

## JK © STUDENT DISCIPLINE

The Superintendent shall recommend policies and develop procedures for the discipline of students that comply with A.R.S. [15-843](#). These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity, or in any other situation in which the District may lawfully exercise its authority to discipline a student. When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

The discipline, suspension and expulsion of ~~students shall~~ [pupils shall](#) not be based on race, color, religion, sex, [disability](#), national origin, ancestry or any other unlawful reason. A substantial or deliberate failure to comply with the prohibition against race, color, religion, sex, disability, ~~national origin or ancestry~~ [national origin, ancestry or any other unlawful reason](#) may subject the District to the loss of funds imposed by A.R.S. [15-843](#).

[Unless required by A.R.S. 15-841\(G\), bringing a firearm to school, which may be modified on a case-by-case basis, a school district or charter school may out-of-school suspend or expel a pupil who is enrolled in kindergarten through fourth grade \(K-4\) only if all of the following apply:](#)

[A. The pupil is seven \(7\) years of age or older.](#)

[B. The pupil engaged in conduct on school grounds that meets one \(1\) of the following criteria:](#)

[1. Involves the possession of a dangerous weapon without authorization from the school.](#)

[2. 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. \[13-3411\]\(#\).](#)

[3. Immediately endangers the health or safety of others.](#)

[4. The pupil's behavior is determined by the School District Governing Board or Charter School Governing Body to qualify as aggravating circumstances and that all of the following apply:](#)

[a. The pupil is engaged in persistent behavior that has been documented by the school and that prevents other pupils from learning or prevents the teacher from maintaining control of the classroom environment.](#)

b. The pupil'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 Charter School or through a state sponsored program.

c. The pupil's parent or guardian was notified and consulted about the ongoing behavior.

d. Before a long-term suspension or expulsion, the school provides the pupil with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

C. Failing to remove the pupil from the school building would create a safety threat that cannot otherwise reasonably be addressed or qualifies as "aggravating circumstances."

D. Before suspending or expelling the pupil, the School District or Charter School considers and, if feasible while maintaining the health and safety of others, in consultation with the pupil's parent or guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the School District or Charter School, that are appropriate to the circumstances and that are considerate of health and safety. The School District or Charter School shall document the alternative behavioral and disciplinary interventions it considers and employs.

E. The School District or Charter School, by policy, provides for both:

1. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who have served at least five (5) school days of a suspension from the school that exceeds ten (10) school days to be considered for readmission on appeal of the pupil's parent or guardian.

2. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who are expelled from or subject to alternative reassignment at the school to be considered for readmission on appeal of the pupil's parent or guardian at least twenty (20) school days after the effective date of the expulsion or alternative reassignment.

"Aggravating circumstances" means the pupil is engaged in persistent behavior that:

A. Has been documented by the school.

B. Prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.

C. Is unresponsive to targeted interventions as documented through an established intervention process.

The principal of each school shall ensure that a copy of all rules pertaining to discipline, suspension, and expulsion of ~~students-pupils~~ are distributed to ~~each student's parents at the parents of each pupil at~~ the time the ~~student enrolls-pupil~~ is enrolled in school.

The principal of each school shall ensure that all rules pertaining to the discipline, suspension, and expulsion of pupils are communicated to students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

Information concerning a student's disciplinary record will be held in the strictest confidence.

Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.

### **Temporary Removal**

Teachers are authorized to temporarily remove a student from a class. A teacher may temporarily remove a student to the principal, or to a person designated by the school administrator, in accord with:

A. Rules established for the referral of students.

B. The conditions of A.R.S. [15-841](#), when applicable.

The Superintendent shall establish such rules as are necessary to implement the temporary removal procedure.

### **Confinement**

~~Under~~ If confinement is authorized by the Governing Board, in accordance with A.R.S. [15-843](#), the Superintendent shall ensure that disciplinary policies involving the confinement of ~~students-pupils~~ left alone in an enclosed space shall include the following:

A. A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the ~~student~~ pupil's enrollment packet or admission form.

B. A process for written parental consent before confinement is allowed for any ~~student in~~-pupil in the School District. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the ~~student~~-pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the ~~student~~ pupil's parent or guardian in writing by the end of the same day that confinement was used.

Schools are not prohibited from adopting policies, which include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others and defense of property (A.R.S. [15-843](#), subsection b, paragraph 3.)

### **Threatened an Educational Institution**

*Threatened an educational institution* means to interfere with or disrupt an educational institution as found in A.R.S. [15-841](#) and [13-2911](#). A student who is determined to have threatened an educational institution shall be expelled from school for at least one (1) year except that the District may modify this expulsion requirement for a ~~student~~-pupil on a case-by-case basis and may reassign a ~~student~~-pupil subject to expulsion to an alternative education program if the ~~student~~-pupil participates in mediation, community service, restitution or other programs in which the ~~student takes~~-pupil takes responsibility for the results of the threat. The District may require the student's parent(s) to participate in mediation, community service, restitution or other programs with the student as a condition to the reassignment of the ~~student~~-pupil to an alternative education program.

### **~~Behavior Management and~~**

### **~~Discipline of Students with~~**

### **~~Special Needs/Disabilities~~**

~~The Superintendent shall oversee a collaborative process for the identification, description, and monitoring of best practices for behavior management and discipline of students with special needs/ students disabilities. The practices shall include, but not be~~

### **Regulating Off-Campus**

#### **Speech**

While the District may regulate certain types of off-campus student speech, it must be mindful of student rights of expression under the First Amendment.

Circumstances that may implicate the District's off-campus regulatory interests include, but are not limited to:

~~A. authorized and prohibited disciplinary methods,~~ Serious or severe bullying or harassment targeting particular individuals.

~~B. recommended and required training for special education program teachers and aides, and~~

~~C. requirements for conveying notice of disciplinary measures taken.~~

~~Adopted: May 1, 2018~~

Threats aimed at teachers or other students.

C. The failure to follow rules concerning:

1. Lessons.
2. The writing of papers.
3. The use of computers.
4. Participation in other online school activities.

D. Breaches of school security devices.

The District may take affirmative steps to work with the student, short of discipline, to engage in future respectful and accountable digital citizenship.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.-

~~13-403~~ *et seq.*

13-2911

13-3401

13-3411

15-105

15-341

15-342

15-841

15-842

15-843

15-844

CROSS REF.:

[GBEB](#) - Staff Conduct

[JIC](#) - Student Conduct

[JKA](#) - Corporal Punishment

[JKD](#) - Student Suspension

[JKE](#) - Expulsion of Students

[JLDB](#) - Restraint and Seclusion