

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](#)

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 may be given by any of the following methods:

- A. email;
- B. written notification to the parents/legal guardians of affected students provided by means of:
 - A. weekly school lunch menus;
 - B. special communications;
 - C. newsletters; or
 - D. any similar means reasonably calculated to provide sufficient notice.
- C. posting of notice at the school and in places permitting notice posting in the area of student attendance affected; and/or
- D. 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.

© 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
- 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. § 15-703](#)

[A.R.S. § 15-745](#)

[A.R.S. § 15-766](#)

[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. § 15-901.02](#)

[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](#)

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 or 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.

5-102.B Procedure - Enrollment Requirements – Entrance Age Requirements

A. Admission to Special Needs Preschool

A child who has reached the third (3rd) birthday, and who has been evaluated and recommended for special services for a disability in accord with statute, may be admitted to preschool. If otherwise eligible, the District may admit a child who is within ninety (90) days of reaching age three (3) years if it is determined to be in the best interest of the individual. The Superintendent shall develop procedures to determine if such an admission is in the best interests of a child. The Superintendent shall make such determination based upon one (1) or more consultations with parent(s), guardian(s), the child, and the multidisciplinary placement team.

B. Admission to Kindergarten

The District shall provide an academically meaningful half-day kindergarten program in each District school where the half-day student enrollment is sufficient to fill a class with approximately the same number of students as the District-wide kindergarten classroom average. The half-day kindergarten program may be augmented to a full-day through the permissible use of available federal funding or tuition. If a full-day kindergarten is provided at the school of enrollment, the parent of a student eligible for full-day kindergarten shall be offered the opportunity to choose either a half-day or a full-day kindergarten program.

Children who will be five (5) years of age prior to September 1 of the current school year will be admitted to kindergarten.

The District may admit children who have not reached the required age by September 1, if it is determined to be in the best interests of the children and such children will reach the age of five (5) years of age by January 1 of the current school year. The Superintendent shall develop procedures to determine if such an admission is in the best interests of a child. Such procedures shall include at least one (1) or more consultations with the parent(s) or guardian(s), the child, the kindergarten teacher, the school principal, and/or the child's preschool representative (if applicable). The final decision for early entrance to kindergarten will be made by the principal of the school.

If a child who has not reached age five (5) prior to September 1 is admitted for early enrollment in kindergarten pursuant to this policy, and the child is subsequently retained in kindergarten for the following year, the District will not be eligible to receive basic state aid for the child's second year of kindergarten, or will only be eligible to receive a portion of basic state aid if the child did not remain enrolled for the entirety of the first year in kindergarten. Consequently, in accordance with A.R.S. 15-821, the District may charge tuition for the second year of kindergarten enrollment in such a circumstance.

C. Admission to First Grade

Children who will be six (6) years of age prior to September 1 of the current school year will be admitted to first grade.

The District may admit children who have not reached the required age by January 1, if it is determined to be in the best interest of the children, and such children will reach the age of six (6) by January 1 of the current school year.

Such procedures shall include at least one (1) or more consultations with the parent(s) or guardian(s), the child, the teacher, the school principal, and/or the child's preschool representative (if applicable). The final decision for early entrance to first grade will be made by the principal of the school.

D. Kindergarten and First Grade Requirements and Exceptions

In accord with state statutes, District policy specifies the eligible ages for entry into kindergarten (age five [5]) and entry into first grade (age six [6]). The District is authorized by state statutes to admit children who have not reached the eligible ages by September 1 of the current school year if it is determined to be in the best interest of the children. For this purpose, only the following exceptions will be made:

- A. A child who has successfully completed the District's prescribed kindergarten program shall be eligible for first grade.
- B. A child moving into the District after the opening date of the current school year, and who has attended school elsewhere but has not yet reached the age as prescribed, will be permitted to enroll in that grade level if the child has been enrolled during the current school year for ninety (90) days or more in a previous school under a state-licensed program and taught by a teacher certificated by the department of education of the state of residence. (Note: A child in first grade may be able to qualify for early entry to first grade as stipulated below).
- C. A child moving into the District who has satisfactorily completed the kindergarten program elsewhere, but who has not reached the age for entry into first grade as prescribed will be admitted provided the kindergarten program was licensed by the state of residence and taught by a teacher certificated in that state by its department of education.
- D. A child who will reach six (6) years of age between September 1 and December 31 of the current calendar year may be admitted to first grade without attending kindergarten, provided the following procedure is completed and it is then determined to be in the best interest of the child:
 - 1. Prior to admission, application for early admission must be made no later than four (4) weeks before the end of the preceding school year or four (4) weeks after the beginning of the current school year. The parent(s) or guardian(s) shall submit to the principal of the school in their attendance area a written request for early admission of their child into first grade. (This requirement may be waived under certain conditions - see above.)

2. The principal shall meet with the parent(s) or guardian(s) and the child to assess their reasons for the request and to verify the child's age. The parent(s) or guardian(s) shall present the child's birth certificate at that time.
3. The principal will make a written record of the reasons stated, will make a copy of the birth certificate, and will request that parent(s) obtain a written assessment from the child's kindergarten teacher if the child attended a public or private school kindergarten program.
4. The principal will arrange for an observation period in which the child will spend at least one (1) week in a kindergarten class (in the spring) or a first grade class (in the fall) for the purpose of allowing the teacher to observe maturity and socialization skills. The teacher will document the child's actions in the classroom.
5. During or immediately after observation period, the principal designee will administer the kindergarten exit assessment and a readiness test to child.
6. All data collected will be reviewed by the principal, test administrator, and a kindergarten or first grade teacher from that school, who will make a recommendation regarding placement.
7. If the parent or guardian disagrees with the decision regarding placement, an appeal may be made to a District review board consisting of the Superintendent or the Superintendent's designee and two (2) elementary principals appointed by the Superintendent. This review board will meet with the parent or guardian, the child, and the principal to review the data submitted and to make final recommendations.

E. Admission to High School

A high school graduate with a recognized diploma may be refused admission.

Students between the ages of sixteen (16) and twenty-one (21) years shall be admitted to high school. A student under sixteen (16) years of age who does not hold an eighth-grade certificate of promotion may be admitted to high school if the student meets competency requirements in the adopted standards for promotion of students from the eighth (8th) grade as determined by the State Board of Education in the areas of reading, writing, mathematics, science, and social studies.

Upon request for admission to high school, a student who has not obtained an eighth-grade certificate of promotion and is under sixteen (16) years of age must show competency in the standards of reading, writing, mathematics, science, and social studies as adopted by the State Board of Education and as determined by a District assessment instrument. The assessment instrument will be based upon the standards adopted by the State Board of Education. The instrument will be prepared or selected by, and the result will be verified by, a certificated person chosen by the Superintendent.

F. Residency Verification

In accordance with guidelines and forms adopted by the Arizona Department of Education, the District shall require and maintain verifiable documentation of residency in the State of Arizona for students who enroll in the District.

5-102.C Procedure - Enrollment Requirements – Student Admissions

A. Required Documentation

The person enrolling a student (except homeless students) in the school for the first time will be asked to produce one (1) of the following proofs:

1. A certified copy of the child's birth certificate.
2. Other reliable proof of the student's identity and age, including the student's baptismal certificate, an application for a Social Security number, or original school registration records, and an affidavit explaining the inability to provide a copy of the birth certificate.
3. A letter from the authorized representative of an agency having custody of the student (pursuant to statute) certifying that the student has been placed in the custody of the agency as prescribed by law.

A valid/current dependent military identification card will be accepted as proof of identity and age in order to enroll a student into school; however, a certified copy of the child's birth certificate or other document complying with A.R.S.15-828 is required to be made a part of the student's cumulative educational record.

The parent, guardian, or surrogate will be given thirty (30) days to provide documentation requested as listed above. If documentation is not provided, a letter will be sent to notify the parent, guardian, or surrogate that unless the documentation is provided within ten (10) days, the local law enforcement agency will be notified.

Nothing contained in this policy shall authorize the school to disclose to any person a student's educational record without prior parental consent unless the school makes a determination that disclosure of such records is necessary to protect the health and safety of the student.

B. Proof of Residency

Each school shall require proof of residency from the parent/guardian of any student enrolling at a school for the first time. As long as the student is enrolled in that school, without a break in enrollment, it is not necessary to require proof of residency again.

When a student goes from elementary to middle school and from middle school to high school, the receiving school shall again verify residency.

The school shall accept any one (1) of the following as proof of residency, as long as the document is current and valid, it contains the name of the parent/guardian and the residence address:

1. state, tribal or federal agency-issued identification (Arizona driver's license or identification card, Tribal enrollment certificate, United States passport, Social Security or Veterans' Administration, etc.);

2. home ownership documents (mortgage papers, mortgage payment book, property deed or tax bill, contract to purchase or build a home);
3. home rental documents (lease agreement, lease payment receipt, rent receipt, rental agreement);
4. utility bill (electric, gas, water, telephone or cable);
5. Arizona motor vehicle registration;
6. bank or credit card statement;
7. payroll stub or W-2 wage statement; and/or
8. if the parent/legal guardian is living with/staying with/renting from a friend/relative/acquaintance, a notarized statement from that person stating that the parent/legal guardian is sharing the domicile.

C. Name of Student

For purposes of future verification and identification, the legal name of a student, as verified by a birth document of some type, shall be the primary name used on all permanent-type school records.

Parents or legal guardians may desire to have their children called by other than their legal surnames. This is permissible but shall be done only at the request of the legal guardian. A secondary name or "preferred name" may be included on any permanent type records but shall be identified as such by using the term AKA (also known as) in front of the name.

Example: Williams, Rebecca G. (AKA: Becky Lewis).

D. Certificate of Educational Convenience Applications

A pupil who is precluded by distance, lack of adequate transportation facilities or a parent's or guardian's employment from attending a school in the School District or county of the pupil's residence or who resides in unorganized territory may apply for a certificate of educational convenience.

A school district that receives an application pursuant to §15-825 shall submit the completed application to the County School Superintendent electronically, in person or by regular mail.

The Governing Board encourages the admission of all eligible students into our schools. Verification of eligibility shall be the duty of the administration to protect our students from possible overcrowding, with all of its attendant disadvantages, and to protect our taxpayers from unwarranted financial burden. The guides to eligibility for admission set forth in the statutes for children of compulsory school age must be followed.

Routine admission of students will be limited to District residents or to children of District residents and by available school space.

5-102.D Procedure - Enrollment Requirements – Admission of Nonresident Students

A. Foreign Students

A foreign student whose parent(s) are in this country need not present Immigration Document I-20. However, the following District forms must be completed upon enrollment:

1. Statement of Residency for Foreign Student.
2. Statement of Parental or Supervisory Authority Concerning a Foreign Student.

Original forms will be forwarded to the Associate to the Superintendent for Finance and Accounting by the school office. Copies will be maintained in the student's cumulative folder. Notary service will not be provided by the District.

B. Admission of nonimmigrant (Classification F-1) students:

1. A foreign student who is in this country without parent/legal guardian must be interviewed by the school principal. The student must have proof of residency and guardianship or supervisory authority. Court documents indicating that guardianship processes have been initiated are temporarily acceptable (usually thirty [30] days). Copies of these documents shall be maintained by the school. Upon finalization of these processes, court documents shall be furnished to the school of attendance.

Note: In lieu of guardianship documents, an I-20 form approved by Immigration authorities is acceptable.

2. The student shall present one (1) or more of the following documents upon seeking admission to school:
 - a. Passport;
 - b. I-20 I.D. Form. (Yellow paper, red ink); or
 - c. I-94 Form. (reentry document).
3. The school may prepare the I-20 form for a student who has only a tourist visa, but the student may not enroll until the school receives authorization from Immigration authorities.
4. The following documents must be completed upon admission of nonimmigrant foreign students:
 - a. Statement of Residency for Foreign Student (District form);
 - b. Statement of Parental or Supervisory Authority Concerning a Foreign Student, (District form);
 - c. Immigration Document I-20. For any student whose I-20 document was issued or reinstated prior to six months before the student's application for admission, the student should be treated as a transferring F-1

student under the regulations pertaining to such transferring students set forth herein; and

- d. For a student transferring from another school in the United States, an immigration document - I-20A-B - with the student's portion of the form completed and a transcript or statement of the principal from the student's prior school indicating that the student has been pursuing a full course of study at the prior school. If no such transcript or statement is provided by the student, the student must apply to the Immigration and Naturalization Service (INS) to have the student's F-1 status reinstated and must, within thirty (30) days, present to the principal an I-20 form with a current endorsement indicating such reinstatement.
5. Upon approval by the principal, Immigration Document I-20 will be completed by the school, signed by the designated school administrator at the middle and high schools, and given to the student for submission to Immigration authorities. I-20 forms completed by the elementary schools will be forwarded to the Associate to the Superintendent for Finance and Accounting for signature. The signed I-20 form will be returned to the appropriate elementary school, which will, in turn, submit the completed document to the student.
6. The forms specified herein - i.e., Statement of Residency for Foreign Student, Statement of Parental or Supervisory Authority Concerning a Foreign Student, Immigration Document I-20, and Immigration Document I- 20A-B - will be furnished by the office of the Associate to the Superintendent for Finance and Accounting.
7. Copies of all such documents shall be maintained in the student's cumulative folder.

C. Admission of nonimmigrant (Classification F-1) transfer students:

1. Upon receiving, from a transferring F-1 student, the form I-20A-B with the student's portion completed, the principal must:
 - a. Review the student's transcript or statement from the principal of the student's prior school to confirm that the student has pursued a full course of study in the last school term. If the student was not pursuing a full course of study in the last school term, the student must apply to the Immigration and Naturalization Service for reinstatement to F-1 student status. Upon reinstatement, the student must present to the principal the student's Form I-20 I.D. copy indicating that the INS has reinstated the student's F-1 status. If the I-20 I.D. copy so indicates, the student may be enrolled without proof of attendance at a prior school.
 - b. Sign the reverse side of the student's Form I-20 I.D. copy acknowledging the student's attendance in class and return the form I-20 I.D. copy to the student.

- c. Insert the name of the school from which the student has transferred on the front page of Form I-20A-B, item 2(c), placing the school official's initials next to the item.
 - d. Submit pages 1 and 2 of the Form I-20A-B to the INS Data Processing Center within thirty (30) days from receipt of the form from the student, returning pages 3 and 4 to the student.
 - e. Submit a copy of the Form I-20A-B to the school that the student was last authorized to attend.
2. The student may then be enrolled in classes at the school to which the student has applied for admission.

