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STUDENT DISCIPLINE

The Superintendent shall recommend policies and develop procedures for the discipline of students that comply with A.R.S. 15-843. These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity and may be imposed if the student's behavior affects the school order. When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

The discipline, suspension and expulsion of pupils shall not be based on race, color, religion, sex, national origin or ancestry. A substantial or deliberate failure to comply with the prohibition against race, color, religion, sex, national origin or ancestry may subject the District to the loss of funds imposed by A.R.S. 15-843.

The principal of each District school shall ensure that a copy of all rules pertaining to discipline, suspension, and expulsion are distributed to each student's parents at the time the student enrolls in school each year.

Behavior Management and Discipline of Students with Special Needs

The Superintendent shall oversee a collaborative process for the identification, description, and monitoring of best practices for behavioral management and discipline of special needs students. The practices shall include, but not be limited to:

- authorized and prohibited disciplinary methods,
- recommended and required training for special education program teachers and aides, and
- requirements for conveying notice of disciplinary measures taken.

The Superintendent shall, by administrative regulation, prescribe procedures for implementation of the best practices, subject to Governing Board approval.

Temporary Removal

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

- Rules established for the referral of students.
- The conditions of A.R.S. 15-841, when applicable.

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

Threatened an Educational Institution

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

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

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

Adopted: date of [manual](#)[Manual](#) adoption *Revised:* August 14, 2001

LEGAL REF.: A.R.S. 13-403 *et seq.*
 13-2911
 15-341
 15-342
 15-841
 15-842
 15-843
 15-844

[A.A.C. R7-2-807](#)

CROSS REF.: [GBEB - Staff Conduct](#)
 JIC - Student Conduct
 JKA - Corporal Punishment
 JKD - Student Suspension
 JKE - Expulsion of Students

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STUDENT DISCIPLINE

A student may be subject to disciplinary action when the student:

- Engages in conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, by:
 - Fighting or engaging in violent behavior.
 - Making unreasonable noise.
 - Using abusive or obscene language or gestures.
 - Obstructing vehicular or pedestrian traffic.
 - Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.
- Engages in conduct that is insubordinate, i.e., failing to comply with the lawful directions of a teacher, school administrator, or other school employee in charge of the student.
- Endangers the safety, morals, health, or welfare of others by any act, including but not limited to:
 - Selling, using, or possessing alcohol, drugs, or other controlled substances or drug paraphernalia.
 - Selling, using, or possessing weapons, fireworks, or other dangerous instruments or contraband.
 - Selling, using, or possessing obscene materials.
 - Using profane, vulgar, or abusive language (including ethnic slurs).
 - Gambling.
 - Hazing.
 - Engaging in lewd behavior.
- Engages in any of the following forms of academic misconduct:

- Lateness for, missing, or leaving school or class without permission or excuse.
 - Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion).
 - Plagiarism.
- Engages in conduct violative of the Board's rules and regulations for the maintenance of public order on school property.
 - Uses personal portable electronic instruments, communication, and entertainment devices, including but not limited to cell phones, still and video cameras and equipment, recording/playback apparatus, and other electronic equipment which may be used for similar purposes, during the school day or during directed student study time unless such use has been specifically authorized by the school administrator.
 - Has a record of excessive absenteeism.
 - Is believed to have or actually has committed a crime.

Reasonableness of use of physical force in self-defense, defense of others, and defense of property will be considered as a mitigating factor in determining penalties for misconduct. The threat or use of physical force by a student is not reasonable (i) when made in response to verbal provocation alone, (ii) when assistance from a school staff member is a reasonable alternative, or (iii) when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

Permissible Penalties

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- Verbal warning.
- Written warning.
- Written notification to parents.
- Probation.
- Detention.

- Suspension from transportation.
- Suspension from athletic participation.
- Suspension from social or extracurricular activities.
- Suspension of other privileges.
- Exclusion from a particular class.
- In-school suspension.
- Involuntary transfer.
- Community service.
- Suspension.
- Alternative to Suspension Program.
- Expulsion.
- Alternative to Expulsion Program.

Depending upon the nature of the violation, student discipline may be progressive, i.e., generally, a student's first violation **can warrants should merit** a lighter penalty than subsequent violations. **More serious penalties may be imposed for more serious violations, even in first occurrences.** A District employee or agent should take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

Student Disciplinary Proceeding

Each school will establish a procedure that at a minimum will provide the principal, or the designee of the school administrator, with documentation of the teacher's reason(s) for the temporary removal of a student from class.

Refusal to readmit per A.R.S. 15-841:

- Upon discussion, by the administrator with the teacher, of disciplinary action implemented in conjunction with a temporary removal in accord with the rules established by the Board, the teacher will be required to state an intent to readmit or refuse to readmit the removed student. If the teacher refuses to readmit the student, the reason shall be written by the teacher, explaining the conditions used to determine the removal, and shall be provided to the administrator by the next business day following the temporary removal.

- Either of the following conditions must exist for a temporary removal per A.R.S. 15-841:
 - The teacher has documented that the pupil has repeatedly interfered with the teacher's ability to communicate effectively with the other pupils in the class or with the ability of the other pupils to learn.
 - The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.
- The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. 15-841. Within three (3) business days following the date of temporary removal, the SPRC shall determine to either place the student in a new class or return the student to the existing class if that is the best or only practicable alternative.
- If the student is qualified for educational services under the Individuals with Disabilities Education Act (IDEA), any change in the student's individualized education program (IEP) shall be determined by the **IEP individualized education program (IEP)** team in accord with federal regulations.

Any teacher, administrator, Board member, parent, or other person may report a violation of student disciplinary rules to an administrator. The administrator will then make an investigation of the charges as deemed appropriate and will institute appropriate proceedings.

This information for the maintenance of public order on school property will be publicized and explained to all students and provided in writing to parents as requested. In order to promote effectiveness of student discipline, the assistance of parents in enforcing rules for student discipline shall be invited and encouraged.

Involving Staff Members

The principal is responsible for involving staff members of the school in the development of a positive plan for student discipline. All staff members are responsible for implementing the plan of student discipline for the school.

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STUDENT DISCIPLINE
(Behavior Management and Discipline of Students With Disabilities)

Practices and procedures for the behavior management and discipline of special needs students shall be determined and applied in accord with the following standards:

Behavior Management and Discipline of Special Needs Students

Each school shall implement positive, evidence-based, safe, and timely plans and procedures for all special needs students including those who exhibit behaviors that interfere with learning or who place themselves or others in danger. Administration, staff, parents and students are to be engaged in the development of the plans. The purpose of the plan is to identify practices that are agreed upon and complied with and reinforced by members of the school community, including the Governing Board. An objective of the plan is to provide consistency in the manner in which deviations from appropriate behavior are addressed. The plans are to be submitted to the Superintendent.

- Plans are to be:
 - *Proactive*: Students are to be taught the critical social skills needed for success. Positive behavioral interventions and supports enable the school to set clear expectations for behavior, to acknowledge and reward appropriate behavior, and to implement a consistent continuum of consequences for challenging behavior.
 - *Comprehensive*: Positive behavioral interventions and supports are to be employed uniformly throughout the school, including non-instructional areas such as the cafeteria, hallways, and buses. School personnel are to be trained in positive behavioral interventions and supports, in data reporting, and receive support in implementation of the practices. School personnel are to be trained in areas of crisis intervention such as use of restraints and seclusion.
 - *Data driven*: The school is to rely on data for the development and modification of its positive behavioral interventions and supports approach. The data is to be tracked through office referrals as well as from classroom reports, school-based intervention teams, and crisis intervention documentation. Positive behavioral interventions and support teams are to use the data to design specific interventions to

prevent challenging behaviors before they occur and to confirm the effectiveness of interventions.

