
4. Ensure that trained District staff stays with the student who has been administered inhaler medication until it is determined whether the medication successfully alleviated symptoms.
5. If applicable, instruct office staff to notify the school nurse if the inhaler was administered by a trained but non-licensed person.
6. Call 911 if severe respiratory distress continues. Advise that inhaler medication was administered and stay with the student until emergency medical responders arrive.
7. If the student shows improvement, keep under supervision until breathing returns to normal, with no more chest tightness or shortness of breath, and the student can walk and talk easily.
8. Allow the student to return to class if breathing has returned to normal and all symptoms have resolved.
9. Notify the parent/legal guardian once the inhaler has been administered and the student has returned to class.
10. If respiratory stress continues, re-administer the inhaler in accordance with the medical prescription order while waiting for emergency responders.
11. Document the incident detailing:
 - a. who administered the inhaler,
 - b. the approximate time of the incident, and
 - c. notifications made to the school administration, emergency responders, and parent/legal guardian.
12. Retain the incident data on file at the District pursuant to the District's general records retention schedule established by the Arizona State Library, Archives and Public Records; and
13. Order replacement inhalers, spacers, and holding chambers as needed.

C. Diabetes Management

The following procedures are established for students who have been diagnosed with diabetes by a health care provider to manage their diabetes in the classroom, on school grounds, and at school-sponsored activities as authorized by the health care provider.

1. The District shall require the parent/legal guardian to annually submit a diabetes medical management plan to the student's school authorizing the student to carry appropriate medications and monitoring equipment. If applicable, the plan will acknowledge the student is capable of self-administration of those medications and equipment. The diabetes medical management plan provided by the parent/legal guardian shall be signed by a health care provider and shall state that the student is capable of self-monitoring blood glucose and shall list the medications, monitoring equipment, and nutritional needs that are medically appropriate for the student to self-administer and that have been prescribed or authorized for that student.
2. The parent/legal guardian shall provide all medication, equipment, and supplies prescribed in the student's diabetes medical management plan for use at school.
3. The District shall require that the diabetes medical management plan shall specify a method to dispose of equipment and medication in a manner agreed upon by the parent/legal guardian and the school.
4. The District shall require that the student be capable of practicing proper safety precautions for the handling and disposal of the equipment and medication authorized for use in the student's diabetes medical management plan.
5. The District may withdraw a student's authorization to self-monitor blood glucose and self-administer diabetes medication if the student fails to practice proper safety precautions as set forth in the diabetes medical management plan.
6. The District may designate two or more staff to serve as voluntary diabetes care assistants, subject to approval by the student's parent/legal guardian. Voluntary diabetes care assistants may administer insulin, assist the student with self-administration of insulin, and administer glucagon in an emergency situation as described in [A.R.S. § 15-344.01](#).
7. The District may choose to stock one or more doses of glucagon pursuant to a standing order for administration to a student in an emergency as permitted by [A.R.S. § 15-344.01](#) (E).

D. Naloxone

The District has adopted the following procedures for the administration of naloxone.

1. District staff may administer an opioid antagonist that is prescribed or dispensed pursuant to [A.R.S. §§ 32-1979](#) or [36-2266](#) in accordance with the protocol specified by the health care provider to a person who shows symptoms of or is experiencing an opioid-related overdose.
2. The District shall summon emergency services as soon as practicable, either before or after administering the opioid antagonist.
3. The District nurse, health assistant, or other trained staff shall:
 1. Document the time and dose(s) given to the student.
 2. Advise the District lead health professional and the prescribing agency/provider of the incident.
 3. Repeat the dose pursuant to the standing order if symptoms persist, and emergency responders have not arrived.

4. Provide the emergency responders with the time and number of doses administered.
5. Ensure that the parent/legal guardian or emergency contact have been notified.
6. Complete written documentation of the incident, which shall include the following:
 1. name and position of District staff who administered the naloxone;
 2. the rationale for administering naloxone;
 3. the approximate time of administration; and
 4. notifications made to school administration, emergency responders, the student's parent/legal guardian, and the prescribing agency/provider.