D. F-1 classification high school student seeking temporary employment for practical training prior to graduation:

1. If a high school has a program permitting students to engage in practical training in lieu of course work, F-1 a student must, to qualify for such a program, submit a request to the high school principal, using INS Form I-538. The Form I-538 must be completed by the student and must be accompanied by the student's Form I-20 I.D. copy. If the principal determines that the proposed employment is for the purpose of practical training related to the student's course of study, the principal must do the following to approve the student's practical training:
 - a.. Certify in the Form I-538 that the proposed employment is for the purpose of practical training related to the student's course of study,
 - b. State on Form I-538 and on the student's I-20 I.D. copy that "Practical training prior to completion of studies from [date] to [date] is authorized."
 - c. Sign the statements on the Form I-538 and the student's I-20 I.D. copy.
 - d. Forward the Form I-538 to the INS Data Processing Center and return the Form I-20 I.D. copy to the student.
2. The principal may not approve practical training for a period that would cause the student's aggregate practical training during high school to exceed twelve (12) months. Practical training may not be approved for any F-1 classification student who has not been in F-1 status for at least nine (9) months.

E. F-1classification high school students seeking temporary employment for practical training after graduation:

1. F-1 classification high school students who are about to graduate may seek temporary employment which provides practical training in a field as to which they have received training during high school. If such a student graduates, has maintained F-1 status for nine (9) months, and has engaged in a course of study not limited to language training, the student may submit a request to the principal of the student's school, within the period beginning sixty (60)

days prior to graduation and ending thirty (30) days after such graduation, to be allowed to obtain temporary employment in the United States that will provide practical training. The request must include the following:

- a. A completed request for practical training on Form I-538.
 - b. The student's form I-20 I.D. copy.
 - c. A certification from the student's academic advisor or the senior instructor in the course of study to which the student's proposed practical training relates stating that, upon the advisor's or instructor's information and belief, employment comparable to the proposed employment is not available to the student in the student's home country.
2. Upon receiving the student's request for practical training, the principal must:
 - a. Determine and certify on Form I-538 that:
 - i. the proposed employment is for the purpose of practical training;
 - ii. the employment is related to the student's course of study; and
 - iii. upon the designated school official's information and belief, employment comparable to the proposed employment is not available to the student in the student's home country.
 - b. State, on Form I-538 and the I-20 I.D. copy, "First period of practical training authorized from [date] to [date]" and sign the statement.
 - c. Send Form I-538 to the INS Service Center and return the I-20 I.D. copy to the student.
3. The principal may not approve practical training for a period exceeding six (6) months from the date of graduation. The student may, however, after beginning the designated employment, apply for a second period of practical training. If the student so applies, the student must obtain a letter from the student's employer stating the student's occupation, the exact date employment began, and the date employment will terminate, describing in detail the duties of the student in the employment. The letter must be submitted to the designated school official, whereupon the official must determine and certify on the Form I-538 that:
 - a. the employment is for practical training; and
 - b. the employment is related to the student's course of study
4. The student must then submit the Form I-538 and the letter from the student's employer to the INS for approval.

F. Record Keeping

For each F-1 classification student, the following information and documents must be retained:

1. the student's name;
2. the date and place of the student's birth;
3. the country of the student's citizenship;
4. the student's address;
5. information as to whether the student is a full-time or part-time student;
6. the date of commencement of studies by the student;
7. the student's degree program and field of study;
8. information as to any certification of the student for practical training, and the beginning and ending dates of such certification;
9. the termination date (presumably of the student's attendance) and the reason for the termination, if known;
10. a copy of the Form(s) I-20A-B processed by the District relative to the student's admission or transfer;
11. the number of credits completed each semester, with an explanation of the system used for determining credits if the system is not similar to the "credit hour" system commonly used at the college level; and
12. a photocopy of the student's I-20 I.D. copy.

If an officer of the INS requests any of the above data regarding any individual student or class of students, the District employee to whom the request is directed must ask the officer to make the request in writing, unless the request pertains to an individual being held in custody. For an individual being held in custody, the District employee must ask the officer to confirm in writing, as soon as is practicable, that the oral request for information was made. A response to a request regarding an individual who is being held in custody must be given to the Immigration and Naturalization Service orally on the same day the request is made. For an individual not being held in custody, the requested information must be supplied within three (3) working days. For the class of students, requested information must be provided within ten (10) working days.

G. Residential Caretaker

If evidence indicates that a child's physical, mental, moral, or emotional health is best served by placement with a grandparent, brother, sister, stepbrother, stepsister, aunt, or uncle, that individual shall be known as the "residential caretaker."

The residential caretaker shall have the same access to a student's records as that accorded the natural parent or legal guardian of a student.

The residential caretaker shall make every effort to secure the natural parent's written consent to allow such disclosure to the residential caretaker and to provide to the school the written consent. This does not preclude or limit the rights of the natural parent under the Family Education Rights and Privacy Act.

The school principal or the principal's designee shall be responsible for documenting any such disclosure to the residential caretaker, including the reason(s) therefore.

5-102.E Procedure - Enrollment Requirements – Admission of Transfer Students

A. Course Credit Evaluation

Students entering the District for the first time in our schools shall, under normal circumstances, be awarded credit based on promotion reports received from previous schools.

At all times, it is appropriate for the schools of the District to use a commonsense approach in evaluating credits from other school districts. The following shall be treated as guidelines, and every effort should be made to assure that students have the best possible educational opportunities, with as little duplication of effort as possible.

B. Competency Tests

If questions arise concerning awarding of course credit from nonaccredited high schools, it is recommended that students be given competency tests in the subject or subjects that are questioned.

The high school department heads should establish competency tests for all pertinent subjects. For example, such tests should determine whether a student passes the academic requirements of a same or similar course in the District.

C. Time Elements

Some school districts may use grading periods that differ from those of this District. If a school uses a trimester system or does not award an equivalent amount of credit for a specific class, it would be appropriate for the District to compare the "time" a student has spent in a class as it compares to the time the District's students are involved before being granted credit.

D. Challenge

If a disagreement occurs, a student and parent/guardian shall be given an opportunity to challenge the placement of the student through the appropriate associate superintendent and/or through a challenge test, such as a final examination.

Additional procedures are outlined in Procedure 5-217.B

Enrollment Requirements

© 5-102.F 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.
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.

Enrollment Requirements

© 5-102.G 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.

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 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](#)

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

A child between the ages of six (6) and sixteen (16) failing to attend school during the hours school is in session is truant unless excused pursuant to A.R.S. § 15-802, A.R.S. § 15-803, or A.R.S. § 15-901.

Truant means an unexcused absence for at least one (1) class period during the day. This includes absence from any class, study hall, or activity during the school day for which the student is scheduled.

Unexcused absence for at least five (5) school days within a school year constitutes habitual truancy. The Superintendent will establish procedures to identify and deal with unexcused absences, beginning with notification of parents. Continued violation may lead to discipline of the child and/or referral of the parent to a court of competent jurisdiction.

A. Reporting Truancy

If in the opinion of the principal a student's academic success is being adversely affected by excessive absenteeism, whether excused or unexcused, the principal may follow the procedure for reporting truancy.

Elementary school (grades kindergarten [K] through five [5]):

1. If a student has five (5) unexcused absences, a letter notifying the parent/guardian of possible intervention by the court system is mailed home, and a conference with the parent will be held.
2. If a student has seven (7) unexcused absences, the student will be referred to the Pima County Attorney's Office for truancy.

Middle school (grades six [6] through eight [8]):

1. If a student has five (5) unexcused absences, a letter notifying the parent/guardian of possible intervention by the court system is mailed home, and a conference with the parent will be held.
2. If a student has seven (7) unexcused absences, the student will be referred to the Pima County Attorney's Office for truancy.

High school (grades nine [9] through twelve [12]):

1. After every absence the parent/guardian will receive an automated absence telephone call.
2. After five (5) unexcused absences, a letter regarding absences is mailed home.
3. After seven (7) unexcused absences, the student is placed on a contract, the contract is mailed home, and a conference is held with the student and counselor or administrator.

4. After ten (10) unexcused absences, a letter is sent home notifying the parent/guardian of possible intervention by the court system.
5. After thirteen (13) unexcused absences, the student will be referred to the Pima County Attorney's Office for truancy.

B. Disciplinary Action/Penalties

Penalties for unexcused absenteeism may include detention, completion of additional assignments, inability to participate in extracurricular activities, failure in a class or subject, failure to pass a grade, being dropped from a class, loss of credit, suspension, or expulsion. However, the penalties of being dropped from a class, suspension, or expulsion may be imposed only if the student has reached the age or completed the grade after which school attendance is not required, as required by law and the County School Superintendent has determined that the student has completed the courses necessary for completion of the grade required by law.

C. Attendance and Excuses

If unexcused absenteeism is to result in expulsion, suspension, or community service, the student and the parent or legal guardian shall be notified of the imposition of the penalty and advised of the right to a hearing prior to the imposition of the penalty. The decision to suspend for more than ten (10) days may be made by the hearing officer/ombudsman. The decision to expel must be made by the Governing Board. Any disciplinary action taken in response to unexcused absenteeism shall comply with the provisions for such forms of discipline that are set forth in District policy. Additionally, the procedures for formal hearings to consider long-term suspension or expulsion shall be applicable to the forms of disciplinary action of imposing a failing grade in a subject and failure to pass a grade.

5-103.B Procedure - Compulsory Attendance and Excuse from Student Attendance – Release Time for Students

Students are to be excused from school upon written request from parents or guardians for any major religious holidays and, within the confines of state law, for religious instruction. This religious instruction or exercise shall take place at a suitable place away from school property. Students will be given the right to make up tests and will not be deprived of any awards or privileges.

Any student who has been authorized by the principal to take part in religious observances shall be excused from school activities without penalty. Further, the student will receive no grade penalties for such absence and will be allowed to perform all missed activities required for the course, provided the late performance is completed within a reasonable period of time.

The request for such excused absence should be made to the principal in writing by the parent/guardian of the student.

The staff should cooperate fully with parents in requests for student absences for dental and medical services. Advance notification of such appointments and parental effort to schedule such appointments in free time or after school may be requested.

The staff should cooperate with parents who wish to take their children on trips having educational value. Parents are required to make arrangements with the principal at least one (1) week in advance of such a trip.

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](#)

5-104.A Procedure - Homebound or Hospitalized Students and Students with Chronic Health Problems – Homebound Instruction

The District will provide instructional services to children who are homebound or hospitalized and who are qualified for such services.

Any student who has been admitted to a school in the District (in kindergarten [K] through grade twelve [12]) and who is unable to attend regular classes due to illness, injury, pregnancy, or other disabilities for a period of not less than three (3) school months may apply for homebound instruction. The student must be examined and certified by a competent medical doctor as being unable to attend regular classes for a period of not less than three (3) school months. Application for homebound service shall be made to the student's principal, who will submit the request to the appropriate associate superintendent.

If the administrative team determines that a student is eligible for homebound instruction, a teacher will then be assigned to provide the student with a minimum of four hours of instruction per week for grades one (1) through twelve (12) and two (2) hours of instruction per week for kindergarten at the student's home or hospital accommodation.

The purpose of the homebound program is to assist students in keeping up with their current classwork. The program requires the full cooperation of medical and educational personnel and a close working relationship with the classroom teacher. The District's goal is to help students remain current with their regular classroom work in order to facilitate adjustment when they are able to return to school.

5-104.B Procedure - Homebound or Hospitalized Students and Students with Chronic Health Problems – Home Schooling

A. Definition

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

B. Enrollment after Home Schooling; Grade-Level Placement

A student who enrolls in a District kindergarten program or grades one (1) through twelve (12) after receiving instruction in a home school shall be tested by the District to determine the appropriate grade level for the educational placement of the student. Grade-level placement is dependent upon testing, District policy, and state law, but should include consideration of parental input and the age of the student. If the District places a student in a grade level that the parent/legal guardian does not feel is appropriate, the parent/legal guardian may challenge that placement by submitting a request for review to the school principal.

C. High School Course Credit

A student who enrolls in a District high school after receiving instruction in a home school may receive District high school credit toward graduation in the following situations.

1. If the student has completed course work from an accredited institution, the District shall place the letter grade earned by the student in such course work in the student's District transcript.
2. If the student has earned accredited correspondence course work credit, credit shall be given for such work. The limitations of District Policy IKF, pertaining to number of correspondence course work credits and subject areas, are inapplicable to home school students.

After District review of home school course work documentation, former home school students who enroll in a high school may be required to take tests to earn District high school course credits only. Testing for a letter grade is not permitted. A student may take an "exam for credit" only once for each subject/course. Any testing for credit will include Arizona State Board of Education competency standards.

For former home school students, school administrators may allow more than two (2) units of pass/fail credit for home schoolwork. (Normally, only two [2] units of pass/fail per student are permissible). Administrators should inform parents/legal guardians and students that colleges and universities may have specific limitations on pass/fail credits for their admission standards.

D. Grade Point Averages and Class Ranking

For a former home school student to earn a District grade point average, fifty-one percent (51%) of the student's total course work must reflect a letter grade. To be eligible for class ranking, a former home school student may have no more than two (2) pass/fail (ungraded) credits.

E. Part-Time Enrollment

Home school students will not be allowed to enroll in the District on a part-time basis or attend limited classes or programs, with the exception of the District's blended learning programs, in which part-time enrollment will be permitted.

F. Extracurricular or Interscholastic Activities

Home school students may participate in District extracurricular and/or interscholastic athletics at the school in which their residence would make them eligible to enroll. Home school students shall be given an opportunity to participate in tryouts for all competitive sports programs. However, in selection of members to a team with limited membership, preference shall be given to District students. Home school students participating in activities must meet all applicable participation requirements, including payment of the same participation or activity fee(s), if any, paid by District students.

Home school students shall not be permitted to participate in District athletics in a manner that would violate Arizona Interscholastic Association rules applicable to District students.

Home school students suspended or expelled from any school may not participate in District programs until they have completed all requirements for readmission.

G. Textbooks

The District will not provide textbooks to home school students.

H. District Library Use

When accompanied by an adult, home school students may use District library facilities during regularly scheduled library hours and shall comply with applicable visitor policies at the school site. At the discretion of the school principal, home school students may be permitted to check out library materials on the same terms and conditions as District students.

Homebound or Hospitalized Students and Students with Chronic Health Problems

© 5-104.C 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 (1) student's condition; (2) student's prognosis; (3) physical limitations affecting physical education and corresponding requirements; (4) any anticipated surgeries, treatments, or hospitalizations; and (5) 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 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.
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).
6. If the student will be absent for less than three 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 IEPs/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.

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.

Enrollment

The District shall enroll any resident student who applies for enrollment at any time. The District shall give enrollment preference to, and reserve capacity for all the following:

1. resident students,
2. students returning to the school from the prior year,
3. siblings of students already enrolled, and
4. students classified as homeless who choose to remain at the school in which the student was enrolled before classification.

Schools Without Attendance Boundaries

The District has established 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.

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

A. General Open Enrollment Process

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:

- a. physical capacity of school facilities;
- b. availability of staff (e.g., administrators, teachers, other certificated employees, related service providers); and
- c. 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:

- a. ethnicity or race,
- b. national origin,
- c. sex,
- d. income level,
- e. disability,
- f. proficiency in the English language, or
- g. 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 as outlined in Procedures.

D. Transportation

The District will not provide transportation for nonresident students and resident transfer students unless the student is a student with disability whose individualized education program specifies transportation as a related service or transportation is otherwise required by law.