- Plans are to ensure that parents of students enrolled in the school have comprehensive information regarding behavioral expectations within the school and the planned responses should the expectations not be met. Parents are to:
 - have ready access to the school plan, and
 - be informed how to provide input into the plan.

Response to Intervention

The plans are to provide for and the school is to have in place a multi-level approach to teaching students appropriate behaviors that provide progressively intense support for students according to need.

- Interventions shall be consistent with plans for creating and maintaining a positive school climate.
- Provide for small group direct instruction on a regular basis to those students who are experiencing difficulty understanding or abiding by the established standards of behavior. Supports should include such strategies as increased and targeted social skills training, increased monitoring and reinforcement systems, self-management techniques, and family mentoring and involvement programs.
- Provide a range of individualized interventions designed to address the specific behaviors continuing to cause the student difficulty. These may include counseling, more intense direct instruction, behavioral contracts, specific behavioral consequences, alternative educational programming, consideration for a referral for an evaluation for special education, and other strategies agreed upon with the parents. A functional behavioral assessment (FBA) and a behavior intervention plan (BIP) may be included and shall be required for students with disabilities when a manifestation determination is necessary.
 - The FBA must identify the triggers for the challenging behavior and what subsequent responses by staff or other students reinforce the continuation of the challenging behavior.
 - The BIP should be developed from a functional behavioral assessment and prescribe methods the staff will use to prevent, manage, replace, and monitor changes to the behavior. The BIP must be based on evidence-based practices and support the goal of making the challenging behavior irrelevant, ineffective and inefficient. The BIP must be implemented with integrity by staff trained to do so.

Crisis Management

Crisis management in the context of behavior management is defined as the methods used by school personnel to respond to imminent danger to the student, other students or staff. The two (2) most commonly used methods of crisis management are restraint (either physical or mechanical) or seclusion of the student.

- ***Use of seclusion.*** *Seclusion* for the purpose of the plan is the confinement of a student alone in any space from which the student is physically prevented from leaving.

Seclusion does not mean (a) time out when it is used for a limited or specified time, as a behavior management technique during which the student is placed in an environment where access to positive reinforcement is unavailable and the student's movement is not physically restricted, and (b) student self-imposed voluntary isolation or time out for the purpose of calming him/herself and the student is monitored by a staff member.

- The use of seclusion is to be used only in an emergency to protect persons from imminent, serious physical harm.
- Any area used for seclusion must be free of objects that could cause harm, must provide for adequate visual and audio supervision of the student, must provide adequate lighting and ventilation, and must not be locked.
- Any area used for seclusion must comply with the State Fire Code.
- School personnel must observe the student at all times during the seclusion period and reassess the child every thirty (30) minutes. When seclusion continues beyond the second assessment, an administrator or the administrator's designee must review and approve continued seclusion.
- The student must be released from seclusion as soon as the student regains self-control.
- If seclusion is necessary, parents and administrators must be notified within the same school day and a written notice that includes the circumstances that preceded the behavior, the behavior, the length of time the student was secluded, the location of the seclusion, and the person who observed the student during the seclusion must follow. When a student has been in seclusion for longer than one (1) hour, parent contact must be initiated immediately.
- A debriefing with affected staff, parents, and, if appropriate, the student shall be conducted within forty-eight (48) hours. During the

debriefing, a determination must be made regarding the need for a functional behavior assessment (FBA).

- Each incident must be recorded in the student management system.
 - A student who has required crisis management by the school staff more than three (3) times in a semester must have a functional behavior assessment (FBA) and, if appropriate, a behavior intervention plan (BIP) within a reasonable time following the third (3rd) incident.
 - The District and the school must have a strategy in place to support teams in modifying a FBA and BIP when the existing plan is ineffective (e.g., continued instances of the need for crisis intervention).
- ***Prohibited uses of seclusion:***
 - Seclusion is not to be used as punishment for violations of school rules, for repetitive behaviors, or because of teacher anger toward the student.
 - Seclusion is not to be harsh, severe, or out of proportion with the offense committed and the age and physical condition of the student.
 - Seclusion is not to be used to prohibit reasonable access for the care of the student's bodily needs.
 - Seclusion must not deny a free, appropriate public education to students with disabilities through excessive or extensive use.
 - The use of seclusion is not to be limited, by policy or practice, to students with disabilities.
 - ***Use of physical and mechanical restraints:*** For the purposes of this regulation *physical restraint* is defined as the application of physical force by one (1) or more individuals that prevents or significantly restricts a student's movement. Restraint is a last resort emergency safety intervention.

For the purposes of this regulation *mechanical restraint* is defined as the restriction of movement by devices such as straps, duct tape, cords, or garments.

Not to be included in this definition are:

Restraints used in schools for the purpose of providing support to students' orthopedic and assistive technology needs in order to permit them to learn and participate in school activities as identified in an individualized education program (IEP).

Restraints, such as weighted vests or blankets, identified by an IEP team as appropriate for a student to enhance participation in learning activities.

Vehicle safety restraints used in accordance with state and federal regulations. Restraints employed by law enforcement officers in school settings that are used in accord with their policies and appropriate professional standards. *These instances are subject to the same reporting requirements by the school as restraints used by school personnel.*

- Physical restraint is to be a last resort emergency safety measure used only in an emergency situation when a student is imminently dangerous to him/herself or others. Instances where reasonable and appropriate restraint may be used include, but are not limited to:
 - ▲ Breaking up a fight;
 - ▲ Taking a weapon away from a student;
 - ▲ Briefly holding a student to calm and comfort the student;
 - ▲ Applying minimum contact necessary to physically escort a student from one area to another;
 - ▲ Assisting a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration;
 - ▲ Momentarily holding a student in order to prevent an impulsive behavior that threatens the student's safety, the safety of others, or the destruction of property.
- Personnel using the restraint must take extreme care to provide for the safety and comfort of the student during the restraint procedure.
- Personnel authorized to use restraints must have been extensively and repeatedly trained by personnel who have maintained approval by a training program to provide training in:
 - ▲ Alternatives to restraint (e.g., de-escalation strategies, and problem-solving techniques);
 - ▲ The proper use of the restraint; and
 - ▲ Safety precautions and procedures for continuous monitoring of a student by a third party during restraint.

- The student must be released from the restraint as soon as the student regains self- control.
 - Parents and administrators must be notified as soon as possible within the same school day, followed by a written notice stating the circumstances that preceded the behavior, the behavior, the length of time the student was restrained, the location of the restraint and the person(s) who observed the student during the restraint.
 - A debriefing with affected staff and parents and, if appropriate, the student must be conducted within forty-eight (48) hours. During the debriefing a determination will be made regarding the need for a functional behavioral assessment (FBA).
 - An incident report of the event must be recorded in the student management system.
 - A student who has required crisis management on the part of the school staff more than three (3) times in a semester must have a functional behavioral assessment (FBA) and, if appropriate, a behavior intervention plan (BIP) developed within a reasonable time following the third (3rd) critical incident.
 - The District and the school must have a strategy to support teams in modifying a FBA and BIP when the existing plan is ineffective (e.g., continued instances of the need for crisis intervention).
- ***Prohibited uses of physical and mechanical restraints:***
 - Physical and mechanical restraints, such as prone restraint, that places excess pressure on the chest or back or impedes the ability to breathe or communicate are prohibited.
 - The use of mechanical restraint by a staff member who has not been trained in the use of restraints is prohibited except when the case is one presenting extreme danger to the student or to others, and:
 - ▲ The restraint is not out of proportion to the danger, the age, and the physical condition of the student;
 - ▲ The restraint is not used to prohibit reasonable access for the care of the student's bodily needs.
 - Restraints that provide support to a student's orthopedic needs shall not used as a means of punishment for noncompliant behaviors.