E. Over the Counter Medication

The District has established the following procedures for situations in which a student needs to receive a medicine that does not require a prescription order but is sold, offered, promoted, and advertised to the general public.

The parent/legal guardian will provide an order from a United States licensed physician, nurse practitioner, physician's assistant, or dentist including the student's diagnosis, medication name, strength, route, dosage for school, and frequency or time of administration of the over-the-counter medication.

1. Staff Administration

- a. Written permission must be provided by the parent/legal guardian for the administration of specific over-the-counter drugs.
- b. Any over-the-counter drug or medicine sent by the parent/legal guardian to be administered to a student must come to the school office in the original manufacturer's packaging with all directions, dosages, compound contents, and proportions clearly marked.
- c. An administrator may designate a school employee to administer a specific over-the-counter drug.
- d. Each instance of administration of an over-the-counter drug must be documented in the daily log.
- e. Over-the-counter drugs must be kept in their original containers in a locked medicine cabinet.

2. Self-Administration

- a. Written permission must be provided by the parent/legal guardian for the administration of specific over-the-counter drugs by the student.
- b. Over-the-counter drugs or medicine sent by the parent/legal guardian to be administered by the student must be kept by the student in the original manufacturer's packaging, with all directions, dosages, compound contents, and proportions clearly marked.
- c. Necessity for self-administration of an over-the-counter drug or medicine shall be determined by the student's physician and must be verified by a signed physician's statement attached to the parent/legal guardian permission form, indicating the specific drug or medicine.

Pursuant to a standing order issued by the medical officer of a county health department, a United States licensed physician, licensed nurse practitioner, licensed physician assistant or dentist, the District nurse, health assistant, or trained staff may administer certain over-the-counter medications according to the current provider standing order.

1. Written permission must be provided by the parent/legal guardian for the administration of acetaminophen, ibuprofen, and calcium carbonate in accordance with the District's standing medical prescription orders.
2. With parent/legal guardian permission, based on professional nursing assessment and judgment, acetaminophen, ibuprofen, and calcium carbonate may be administered to a student in accordance with the District's standing medication order(s).
3. The school will not supply over-the-counter medications for frequent or daily use.

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5-400 Student Health, Safety and Welfare

© 5-405 Drug and Alcohol Prevention Instruction

Definitions

"Dangerous drug" means drugs listed in [A.R.S. § 13-3401](#) by whatever official, common, usual, chemical, or trade name designated.

"Date rape drug" means a drug prescribed in [A.R.S. § 13-3401](#)(30)(f)-(m).

"Marijuana" means all parts of any plant of the genus cannabis, from which the resin has not been extracted, whether growing, or not, and the seeds of such plant.

"Narcotic drug," "marijuana," and "dangerous drug" have the same meaning prescribed in [A.R.S. § 13-3401](#).

Instruction

The Governing Board has adopted this policy on chemical abuse prevention in consultation with students, District staff, and members of the community, including parents/legal guardians, and local law enforcement agencies.

The District may provide instruction on the nature, and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs on the human system, and the laws related to the control of these substances. If provided, this instruction shall be included in the courses of study in common, and high schools, with emphasis on grades four (4) through nine (9).

The District may provide instruction on the nature, and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs on a human fetus. If provided, this instruction shall be included in the courses of study in grades six (6) through twelve (12).

Chemical abuse prevention instruction will be integrated into existing health, science, citizenship, or similar studies. The District may request technical assistance from the Arizona Department of Education to implement programs to prevent chemical abuse.

Chemical abuse prevention education programs shall be developed in consultation with, and meet criteria set by an interagency committee formed between the department of education, and the department of health services pursuant to [A.R.S. § 15-712](#). The District may accept monies appropriated for chemical abuse prevention programs from the State Board of Education to assist with the costs of programs designed to prevent chemical abuse by students in kindergarten programs, and grades one through twelve. Districts with chemical abuse prevention policies and procedures as prescribed in [A.R.S. § 15-345](#) are eligible for a maximum of one dollar for each student, or one

thousand dollars, whichever is more. If sufficient monies are not available to meet all requests, districts will receive funding based on need, availability of other programs, or sources of revenue, and the likelihood of the district's proposed program successfully meeting needs identified by the District.