If required by law, transportation is limited to:

1. not more than thirty (30) miles each way to and from the school of attendance;
2. a pickup point on the regular transportation route; or
3. for the total miles traveled each day to an adjacent district for eligible non-resident pupils who meet the economic eligibility requirements established under the national school lunch and child nutrition for free or reduced-price lunches.

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.

5-105.B Procedure – Open Enrollment – Criteria for Open Enrollment

A. Capacity:

Other than students from the home school attendance area, students will be admitted only if the school that the students wish to attend has capacity for them beyond the capacity needed for students who reside within the school's attendance area.

Enrollment capacity is determined in accordance with Policy 5-105 and the following capacity criteria:

1. Enrollment projections for the subsequent school year will be used to determine the enrollment capacity of a school.
2. Schools may establish grade-level enrollment capacities provided that the total enrollment capacity for a school is the same as the projected enrollment total.

B. Disciplinary Considerations

Students who are currently under long-term suspension or expulsion from any school or school district in the state, or who have withdrawn from a school or school district to avoid long-term suspension or expulsion, may be denied admission to a school within the District. Students who are not in compliance with any condition of disciplinary action imposed by any other school or school district or with a condition imposed by the juvenile court may be denied admission to a school within the District.

C. Application Procedures

Open enrollment applications will be accepted at the school of desired attendance. Applications for transfer may be picked up and returned at the office of the desired school of attendance.

Applications for open enrollment may be submitted at any time for the current school year or the following school year. The selection of applications will be made in accordance with the enrollment priorities and procedures set forth in Policy 5-105, this Procedure and any corresponding procedures including Procedure 5-105.A to Procedure 5-105.D.

All kindergarten through grade twelve (K-12) students who are currently open enrolled into District schools other than the schools in their own attendance areas do not need to reapply if they wish to continue at the same schools the following year, unless the parents/custodians of such students are informed that reapplication will be required because of chronic or severe disciplinary infractions or because the parents/legal guardians have repeatedly failed to provide timely transportation.

Students who are currently open enrolled into a school with geographical boundaries will automatically be approved for open enrollment in the middle or high school appropriate for their respective schools of attendance. A student open enrolling into an elementary school that feeds into two middle schools will be requested to designate a specific middle school at the time of open enrollment. The student will then be considered part of the designated middle school's feeder system. If, however, an open enrollment student wishes to attend a middle school or high school that is not within the feeder system, application for open enrollment must be made for that school.

Resident students who are currently open enrolled into a school with no geographical boundaries will need to register for enrollment at the appropriate middle or high school for their residence. If, however, the resident student wishes to attend a middle school or high school that is not within the feeder system for their residence, application for open enrollment must be made for that school.

Similarly, non-resident transfer students currently open enrolled into a District school with no geographical boundaries must submit an open enrollment application to attend a District elementary, middle or high school in a District feeder pattern for schools with geographical boundaries.

Resident students who attend pre-school at a District school will need to register for enrollment at the appropriate elementary or kindergarten through grade eight (K-8) school of their residence.

Students attending pre-school at a school without geographical boundaries who desire to continue attending that school for kindergarten must submit an open enrollment application for consideration for open enrollment in the same school for kindergarten. Likewise, students attending preschool at a District school other than the school of their residence who desire to continue attending that school for kindergarten must submit an open enrollment application for consideration for open enrollment in the same school for kindergarten. Pre-school students who are not resident students will not be permitted to continue in the same school for kindergarten absent District acceptance of the student's open enrollment application for kindergarten.

Applications may be submitted to more than one (1) school; however, only one (1) application for each student may be submitted to each school once a year. Applications that are incomplete or inaccurate will not be processed. It is the responsibility of the parent/legal custodian to notify the school of any changes in the application, such as address or phone number.

D. Student Conduct

A student who is not currently able to attend another school or school district because of long-term suspension or expulsion, or who is not in compliance with discipline imposed by any other school, school district, or the juvenile court may be denied admission to a school within the District.

If a student who is accepted into the District under the provisions of open enrollment has been the recipient of disciplinary action previously taken at another school or school district, the District will consider known prior disciplinary actions in determining any disciplinary action taken against the student while in the District.

E. Time Commitment

The parent/custodian must make a commitment that the student will attend the school for the complete school year and obey all District policies, regulations and procedures. A student will be admitted under the District's open-enrollment policies and regulations to a District school that is not the school within such student's attendance area only once each year.

F. Age Requirement

Students must meet the minimum age requirements prescribed by state law for school attendance. Students must be five (5) years of age by September 1 for kindergarten and six (6) years of age by September 1 to enter first grade. The District will not consider applications that involve early admission to kindergarten.

G. Other

The filing of an application for admittance under the provisions of open enrollment does not guarantee the enrollment of the applicant in the District, nor is the open enrollment application sufficient to guarantee admission into specific instructional programs within the District. Each specific instructional program has an application/screening, acceptance/rejection, and school site assignment process. Certain District instruction programs require transfer by the student from the original school of attendance.

5-105.C Procedure – Open Enrollment – Selection and Notification Procedures for Schools with Geographical Boundaries

Students who reside within a school's attendance area do not need to submit an application for open enrollment into that school for the following school year.

Students who are currently approved for open enrollment into the school do not need to submit an application for open enrollment to the school for the following school year unless the school principal notifies them in writing of the need to do so.

Each other student who wishes to attend the school during the next school year must complete an open enrollment application.

Applications for open enrollment may be submitted at any time for the current school year or the following school year. Selections of applications will be made in accordance with the procedures for enrollment priorities set forth in Policy 5-105, Procedure 5-105.A to Procedure 5-105.D., and the following procedures.

A. Applications for the following school year received before October 1:

1. Applications received on or before October 1 will be designated as "Group A" applications.
2. After examining projected enrollment, school capacity, and grade capacity for the next school year, a school shall determine if it has capacity to accept all Group A applicants or if it is necessary to conduct a lottery for the available positions.
3. If a lottery is necessary, Group A applicants will be grouped in accordance with the enrollment priorities set forth in Policy 5-105 and this Procedure, and a lottery will be held.
4. The school will provide written notification to the parents/guardian of Group A students as soon as possible, but no later than October 31, as to whether their student's application has been accepted for enrollment or placed on a waiting list. If a student's name has been placed on a waiting list; the school shall notify the parents/guardian of the student's number on the waiting list.

B. Applications for the following school year received after October 1 and the start of the school year:

1. Applications received after October 1 will be designated as "Group B" applications.
2. Group B applicants will be considered for enrollment after the enrollment status of Group A applicants has been determined. Any Group A students who remain on a waiting list shall have enrollment priority over all Group B students requesting enrollment into a specific grade level or program.
3. If all Group A applicants have been accepted for enrollment and school capacity and grade capacity permit, the school shall accept all Group B

applicants from the waiting list for a specific grade level or program. If there is insufficient capacity to accept all Group B applicants from a specific waiting list, then the Group B applicants shall be enrolled in the order of receipt of their completed application with the priorities set forth in Policy 5-105 being given to the extent possible.

4. Group B applicants shall be notified of the status of their enrollment application and, if applicable, position on the waiting list within three (3) weeks of the date of submission of their completed application.

5-105.D Procedure – Open Enrollment – Selection and Notification Procedures for Schools with No Geographical Boundaries

Open enrollment at any Amphitheater school without a geographical boundary is available to any Arizona resident student who lives within and/or outside of the Amphitheater Unified School District boundaries. The enrollment priorities and procedures for selection of open enrollment applications shall be in accordance with the enrollment priorities and procedures set forth in Policy 5-105, Procedure 5-105.A to Procedure 5-105.D, and the following procedures:

- A. Priority shall be given to students who reside within the District boundaries with a goal of distributing placements equitably between the District feeder patterns and minimizing any impact on enrollment at surrounding District schools. The Superintendent may annually determine a maximum number of students for acceptance into a District school with no boundaries from any surrounding District schools to minimize enrollment loss at adjacent District schools.
- B. Applications for open enrollment may be submitted at any time for the current school year or the following school year. The selection of applications will be made in accordance with the procedures set forth in Policy 5-105, Procedure 5-105.A to Procedure 5-105.D, and the following procedures.
- C. Applications for the following school year received on or before October 1:
 - 1. Applications received on or before October 1 will be designated as "Group A" applications.
 - 2. If the number of Group A applications received exceed the available space for students in the specific grade given the school's projected enrollment and capacity for the following school year together with the stated goals of this regulation, then a school without a geographical boundary will hold a lottery to determine which applications may be accepted.
 - 3. If a lottery is necessary, Group A applicants will be grouped in accordance with the priorities set forth in Policy 5-105 and this Procedure, and a lottery will be held.
 - 4. The school will provide written notification to the parents/guardians of Group A students as soon as possible, but no later than October 31, as to whether their student's application has been accepted for enrollment or placed on a waiting list for the applicable District feeder pattern or, if applicable, the non-resident student waiting list. If a student's name has been placed on a waiting list, the school shall notify the parents/guardians of the student's number on the applicable waiting list.
- D. Applications for the following school year received after October 1 and prior to the start of the school year:
 - 1. Applications received after October 1 will be designated as "Group B" applications.

2. Group B applicants will be considered for enrollment after the enrollment status of the Group A applicants on a specific District feeder pattern waiting list or the non-resident waiting list has been determined. Any Group A students who remain on a waiting list for their applicable District feeder pattern or, if applicable, a non-resident student waiting list, shall have enrollment priority over all Group B students on that same waiting list.
 3. If all Group A applicants on a designated waiting list have been accepted for enrollment, and the school capacity and grade capacity permit, the school shall accept all Group B applicants for enrollment from that same waiting list. If there is insufficient capacity to accept all Group B applicants from a specific waiting list, then the Group B applicants on the relevant waiting list shall be enrolled in the order of receipt of their completed application with the priorities set forth in Policy 5-105 being given to the extent possible.
 4. Group B applicants shall be notified of the status of their enrollment application and, if applicable, position on the waiting list within three (3) weeks of the date of submission of their completed application.
- E. The District may provide transportation between designated feeder pattern school sites and the District school without geographical boundaries for resident transfer students living within the District boundaries and/or other students if space permits. Qualified students must have properly completed and submitted a "Permission to Walk from Non-Geographical Boundary School Designated Bus Hub" to the school site to be eligible for such transportation. The parents/guardians of students receiving transportation between the designated feeder school and the District school without boundaries are solely responsible for supervision of their students at pick up and drop off times.

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.

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:

1. Whether the student is receiving a passing grade in each course or subject being taught, and
2. Whether 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.

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. § 15-802.01](#)

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5-200 Instructional Goals and Objectives

The primary mission of Amphitheater Unified School District is to provide its children with a quality education. This will be accomplished by producing and maintaining a learning environment that fosters current and future productivity and satisfaction.

In its relationship with the instructional program, the Governing Board hopes to make its finest contribution to education in our community. The Board sees itself supporting and facilitating the efforts of the faculty.

Fine teachers, administrators and other instructional personnel need several kinds of important help from laymen. Most important of all, they need to know what the community expects children and youths to learn. Accordingly, the Board establishes and is attentive to the purposes for its schools.

The Board believes how school is to be taught is the prerogative of the staff as guided by the District mission, vision, goals and values, and as anchored by educational standards. The Board's contribution to that operation is to provide the needed equipment, materials of instruction, services, and such other facilitating action as may be requested.

The Board is interested, too, in supporting the staff's continuing efforts to improve the instructional program and assumes that there is always room for improvement.

The District should have a comprehensive system of constructive evaluation whereby school programs and student progress can be continually appraised. The staff will present to the Board student achievement data, based on the District's goals and objectives, which will enable the Board to evaluate the educational system, guide improvement efforts, and foster community support of schools.

Schools should establish a code of discipline commensurate with community and legal standards.

The Board expects the school system to affect the following goals (product goals) for each student:

- A. *Goal 1.* Each student should develop a healthy self-concept.
- B. *Goal 2.* Students should develop skills needed to enter the world of work with an awareness of opportunities and requirements related to specific vocations and advanced education. Each student should become a contributing member of society equipped with the skills, knowledge, and values necessary to meet the challenges of a changing world.
- C. *Goal 3.* Each student should acquire attitudes, knowledge, and habits that permit functioning effectively as a responsible citizen.
- D. *Goal 4.* Each student should acquire good health habits and an understanding of conditions necessary for maintaining physical and emotional well-being.

- E. *Goal 5.* Each student should have opportunities for the development of understanding and appreciation of human achievement in the humanities, fine arts, and sciences.
- F. *Goal 6.* Each student should have the opportunity to develop a wide variety of interests.
- G. *Goal 7.* Each student should be exposed through active participation to situations that encourage them to ask questions, make decisions, accomplish tasks, test new things, examine alternatives, and express creative thinking.
- H. *Goal 8.* Each student should develop self-discipline by becoming aware of the benefits of good discipline and should be willing to assume responsibility for their own actions.
- I. *Goal 9.* Each student should develop skills in mathematics, reading, writing, speaking, and listening to the maximum level of their individual abilities.

Adopted:

5-201 Flag Display, U.S. Constitution and Bill of Rights, Moment of Silence, Declaration of Independence, and Permitted Activities

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

Permitted Activities

The Supreme Court of the United States, in two (2) significant decisions, declared it illegal to hold formal, prescribed religious exercises in the public school. However, while the Court's prohibitions are narrow, its permissions are broad. Accordingly, the following

types of school activities are permitted as long as they do not take on the character of religious devotions:

- A. reading literature or writing on religious subjects;
- B. playing, singing, and presenting music that is religious in its inspiration or origin;
- C. performance of drama that deals with religious history or is religious in its content;
- D. production or exhibition of artwork dealing with religious themes;
- E. recognition of significant religious holidays by declaring school vacations or by sponsoring activities that acknowledge the importance of those holidays in our cultural life;
- F. comparative studies of religion;
- G. analyses of the Bible, and other religious books, as part of a study about religions;
- H. studies of the contribution made by religion to civilization;
- I. study of the Bible for its historic significance;
- J. study of the Bible for its literary importance;
- K. recitations or study of historical documents that contain references to God; and
- L. singing of official anthems that contain references to God.

Assemblies

Assemblies, public programs, and public performances by students have an important place in a well-rounded educational program. They must, however, be consistent with the educational goals of the schools.

- A. Programs should have both educational and/or inspirational value. All aspects of human endeavor should be considered, including the comic as well as the tragic.
- B. Programs should be varied and should appeal to the interests of students.
- C. Good taste should be demonstrated in the kinds of programs and behavior shown.

In planning for school assembly programs, the principal and the principal's designees should:

- A. maintain high standards of performance in all programs selected;
- B. make every effort to provide for the expression of divergent or opposing viewpoints where political concepts are being presented;
- C. review all program materials and offerings in advance of scheduling to determine sound educational value;
- D. seek counsel of supervisors on programs relating to their areas in the process of selection and, if a controversial question arises, consult with the Superintendent; and
- E. make an effort to increase student involvement in planning and make greater use of community resources as opposed to paid professional performances.
- F. Adopted:

Legal Authority:

[A.R.S. § 15-203](#)

[A.R.S. § 15-506](#)

[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:

Executive Director of Student Services
701 W. Wetmore Road, Tucson, Arizona 85705
(520) 696-5000

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)

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 review 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.