- No policy or practice shall limit the use of restraints to students with disabilities.
- ***Training in uses of seclusion and restraint procedures:***
 - Personnel who use seclusion and restraints procedures must have training in conflict prevention, crisis de-escalation, possible effects of seclusion, and any local or state regulations regarding the seclusion space and its use.
 - The training of personnel must be recurrent with annual updates appropriate to the type of school setting, to the age and developmental level of students. The training must include information about commonly accepted standards for the use of seclusion and restraint in the school setting.
 - The training must include content and skill development on the use of positive, instructional, and preventive methods for addressing student behavior.
 - The training must include information about the effects of medications students may be receiving and how seclusion and restraint procedures might affect the physical well being of the student during seclusion or restraint.
 - The training must include multiple methods for monitoring a student's well-being during a restraint.
 - The training must include certification in First Aid and cardiopulmonary resuscitation (CPR) in the event of an emergency during seclusion.
 - The training must include the requirements for reporting to parents and administration.
- ***Corporal punishment:*** For the purposes of this regulation *corporal punishment* is defined as the deliberate infliction of pain intended to discipline or reform a person's bad attitude and/or behavior.
 - Corporal punishment is prohibited.

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STUDENT DISCIPLINE

Each principal shall establish and retain complete records of student disciplinary actions and procedures. Records regarding student disciplinary actions shall be retained for at least two (2) years after last attendance date.

The accounting for students subject to disciplinary action on discipline record card shall contain an entry of:

- ♦• The full name of the student.
 - ♦• The racial/ethnic and sex designations of the student.
 - ♦• The time, place, and date of the offense or offenses, or observed behavior.
 - ♦• Descriptions and dates of other offenses or observed behaviors if not previously reported.
 - ♦• The names of witnesses or others involved.
 - ♦• Specific measures taken by person or persons reporting the offense or offenses to effect an adjustment, including the specialized help secured before referral, such as conferences with parents, conferences with the principal, and conferences with other school personnel.
 - ♦• The name and title of the person or persons reporting the offense or offenses.
 - ♦• The alternatives, if any, that were considered prior to the imposition of the disciplinary action taken by the principal.
 - ♦• The final disposition of the case.
 - ♦• The name and title of the person or persons imposing the action or actions.
- The kinds of disciplinary actions for which an accounting should be kept shall include, but not be limited to:
- ♦• Suspensions and/or expulsion.
 - ♦• Corporal punishment.
 - ♦• Placement in work room or detention (for disciplinary reasons).♦Transfer to another class (for disciplinary reasons).
 - Transfer to another class (for disciplinary reasons).

- ♦• Transfer to another school (for disciplinary reasons).
- ♦• Referrals of cases to police and juvenile authorities.
- ♦• Others as required.

The **buildingschool** principal shall have the responsibility of maintaining the necessary discipline records to include:

- ♦• Discipline record card (each reported incident). Student discipline list (cumulative).
- ♦• Log of corporal punishments (each incident).
- ♦• Summary of corporal punishments: monthly report, retained by the principal; yearly summary, copy to the District office.
- ♦• Log of suspensions (cumulative).
- ♦• Summary of suspensions: monthly report, retained by the principal; yearly summary, copy to the District office.
- ♦• Log of expulsions and referrals to courts (cumulative).
- ♦• Log of Governing Board expulsions (each incident).
- ♦• Summary of expulsions: monthly report, retained by the principal; yearly summary, copy to the District office.
- ♦• Log of student withdrawals (cumulative).
- ♦• Summary of withdrawals: monthly report, retained by the principal; yearly summary, copy to the District office.
- ♦• Log of dropouts (cumulative): use only W5's as dropouts; use of this form is optional.

All monthly summary forms shall be completed at the close of each attendance month.

Adopted: date of manual adoption

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STUDENT DISCIPLINE

REFERRAL OF STUDENT TO PRINCIPAL

Student's Name	Date /Time Sent	Teacher	Period /Room
Purpose for which	the student	is	being referred

If the referral is for misconduct, have you previously referred this student for the same, or similar, reason(s)? Yes No

Do you desire to confer with the principal, or the principal's designee, before disciplinary action is taken? Yes No

Is it your intent to file a Notice to Principal of Refusal to Readmit Student? Yes No Possibly

REMINDER: All documentation substantiating the reason(s) and condition(s) for a refusal to readmit the student following the student's temporary removal pursuant to A.R.S. 15-841 must be provided by the next business day following the temporary removal.

Teacher's Signature

Adopted: date of manual adoption

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STUDENT DISCIPLINE

NOTICE TO PRINCIPAL OF REFUSAL TO READMIT STUDENT

(mustMust be submitted by next business day following temporary removal)

Teacher _____ Student _____
School _____ Class _____ Period _____

Under the provisions of A.R.S. 15-841, I am refusing to readmit the above-named student to the identified class. The temporary removal was made under the following condition (one [1] of the two [2] conditions must be selected and substantiated):

- 1. **The pupil has repeatedly interfered with my ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.**
- 2. **The pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with my ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.**

Instructions: Describe the incidents that have prompted the decision to remove the student from the class. It is important that complete and detailed information is provided, as it will be used (1) by the principal in determining the appropriate discipline management techniques, consistent with Governing Board rules, to be applied to this case, and (2) by the placement review committee to determine whether the student should be placed back in the class if the teacher and principal cannot reach consensus that acceptable corrective measures have been accomplished to effect the student's return to class.

To the extent possible, report literal disruptive remarks made by the student, and list contributing factors such as the student's facial or bodily expressions, gestures, sounds, and so forth. Explain how the student attempted to divert the attention of other students, to encourage their participation in the misbehaviors, and to otherwise interfere with the classroom management, teaching, and learning processes. State the techniques, both successful and unsuccessful, that have been attempted to restrain the student's misconduct, gain the student's cooperation, or otherwise control the situation. List the dates of and summarize the communications and conferences with the student's parent(s) or other responsible adult(s) to elicit their assistance in resolving the difficulties with the student.

If the space on this form is inadequate, check the box on the following page and indicate the number of supplemental sheet(s) you are attaching to this notice.

Date of misbehavior: Description of incident:

Techniques attempted:

Parental conference held? Yes No If yes, date held and summary of outcome.

Date of misbehavior: Description of incident:

Techniques attempted:

Parental conference held? Yes No If yes, date held and summary of outcome.

Date of misbehavior: Description of incident:

Techniques attempted:

Parental conference held? Yes No If yes, date held and summary of outcome.

Additional space is needed. _____ supplemental sheets are attached to this notice.

Express your opinion of the action(s) that will be most effective with the student and state your expectation for the outcome of your decision to remove the student from your class.