The District shall include the monies it receives for chemical abuse prevention programs under this section in the special projects section of the budget as provided in section [A.R.S. § 15-903\(F\)](#).

Adopted:

Legal Authority:

[A.R.S. § 15-345](#)

[A.R.S. § 15-712](#)

[A.R.S. § 13-3401](#)

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5-400 Student Health, Safety and Welfare

© 5-406 Restraint and Seclusion

Definitions

"Restraint" means any method or device that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

1. methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed;
2. the temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to a safe location;
3. the brief holding of a student by one adult for the purpose of calming or comforting the student; or
4. physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

"School" means the District or any school within the District.

"Seclusion" means the involuntary confinement of a student alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or individualized education program that involves the student's separation from a larger group for purposes of calming.

Use of Restraint and Seclusion

Restraint and seclusion are not authorized to be used for disciplinary purposes.

Restraint or seclusion techniques may be used on a student only if both of the following apply:

1. the student's behavior presents an imminent danger of bodily harm to the student or others; and
2. less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

If a restraint or seclusion technique is used on a student:

1. School personnel shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.

2. The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger to the student or others.
3. The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques, unless an emergency situation does not allow sufficient time to summon trained personnel.
4. The restraint technique employed may not impede the student's ability to breathe.
5. The restraint technique may not be out of proportion to the student's age or physical condition.

Restraint or seclusion techniques may be included in the school's safety or crisis intervention plan if the plan is not specific to any individual student.

Required Documentation Following Use of Restraint or Seclusion

The following reporting and documentation procedures are to be followed when a restraint or seclusion technique has been used on a student:

1. School personnel shall provide the student's parent/legal guardian with written or oral notice on the same day that the incident occurred unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four hours after the incident.
2. Within a reasonable time following the incident, school personnel shall provide the student's parent/legal guardian with written documentation that includes information about any persons, locations or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use.
3. School personnel shall review strategies used to address a student's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the student during a school year. The review shall include a review of the incidents in which restraint or seclusion technique were used and an analysis of how future incidents may be avoided, including whether the student requires a functional behavioral assessment.

Law Enforcement

If school personnel summon law enforcement instead of using a restraint or seclusion technique on a student, the school shall follow the "required documentation" requirements listed above.

Notwithstanding this Policy, school resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by the law enforcement agency.

Adopted:

Legal Authority:

[A.R.S. § 15-105](#)

[A.R.S. § 15-843](#)

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5-400 Student Health, Safety and Welfare

© 5-407 Discrimination Complaints

Students may file complaints alleging unlawful discrimination or harassment based upon a protected class category pursuant to the following Governing Board policies:

Policy 1-201: Equal Educational Opportunity and Non-Discrimination (Students)

Policy 1-203: Equal Opportunity - Prohibited Sex Discrimination (Title IX)

Adopted:

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5-400 Student Health, Safety and Welfare

© 5-408 Hazing Prevention

Hazing is prohibited. Solicitation to engage in hazing is prohibited. Aiding and abetting another person who is engaged in hazing is prohibited.

A person commits hazing by:

Intentionally, knowingly, or recklessly, for the purpose of pre-initiation activities, pledging, initiating, holding office, admitting, or affiliating a student into or with an organization or for the purpose of continuing, reinstating, or enhancing a student's membership or status in an organization, causing, coercing, or forcing a student to engage in or endure any of the following:

1. sexual humiliation or brutality, including forced nudity or an act of sexual penetration, or both;
2. conduct or conditions, including physical or psychological tactics, that are reasonably calculated to cause severe mental distress to the student, including activities that are reasonably calculated to cause the student to harm themselves or others;
3. the consumption of any food, nonalcoholic liquid, alcoholic liquid, drug, or other substance that poses a substantial risk of death, physical injury, or emotional harm;
4. an act of restraint or confinement in a small space or significant sleep deprivation;
5. conduct or conditions that violate a federal or state criminal law and that pose a substantial risk of death or physical injury; or
6. physical brutality or any other conduct or conditions that pose a substantial risk of death or physical injury, including whipping, beating, paddling, branding, electric shocking, placing harmful substances on the body, excessive exercise or calisthenics, or unhealthy exposure to the elements.