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 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.
2. 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.
3. 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.
4. 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. for students whose speech impairments appear to be limited to articulation, voice, or fluency problems, the written evaluation may be limited to:
 - a. an audiometric screening within the past calendar year;
 - b. a review of academic history and classroom functioning;
 - c. an assessment of 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.

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 this section 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 of 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 provided shall be conducted 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.

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.

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.

I. 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.

J. 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.

K. 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, 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, 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:

- c. appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate independent living skills;
- d. transition services (including courses of study) needed to assist the child in reaching those goals; and
- e. 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.
 - h. 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.

- i. 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.
2. A member of the IEP team described in (1)(b) through (1)(i) 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.
3. A member of the IEP team described in (1)(b) through (1)(i) 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.
4. 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:
 - 1) indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services;
 - 2) indicate that the District will invite the student; and
 - 3) 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.
 - a. Each teacher and related service provider will be informed of the teacher's and related service provider's specific responsibilities in implementing the IEP; and
 - b. 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.

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 fifteen (15) school days of receipt of the request or at a mutually agreed upon time, but not to exceed thirty (30) school days.

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.

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.

L. 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.

Placements

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.

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.

M. 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 [AAC 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 [AAC 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.

Adopted:

Legal Authority:

[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](#)

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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 of 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 as:
 - 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;
4. Written criteria of the District for referral, screening, selection and placement;

5. Inform parents/legal guardians of the results of the District-administered test within 30 school days of determining test results; and
6. Upon parent's/legal guardian's request, explain test results to parents/legal guardians.

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](#)

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" is 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 this 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
- 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 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. At or above the state average for the student's grade level, or
3. At or above the fifth-grade average, whichever is lower.
4. 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.
5. 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:
6. The student must have been placed in an English language classroom for not less than thirty calendar days during the current school year, and
7. 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.
8. A waiver based on a student's special individual needs are subject to the examination, approval, and authorizing signature of the Superintendent.
9. 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.
10. The waiver must contain the original and authorizing signature of the school principal and Superintendent.
11. 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.
12. 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.

13. Teachers and the District may reject waiver requests without explanation or legal consequence. The existence of such special individual needs shall not compel issuance of a waiver.

14. 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.

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.

Course Outlines

Instructional objectives and course outlines shall be prepared by the certificated staff in compliance with the legal requirements of the state and the goals and objectives of curriculum and instruction adopted by the Board.

The Superintendent shall have general coordinating authority and supervision over the formation of all courses of study and instructional objectives.

Curriculum Review

Each area of the curriculum will be reviewed on a regular basis, according to needs established by teachers or through the process of program evaluation.

A committee will be selected by the Superintendent in cooperation with the principals. The committee will be composed of some or all teachers who are teaching the subject under consideration, appropriate teachers from grade levels above and below, and

special needs areas, and administrators.

The committee will determine the content and direction of a course and translate them into terminal and instructional objectives. The committee will align instructional objectives to the state standards for that content area, and other skill sets as endorsed by the District.

After this, the committee will select appropriate learning activities and materials to meet the course objectives and the individual students' learning modes and abilities.

Adopted:

Legal Authority:

[A.R.S. § 15-111](#)

[A.R.S. § 15-112](#)

[A.R.S. § 15-721](#)

[A.R.S. § 15-722](#)

5-207.A - Curriculum Adoption – Companion Resources

In compliance with state statutes, the Governing Board shall approve the course of study, the basic textbook and companion resources for each course, and all units recommended for credit under each general subject title prior to implementation of such course, at both the common (kindergarten [K] through grade eight [8]) and high school levels. In the selection and adoption of textbooks, companion resources, and instructional computer software, the following conditions shall apply:

- A. If no textbook is to be used at all in a given subject, there is no requirement in the law that one must be used.
- B. If any course does not include a basic textbook, the Board shall approve all companion resources used in such course prior to approval of the course.
- C. Textbooks not included on the State Board of Education's advisory list may be used in the classroom as the basic medium of instruction, provided the Board approves and adopts such textbooks prior to their use.
- D. If any course includes a basic textbook and also uses companion resources, the Board may, prior to approval of the course, approve all companion resources and teaching aids, including instructional computer software, used in such course.
- E. If any course includes a basic textbook and uses companion resources or teaching aids that have not been approved by the Board, such companion resources may be used by the teacher at any time during the school year, provided that such companion resources and teaching aids shall be brought to the attention of the Board for approval and ratification by the Board during the school year in which they are added.
- F. A teacher who wishes to use any companion resource that has not been approved by the Board must complete and submit to the principal a copy of the District's Companion Resource Evaluation form, and the principal must approve such companion resource prior to its use in the classroom. It is then the principal's responsibility to bring said companion resource to the attention of the Board, through the Superintendent.
- G. The provisions of this regulation apply to instructional computer software on the same basis as for companion resources.

5-207.B - Curriculum Adoption – Adoption Process

The Superintendent delegates to the certificated staff the responsibility of recommending textbooks and companion resources to the Governing Board for adoption by the District. Recommendations shall be made following committee evaluation procedures, which shall ensure appropriate opportunities for input from staff, parents, and members of the District community.

A. Function and Charge

The function of and charge to textbook adoption committees shall be to recommend textbooks and companion resources to the Board which:

1. Ensure, to the maximum extent possible and appropriate, the continuity of textbooks and companion resources throughout the different grades through use of the same book series in all classes of the same grade;
2. Support and enrich the school curriculum and meet the personal needs of the students;
3. Are appropriate for the subject area and for the age, emotional development, ability level and social development of students for whom the materials are selected;
4. Provide a background of information that will motivate students to examine their own attitudes and behavior, to comprehend their duties, responsibilities, rights, and privileges as participating citizens in our society, and to make intelligent judgments in their daily lives;
5. Provide information on differing sides of issues so that users may develop the practice of critical analysis;
6. Consider the needs of atypical students as well as those of the average student;
7. Are recommended for their strengths rather than rejected for their weaknesses, judging the materials as a whole; and
8. Support and are consistent with general education goals of the District, goals and objectives of specific courses, and align with state standards.

B. Procedures for the Adoption of Textbooks and Companion Resources

Textbook and companion resources adoption cycle:

In grades kindergarten (K) through twelve (12), textbooks and companion resources will be reviewed and adopted on a regular basis to correlate with the State Board of Education review and revision of state standards, according to needs established by teachers, or through the process of program evaluation.

Committee composition:

Because teachers have training in and understanding of content requirements, pedagogy and instructional practices, the committee shall be primarily composed of teachers representing each school and/or subject area involved. In addition, parents and/or members of the district community shall be represented on adoption committees. When appropriate (given grade-level considerations), students may also be asked to serve on the committee. The Superintendent shall facilitate and chair each committee.

Committee procedures:

1. During a meeting of the textbook adoption committee, the Superintendent will outline the purpose, function, charge and suggested procedures to the committee. The committee members shall identify and screen various textbooks and companion resources for their respective grade-level and/or subject-area colleagues to review.
2. The selection procedures for textbooks and companion resources shall be consistent with the requirements of the Arizona Procurement Code for public school districts.

Solicitation of input from affected District community members:

The textbook and companion resource adoption procedures shall ensure that all members of the District community potentially affected by the textbook adoption have the opportunity for input into the textbook-adoption process. In the case of District-wide adoptions, this shall be accomplished by:

1. placing proposed textbooks and companion resources on display at each affected school; and
2. publishing of a notice of such display in the following manner:
 - a. on each affected school's website;
 - b. on the District's website;
 - c. in a newspaper of local circulation; and
 - d. through teacher faculty meetings and/or school announcements.

Displays and notices will invite comments regarding the proposed materials from teachers, parents and District community members.

Synthesis of District community input:

The textbook adoption committee will review input from both members of the committee and other constituents and complete the textbook and companion materials instruments at a general meeting. Two (2) kinds of information should be generated by the textbook and companion materials instruments: qualitative ratings/rankings and quantitative ratings/rankings. Each committee member should have an opportunity to present qualitative findings in writing and orally to the total group. Using consensus decision making, the committee will select the textbook(s) and/or companion resource(s) to

recommend for adoption, after considering both the committee's qualitative evaluation and any input received from members of the District community.

Recommendation for adoption:

1. The committee will notify the Superintendent of their recommendation. The Superintendent will present the committee's recommendation to the Board for consideration.
2. In addition to the display of materials at affected schools set forth above, a copy of each textbook and companion resource recommended by a textbook adoption committee to the Board for adoption shall be available at the District office for review by members of the District community for a period of sixty (60) days prior to formal adoption of the textbook and/or companion resource by the Board.

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](#)

Availability of and Access to Instructional Materials and Activities

5-208.A Procedure - Availability of and Access to Instructional Materials and Activities – Objection and Exemptions Process

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.

5-208.B Procedure - Availability of and Access to Instructional Materials and Activities – Movies/Videos/Software Programs

A. Permission Requirements

In *elementary schools*, teachers *must* notify parents in advance when they plan to show movies/videos with a rating of PG or TV-PG. Form IJND-E must be completed by the teacher and used to inform parents of the proposed viewing. Movies/videos with ratings above PG (PG-13, R, TV-14, TV-MA, or NC-17) are not to be shown. This includes movies/videos shown in the classroom or any District facility (this includes buses and motels where students are present). Parents have the right to deny permission for their children to view a particular movie/video.

In *middle schools*, teachers *must* notify parents in advance when they plan to show movies/videos with a rating of PG-13 or TV-14. The District's form tied to this Procedure must be completed by the teacher and used to inform parents of the proposed viewing. Movies/videos with ratings above PG-13 (R, TV-MA and NC-17) are not to be shown. This includes movies/videos shown in the classroom or any District facility (this includes buses and motels where students are present). Parents have the right to deny permission for their children to view a particular movie/video.

In *high schools*, teachers *must* notify parents in advance when they plan to show movies/videos with a rating of R or TV-MA. The District's form tied to this Procedure must be completed by the teacher and used to inform parents of the proposed viewing. Movies/videos with ratings above R or, in some cases, TV-MA (NC-17) are not to be shown. This includes movies/videos shown in the classroom or any District facility (this includes buses and motels where students are present). Parents have the right to deny permission for their children to view a particular movie/video.

B. Use of Media in Schools

It is the responsibility of District employees to use sound professional judgment in the selection of media to be used with students. With regard to the use of video/films and computer software, the following issues must be considered:

General Guidelines:

1. School personnel must preview all media before showing to students.
2. Every video, film, and computer software program used in a school must be used to add value to the instructional program; there shall be specific rationale designating the selection's instructional benefits.
3. The content of any media shall be selected with the age and maturity of the students in mind.
4. If a video, film, and computer software program selected to be shown in school has potential for controversy or contains any element listed on form IJND-E (on

file in the principal's office), then form IJND-E shall be completed and sent to parents to obtain approval in writing for their child to view it.

5. By law when a teacher shows any video that does not include "public performance rights" the teacher must comply with the "Fair Use" provisions and Chapter 1, Section 110, Title 17 of the United States Code as part of the Copyright Law Revision of 1976. The following is a summary of the guidelines from those documents. Videos shown in school must:
 - a. be used with students in "face to face" instruction with the teacher present;
 - b. be directly related to the curriculum and current instruction;
 - c. be a legally obtained copy; and
 - d. not be used for extra-curricular, reward or recreation.
6. A video can be distributed via a closed-circuit system for multi- classroom use within one (1) school, as long as it complies with the "Fair Use" provisions described above and the broadcast does not leave the school grounds. The House of Representatives Report No. 94-1476 that accompanied the passage of the copyright law supports this interpretation. This report states, "...as long as the instructor and students are in the same building or general area, the exemption would extend to the use of devices for amplifying or reproducing sound and projected visual images."
7. Showing a video outside the curricular setting (a club, parent group, or for a special event like "Movie Night") constitutes a "public performance" and only the copyright holder can authorize this showing. To show a video in this instance, one (1) of three (3) criteria must be met:
 - a. the video must have been purchased with "public performance rights" included in purchase price;
 - b. the group showing the video must obtain "public performance rights." Purchasing a "Movie Copyright Compliance Site License" can provide these rights; and
 - c. the group showing the video must get a signed affidavit from the copyright holder giving permission for the video to be used.

The use of television programming, other than for specific instructional purposes, is inappropriate. Having televisions tuned to broadcasts of general programming while students are working independently is an unacceptable practice, which diminishes quality work habits. Live broadcasts of historical events including live speeches, space exploration, or state funerals are permissible.

According to the fair use guidelines, a broadcast program (a television program transmitted by television stations for reception by the general public without charge) may be recorded and shown once and there may be a repeated showing (for instructional reinforcement) once within ten (10) consecutive school days of the broadcast. For the following thirty- five (35) days, teachers may keep the tape for evaluation purposes only. The tape may not be used in school after the forty-five (45)

day period and must be destroyed after forty-five (45) days. Special permission must be obtained for taping from cable or "paid programming." Rules vary by copyright holder.

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.
- 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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5-209.A Procedure - School Libraries, Media, and Resource Centers – Material Selection

Students should have the opportunity to develop a wide variety of interests and to develop an understanding and appreciation of human achievement in the humanities, fine arts, and sciences. These are two (2) of the educational goals adopted by the Governing Board. The library media center shall be instrumental in the achievement of these goals.

A. Objectives of Selection of Materials

The primary objective of the school's library media center is to implement, enrich, and support the educational program of the school. It is the duty of the center to provide a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view.

To this end, the Board endorses *The Students' Right to Read*, the *Library Bill of Rights*, and the *School Library Bill of Rights for School Library Media Center Programs*, approved by the board of directors of the American Association of School Librarians, Atlantic City, 1969, the last of which is a part of this regulation.

The American Association of School Librarians reaffirms its belief in the Library Bill of Rights of the American Library Association. Media personnel are concerned with generating understanding of American freedoms through the development of informed and responsible citizens. To this end, the American Association of School Librarians asserts that the responsibility of the school library media center is:

1. To provide a comprehensive collection of instructional materials selected in compliance with basic written selection principles and to provide maximum accessibility to these materials.
2. To provide materials that will support the curriculum, taking into consideration the individual's needs, and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of the students served.
3. To provide materials for teachers and students that will encourage growth in knowledge, and that will develop literary, cultural and aesthetic appreciation, and ethical standards.
4. To provide materials that reflect the ideas and beliefs of religious, social, political, historical, and ethnic groups and their contribution to the American and world heritage and culture, thereby enabling students to develop intellectual integrity in forming judgments.
5. To provide a written statement, approved by the Board, of the procedures for meeting the challenge of censorship of materials in school library media centers.
6. To provide qualified professional personnel to serve teachers and students.