Teacher's Signature Date notice submitted to principal

SUPPLEMENT TO NOTICE TO PRINCIPAL OF REFUSAL TO READMIT STUDENT

Teacher _____ Student _____ Date _____

School _____ Class _____ Period _____

Date of misbehavior: Description of incident:

Techniques attempted:

Parental conference held? Yes No If yes, date held and summary of outcome.

Date of misbehavior: Description of incident:

Techniques attempted:

Parental conference held? Yes No If yes, date held and summary of outcome.

_____ of _____ Supplemental Sheets *Adopted: date of manual adoption*

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STUDENT DISCIPLINE

A GUIDE TO DISCIPLINARY ACTIONS **FOR VIOLATIONS OF THE RULES
OF PROHIBITED CONDUCT**

Displayed below is a guide to the probable disciplinary measures that may be taken in the event of student misbehavior. Absence from the list of additional misbehaviors that may occur does not preclude disciplinary action from being taken on those misbehaviors, nor does it imply limitations to the disciplinary action.

The actual discipline determined for a given violation will be based upon consideration of a variety of factors, which will include, but are not necessarily limited to, the following elements: the age of the student; the frequency, type, and magnitude of previous misbehaviors by the student; aggravating circumstances associated with the incident; the relative severity of the event; whether the student's behavior violated civil or criminal laws; the degree to which the incident interferes with the educational process; the extent of endangerment to the student, other persons, and property created by the event; special intellectual, psychological, emotional, environmental, and physical characteristics of the student; the student's attitude concerning the event; and the expressed intent concerning the student's own future behavior.

Level I - Minor Violations

Contract Violation (no harm to person or property).

Disruption of Campus Activities (minor severity – brief, no police involvement or injury).

Disruption of Classroom Activities (minor severity – brief, no police involvement or injury).

Excessive Tardies.

Off-Campus Pass Violation (brief – no harm to person or property).

Other District Policies (no harm to person or property).

Parking Violation.

Standard of Conduct on School District Property (if no safety impact or risk).

Behaviors that May Result in Student Discipline

Absenteeism.	<i>Range of</i>	<i>Minimum</i>	<i>Range of</i>	<i>Maximum</i>
<i>Occurrence</i>	<i>Disciplines</i>		<i>Disciplines</i>	
<i>First</i>				
<i>Subsequent</i>				

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CORPORAL PUNISHMENT

The Amphitheater Unified School District No. 10 **disallows** corporal punishment.

Adopted: date of **manual**Manual adoption

LEGAL REF.: A.R.S. 15-843 **A.A.C. R7-2-807**

CROSS REF.: **JK - Student Discipline**
JKD - Student Suspension
JKE - Expulsion of Students

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DETENTION OF STUDENTS

Detention is defined as the act of restricting a student to a particular place in the school for a specified period of time outside of regularly scheduled class hours; i.e., during the lunch period, a recess period, or during a period of time immediately after classes have been dismissed for the day. In addition, secondary school students may be assigned detention on the weekends during the months school is in session.

A student may be assigned to detention by the Superintendent, by the student's principal or teacher, or by a designee of either the Superintendent or the student's principal. A student may also be assigned to community or school service in lieu of or in conjunction with detention. Such service, if imposed, shall be age appropriate.

Reasonable detention during break-time, noon, or at the close of the school day is permitted, provided that appropriate consideration is given to student transportation, weather, and other extenuating circumstances. However, a student shall not be denied the privilege of eating. Detention should not exceed one (1) hour per day.

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LEGAL REF.: A.R.S. 15-843

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DETENTION OF STUDENTS

At all grade levels, when a student is assigned to detention, the person(s) responsible for said student must be contacted by the teacher and/or by a school administrator or designee, and informed as to the reason for the detention.

Teachers may keep students after school to make up work or for disciplinary reasons. The names of students to be kept after school will be reported to the District office not later than ____ p.m. each day.

Students may be assigned to detention without prior notification of the responsible person if the detention occurs during regularly scheduled school hours for students.kept after school only if prior notice has been given to their parents, and only on days when the District provides a late bus. Teachers are responsible to see that all students are released in time to board the late bus.

Teachers and/or administrators who use detention as a disciplinary measure must give at least 24 hours *prior* notice to the person(s) responsible for the students involved if the detention is for a period of time immediately after school has been dismissed or at any time other than during normal school hours, regardless of the grade level of the student, so that proper arrangements can be made through the home for the student's transportation and/or after-school care, if needed. Only the person(s) responsible for the student may waive the 24-hour notice.

Adopted: date of manual adoption

^J-4850 © JKD
STUDENT SUSPENSION

A student may be removed from contact with other students as a temporary measure.

The authority to suspend a student for up to ten (10) days, after an informal hearing is held, rests with the Superintendent. **This authority may be delegated to other administrators.** If a danger to students or staff members is present, the **principalSuperintendent** may immediately remove the student from school **and may convey the student to law enforcement, after attempting, with** prior contact with the parents. **A and with a** notice and hearing **shall followfollowing** as soon as practicable **following the immediate removal of the student.** Each suspension shall be reported to the Governing Board, within five (5) days, by the person imposing it. [A.R.S. 15-843]

In all cases, except summary suspension where a clear and present danger is evident, the student shall remain in school until applicable due process procedures are instituted. In *no* instance shall students be released early from school unless parents have been notified.

The Superintendent may designate a hearing officer for suspension hearings.

Regular Education Students

Suspension for ten days or less:

- *Step 1:* The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
 - After having received notice, the student will be asked for an explanation of the situation.
 - The authorized District personnel shall make reasonable efforts to verify facts and statements prior to making a judgment.
- *Step 2:* Following Step 1:
 - Provided that a written record of the action taken is kept on file, authorized District personnel may:
 - ▲ Suspend the student for up to ten (10) days.
 - ▲ Choose other disciplinary alternatives.

- ▲ Exonerate the student.
- ▲ Suspend the student for ten (10) days pending a recommendation that the student be given a long-term suspension or expulsion or both.
- When suspension is involved:
 - ▲ A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
 - ▲ A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
- No appeal is available from a short-term suspension.

Suspension for over ten days:

- *Step 3:* If the offense is one that could result in a suspension of over ten (10) days, in addition to Step 1 and Step 2 a formal hearing will be arranged and conducted by a hearing officer or by the Superintendent.
- *Step 4:* A formal letter to the responsible parent or guardian will be **mailed** delivered by first-class mail or delivered by hand (by an adult) at least **three**five (35) working days prior to the formal hearing. A copy of this letter will remain on file, and the letter should contain the following information:
 - The charges and the rule or regulation violated.
 - The extent of the punishment to be considered.
 - The date, time, and place of the formal hearing.
 - A designation of the District's witnesses.
 - That the student may present witnesses.
 - That the student may be represented by counsel at student's expense.
 - If a hearing officer has been designated, the name of the hearing officer.

- *Step 5:* A formal hearing will be held, during which the student will be informed of the following:

- Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony of such session or from recording such a session at the parent's or legal guardian's expense.
- The student is entitled to a statement of the charges and the rule or regulation violated.
- The student may be represented by counsel, without bias to the student.
- The student may present witnesses.
- The student or counsel may cross-examine witnesses presented by the District.
- The burden of proof of the offense lies with the District.
- Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.
- The District has the right to cross-examine witnesses, and may be represented by an attorney.