Arizona law specifically prohibits the following:

- a. with the intent to promote or aid the commission of hazing, agreeing with one or more persons that at least one of them or another person will engage in hazing and one of the parties commits an overt act in furtherance of hazing;
- b. intentionally or knowingly engaging in conduct that would constitute hazing if the attendant circumstances were as the person believes them to be;
- c. intentionally or knowingly doing anything that, under the circumstances as the person believes them to be, is any step in a course of conduct planned to culminate in committing hazing; and

- d. intentionally or knowingly engaging in conduct that is intended to aid another to commit hazing, although the hazing is not committed or attempted by the other person.

This Policy shall not be construed to apply to customary athletic events, contests, or competitions that are sponsored by the school or to any activity or conduct that furthers the goals of a legitimate educational curriculum, legitimate extracurricular program, or legitimate military training program.

Victim consent to or acquiescence in hazing is not a defense to a violation of this Policy.

All students, teachers, and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this Policy.

Complaints of hazing and violations of this Policy shall be reported to the principal or assistant principal of the school that sponsors the organization or where any student allegedly involved is enrolled. The principal, assistant principal, or designee shall promptly investigate all complaints of hazing and violations of this Policy. Violations of this Policy shall be reported to the appropriate law enforcement agency whenever a crime is reasonably suspected to have occurred.

Students who violate this Policy are subject to disciplinary action, including suspension and expulsion. Any teacher or staff member who knowingly allows, authorizes, or condones a violation of this Policy is subject to disciplinary action, including suspension without pay and termination of employment. Any organization that knowingly allows, authorizes, or condones a violation of this Policy may have its permission to conduct operations at the school suspended or revoked. All persons and organizations alleged to have violated this Policy are entitled to appropriate due process, including the right to appeal the discipline or sanction to the next administrative level.

This Policy shall be posted in each school building and printed in every student handbook for distribution to parents/legal guardians and students.

Adopted:

Legal Authority:

[A.R.S. § 13-1215](#)

[A.R.S. § 13-1216](#)

[A.R.S. § 15-2301](#)

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5-400 Student Health, Safety and Welfare

© 5-409 Prohibition on Harassment, Intimidation, and Bullying

Harassment, intimidation, and bullying are prohibited on school grounds and property, on school buses, at school bus stops, at school-sponsored events and activities, and through the use of electronic technology and electronic communication on school computers, networks, forums, and mailing lists.

Harassment means any unwelcome conduct by one student toward another student on the basis of race, color, national origin, religion, sex, or disability and that is sufficiently severe, pervasive, and objectively offensive so as to effectively deny a person equal access to the District's education program or activity.

Intimidation means any behavior by one student toward another student intended to induce fear of physical or emotional harm.

Bullying means any aggressive behavior by one student toward another student that involves an observed or perceived power imbalance and is repeated multiple times. Bullying may inflict physical, psychological, social, or educational harm or distress on a targeted student. It is not bullying when:

- Students of similar age, strength, and size quarrel or fight with each other.
- A student provokes another into a verbal or physical confrontation.
- A student acts aggressively toward another student in the absence of an imbalance of power.

At the beginning of each school year, school officials are to provide all students with a written copy of the rights, protections, and support services available to victims of harassment, intimidation, or bullying.

All schools shall make a written form available for the reporting of incidents of harassment, intimidation, or bullying. Students and parents/legal guardians may make a confidential report to the appropriate school official. District employees are to report suspected incidents of harassment, intimidation, or bullying to the appropriate school official in writing. District employees who fail to do so are subject to disciplinary action, including suspension without pay and termination of employment.