B. Materials Defined

Materials shall include, but not be limited to, books, periodicals, filmstrips, videotapes, computer software, and the like.

A. Responsibility for Selection of Materials

Although the Board is legally responsible for all matters relating to the operation of District schools, the responsibility for the selection of instructional materials is delegated to the professionally trained personnel employed by the school system.

Selection of materials may involve any or all of the following individuals: principals, teachers, parents, supervisors, and media specialists. The responsibility for coordinating the selection of library and media center materials and making recommendations for purchase rests with the professionally trained media personnel.

B. Criteria for Selection of Materials

Needs of the individual school based on knowledge of the curriculum and of the existing collection are given first consideration.

Materials for purchase are considered on the basis of:

Overall purpose; timeliness or permanence; importance of the subject matter; quality of the writing/production; readability and popular appeal; authoritativeness; reputation and significance of the author/artist/composer/producer, etc.; format and price.

Requests from faculty and students shall be given consideration.

C. Procedures for Selection

In selecting materials for purchase, the media specialist shall evaluate the existing collection and consult:

Reputable, unbiased, professionally prepared selection aids; specialists from all departments and/or all grade levels.

In specific areas, the media specialist shall follow these procedures:

1. Gift materials shall be judged by basic selection standards and shall be accepted or rejected by these standards.
2. Multiple items of outstanding and much-in-demand media shall be purchased as needed.
3. Worn or missing standard items shall be replaced periodically.
4. Out-of-date or no longer useful materials shall be withdrawn from the collection.

D. Challenged Materials and Committee

Occasional objections to a selection will be made by the public, despite the care taken to select valuable materials for student and teacher use and the qualifications of persons who select the materials.

When a request for evaluation is received, a challenged materials committee shall be appointed by the Superintendent and shall be representative of the entire District. The committee shall consist of three (3) professionally trained media specialists, three (3) teachers (one [1] from each grade level: elementary, middle and high school), two (2) parents or community members, and one (1) administrator.

Members of the challenged materials committee, when reviewing materials that have been challenged, in addition to critical and other resources, shall utilize the guidelines provided below:

- A. *Religion*. Factual, unbiased material that represents all major religions should be included in the library collection.
- B. *Ideologies*. The library should, without making any effort to sway the reader's judgment, make available basic factual information on the level of its reading public, on any ideology or philosophy that exerts a strong force, either favorably or unfavorably in government, current events, politics, education, or any other phase of life.
- C. *Sex and profanity*. Materials including sex and profanity should be subjected to a stern test of literary merit and reality by the librarian, who takes into consideration the affected reading public. While we would not in any case include the sensational or overdramatic, the fact of sexual incidents or profanity appearing should not automatically disqualify a book. Rather, the decision should be made on the basis of whether the book presents life in its true proportions, whether circumstances are realistically dealt with, and whether the book is of literary value. Factual material of an educational nature on the level of the reading public should be included in the library collection.
- D. *Science*. Medical and scientific knowledge should be made available without any biased selection of facts.

Committee members shall also bear in mind that the principles of the freedom to read and of the professional responsibility of the staff may have to be defended, rather than the materials per se.

If a complaint is made, the procedures outlined below shall be followed:

1. Invite the complainant to file the objection(s) in writing by filling out the prepared questionnaire. The complainant shall be advised to return the questionnaire to either the school librarian or department chairperson, who, in turn, will distribute copies to the building principal, Superintendent, and challenged materials committee chairperson for distribution to committee members within five (5) days of receipt.

2. Materials are not to be removed from use until a decision approving such removal has been made by the Governing Board unless temporary removal has been recommended by the Superintendent or the Superintendent's designee.
3. If consideration for temporary removal is recommended by the Superintendent or the Superintendent's designee, the following procedures shall be followed:
 - a. The Superintendent or the Superintendent's designee shall call a special meeting of the challenged materials committee.
 - b. The Superintendent may override the decision of the committee for or against temporary removal of the challenged item.
 - c. If the decision reached is for temporary removal of the item, the item shall be removed pending committee action.
 - d. If temporary removal is not considered, the item shall be retained subject to committee action.
4. The challenged materials committee shall:
 - a. read and/or view and examine material referred to it;
 - b. check general acceptance of the material by reading reviews and soliciting opinions from others competent in the field concerned;
 - c. weigh values and faults against each other and form opinions based on the material as a whole and not on passages pulled out of context; and
 - d. meet within sixty (60) workdays of receipt of the complaint to determine whether the material meets the objectives of selection.
5. A quorum of the Challenged Materials Committee shall consist of five (5) members. In the event of a decision by the committee to remove the material permanently from circulation, a two-thirds (2/3) vote for removal by a quorum must be reached. The Superintendent may not override a two-thirds (2/3) vote of a quorum. A majority vote must be reached in deciding whether the material shall remain in unlimited circulation and/or be placed in restricted circulation.
6. Within thirty (30) days of that meeting, the committee chairperson will forward copies of the report to the Superintendent, the principal, the media specialist or department chairperson who received the complaint, and the complainant. The report will indicate the recommendation of the committee as to whether the material will remain in circulation, be placed on restricted circulation, or be withdrawn permanently from circulation and the reasons for its decision.
7. Upon review of the committee's report, and within ten (10) workdays of receipt, the Superintendent or the Superintendent's designee shall either confirm the recommendation or refer the report back to the committee for further study and a subsequent report.
8. If the Superintendent confirms a recommendation to have the material permanently removed from the schools of the District, a recommendation for action will be made to the Board. The complainant, committee members, school principals, department chairpersons, and media specialists shall be advised of the action of the Board.

9. The complainant shall be advised that an appeal may be made to the Board in writing within ten (10) days of receipt of the decision. The Board will review the materials and within thirty (30) days render its final decision.
10. Record of the disposition of the complaint will be retained by the District.

G. Public Review Period for Adoption of Books and Materials Purchased after January 1, 2023

For public review, the Superintendent shall make available, on the District's website, and on each school's website, a list of all books and materials purchased after January 1, 2023, for any of the District's school libraries.

- A. The Superintendent may not remove these purchases from the School District's or school's websites until sixty (60) days after the purchase of books and materials.
- B. The Superintendent is not required to publish the purchase of books or materials intended to replace lost or damaged books or materials.
- C. Notification: Seven (7) school days prior to the opening date of the public review period, each common school and high school operated by the School District shall notify the parents of each enrolled pupil of the opening and closing dates of the public review period.

The following are exempt from the requirements of the public review period discussed herein:

- A. Schools without a full-time library media specialist or an equivalent position.
- B. School District libraries that have agreements with county free library districts, municipal libraries or other entities pursuant to A.R.S. § 15-362, subsection D.

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.
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](#)

5-210.A Procedure - Special Interest Materials – Academic Freedom

A. Freedom of Speech

Personnel of the District are expected to exercise their constitutionally guaranteed right to freedom of expression. The Governing Board recognizes that no freedom is absolute and reminds employees they are representatives of the District and should use discretion when exercising their right to freedom of speech.

B. Academic Freedom

Educators must be free to think and to express ideas, free to select and employ materials and methods of instruction, free from undue pressures of authority, and free to act within their own professional groups. Such freedom should be used judiciously and prudently to the end that it promotes the free exercise of intelligence and student learning. Freedom of speech must be exercised within the context of the basic ethical responsibilities of the profession. Those responsibilities include:

1. A commitment to democratic tradition and its methods.
2. A concern for the welfare, growth, and development of children.
3. An awareness of the method of scholarship.
4. An application of good taste and judgment in selecting and employing materials and methods of instruction.
5. An awareness of the needs and sensitivities of the community.
6. The obligation to teach state standards.

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.

Grouping

The grouping of students in the elementary and secondary classrooms should reflect the heterogeneity of the society in which the students function. The instructional program should serve the needs of the individual student.

The Governing Board recognizes that students learn in different ways and at different rates.

Therefore, the staff is expected to develop and utilize a continually progressive learning program and to provide a variety of methods and materials by and from which a student may learn.

Because there is a need for educating parents and the community in general about the latest research in learning, the Board will assist the staff in keeping the community informed.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

Class Size

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

The District recognizes that in specific situations a lower class size has a positive impact on student learning, attitude, and behavior. The issue of class size/load equity is also acknowledged. Therefore, the following guidelines are established in determining appropriate class size/load of teachers:

Standard Parameters:

- A. The following standard parameters will be established for regular classroom teachers' class-size maximums subject to the exceptions identified below for years in which the District has the benefit of the K-3 special programs budget override in place:

1. K-1	31	
2. 2-3	33	
3. 4-5	37	
4. 6-8	39	Teacher Load 185
5. 9-12	39	Teacher Load 185

- B. The following parameters will be used for regular classroom teachers' class-size minimums subject to the exceptions identified below for years in which the District has the benefit of the K-3 special programs budget override in place:

1. K-1	17	
2. 2-3	17	
3. 4-5	17	
4. 6-8	17	Teacher Load 112
5. 9-12	17	Teacher Load 112

Exception for Years when K-3 Special Budget Override is in Place:

- A. The following parameters will be established for regular classroom teachers' class-size maximums at times while the K-3 special programs budget override is in place:

1. K-1	25*	
2. 2	26*	
3. 3	27	
4. 4-5	37	
5. 6-8	39	Teacher Load 185

6. 9-12 39 Teacher Load 185

* Due to the passage of the override election (Proposition 476) in November of 2019, class size maximums were reduced until such time as the override is no longer in place.

B. The following parameters will be used for regular classroom teachers' class-size minimums while the K-3 special programs budget override is in place:

1. K-1	15	
2. 2-3	15	
3. 4-5	17	
4. 6-8	17	Teacher Load 112
5. 9-12	17	Teacher Load 112

C. If at any time after three (3) weeks into the semester class-size maximums are exceeded or class-size minimums are underenrolled, a school-based process will be developed to review the situation. This process will include the following:

1. Administrator, teacher(s), and department chairperson meet and review the above options within five (5) working days.
2. Options are reviewed.
3. After exploring options in good faith, a plan of action will be developed for implementation.
4. Options for remedying situations where maximums are exceeded may include, but are not limited to the following:
 - a. Offer additional professional development opportunities to the teacher/department.
 - b. Provide additional technology to the classroom.
 - c. Explore team teaching.
 - d. Increase planning time.
 - e. Provide assistance for clerical work.
 - f. Remove other duties from teacher (e.g., bus duty, hall duty).
 - g. Offer additional funds for materials, supplies.
 - h. Offer additional funds for travel (conferences, etc.).
 - i. Transfer students to other classes or other schools.
 - j. Explore creative scheduling.
 - k. Explore creative teaching techniques.
 - l. Offer instructional aide time.
 - m. Create a new class/section.

D. Options for remedying situations where classes are under enrolled, may include, but are not limited to the following:

1. Combine classes.
2. Cancel classes.
3. Transfer students to other classes or other schools.
4. Use technology.
5. Offer special-interest classes less frequently.
6. Local criteria that should be used when making school-based decisions regarding class size will include the following:

- a. Promotes systems efficiency.
- b. Ensures equity among teachers.
- c. Is in the best interest of students.
- d. Encourages flexibility and creativity at the school level.
- e. Provides alignment with the schools' strategic plan.

7. Within five (5) working days after the meeting held in accordance with the third grouping above, a written plan of action shall be prepared. If the written action plan does not involve hiring or transferring personnel, the plan shall be implemented within five (5) working days thereafter. If the action plan involves hiring or transferring personnel, it may be implemented only after said hiring and/or transferring has been accomplished in accordance with District policy.

E. If any of the above remedies are implemented and class size changes to exceed the minimums or fall below the maximums established, the option(s) may, at the discretion of the site administrator, be discontinued.

F. Class-size numbers will not be applicable in instances involving innovative and/or experimental programs: BLOCK or "school-within-a- school" programs, special-needs learners, and/or large-group instruction. Class numbers will not apply for other special grouping arrangements that may be agreed to by the staff and principal.

G. Special education class-size numbers will comply with rules and regulations that govern these programs.

Special Education Class Ratios

The District has set student/teacher ratios for special education students to better serve the needs of the students:

	<u>STUDENTS</u>	<u>TEACHER WITH AIDE*</u>
Cross categorical resource	22:1	32:1
Cross categorical special class	14:1	20:1
Preschool special class	14:1	(with aides to maintain a student:adult ratio of 5:1)
Emotionally disabled special class	2:1	18:1
Emotionally disabled-P	Case specific	
Severe/profound with multiple disabilities	9:1	(with aides to maintain a student: adult ratio of 3:1)
Related Services (SLP, OT, PT)	55:1	
SLPA and COTA support	Case specific	
Adaptive physical education	50:1	

* The ratio stated is with an aide assigned throughout instructional hours. Partial aide time may be assigned for enrollments up to this number.

If, three (3) weeks into the semester, class-size maximums are exceeded by three (3) students, a school-based process will be developed to review the situation. This process will include the following:

- A. Principal and teacher(s) meet and review situation (K - 6); principal and department head meet and review situation (6 - 12).
- B. Options are reviewed (see Policy IIB).
- C. After a good-faith effort by all parties involved, a mutual decision will be made. If a mutual decision cannot be reached, the principal, teacher(s) and department head (where applicable) will meet with the director of special education and review the situation and options.
- D. Again, after a good-faith effort by all parties involved, a mutual decision will be made. If a mutual decision cannot be reached, the final decision will be made by the director of special education.

5-200 Curriculum and Instruction

© 5-212 Student Clubs and Activities

Student activities shall be regarded as a vital part of the total educational program and shall be used as a means of developing wholesome attitudes and good human relations, as well as knowledge and skills.

All student activities shall be carried on only with the approval and under the authority of the Governing Board and its delegated administrators.

Responsibility

The principal or the principal's designee shall be responsible for the organization and administration of all student activities. The principal shall

- A. Approve all student activities prior to their implementation.
- B. Provide adequate supervision.

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](#)

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. Student Organizations

The Superintendent may approve the establishment of student organizations appropriate to grade levels within the District.

Student organizations, associations, and clubs have an important place in the educational program. Student organizations will only be recognized by the Governing Board if they:

1. extend, reinforce and support the instructional program;
2. model and allow students to practice democratic self-government;
3. build student morale and a spirit of positive support for the school;
4. honor outstanding student achievement;
5. exemplify diversity; and/or

6. provide wholesome social and recreational activities.

To guide faculty members, staff members, and students in their relationships to school-related and/or noncurricular clubs and organizations, the Board sets forth the following policy:

1. *School clubs and organizations*, including clubs with legal, nondiscriminatory membership restrictions, shall be recognized as authorized, approved activities of the school if they meet all of the criteria for school clubs and organizations as listed in Regulation JJA-R and if they have been approved by the principal of the school.
2. *Noncurricular clubs and organizations* are clubs, organizations, and associations for students that, although not recognized as approved activities of the school, do meet all of the criteria for noncurricular clubs and organizations as listed in Regulation JJA-R and are of a nonsecret nature. Such student groups are not within the jurisdiction of the school and are not responsibilities of the school. However, noncurricular clubs, organizations, and associations may become recognized, school-sponsored organizations by complying with the criteria for school clubs and organizations listed in Regulation JJA-R and receiving approval by the school principal.
3. *Secret organizations* are prohibited in District schools, and membership of students in secret fraternities, sororities, clubs, or associations at any District school is prohibited. The Superintendent is authorized to develop and enforce such disciplinary action as may be appropriate for violation of this policy.