- *Step 6:* The decision and appeal procedure, if applicable, upon the conclusion of the hearing will be as follows:

- Upon the conclusion of a hearing by a hearing officer in which a decision of long-term suspension is made, the decision may be appealed to the Board. To arrange such an appeal, the parent(s) of the suspended student or the student must deliver to the Superintendent a letter directed to the Board within five (5) days after receiving written notice of the long-term suspension. The letter must describe in detail any objections to the hearing or the decision rendered.
- The decision of the hearing officer remains in full force and effect pending an appeal before the Board.
- The appeal to the Board will be on the record of the hearing held by the hearing officer. If the Board determines that the student was not afforded due process rights or that this policy was not followed in all

substantive respects, the student shall be given another hearing or the case shall be dismissed, as determined by the Board. If the Board determines that the punishment was not reasonable, they may modify the punishment.

- The decision of the Board is final.

Special Education Students

Suspension for ten days or less. Short-term suspension (ten [10] days or less) may be used for special education students for disciplinary reasons on the same basis as for a regular education student. (It is not considered a change of placement.)

- *Step 1:* The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
 - After having received notice, the student will be asked for an explanation of the situation.
 - The authorized District personnel involved shall make reasonable efforts to verify facts and statements prior to making a judgment.
- *Step 2:* Following Step 1:
 - Provided that a written record of the action taken is kept on file, authorized District personnel may:
 - ▲ Suspend the student for up to ten (10) days.
 - ▲ Choose other disciplinary alternatives.
 - ▲ Exonerate the student.
 - ▲ Suspend the student for ten (10) days pending a recommendation that the student be given a long-term suspension or expulsion or both.
 - When suspension is involved:
 - ▲ A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.

▲ A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.

- No appeal is available from a short-term suspension.

Suspension for over ten days.

If a special education student is recommended for a suspension of more than ten (10) days during the school year (a possible change in placement), a manifestation determination conference must be held. [A parental notice referencing the possibility of a long-term suspension must precede or accompany the notice of the manifestation determination conference.](#)

- *Step 3:* A recommended suspension of a special education student for more than ten (10) consecutive days, or a series of suspensions totaling more than ten (10) days, may constitute a change of placement and shall require a manifestation determination conference. Such a conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability.
- *Step 4:* If the offense is not a manifestation of the disability of the student, the student may be suspended by following the District policies for students in general, provided that educational services are continued during the period of disciplinary removal for a student with a disability qualified under the Individuals with Disabilities Education Act (IDEA). A student with a disability qualified for educational services under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973, and not qualified under IDEA, may be suspended or expelled from school, and educational services may be ceased, if nondisabled students in similar circumstances do not continue to receive educational services.
- *Step 5:* If the behaviors are a manifestation of the disability of the student, the District may not extend the suspension of the student beyond the initial ten (10) school days.

An exception to the above allows for an IDEA qualified student to be given a change in placement to an interim alternative educational setting for not more than forty-five (45) days, in accord with federal law and regulation, if the removal is for IDEA defined drug or weapons offenses or is based upon a due process hearing officer's determination that injury to the child or another is substantially likely if current placement is maintained.

Any interim alternative educational setting must be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including

those described in the child's current IEP; and include services and modifications which are designed to prevent the behaviors for which the placement was made from recurring. (Caution: refer to IDEA statutes and regulations before implementing the exception.)

Alternative to Suspension

Students meeting the following requirements may participate in an alternative to suspension program described below at the determination of the Superintendent:

- Suspension from school has been determined as the punishment for an offense and any appeal has been denied.
- The immediate suspension was not due to:
 - Fighting or engaging in violent behavior
 - Threatening an educational institution
 - Selling, using, or possessing, or transferring drugs, weapons, firearms, explosives, or a dangerous instrumentinstruments
 - Making a bomb threat
 - Engaging in arson
- The student has not served more than one (1) short-term suspension or alternative to suspension of ten (10) days or less during the current academic year.
- The student has admitted to or taken responsibility for the act upon which suspension was imposed in a written statement signed by the student and attested to by the student's parent or guardian.
- The student and parent or guardian has received a written admonition that the suspension as originally determined will be imposed summarily and in its entirety should the student violate the conditions or requirements of the Alternative to Suspension Program. (*Note: Follow appropriate dismissal procedures.*)
- Parent(s) or guardian(s) shall agree to participate by:
 - Providing transportation as necessary to and from the program location.
 - Furnishing meals prepackaged or purchasing same for the student.

- Establishing and monitoring in consultation with the school a supervisory routine limiting the student's contact to that which is necessary with other students and friends during the program.

The Alternative to Suspension Program is to be one of social isolation. It shall be discipline intensive, requiring academic work and as determined may involve community service, groundskeeping, and litter control. Parents will participate by providing support and supervision.

- Students will be isolated from others by means of barriers or distance at a location determined by the District. No participation in any school sponsored activity will be permitted during the program.
- Communication by students with others will be limited to adult District staff or as directed by the adult supervisor on duty.
- Ordered study time will be established for each student consistent with the number of classes in which the student is enrolled, divided proportionately through the academic day.
- Students are confined to their assigned areas and seats except as designated by the supervisor. All personal maintenance will be planned and approved by the supervisor.
- Students are to bring all books, workbooks, paper and necessary instruments for each class in which they are enrolled to the program daily and take the same material home each day of the program.
- Protocols for implementation of the Alternative to Suspension Program following the requirements above may be established by the administrator at each location.

Procedures and Conditions for Readmission of Students Suspended for More Than Ten Days

Early readmission procedures.

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:

- 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.

- 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.)
- 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.
- 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.
- The determination to allow readmission may be based on, but not limited to, the following elements:
 - The age of the student.
 - The frequency, type, and relative magnitude of previous misbehavior by the student.
 - The relative severity of the event(s).
 - Whether the student's behavior violated civil or criminal laws.
 - The degree to which the incident(s) interfered with the educational process.
 - The extent to which the event created endangerment to the student, others or property.
 - Special intellectual, psychological, emotional, environmental and physical characteristics of the student.
 - The student's attitude concerning the event(s).
 - The expressed intent concerning the student's future behavior.
- Should early readmission be granted, the student, with parent or guardian affirmation, shall agree to the following conditions:
 - Regular attendance—no unexcused absences.
 - No violation of school rules or policies.
 - Attendance at after school events for the remaining term of suspension only with prior approval of the administration.
 - Completion of all class tasks in timely fashion, as directed.

- 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.
- 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.

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LEGAL REF.: A.R.S. 15-342
15-841
15-766
15-842
15-767
15-843
A.G.O. I78-103
I80-055
I78-218
I84-036
A.A.C. R7-2-401 R7-2-405
20 U.S.C. 1400 *et seq.*, Individuals with Disabilities in
Education Act 20 U.S.C. 7151 *et seq.*, The Gun-Free School
Act of 1990
29 U.S.C. 794 (Section 504), Rehabilitation Act of 1973 (P.L.
93-112)1973, (Section 504)

CROSS REF.: IHB - Special Instructional Programs
JR - Student Records

J-4855.1 JKE/

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(suspension and expulsion of students with disabilities)

Responsibility Conference

Prior to the long-term suspension or expulsion of a student with disabilities, a responsibility conference shall be held to determine if the alleged misconduct was caused by the student's disabling condition. Notice of the responsibility conference shall be issued in accordance with this regulation.

If, as a result of the responsibility conference, it is determined that the alleged misconduct was not caused by the student's disabling condition and that the special education placement of the student is appropriate, a notice of formal hearing regarding the suspension or expulsion of the student shall be issued.