All reported incidents of harassment, intimidation, or bullying are to be documented and the documentation maintained for at least six years. The documentation shall not be used to impose disciplinary action unless an appropriate school official determines that the alleged harassment, intimidation, or bullying occurred. The documentation shall be maintained confidential to the extent possible, and if provided to persons other than school officials or law enforcement, all individually identifiable information shall be redacted.

If an incident of harassment, intimidation, or bullying is reported, school officials will provide an alleged victim with a written copy of the rights, protections, and support services available.

An appropriate school official shall investigate reported and suspected incidents of harassment, intimidation, or bullying and shall notify the alleged victim and alleged victim's parents/guardians of the investigation.

Students who have admitted to or been found to have engaged in harassment, intimidation, or bullying are subject to disciplinary action, including suspension and expulsion. Any student determined to have submitted a false report of harassment, intimidation, or bullying is also subject to disciplinary action, including suspension and expulsion.

Any student physically harmed as the result of harassment, intimidation, or bullying may be referred for emergency medical services, if appropriate. Violations of this Policy shall be reported to the appropriate law enforcement agency whenever a crime is reasonably suspected to have occurred.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

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5-400 Student Health, Safety and Welfare

© 5-410 Interscholastic Athletics

Definitions

"AIA" means the Arizona Interscholastic Association.

"Interscholastic athletic activity" means an interscholastic extracurricular activity consisting of a sport or other athletic competition, including all practice sessions, games and other activities for interscholastic athletics.

"Interscholastic athletics" does not include dance, rhythmic gymnastics, competitions or exhibitions of academic skills or knowledge or other forms of physical noncontact activities, civic activities, or academic activities.

Interscholastic Athletic Activities

All interscholastic athletic activities require Board approval.

No student may participate in an interscholastic athletic activity unless the District has first obtained and placed on file a consent form signed by the student and the student's parent/legal guardian which indicates that the both the student and the student's parent/legal guardian have received information regarding: the provision of water; concussions and head injuries; heat-related illnesses; sudden cardiac death and prescription opioid use. Written consent shall be required each school year for each interscholastic athletic activity in which the student participates. The Superintendent shall develop procedures to provide the required education and obtain the required consent forms.

Water

Student athletes shall have access to drinking water at all times.

Concussion & Head Injury

The District shall develop guidelines and materials to inform and educate coaches, student athletes, and parents/legal guardians of the dangers of concussions and head injuries and the risks of continued participation in athletics after a concussion.

Before a student athlete may participate in an athletic activity, the student athlete and his/her parent/legal guardian must sign an information form at least once each school year acknowledging their awareness of the nature and risk of concussion.

A student athlete suspected of sustaining a concussion shall be immediately removed from athletic activity with notice to the student athlete's parent/legal guardian. Any of the

following may remove a student athlete from athletic activity for a suspected concussion: coach, official/referee, health care provider, or the student athlete's parent/legal guardian. Once removed from athletic activity, the student athlete may only return to play once a health care provider trained in the evaluation and management of concussions and head injuries has evaluated the student athlete and provided written clearance.

A health care provider means a duly licensed physician, athletic trainer, nurse practitioner, or physician assistant.

Heat-Related Illnesses, Sudden Cardiac Death, and Prescription Opioid Use

The District shall develop guidelines and materials to inform and educate coaches, student athletes, and parents/legal guardians of the dangers of heat-related illnesses, sudden cardiac death, and prescription opioid use.

Before a student athlete may participate in an athletic activity, the student athlete and his/her parent/legal guardian must be provided with information at least once each school year on the risks of heat-related illnesses, sudden cardiac death, and prescription opioid addiction.

Automated External Defibrillators

Beginning on August 1, 2026, if the District provides instruction to students in grades 9-12 and sponsors an athletic team or sports program, the District shall provide an automated external defibrillator (AED) on each school campus and at each school sponsored athletic event, including all practices, trainings and competitions. The District shall maintain and display the AED as required by A.R.S. §15-120.07.