C. 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.

The Board prohibits any student group (including recognized school clubs and organizations, noncurricular clubs and organizations, secret clubs and organizations, or any other student group) from conducting or participating in any activities on school property, or at school-sponsored functions on or off school property, or in off-campus activities that carry over into the school day:

1. that are detrimental to school interests or to the reputation of the school; or
2. that disrupt the school's educational environment; or
3. that could endanger the health and safety of other students; or
4. that violate any law, city or county ordinances, or District policy/regulations.

If any such prohibited activity should occur, the school administrator or the Superintendent shall take such corrective and/or disciplinary action as may be appropriate, which may include suspension or expulsion.

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.

J. Nondiscrimination

The Board also prohibits any recognized, approved school club, organization, or association from taking any action that would discriminate against any group or individual or from establishing any membership requirements that would discriminate against any group or individual on the basis of gender, sexual orientation, race, color, creed, religion/religious beliefs, age, disability, political beliefs/affiliation, citizenship status, marital status, home language, national origin, family, social or cultural background.

School activities shall not be held on Sundays unless they have been cleared with the Superintendent.

5-212.B Procedure - Student Clubs and Activities – Student Events

All events must be in keeping with the basic philosophy of education as established by the Governing Board.

All events must be approved by the principal.

All events must be adequately chaperoned by school personnel.

Accurate financial records must be kept of receipts and expenditures, and all money received must be deposited with the student activities treasurer.

Fund-raising drives are discouraged because they divert so much time, energy, and attention of the staff members from their educational tasks. The Superintendent is authorized to make exceptions.

Fund-raising activities may not be in the form of raffles or lotteries.

Student Clubs and Activities

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

All funds raised in accordance with District Policies and Procedures or with specific approval of the 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 for Arizona School Districts 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.

5-212.E Procedure - Student Clubs and Activities – Student Awards

The Governing Board encourages the certificated staff to maintain a set of criteria and procedures for presenting letters or other suitable awards to students for scholarships and distinguished service in any school activity. In each case, the relationship between the award and the relevant goal or goals of the schools should be pointed out.

The certificated staff is authorized to review and approve, or reject, proposed trophies, prizes, scholarships or other awards from nonschool donors. Acceptance will require affirmative answers to at least the following questions:

- A. Can the proposed award be considered free from motives of personal or corporate gain and publicity?
- B. Are the criteria for making the award under the control of the certificated staff, or acceptable to the staff?
- C. Are the purposes, either implied or explicit, of the proposed award consistent with our schools' goals?

Requests to establish a temporary or permanent award shall be referred to the Superintendent. Teachers' and/or principals' recommendations in the matter may be submitted concurrently with the referral of the award request. Rules of the Arizona Interscholastic Association and other organizations with which the schools affiliate must be adhered to before referral.

Commercial or other exploitation of pupils through the schools shall be prohibited.

5-212.F Procedure - Student Clubs and Activities – Student Gifts/Donations

The presentation of a gift to a school by any group of students, student organization, or class shall be permitted, provided that:

- A. The decision to present the gift shall be made by a majority of the group and shall be voluntary action of the group.
- B. No student shall be required, by virtue of membership in the group, to participate in the acquisition and presentation of the gift if such action would be contrary to the student's personal beliefs or opinions.
- C. The cost of the gift is funded entirely by proceeds from the group's activities and that no budgeted District funds shall be used in the purchase of the gift.
- D. The gift shall be approved by the school principal and shall be recommended by the principal to the Governing Board for acceptance.

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.
- 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](#)

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:

1. Is not integral to or required to receive credit for graduation or promotion, and
2. Is 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 at least every four and a half (4.5) weeks pursuant to [Ariz. Admin. Code. R7-2-808\(2\)\(b\)\(ii\)](#) that includes the student's cumulative grade for the current grading period.

"Fiscal agent" means the District's Chief Financial Officer or designee.

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:

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 or designee 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 1 or a D grade or better with a grade point average above a 2.0 in the student's most recent progress report. 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. 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.

G. 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.

H. Interscholastic Athletic Activities

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

5-213.B Procedure - District-Sponsored Activities – Field Trips

The District will sponsor only such student trips as are of value in meeting educational objectives, are necessary to the fulfillment of obligations to the interscholastic athletic programs or in connection with community civic projects, and do not seriously interfere with the educational routine of students who must remain in the school.

School transportation vehicles, if available, will be furnished for all trips sponsored according to the above guidelines, and public transportation may be authorized when deemed advisable by the appropriate supervisor. All travel is subject to budget limitations. Use of school vehicles for summer trips and trips during the school year that are not sponsored by the District is not allowed.

On all school-sponsored trips involving students, the school will provide for proper supervision by certificated personnel or approved chaperones.

A. Out-of-Town, State, and National Trips

Out-of-town, state, and national trips are defined as educational trips, and a time and place for such trips should be determined only as the need arises. The following stipulations will apply:

- A. Superintendent approval must be obtained.
- B. Appropriate instruction shall precede and follow each trip, with definite objectives determined in advance.
- C. Written approval by a parent or guardian shall be required for student participants.
- D. The trip costs may be borne by the students, with funds necessary to ensure adequate travel collected before the trip takes place.
- E. The same standards for supervision will be provided as for any other type of student trip.

B. Field Trips and Community Service

Educational field trips and community service activities should be determined as the need arises. All field trips shall begin and end at the school.

C. Teacher's Responsibilities

The following conditions shall be observed:

- 1. Field trips shall be arranged with the principal's approval.
- 2. Appropriate instruction shall precede and follow each field trip or community service activity.
- 3. Field trips and community service activities shall be considered as instruction and planned as such with definite objectives determined in advance.

4. The teacher's request should be made in writing to the principal at least ten (10) days prior to date desired. Whenever practical, an alternate date should be listed. The purpose of the trip or activity and its relation to the course of study must be stated.
5. Whenever possible, classes should combine field trips.
6. When a field trip is made to a place of business or industry, the teacher will ensure that an employee of the host company serves as a guide.
7. The teacher will secure written approval by parents or guardians.
8. Teachers, other certificated personnel, or approved chaperone shall accompany students on all field trips and shall assume responsibility for their conduct.

D. Principal's Responsibilities

The following procedures shall be observed:

1. The principal shall approve or disapprove the request and notify the teacher.
2. If approval is given, the principal shall forward a request for school bus service to the transportation business office seven (7) days in advance of the date requested.
3. A copy of the approved request will be provided to the teacher by the principal.
4. The principal shall ensure that any trip requiring school bus transportation shall not interfere with the regularly scheduled transportation of students to and from school.
5. Appropriate educational experience and proper supervision shall be provided for any students whose parents do not wish them to participate in field trips.
6. To every extent possible, the principal shall utilize extra-curricular tax credit funds received pursuant to A.R.S. § 43-1089.01 to defray the cost of field trips to the District and students.

E. Governing Board Approval

Governing Board approval must be obtained if the activity requires out-of-state travel.

F. Parental Permission

Written approval by a parent or guardian is required for participation of a student in community service activities and for field trips that extend beyond the boundaries of the District and outside the Tucson metropolitan area, as well as field trips that occur outside the normal school hours.

G. School Transportation

If a school bus is used in transportation, the bus driver shall see that all rules and regulations are enforced in the use of the school bus for said field trip, etc. Certificated

personnel shall assist the school bus driver. (See Regulation EEAECE-R - Student Conduct on School Buses.)

H. Private Transportation

Parents who wish to transport their own child on any such school-sponsored trip rather than sending the student on the bus, will be required to make such arrangements with the teacher. Before a student will be permitted to travel with a parent, the parent will be required to provide written verification to the teacher to indicate that they have transported the student.

I. Supervision of Student Activities Away from School

When any school-sponsored activity requires that groups of students leave the school grounds, adequate adult supervision must be provided. This supervision shall extend to all subsequent and related activities in connection with the trip and over which the schools are reasonably expected to assume responsibility.

1. Each teacher shall prepare a roster of participants on a standard form. The form will have a column for the student's names and columns for checking off students in conjunction with each departure of the bus.
2. Groups of students and/or teams will be kept together on the same bus as much as possible. Caution will be used not to segregate students according to sex, race, etc. If a group has to be split, the teacher who is responsible will check the students on each bus.
3. The buddy system will be used as a backup to double check for any students who are not present.
4. At least one (1) certificated staff member or other responsible adult (preferably a District employee) will be assigned to and travel on the bus with the group of students. (For example, if two [2] buses are used and two [2] teachers are accompanying the group, at least one [1] teacher must be on each bus.)
5. In addition to certificated personnel, in some instances it may be desirable for support staff personnel and/or responsible parents to accompany groups of students.

5-213.C Procedure - District-Sponsored Activities – Community Resources and Speakers

The Governing Board recognizes that the school staff needs a variety of instructional resources to accomplish the goals and objectives of curriculum and instruction adopted by the Board and to meet the needs of students.

The Governing Board further recognizes that instructional resources are broader than - that is, not limited to - books, materials, and equipment. Instructional resources should also include those available in the broader community, both facilities and human. The Superintendent and the staff are requested to develop a continuing file listing such resources. They may request the services of the Parent-Teacher Organization (P.T.O.) in developing such lists.

Special lecturers, when qualified in their subjects, may be requested to speak before classes and assemblies of students of the school. Appropriate criteria and procedures shall be established by the administration for the consideration of such requests. Those requiring payment must be approved by the administration in advance and shall be paid from appropriate funds.

5-213.D Procedure - District-Sponsored Activities – School Volunteers

Volunteers can make many valuable contributions to the students and educational programs of the District. A volunteer program is approved subject to suitable rules, safeguards, and procedures as developed by the Superintendent.

School personnel can greatly benefit from knowledge, advice, skills, and other assistance willingly given by citizens of the District. Assistance may be provided through the volunteer program, booster clubs, parent chaperons, or through other groups and/or programs.

The Superintendent shall promote appropriate annual recognition of volunteer services.

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.
- 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.
- 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

The Governing Board shall hold students responsible for the loss, damage, or destruction of any textbooks, supplementary books, related printed subject - matter materials, or instructional computer software issued to and/or used by them on or off school premises.

Students must return all textbooks, supplementary books, related printed subject-matter materials, and instructional computer software issued free of charge to them by the school upon completion of the courses in which they are enrolled or upon withdrawal from any course in which they are enrolled or upon withdrawal from the school or upon being expelled from the school. All such books and materials shall be returned to the high school bookstore at the high school that the student attends.

A student who, after having been issued same by the school, has lost, damaged, or destroyed any textbook, supplementary book, subject-matter materials, or computer software shall reimburse the District for the cost of such item(s).

If for any reason a student needs to have a second copy of any textbook, supplementary book, subject-matter materials, or computer software issued prior to completion, withdrawal, or expulsion from a course in which the student is enrolled, no replacement copy will be issued until the student has paid for the cost of the lost, damaged or destroyed item. (However, the student shall not be required to pay for the issuance of a second set of books and materials if the student withdraws from school, turns in all books and materials as required, then later in the same academic year reenters the same school and reenrolls in the same courses previously attended.)

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)

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.

Procedures shall also describe the process to appeal failing grades in individual courses to the Board.

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](#)

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;
4. Social Studies; including civics;
5. Two or more of the following:
 - a. Visual Arts
 - b. Dance
 - c. Theatre
 - d. Music
 - e. Media Arts
6. Health/Physical Education
7. Other courses of study as prescribed by the Board.

Competency shall be demonstrated if the student has achieved a grade of 1 or D (or better) 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 the student has achieved a grade of 1 or 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

A student shall earn academic credit in a course if the student receives a grade of 1 or 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. Appeals

Per [A.R.S. § 15-341](#)(A)(42), the Board may review decisions to pass or fail students in individual classes. If the Board reviews decisions to, pass or fail a student, the following procedures must be observed]

A parent/legal guardian of a student or an emancipated student may appeal a decision to pass or fail 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 pass 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 pass or fail 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.

H. 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.

I. Special Education

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

5-216.B Procedure - Promotion and Retention of Students; Passing Grades – Grading/Assessment Systems

Assessment and evaluation of student progress is of primary importance in all District schools. The challenge is to balance the need for on-going assessment for instructional purposes with reporting student progress by giving a grade.

The authority for determining progress, assigning grades, and granting or withholding credit for individual courses shall rest with the teacher of the student. In making such determinations, teachers will be guided by standards set forth by the District which include:

- A. Progress grades or marks shall be based on the accomplishment of standards appropriate to the grade level or subject area.
- B. At all levels within our school system, teachers are expected to identify what they want students to learn and the criteria by which they will measure that learning.
- C. Assessments which measure progress toward the final outcome should be utilized prior to assigning a final grade.
- D. Assessments of learning which document achievement at a particular point in time will be utilized to determine final grades for reporting.
- E. Assessments and grading should provide information that students can use for self-evaluation in order to determine the next steps for their learning and which teachers can use for their support of learning.
- F. The ability of the student may be taken into consideration when determining grades.

District-developed grading systems which are appropriate for elementary, middle school and high school students will be established and utilized.

Teachers will keep a complete and accurate record of the grades assigned to students.

Teachers will report to parents on student progress toward meeting and/or exceeding academic standards, students' conduct, attendance, and tardiness.

Grades K-5

Teachers will report to parents on students' progress towards proficiency utilizing the Grade Level Proficiency Scale for Standards Assessed

4: Highly proficient: above grade level; self-directed; advanced

3: Proficient: at grade level; independent; mastery

2: Partially Proficient: working toward grade level; support needed

1: Minimally Proficient: below grade level; limited/no progress

Grades 6-12

Teachers will report to parents and students on student progress toward proficiency utilizing the traditional A – F letter grade system.

Students' conduct, attendance, tardiness, participation (not required by the State standards), and other non-academic behaviors/participation will be reflected in students' citizenship/work habit mark.

Grade Replacement

A student may, at any time during high school, retake a course for grade replacement. The course must be identical to the course for which grade replacement is requested. Upon successful completion of the coursework resulting in a higher grade, the original grade will be removed and the new grade entered on the transcript. The Grade Point Average (GPA) shall only include the replacement grade. A notation on the transcript will indicate that the original grade was replaced.

Special Education

Grades reporting achievement of special education students not taking regular education classes shall be given on a basis commensurate with the students' abilities and based on their individual progress rather than in competition with classmates. The permanent record cards for such students shall indicate enrollment in special education for those classes.

Parents of special education students shall be counseled regarding the significance of the grading system in order to avoid misinterpretation of the achievement grade.