If the determination of the responsibility conference is that the apparent misconduct of the student is caused by the student's disability, procedures prescribed by state and federal law for determining educational placement of the student with disabilities will be followed in lieu of District policies regarding student discipline.

Purpose

The purpose of the responsibility conference is to determine if the alleged misconduct is caused by the student's disability. The responsibility conference shall be conducted in a manner comparable to a multidisciplinary conference, as the persons and issues involved in the two determinations are similar; however, the responsibility conference is not a multidisciplinary conference as defined elsewhere in District policy, nor is the responsibility conference intended to be such.

Notice of Responsibility Conference/ Right to Appeal Upon receipt of notice from a school administrator or District hearing officer that a recommendation has been made for the long-term suspension or expulsion of a student with disabilities, the director of special education or designee shall ensure that a notice of responsibility conference is issued, containing the following information:

- ♦ The school letterhead and the date.
- ♦ The student's name and grade level.
- ♦ The purpose of the responsibility conference.
- ♦ A description of the alleged misconduct.
- ♦ A description of how the responsibility conference will be conducted.
- ♦ The potential consequences of the responsibility conference.
- ♦ The date, time, and location of the responsibility conference.
- ♦ A notice that the responsibility conference will be a closed conference.
- ♦ A request that a person who is responsible for the student who does not wish to attend the responsibility conference state such intentions in writing.

The notice shall be written in English and the language of the home unless it is not feasible to do so.

Procedures for Responsibility Conference

The responsibility conference shall be conducted as follows:

- ♦ The director of special education or designee shall chair the responsibility conference.
- ♦ The conference shall be informal in nature.
- ♦ If there are language differences, an interpreter shall be provided, if feasible.
- ♦ Each of the District special education professionals who receives a copy of the notice of responsibility conference shall attend unless excused from attending by the chairperson of the conference.
- ♦ The responsible administrator shall present the relevant evidence of the apparent misconduct of the student with disabilities. ♦ The student with disabilities, and person(s) responsible for the student, if present, and the special education professionals shall be given an opportunity to present any information concerning the alleged misconduct and its relation to the disability of the student relevant to the purpose of the responsibility conference.
- ♦ The chairperson of the conference, the school administrator(s), each special education professional attending the responsibility conference, and the person(s) responsible for the student may ask any relevant questions of one another during the responsibility conference.
- ♦ Based upon input received in the responsibility conference, the chairperson shall determine if a causal relationship exists between the student's disabling decision and the misconduct. This decision will be reached following consideration of the information presented by all parties in attendance at the responsibility conference.

Written Report of Findings of the Responsibility Conference

Upon conclusion of the responsibility conference, the chairperson of the conference shall prepare written findings regarding the relationship of the student's disabling condition and the misconduct. This report will be distributed within five school days following conclusion of the responsibility conference to the person(s) responsible for the student, and the responsible administrator, Governing Board, or District hearing officer, as appropriate.

The notice shall be written in English and the language of the home, unless it is not feasible to do so, and shall contain the following information:

- ♦ The school name or letterhead and date.
- ♦ The student's name and grade level.
- ♦ The reason for the responsibility conference.
- ♦ The finding as to the causal relationship of the disability and the misconduct and the information upon which the finding is based.
- ♦ If a causal relationship between the student's disabling condition and the misconduct is determined, the report shall indicate appropriate adjustments to the student's IEP, which will assist the student in maintaining appropriate school behavior.

- ♦ A statement that the responsible person(s) or the administration may appeal the decision through an impartial due-process hearing as outlined in District policy.

- ♦ Signature and title of the chairperson of the responsibility conference.

Result of Responsibility Conference

If the determination is made at the responsibility conference that a causal relationship does not exist between the student's disabling condition and the misconduct, notice of a formal hearing shall be issued after the appeal period (10 days) prescribed in Policy JKD/JKE/JIA or the conclusion of any appeal under said policy. Any objections to the procedures followed at the responsibility conference shall be raised in an appeal under Policy JKD/ JKE/JIA and not at the formal hearing.

If the determination is made at the responsibility conference that a causal relationship does exist between the student's disabling condition and the misconduct, procedures prescribed by state and federal law for determining educational placement of the student with disabilities will be followed in lieu of District policies regarding discipline of the student.

Impartial Due-Process Hearing

Person(s) responsible for the student who disagree with the outcome of the responsibility conference shall be referred to District Policy JKD/JKE/JIA.

Adopted: date of manual adoption

J-4861.1 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(short-term suspension)

If a student is charged with commission of a violation of school and/or District conduct rules that could result in a suspension from school of up to 10 days, the procedures detailed below will be followed, with the exception of violations involving assault, extortion, arson, alcohol, drugs, or weapons. Regulations JKD-EC and JKD-ED provide procedures to be followed for such offenses.

- ♦ Following an investigation of the situation necessitating disciplinary action, the student shall be notified, either verbally or in writing, of the particulars of the accusation.
- ♦ An informal hearing shall be conducted. The student must be present at the hearing. Attendance of the person(s) responsible for the student is not required and will vary depending on the nature of the charges and the age and past disciplinary record of the student.
 - If the informal hearing is not held immediately following notice of charges, it shall be held within five school days of the notice of charges.
- ♦ The student will be notified of the evidence that exists to support the charge(s) of misconduct. Evidence supporting the charges will be presented in an informal manner.
 - The student will then be asked for an explanation of the situation and facts. The responsible administrator will permit the student to present the relevant testimony of witnesses.
- ♦ If the student admits to the charges, the responsible administrator may impose a suspension of up to 10 days and/or impose one or more alternate penalties. Such penalties may include counseling; consultation between school personnel and the person(s) responsible for the student, reprimand, removal from academic class or nonclass activities, restriction of movement on campus, detention, community service, or behavioral or attendance contracts.
- ♦ If the student does not admit to the charges, the responsible administrator will make a judgment as to the guilt or innocence of the student. The responsible administrator will make every reasonable effort to verify all facts and statements prior to making a judgment involving any disciplinary action. The responsible administrator may exonerate, suspend, or impose one or more of the alternate penalties listed above.
- ♦ The student and person(s) responsible for the student will be informed of the responsible administrator's decision and specific penalties, if imposed, within two school days of the conclusion of the informal hearing.
- ♦ If the student is exonerated, any reference to the incident will be expunged from the student's records.
- ♦ If suspension is imposed, the responsible administrator will inform the student of the right to appeal the decision to the school principal if the student feels that proper rights to be informed of the charges and to explain the situation and facts were violated *or* if the student maintains a claim of innocence. The

principal will review the evidence and either uphold the decision of the responsible administrator, modify the decision, or exonerate the student.

- If the principal is the responsible administrator, the decision is final and may not be appealed.

- ♦ If the penalty involves suspension, the following procedures shall be observed:

- A reasonable effort shall be made to notify the person responsible for the student before the student is allowed to leave the campus. If unable to locate the responsible person, the student may be isolated until regular dismissal time and then be given a written message to the parent to be delivered by the suspended student.

- A letter shall be sent in a reasonable and timely manner to the person(s) responsible for the student, explaining the terms and reasons for the suspension and the dates involved. The notice shall be written in English and the language of the home unless it is not feasible to do so.

- A complete and accurate record of the total procedure should be kept by the responsible administrator.

- All suspensions must be reported to the Governing Board within five days in accordance with A.R.S. 15-843(J). ♦ The suspension will take effect upon the earlier of:

- The issuance of the responsible administrator's decision if the administrator is the principal; *or*

- The agreement of the person(s) responsible for the student with the recommendation of the administrator; *or*

- The approval of the responsible administrator's decision by the principal, as a result of appeal; *or*

- The expiration of three days after the decision of the responsible administrator if no appeal has been requested by the person(s) responsible for the student.