Interscholastic Athletic Activities

District personnel shall follow the following AIA policies, which are incorporated into these Procedures:

1. 43.3 - Concussion Education
2. 43.4 - Concussion Policy
3. 43.5 - Heat Acclimatization & Exertional Heat Illness Management Policy

The incorporated AIA policies shall apply to all athletic activities directly sponsored by the District, but shall not apply to dance, rhythmic gymnastics, competitions or exhibitions of academic skills or knowledge or other similar forms of physical noncontact activities, civic activities or academic activities, whether engaged in for the purposes of competition or recreation.

Outside Groups/Organizations

An Arizona-based group or organization that uses District property or facilities for athletic activities shall comply with the above requirements.

Permission Forms and Education

The athletic director shall ensure that there is written consent from a parent/legal guardian on file for each student participating in an interscholastic athletic activity and that all students participating in an interscholastic athletic activity and their parents have received educational materials related to the provision of water, concussions and head injuries, heat-related illnesses, sudden cardiac death and prescription opioid use, which information shall consist of materials developed by the AIA and any additional materials relevant to the interscholastic athletic activity as determined by the faculty sponsor, principal, or athletic director.

Designation of Teams by Sex

All athletic events shall be designated as one of the following: (1) "boys", (2) "girls", or (3) "mixed". Teams and events for girls shall be reserved for students whose biological sex as determined at birth is female as required by [A.R.S. § 15-120.02](#).

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

[A.R.S. § 15-120.02](#)

A.R.S. §15-120.07

[Ariz. Admin. Code R7-2-808](#)

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5-400 Student Health, Safety and Welfare

© 5-411 School-Based Referrals for Behavioral Health Services

The Governing Board authorizes school-based referrals of eligible students for behavioral health services to a contracted behavioral health services provider either pursuant to the children's behavioral health services fund established pursuant to [A.R.S. § 36-3436](#) or through the Arizona Health Care Cost Containment System (AHCCCS).

The Board authorizes the Superintendent to develop procedures that address the following:

- A process to allow parent/legal guardian to annually opt into school-based referrals.
- A process to conduct a survey of parent/legal guardian whose children were referred to and received behavioral health services.

The District shall post this Policy and related Procedure on each applicable school website, to include a list of behavioral health services providers with whom the District contracts.

At the end of each school year, the District shall report the results of its school survey to AHCCCS administration.

Adopted:

Legal Authority:

[A.R.S. § 36-2272](#)

[A.R.S. § 36-3436.1](#)

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School-Based Referrals for Behavioral Health Services

© 5-411.A Procedure - School-Based Referrals for Behavioral Health Services – Opt-In Process and Parent Surveys

Annual Opt-In Process

Parents of children who meet the legal requirements to participate in the District's school-based referrals program shall have the opportunity to opt into the program.

At the beginning of each school year, the District shall provide parent/legal guardian with written notice that the District has a school-based referral program for eligible children to access behavioral health services. The notice shall:

- include information about the eligibility requirements;
- include a list of the behavioral health services providers with whom the school contracts or refer the parent/legal guardian to the school's website for that information;
- inform parent/legal guardian that consent to participate in the program must be obtained annually;
- provide parent/legal guardian with the opportunity to provide informed consent to opt into the program;
- inform parent/legal guardian that parent/legal guardian may revoke their consent at any time but revocations shall be prospective only; and
- inform parent/legal guardian that parent/legal guardian will be asked to participate in a survey regarding the school-based referral program at the end of the school year.

Parents/legal guardians who are interested in opting into the program shall provide informed written consent on a form provided by the District. The form may be completed online or in a paper format submitted via email or in-person.

Annual Parent/Legal Guardian Survey Results

At the end of each school year, the District will ensure that a survey of parents/legal guardians whose children were referred to and received behavioral health services is conducted. The District may conduct the survey or may rely on the contracted behavioral health services providers to do so.

The surveys may be completed online. The survey will include the following:

- whether the parent/legal guardian opted into the program;
- whether the parent/legal guardian was notified before the referral took place;
- whether the behavioral health services referral was appropriate to meet the student's needs;

- whether the parent/legal guardian was satisfied with the choice of behavioral health providers; and
- whether the parent/legal guardian intends to opt into the program again the following school year (if the student will continue to be enrolled in the District).

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