5-216.C Procedure - Promotion and Retention of Students; Passing Grades – Secondary Grading/Assessment Systems for Middle School and High School

A. Purpose of Grades and Grade Reporting

The purpose of grades at the middle and high school levels is to communicate information about student achievement of state standards to the student and their parent/guardian. Student participation, work habits and conduct not related to state standards are reflected in a student's citizenship/work habit marks, not the grade.

All students in the District are provided access to a guaranteed and viable curriculum which ensures equitable access to all learners.

Assessments and grading, including meaningful and timely feedback on assignments, provide information that students can use for self-evaluation and which teachers can use to personalize and differentiate student learning and instruction.

B. Grading and Reporting:

1. Assessments of learning, based on identified state and course standards, will be on-going and will be utilized to drive instruction and identify opportunities for re-teaching, intervention, and enrichment. This data will be used to determine student proficiency. Students' grades should reflect diverse opportunities that allow students to demonstrate proficiency/mastery. Assessments include, but are not limited to, formative and summative quizzes, tests, projects, essays or presentations that demonstrate proficiency and mastery of state and course standards.
2. Teachers will provide students and parents with an explanation of their grading practices, in the teacher's class guidelines/syllabi and on the homepage of their classroom website/Learning Management System (LMS), which will be used to determine course grades.
3. The District utilizes a 5-point grading scale (0, 1, 2, 3, 4), with each grade/point value holding equal value to all other grades. A zero (0) indicates there is no evidence of proficiency of the state standard(s).

4	<i>A</i>	Highly Proficient
3	<i>B</i>	Proficient
2	<i>C</i>	Partially Proficient
1	<i>D</i>	Minimally Proficient
0	<i>F</i>	No Evidence of Proficiency

4. Students are expected to complete and submit assignments by the stated/written due date. Students and parents/guardians are encouraged to communicate with teacher(s), in advance of a stated deadline, to discuss individual circumstances that may necessitate an extension of the due date.

Teachers should take into consideration external challenges that may hinder a student from communicating prior to the deadline and work with students accordingly.

5. If a student turns in an assignment that shows at least minimal proficiency prior to the end of a unit, the minimum grade a student will earn is a 1. (See scale above)
6. Teachers will notify a student's parent/guardian on a bi-weekly basis if the student's overall grade is a D (1) or F (0), demonstrating the student is not making progress towards course/state standards.
7. Teachers will enter a minimum of one (1) grade per week into Infinite Campus. All major grades, i.e., tests, essays, projects, etc., will be entered in a timely fashion to ensure students and parents are aware of a student's progress towards proficiency. This graded assessment of learning will be meaningful, substantive, and aligned to state, District curriculum and/or course standards.

5-216.D Procedure - Promotion and Retention of Students; Passing Grades – Homework

No hard and fast rule concerning homework can be made. Some generally accepted principles should govern the teacher in the assignment of homework:

- A. These should stem from real needs and the consideration of the total educational background of the individual student.
- B. Homework should serve a definite purpose: to provide drill or practice on a principle or skill already taught, to provide real-life application of the matter in hand, to develop appreciation for or knowledge of community resources, or to develop the personal culture of the student.
- C. Homework should be used as a technique for learning. "Busy work" turned in by the student and discarded by the teacher does not further learning; it merely inspires resentment and lessens the effectiveness of the teacher.
- D. Homework should not be assigned as punishment under any circumstances.
- E. Homework should be reasonable in view of the student's personal situation. Health, housing conditions, outside work or responsibility, leisure-time activity, and conflicting demands of home and school should not be allowed to become a frustrating and damaging combination for the student.
- F. Homework should not be used to replace or reduce supervised study, which should take place during school hours. This type of study usually achieves better results than homework.
- G. Homework is more effective if a conference with the parent results in an understanding of purpose and ways in which help at home can best be offered.
- H. Responsibility for homework in elementary school should gradually increase for grades one (1) through six (6). Elementary teachers should explain that parents can supplement school instruction by helping students drill on their spelling words and number combinations, encouraging them to read at home, and working with other assigned activities. Homework in the middle school grades usually increases from approximately one (1) to one and one-half (1 1/2) hours per night until, at the high school level, two (2) hours of homework per night are expected.
- I. There should be a cooperative effort on the part of teachers to coordinate homework assignments so that students are not overburdened with excessive quantities of homework.
- J. Each teacher should teach students what to study and how to study.
- K. Teachers at the elementary and middle school levels are encouraged to use some type of homework assignment booklet in which students can record their assignments on a daily basis. Such a record could serve to remind the student and to inform the parents of assignments due.

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](#)).

Regular Education

A minimum number of units of credit are required for graduation by the Arizona State Board of Education. Listed below are the units that must be completed before a student may receive a high school diploma.

Graduation requirements may be met as follows:

- A. By successful completion of subject area course requirements.
- B. By mastery of the standards adopted by the State Board of Education and other competency requirements for the subject as determined by the Governing Board in accord with Ariz. Admin. Code R7-2-302.02 and rules established by the Superintendent.
- C. By earning credits through correspondence courses (limited to one [1] in each of the four [4] major subject areas) and/or by passing appropriate courses at the college or university level if the courses are determined to meet standards and criteria established by the Board and in accord with A.R.S. § 15-701.01.
- D. By the transfer of credits as permitted by District policy and state law.
- E. An out-of-state transfer student is not required to pass the competency test to graduate if the student has successfully passed a statewide assessment test on state adopted standards that are substantially equivalent to the State Board Adopted Academic Standards.

Graduation requirements as determined by the Arizona State Board of Education (R7-2-302.02) and the Governing Board are as follows:

English	4.0 units
Math	4.0 units*
Science	3.0 units**

Social Studies	3.0 units***
American Government and Arizona Government	0.5 unit
American History - including Arizona History	1.0 unit
World History and Geography	1.0 unit
Economics	0.5 unit****
Fine Arts or Career, Technical and Vocational Education	1.0 unit
Physical Education	1.0 unit
Electives	<u>6.0 units</u>
Total	<u>22.0 units</u>

* In lieu of one (1) credit of Algebra II or its equivalent course content a student may request a personal curriculum in mathematics following R7-2-302.03.

* Math courses shall consist of Algebra I, Geometry, Algebra II, (or its equivalent) and an additional course with significant math content as determined by the Governing Board (Governing Body).

Pursuant to the prescribed graduation requirements adopted by the State Board of Education, the Board may approve a rigorous computer science course that would fulfill a mathematics course required for graduation from high school. The Board may only approve a rigorous computer science course if the rigorous computer science course includes significant mathematics content and the Board determines the high school where the rigorous computer science course is offered has sufficient capacity, infrastructure and qualified staff, including competent teachers of computer science.

** Three (3) credits of science in preparation for proficiency at the high school level on a state required test.

*** Through the graduating class of 2025, the competency requirements for social studies shall include a requirement that, in order to graduate from high school or obtain a high school equivalency diploma, a pupil must correctly answer at least sixty (60) 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.

Beginning with the graduating class of 2026, the competency requirements for social studies shall include a requirement that, in order to graduate from high school or obtain a high school equivalency diploma, a pupil 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. The District school shall document on the pupil's transcript only a pass or fail designation that the pupil has passed or failed the test.

A pupil in grade seven (7) or eight (8) may take the test described in this paragraph, and if the pupil correctly answers at least seventy (70) of the one hundred (100) questions on the test:

- a) The school shall document on the pupil's transcript only a pass or fail designation that the pupil has passed or failed the test required by this paragraph.
- b) The pupil is not required to take the test required by this paragraph again in high school.

**** The State Board requirement for economics is at least one-half (.5) of a course credit, which shall include financial literacy and personal financial management.

The Board may determine the method and manner in which to administer a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. A pupil who does not obtain a passing score on the test that is identical to the civics portion of the naturalization test may retake the test until the pupil obtains a passing score.

The District shall report to the Arizona Department of Education all of the following aggregate data, organized by grade level, relating to the test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services required by subsection A, paragraph 3 of A.R.S. § 15-701.01:

1. The median score.
2. The percentage of pupils who passed by correctly answering the minimum number of questions required to pass the test pursuant to subsection A, paragraph 3 of §15-701.01.
3. The percentage of pupils who failed by correctly answering fewer than the minimum number of questions required to pass the test pursuant to subsection A, paragraph 3 of §15-701.01.
4. Any other data required by the department relating to the test.

The District may not include personally identifiable information of any pupil in the data reported to the department of education under subsection L of §15-701.01.

Special Education

Listed above, under "Regular Education," are the requirements that must be completed before a student may receive a high school diploma. Completion of graduation requirements for special education students who do not meet the required units of credit shall be determined on a case-by-case basis in accordance with the special education course of study and the individualized education program of the student. Graduation requirements established by the Governing Board may be met by a student as defined in A.R.S. § 15-701.01 and Ariz. Admin. Code R7-2-302.

Pupils who receive special education shall not be required to achieve passing scores on the test that is identical to the civics portion of the naturalization test under A.R.S. § 15-701.01 in order to graduate from high school unless the pupil is learning at a level appropriate for the pupil's grade level in a specific academic area and unless a passing

score on the test that is identical to the civics portion of the naturalization test under A.R.S. § 15-701.01 is specifically required in a specific academic area by the pupil's individualized education program as mutually agreed on by the pupil's parents and the pupil's individualized education program team or the pupil, if the pupil is at least eighteen (18) years of age.

Any student who is placed in special education classes, grades nine (9) through twelve (12), is eligible to receive a high school diploma without meeting state competency requirements.

State Seal of Biliteracy.

The District may voluntarily participate in the state seal of biliteracy program by notifying the Superintendent of Public Instruction of such intention. Schools will then identify the students who have met the requirements to be awarded the state seal of biliteracy, which shall be affixed to the diploma and noted on the transcript of each student who has met the requirements.

CPR Instruction and Training

The District shall provide students with one (1) or more training sessions in cardiopulmonary resuscitation, through the use of psychomotor skills in an age-appropriate manner, during high school.

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](#)

Graduation

© 5-217.A Procedure - Graduation - Qualifications

A. 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.

B. 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.

C. Civics Education

For graduating classes through 2025

To qualify for graduation, a student must correctly answer at least sixty (60) 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 graduating classes beginning 2026

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.

District social studies courses may optionally include the administration of the civics test. 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. Records regarding whether a student has passed or failed the civics test shall be included in the student's educational record to fulfill high school graduation requirements.

D. 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.

E. 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.

Graduation

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

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).

A. Definitions

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

"Core credit" means units of credit required for graduation as specified by the State Board of Education in [Ariz. Admin. Code R7-2-302](#).

B. Acceptance of Academic Credit

1. Transfer of Academic Credit from Accredited School

For courses completed at an accredited school, students shall receive all academic credits posted on the high school transcript. If there is a question whether a course meets curriculum requirements, the student shall provide a course description (and syllabus if needed) in order to show parallel curriculum requirements of the transferred course. If the District does not offer the course, academic credit will be posted as a general elective.

2. Transfers of Academic Credit from Foreign or Non-accredited School

A request for transfer of academic credits will not be rejected solely for the reason that the credits were earned at a non-accredited school. If the sending school is not accredited, the District will use other methods to evaluate the credit. Credit will be transferred when at least one of the following criteria is met:

- The course met for a minimum of sixty (60) instructional hours and was taught by a certified instructor. A course meeting for sixty (60) instructional hours is to be granted a half (0.5) credit.
- The course credit is approved after examining the history of the sending school, the course title and description and/or student performance.
- The student demonstrates success in the next course in a subject sequence at a District school (e.g., English credit earned at a previous school would be accepted if the student successfully completes the next level English course at a District school).

3. Transfer of Academic Credit from Online Courses

The District accepts academic credit from on-line instruction only as elective credit unless a request is made for consideration as academic credit for a core subject (mathematics, English, social studies, and science).

4. Academic Credit upon Concurrent Enrollment (College or University)

In accordance with [A.R.S. § 15-701.01](#) and [A.R.S. § 15-1821.01](#), graduation requirements may be met by a student who passes courses in the required or elective subjects at a community college or university:.

- If the course is at a higher level (101 level or above) than the course taught in the high school attended by the student.
- If the course is not taught in the high school, the level of the course is equal to or higher than the level of a high school course. A college course of three (3) semester hours shall equal one-half (0.5) unit of high school credit upon receipt of college transcript.
- The grade earned for the college course will apply toward computation of the student's cumulative grade point average and class rank.

5. High School Credit for Coursework Prior to 9th Grade

Students may earn credit prior to high school as permitted by Ariz. Admin. Code [R7-2-302.02](#). Incoming 9th graders who participate in summer classes shall receive academic credit for work completed.

6. Mid-Course Credit

The District may give partial credit for a course not yet completed by the student upon transfer. The District may accept the grade of the student at the student's former school at the time of the transfer or may require assessments of academic standards to ascertain student proficiency.

7. Religious Instruction

The District shall not provide academic credit for religious instruction.

C. Competency Examination

Upon receipt of the District's proposed transcript, a student may request to take a competency examination in each particular course in which core credit has been denied. The student may only take the competency examination in a particular subject one time. The District shall accept academic credit for a core subject for each particular

course in which the student takes an examination and demonstrates proficiency or a passing score of sixty percent (60.0%) or more.

A student who has attended an Amphitheater District middle school will receive high school credit for Algebra, Geometry, and/or Algebra II courses and high school level Spanish I and Spanish II courses taken during the student's middle school enrollment. The grades earned in such courses shall be posted on the student's high school transcript and shall be included in grade point average calculations as if the courses were taken during high school. The grades earned in such courses shall be posted on the student's high school transcript but shall not be included in grade point average calculations.

D. Additional Requirements for Courses Taken During Middle School

1. High School Courses Taken in Non- District Middle Schools that are Part of a K-12 Accredited School District

A student who has attended a Non-Amphitheater District middle school that is a part of a K-12 accredited school district will receive high school credit for Algebra, Geometry and/or Algebra II courses and high school level Spanish I and Spanish II courses taken during the student's middle school enrollment. The grades earned in such courses shall be posted on the student's high school transcript and shall be included in grade point average calculations as if the courses were taken during high school. The grades earned in such courses shall be posted on the student's high school transcript but shall not be included in grade point average calculations.

2. High School Courses Taken in Non-District Middle Schools that are not Part of a K-12 Accredited School District

Because instructional content, standards and practices may vary in external instructional programs, and to assure adequate preparation of students for higher level content within the District, a student who attended a non-Amphitheater District middle school that is not part of a K-12 accredited school district and who, during the external middle school enrollment, completed courses equivalent in content and rigor to high school level courses in Algebra, Geometry, Algebra II, Spanish I and Spanish II, will receive high school credit and a recorded grade on their high school transcript for such courses taken during the student's middle school enrollment, provided the student demonstrates adequate mastery of the course content. The grades earned in such courses shall be posted on the student's high school transcript but shall not be included in grade point average calculations.

The student will demonstrate adequate mastery through an end-of-course assessment in the content area with a resulting score of eighty percent (80%) or better. The end of course assessment shall be developed and administered by a District teacher(s) who is(are) secondary certificated and is (are) highly qualified in the content area. The District shall not assess a fee for the administration of the end-of-course assessment.