- ♦ A student who has been suspended will be given the opportunity to complete schoolwork missed during the suspension in accordance with the school's guidelines regarding schoolwork missed due to absence. Absences due to suspension shall not be considered unexcused in this regard.

Short-Term Suspension of Special Education Students - Special Considerations

If the student has been identified as a student with disabilities, the responsible administrator will notify the student's advocate of this action and resulting recommendations. The student's advocate may appeal the decision of the responsible administrator on the student's behalf. Further, the special education advocate may request a responsibility conference if a relationship between the student's disability and misconduct appears to exist.

If cumulative short-term suspensions will result in essentially a change of educational placement, a responsibility conference must be convened prior to additional suspensions. Cumulative suspensions exceeding ten (10) days could be interpreted as a potential change in educational placement. The responsible administrator should consult with the director of special education in such case to determine the necessity for a responsibility conference.

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J-4862.1 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(long-term suspension)

If a student is charged with commission of a violation of school and/or District conduct rules that could result in a suspension of more than ten (10) consecutive school days, the following procedures must be followed:

- ♦ Following an investigation of the situation necessitating disciplinary action, the student shall be notified, either verbally or in writing, of the particulars of the accusation. The student will be given the opportunity to respond to the charges and explain the facts.
- ♦ The responsible administrator will attempt to contact the person(s) responsible for the student to inform them of the alleged misconduct.
- ♦ If the student admits to the charges or if it is determined by the responsible administrator that the presence of the student at school poses a danger to the student or others, or is likely to cause substantial disruption of school functions or damage to school property, a suspension of ten (10) days will be immediately imposed.
 - If the student denies the allegation and the administrator is not satisfied by the existing evidence of the student's involvement *and* danger to the school or others does not exist, any suspension will be delayed until the conclusion of the formal hearing.
- ♦ The responsible administrator will notify the school principal of the situation. Upon review of the evidence, the principal may concur with the recommendation or refer the matter back to the responsible administrator for alternate disciplinary action.
- ♦ If the principal concurs with the recommendation of the responsible administrator, the recommendation for long term suspension shall be forwarded to the appropriate associate superintendent within three (3) school days of the notice of charges to the student.
 - The notice of such recommendation will include the specific charges, identification of witnesses, and a summary of evidence and testimony that support the charges. The notice will also indicate if the student has been identified as a student with disabilities and/or the primary home language of the student or person(s) responsible for the student, if other than English.
- ♦ Upon the associate superintendent's review of the principal's recommendation that the student be placed on long-term suspension, a formal hearing will be scheduled to consider long-term suspension from school.
 - Attempts will be made to schedule the formal hearing during the suspension imposed by the school.
- ♦ A notice of formal hearing shall be issued; however, if the student subject to discipline is disabled, the notice of formal hearing shall be issued only upon the conclusion of a responsibility conference conducted pursuant to District policy in which it is determined that the alleged misconduct was not caused by the student's disability.

- ♦ A formal hearing shall be conducted by a District hearing officer or the Governing Board in accordance with District policy.
- ♦ Students who are suspended from school for *more than ten* (10) days will not be provided the opportunity to complete work missed during the suspension.

Long-Term Suspension of Special Education Students - Special Considerations

If the student has been identified as a student with disabilities, the responsible administrator will notify the student's advocate of charges and recommendation for suspension of more than ten (10) school days. The advocate may attend the formal hearing if desired.

Prior to the formal hearing to consider suspension of more than ten (10) days of a student with disabilities, a responsibility conference shall be held pursuant to District policy.

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J-4863.1 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(discipline for assault, extortion, arson, or use or possession of drugs or alcohol)

Violations of the student code of conduct involving the use or possession of drugs or alcohol, assault, extortion, and arson pose a serious threat to the safety and welfare of students and/or staff members. Therefore, the following disciplinary measures are directed for violations in those areas.

- ♦ Following an investigation of the situation, the student shall be notified, either verbally or in writing, of the particulars of the accusation.
- ♦ If sufficient cause exists to believe the charges are valid, a police report shall be made.
- ♦ The responsible administrator will attempt to contact the person(s) responsible for the student to inform them of the alleged misconduct.
- ♦ If the student admits to the charges as presented, or if it is determined by the responsible administrator that the presence of the student at school poses a danger to the student or others, or is likely to cause substantial disruption of school functions or damage to school property, a suspension of 10 days will be immediately imposed.
 - If the student denies the allegation *and* the administrator is not satisfied by the existing evidence of the student's involvement *and* danger to the school or others does not exist, any suspension will be delayed until the conclusion of the informal hearing.
 - ♦ An informal hearing will be scheduled at a time and date that will allow the person(s) responsible for the student to attend, if so desired. The hearing must be scheduled within two school days of the charges and held within five school days of the charges.
 - Written notification shall be provided of the informal hearing. The notice shall be written in English and the language of the home unless it is not feasible to do so.
 - If the person(s) responsible for the student have not been verbally informed of the meeting, either in person or by telephone, written notification of the specific charges and establishment of time and date of the informal hearing must occur in a manner that allows the responsible person(s) to receive notice and attend the informal hearing, if so desired.
 - If the person(s) responsible for the student have been verbally informed of the meeting, either in person or by telephone, written notification of the specific charges and time and date of the informal hearing time will follow to confirm the information provided verbally.
 - ♦ An informal hearing shall be conducted. The purposes of the hearing are to determine if sufficient evidence exists to substantiate the charges against the student and to determine appropriate disciplinary measures. Due to the seriousness of the charge(s) and the potential consequences that may be imposed, the informal hearing shall be recorded, either electronically or by a qualified staff member.

- The student will be notified of the evidence that exists to support the charge(s) of misconduct. Evidence supporting the charges will be presented in an informal manner.
- The student will then be asked to give an explanation of the situation and facts. The responsible administrator will permit the student to present the relevant testimony of witnesses.
 - ♦ If the student does not admit to the charges, the responsible administrator will make a judgment as to the guilt or innocence of the student. The responsible administrator will make every reasonable effort to verify all facts and statements prior to making a judgment involving any disciplinary action. The responsible administrator may exonerate, direct probationary status for the student, or recommend short-term suspension or long term suspension or expulsion of the student from District schools.
 - ♦ If the student is exonerated, any reference to the incident will be expunged from the student's records.
 - ♦ If long-term suspension or expulsion is recommended by the responsible administrator, the school principal will be notified of such recommendation. Upon review of the evidence, the principal may concur with the recommendation or refer the matter back to the responsible administrator for alternate disciplinary action. ♦ If the principal concurs with the recommendation of the responsible administrator, the recommendation for long-term suspension or expulsion will be forwarded to the associate superintendent for school operations within three school days following conclusion of the informal hearing.
- The notice of such recommendation will include the specific charges and a summary of evidence and witnesses that support the charges. The notice will also indicate if the student has been identified as a student with disabilities and the primary home language of the student or person(s) responsible for the student, if other than English.
- Procedures established for long-term suspension or expulsion will be followed upon receipt of the recommendation.
 - ♦ If the responsible administrator recommends that the student be allowed to remain in school on probationary status, a contractual agreement shall be developed stipulating conditions of probation, which shall include:
 - Counseling by qualified school personnel; *or*
 - Consultation between the staff and the person(s) responsible for the student; *or*
 - Referral of the student to the Amphitheater student referral program or to a recognized nonschool counseling agency (in which case the School District assumes no financial responsibility for subsequent services or treatment); *or*
 - Required participation in a student support group for a specified period of time; *or*
 - School or class transfer(s); *or*
 - Academic or behavioral stipulations; *or*
 - Restrictions from specified areas of the campus and/or school activities; *or*
 - Placement in a District alternative school program (if available); *or*