Students who do not demonstrate content mastery by achieving a score of eighty percent (80%) or better on the assessment will not receive credit for the high school course taken in middle school, nor will the grade in the high school course taken in middle school be included in the student's high school grade point average calculation.

The eighty percent (80%) score criteria may be modified and high school credit may be given to individual students approaching the eighty percent (80%) criteria if consensus is reached among appropriate faculty members representing the District high school and the sending middle school consistent with the AdvancED standards.

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.

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.

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.

5-217.D—Procedure—Graduation—Independent Study

A student who proposes doing work completely outside the framework of a regular class situation may be enrolled for independent study. This would normally be work of an advanced nature in a subject in which the student had previously been enrolled. The objectives of independent study are 1) to develop the independent, self-directed learner and 2) to provide the learner with an opportunity to explore areas of knowledge not to be found in the regular curriculum.

In general, independent study is reserved for unusually competent students who have shown intellectual curiosity and have demonstrated the ability to accept responsibility.

If the proposed study is to be considered for credit, the student must submit a description of the proposed project for committee approval. The committee shall be composed of the instructor, the department head, and the school principal or the principal's designee.

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, and shall include the following:
 - Emphasis upon 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; and
 - Instruction 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.
- 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 students in grades seven (7) through twelve (12).

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.
 - 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.
 - 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.
- 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](#)

5-200 Curriculum and Instruction

© 5-219 Arizona Online Instruction

The District has authorized student enrollment in Arizona Online Instruction (AOI) courses for credit to fulfill the academic requirements of the District and the State Board of Education (SBE). The course(s) shall be provided by an online course provider, or an online school selected and approved by the SBE as defined by and in accordance with the criteria established in [A.R.S. §15-808](#).

To receive credit toward promotion or graduation, a student participating in AOI shall:

- satisfactorily complete the course requirements,
- participate in the testing requirements prescribed by Arizona law, and
- not be allowed to participate in AOI if the student fails to comply with the testing requirements and the online instruction provider fails to administer the tests to at least ninety-five percent (95%) of the students participating in the provider school's AOI.

Upon the student's enrollment in AOI, the student's parents/legal guardians shall be notified of the state testing requirements.

The District may administer assessments virtually, subject to the requirements of [A.R.S. § 15-741](#) and A.R.S. § 15-808.01.

The District shall coordinate with the AOI provider regarding the gathering, recording, maintenance, and reporting of applicable information to the student's parents/legal guardian, District officials, and the appropriate agencies.

If a student's academic achievement declines while the student is participating in AOI, the student's parents/legal guardians, teachers, and the school's principal or head teacher shall confer to evaluate whether the student should be allowed to continue with AOI courses.

A student may participate in AOI as either a part-time or full-time student for membership and attendance purposes as prescribed by [A.R.S. § 15-808](#).

Whenever a student becomes ineligible for continuation in an AOI course or program, for whatever reason, the student shall be enrolled in a District course or courses appropriate to the student's academic qualifications.

Adopted:

Legal Authority:

[A.R.S. § 15-203](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-701](#)

[A.R.S. § 15-701.01](#)

[A.R.S. § 15-741](#)

[A.R.S. § 15-802](#)

[A.R.S. § 15-808](#)

[A.R.S. § 15-808.01](#)

[A.R.S. § 15-901](#)

[A.R.S. § 15-901.06](#)

[Ariz. Admin. Code R7-2-301 - R7-2-302.04](#)

5-200 Curriculum and Instruction

© 5-219.A Procedure—Arizona Online Instruction—Assessment Protocols

The District may administer assessments virtually to students participating in the District's Arizona Online Instruction (AOI) and students participating in a virtual dropout recovery program pursuant to [A.R.S. § 15-901.06](#).

A. Definition

"Assessment" means a formal assessment, test, or examination that the District is required by state or federal law to administer to enrolled students.

B. Protocols

District personnel shall follow the following protocols when administering virtual assessments:

1. Assign a specific date and time to administer the assessment to students except as noted below when administering assessments virtually and in person;
2. Administer the assessment in a synchronous session that is initiated and managed by designated District staff;
3. Provide at least one (1) proctor for every ten (10) participating students to monitor students via synchronous video for the entire testing session. If the platform does not permit integrated camera proctoring, the District shall require each participating student to use a second electronic device with synchronous video that permits monitoring of the student and the student's immediate surrounding area;
4. Require that each student remain in the virtual setting until the student is instructed to exit the testing platform by the proctor or designee;
5. Verify each assessment administered.

The District may administer an assessment both virtually and in person. The District may permit exceptions to the general requirement that the assessment be administered at a specific date and time as necessary or appropriate, including but not limited to providing exceptions for students with disabilities or English language learners.

C. Prohibition

The District may not administer any of the following assessments virtually without adherence to the proctoring requirements in the above-listed protocols: a college readiness or workforce assessment provided by a national college and career readiness assessment provider; an advanced placement examination; an international

baccalaureate examination; or an alternative assessment as required by a student's individualized education program.

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5-220 Extended Instructional Programs

The Governing Board, in an effort to ensure that educational opportunities are available to all citizens of the community, as well as to students who may have special needs, offers extended educational resources, such as homebound instruction, career and technical education, cooperative education in business and industry, outdoor education, and summer school programs.

The District, with approval by the Board, may conduct a summer school program each year. The purpose of a summer school program is to provide additional opportunities for students to receive instruction or participate in enrichment activities.

Summer school attendance does not in any way guarantee promotion or graduation. However, at the high school level, students may earn credits toward high school graduation that may result in a revision of their class placement at the high school.

5-222 Career and Technical Education

The District shall provide career and technical education in a balanced program of technical instruction, academic integration, and skill application. The aim is to provide for the development of skills, abilities, understandings, attitudes, and work habits essential for individuals who desire to enter the skilled and technical work areas or plan to attend post-secondary institutions. The rapid changes in technology and global influences have necessitated the need to provide individuals with career and technical offerings that require a thorough knowledge of industry technical skills, 21st Century skills, and a sound but flexible foundation in basic academic education.

Special effort shall be made to staff the teaching positions in the career and technical education program with industry-experienced practitioners skilled in their respective fields. Industry standard equipment and tools shall, to the extent possible, be provided to ensure students are ready to enter the workforce.

In accordance with Section 504 of the Vocational Rehabilitation Act of 1973, the District will provide an equal-opportunity career and technical education program to all high school students, parents, District employees, and members of the general public. All courses, services, and activities are offered without regard to race, color, creed, religion/religious beliefs, gender, sexual orientation, age, marital status, political beliefs/affiliation, national origin, disability, home language, family, social or cultural background.

The District offers a comprehensive career and technical education program to all students (in grades nine [9] through twelve [12]), parents, employees of the District, and members of the general public. All courses, programs, services, and activities are offered without regard to race, color, creed, religion/religious beliefs, age, gender, sexual orientation, marital status, political beliefs/affiliation, national origin, disability, home language, family, social or cultural background. Limited English-speaking skills will not be a barrier to admission or participation in career and technical education. The primary requirements for admission are an established interest in pursuing a career in the chosen occupational field and the ability to meet the requirements for entry-level employment in that field of work.

A complete list of all programs, courses, and activities offered in the career and technical education program will be advertised annually in the local newspapers. The list of courses and programs offered may include, but is not limited to, the following:

- A. Agricultural Business Management-Animal Science
- B. Allied Health
- C. Audio Visual Technology
- D. Automotive Technology
- E. Business Management and Administrative Services
- F. Construction Technology
- G. Culinary Arts

- H. Drafting/Design Technology
- I. Early Childhood Professions
- J. Education Professions
- K. Engineering
- L. Fashion Design and Merchandising
- M. Information Technology
- N. Marketing, Management and Entrepreneurship
- O. Graphic Communications
- P. Hospitality
- Q. Performing Arts

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](#)

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).
- 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 of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance ("tribal objects") at the student's graduation ceremony. To view the District's "Request to Wear Tribal Regalia or Objects of Cultural Significance to Graduation" form, [click here](#).

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 contents. The Superintendent will implement procedures as required by law and will establish procedures for dealing with 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
- 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

The Board permits the release of student directory information to persons who inform students of educational or occupational opportunities.

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 in 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.*

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 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, 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/guardians at the beginning of each school year.

The *Family Educational Rights and Privacy Act* (FERPA) requires that the District, with certain exceptions, 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 accordance with the District's procedures. 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 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 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, by fifteen business days. 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.

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, he or she 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 he or she 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.

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](#)

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, gender identity, 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. Cell Phones and Other Electronic Communications—a student shall not use a cell phone or other electronic communication device during class time without the express permission of the teacher. During class time, a cell phone or other electronic communication device shall be turned off and placed in the student's purse or backpack. 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.

Adopted:

Legal Authority:

[A.R.S. § 15-843](#)

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, sexual orientation, gender expression or identity, 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 unless re-admitted pursuant to the procedures below.

The Superintendent may authorize early readmission of a student suspended for more than ten (10) days. The student shall be considered for readmission only upon completion of the major portion of the suspension (usually one [1] day more than half [1/2] with consideration for the grading period or academic division as necessary). The following conditions must be met:

1. A written request must be submitted to the Superintendent on behalf of the student by the student's parent or guardian asking for readmission and requesting a meeting to determine any requirements.
2. Accompanying the written request shall be a summary of the student's activities and accomplishments during the suspension period written and signed by the student and signed and attested to by the parent or guardian. (Parents of elementary grade students may prepare the summary.)
3. The request shall include a signed statement from local law enforcement officials that there have been no infractions of local or state codes for which the student could have been charged during the period of the suspension.
4. At the time of the meeting to review the request the student may be required to explain the incident or incidents leading up to the suspension.
5. The determination to allow readmission may be based on, but not limited to, the following elements:
 - a. The age of the student.
 - b. The frequency, type, and relative magnitude of previous misbehavior by the student.
 - c. The relative severity of the event(s).
 - d. Whether the student's behavior violated civil or criminal laws.
 - e. The degree to which the incident(s) interfered with the educational process.
 - f. The extent to which the event created endangerment to the student, others or property.
 - g. Special intellectual, psychological, emotional, environmental and physical characteristics of the student.
 - h. The student's attitude concerning the event(s).
 - i. The expressed intent concerning the student's future behavior.
6. Should early readmission be granted, the student, with parent or guardian affirmation, shall agree to the following conditions:
 1. Regular attendance—no unexcused absences.
 2. No violation of school rules or policies.
 3. Attendance at after school events for the remaining term of suspension only with prior approval of the administration.
 4. Completion of all class tasks in timely fashion, as directed.
 5. Student will receive supervision before and after school by parental arrangement, travel directly to school and from school, and report immediately to a supervisor for the balance of the term of the suspension.
7. The student and parent or guardian shall receive a written admonition that failure in the conditions required for early readmission will mean summary imposition of the remainder of the suspension, and additional punishment if indicated by the disciplinary policies and procedures of the District.

© 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.

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.

Adopted:

Legal Authority:

[A.R.S. § 15-342](#)(32)

[A.R.S. § 1-602](#)(10)

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. 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.

C. 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.

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 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."

Adopted:

Legal Authority:

[A.R.S. § 1-602\(A\)\(10\)](#)

5-400 Student Health, Safety and Welfare

© 5-403 Immunization and Communicable Diseases

The current Arizona School Immunization Requirements chart can be obtained through the Pima County Health Department, the Amphitheater Health Office, or on the District website under Parent Information.

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.

"Auto-injectable epinephrine" means a disposable drug delivery device that is easily transportable and contains a premeasured single dose of epinephrine used to treat anaphylactic shock.

"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 by a named student pursuant to a health care provider's order.

"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 department of health services, the chief medical officer of a county health department, or an authorized health care provider as designated by statute for non-individual-specific epinephrine or glucagon.

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 auto-injectable 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 auto-injectable epinephrine, recognition of anaphylactic shock symptoms and the procedures to follow

when anaphylactic shock 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;
2. selecting the appropriate dosage of auto-injectable epinephrine to administer pursuant to a standing order;
3. injecting epinephrine via auto-injector pursuant to a standing order, noting the time and dose given;
4. calling 911 to advise that anaphylactic shock 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 auto-injector 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 injection, the rationale for administering the injection, the approximate time of the injection or injections, 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 auto-injectable epinephrine; and
12. reviewing any incident involving emergency administration of epinephrine to determine the adequacy of response.

Staff Administration of Auto-Injectable Epinephrine in an Emergency

If the District voluntarily chooses or is required to stock auto-injectable epinephrine, 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 auto-injectable epinephrine in cases of anaphylactic shock 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 auto-injectable epinephrine.

Report of Incidents of Auto-Injectable Epinephrine Use

The District shall report to the Arizona Department of Health Services all incidents of use of auto-injectable epinephrine 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 auto-injectors 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 Auto-Injectable Epinephrine

Training in the administration of auto-injectable 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 auto-injectable epinephrine in cases of anaphylactic shock pursuant 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 auto-injectable epinephrine, restocking auto-

injectable epinephrine upon use or expiration, and storing all auto-injectable epinephrine at room temperature 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 auto-injectable epinephrine to administer based upon weight and the frequency at which auto-injectable 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 auto-injectors at the school during that fiscal year.

The District may accept monetary donations for, or apply for grants for, the purchase of epinephrine auto-injectors, or may participate in third-party programs to obtain epinephrine auto-injectors 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, the procedures to follow when respiratory distress occurs, in accordance with good clinical practice, and at least

two District staff members at each school to 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 requirements:

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. assure 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 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 its 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. A requirement that any medication administration services specified in the child's diabetes medical management plan shall be provided.
3. A requirement 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. A requirement that 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 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, 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 school 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, or its successor agency; 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, or its successor agency.

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

Pursuant to Policy 5-404, 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, and
2. select the appropriate dosage of auto-injectable epinephrine to administer pursuant to the District standing order.

After the emergency administration of epinephrine via an auto-injector pursuant to the District standing order, 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 when symptoms persist, and emergency responders have not arrived.
6. Provide emergency responders with the used epinephrine auto-injector 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 injection;
 - b. the rationale for administering the injection;
 - c. the approximate time of the injection or injections; 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 dose or doses of auto-injectable epinephrine.
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

Pursuant to Policy 5-404, prior to the emergency administration of an inhaler, a District nurse, health assistant, or other trained staff shall:

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 individual can walk and talk easily.
8. Allow student to return to class if breathing has returned to normal and all symptoms have resolved.
9. Notify 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.
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 student be capable of practicing proper safety precautions for the handling and disposal of the equipment and medication authorized for use in 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 assistant, 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

Pursuant to Policy 5-404, 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 when 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

Pursuant to Policy 5-404, 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, to ensure the protection of the school and the student.

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, or a licensed physician assistant, the District nurse or health assistant 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.

© 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](#)

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.
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 their 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](#)

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 (including sexual orientation and gender identity), 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](#)

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.

This Policy applies to 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 and 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, and 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.

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 District administration 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, and 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](#)

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