- Referral of the student to the Amphitheater student referral program or to a recognized non-school counseling agency dealing with problems related to drug and alcohol dependency (in which case the School District assumes no financial responsibility for subsequent services or treatment); *or*
- Community service; *or* ▪ Any combination of the above.
- ♦ The contractual agreement must include notice that, if the conditions of the agreement are not met, a recommendation will be made for long-term suspension or expulsion of the student.
- ♦ If the suspension has been in effect, the responsible administrator may reduce the suspension to a minimum of five school days if the circumstances appear to warrant such a decision.
- ♦ If the suspension has not been invoked pending the outcome of the hearing, the student *must* serve a *minimum* of five days of out-of-school suspension unless exonerated of the charges.
- ♦ The responsible administrator will inform the student and person(s) responsible for the student of the decision and specific penalties, if imposed, within two school days after the conclusion of the informal hearing.
- ♦ If probationary status is directed, the responsible administrator will inform the student of rights to appeal the decision to the school principal if the student feels that rights to be informed of the charges and present another version of the situation and facts were violated or if the student maintains a claim of innocence. The principal will review the evidence and either uphold the decision of the responsible administrator, modify the decision, or exonerate the student.
- If the principal is the responsible administrator, the decision is final and may not be appealed.
- ♦ If the decision is to recommend long-term suspension or expulsion, the formal hearing will serve as the appeal hearing.
- ♦ Following conclusion of the informal hearing, the following procedures shall be observed:
 - A letter shall be sent in a reasonable and timely manner to the person(s) responsible for the student, listing the specific charges, the decision of the responsible administrator regarding guilt or innocence, and the specific penalties imposed by the administrator, as well as any recommendation concerning long-term suspension or expulsion.
 - A complete and accurate record of the total procedure shall be kept by the responsible administrator.
 - All suspensions must be reported to the Governing Board within five days in accordance with A.R.S. 15-843(J).
- ♦ Students who have been suspended for 10 days or less will be given the opportunity to complete schoolwork missed during the suspension, in accordance with the school's guidelines regarding schoolwork missed due to absence. Absences due to suspension shall not be considered unexcused in this regard. Students who are suspended from school for more than 10 days will not be provided the opportunity to complete work missed during the suspension.

Discipline of Special Education Students for Assault, Extortion, Arson, or Use or Possession of Drugs or Alcohol

If the student has been identified as a student with disabilities, the responsible administrator will notify the student's advocate of the charges and resulting recommendations. The student's advocate may attend the informal hearing and/or appeal the decision of the responsible administrator on the student's behalf.

Adopted: date of manual adoption

J-4864.1 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(weapons and sale, transfer, or attempted sale or transfer of drugs or alcohol)

Violations of the student code of conduct involving weapons violations and the sale, transfer, or attempted sale or transfer of drugs or alcohol pose an immediate and serious threat to the safety and welfare of students and/or staff members. Therefore, the following disciplinary measures are directed for violations in those areas.

- ♦ Following cause to suspect a student of these violations, the student shall immediately be transported to the school office, or immediate notification will be sent to the office.
- ♦ The student shall be notified, either verbally or in writing, of the particulars of the accusation.
- ♦ If sufficient cause exists to believe the charges are valid, a police report shall be made.
- ♦ The responsible administrator will attempt to contact the person(s) responsible for the student to inform them of the alleged misconduct.
- ♦ A suspension of ten (10) school days will be immediately imposed if the student admits guilt.
 - If the student denies the allegation and danger to the school or others does not exist, the suspension will be delayed until the conclusion of the formal hearing. The student will be required to serve a minimum of ten (10) days of out-of-school suspension unless exonerated of the charges.
- ♦ The responsible administrator will notify the school principal of the situation. If the principal agrees that the evidence supports charges of violation of the code of conduct related to weapons or the sale or transfer or attempted sale or transfer of drugs or alcohol, a recommendation for either long-term suspension or expulsion of the student will be forwarded to the appropriate associate superintendent within three (3) school days of the notice of charges to the student.
 - The notice of such recommendation will include the specific charges, identification of witnesses, and a summary of evidence and testimony that support the charges. The notice will also indicate if the student has been identified as a student with disabilities and/or the primary home language of the student or person(s) responsible for the student, if other than English.
- ♦ Upon the associate superintendent's receipt of the principal's recommendation that the student be placed on long-term suspension or expelled, a formal hearing will be scheduled.
- ♦ Notice of formal hearing shall be issued in accordance with District policy; however, if the student subject to discipline is disabled, the notice of formal hearing shall be issued only upon the conclusion of a responsibility conference conducted, pursuant to District policy, in which it is determined that the alleged misconduct was not caused by the student's disabling condition.

- ♦ A formal hearing shall be conducted by a District hearing officer or the Governing Board in accordance with District policy.

Suspension or Expulsion of Special Education Students for Weapons or Sale, Transfer, or Attempted Sale or Transfer of Drugs or Alcohol - Special Considerations

If the student has been identified as a student with disabilities, the responsible administrator will notify the student's advocate of charges and recommendation for long-term suspension or expulsion. The advocate may attend the formal hearing if desired.

Prior to the formal hearing to consider long-term suspension or expulsion of a student with disabilities, a responsibility conference shall be held pursuant to District policy.

Adopted: date of manual adoption

J-4865.1 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(expulsion)

Following an investigation of the situation necessitating disciplinary action, the student shall be notified, either verbally or in writing, of the particulars of the accusation. The student will be given the opportunity to respond to the charges and present an explanation of the facts.

The responsible administrator will attempt to contact the person(s) responsible for the student to inform them of the alleged misconduct.

If the student admits to the charges or if it is determined by the responsible administrator that the presence of the student at school poses a danger to the student or others, or is likely to cause substantial disruption of school functions or damage to school property, a suspension of ten (10) days will be imposed immediately.

- ♦ If the student denies the allegation and the administrator is not satisfied by the existing evidence of the student's involvement, and danger to the school or others does not exist, any suspension will be delayed until the conclusion of the formal hearing.

The responsible administrator will notify the school principal of the situation. Upon review of the evidence, the principal may concur with the recommendation or refer the matter back to the responsible administrator for alternate disciplinary action.

If the principal concurs with the recommendation of the responsible administrator, the recommendation for expulsion shall be forwarded to the appropriate associate superintendent within three (3) school days of the notice of charges to the student.

- ♦ The notice of such recommendation will include the specific charges, identification of witnesses, and a summary of evidence and testimony that support the charges. The notice will also indicate if the student has been identified as a student with disabilities and/or the primary home language of the student or person(s) responsible for the student, if other than English.

Upon the associate superintendent's receipt of the principal's recommendation that the student be expelled from school, a recommendation will be presented to the Governing Board at its next Board meeting to hold a formal hearing to consider expulsion from school.

- ♦ If the evidence presented by the school indicates that the presence of the student at school poses a danger to the student or others, or is likely to cause substantial disruption of school functions or damage to school property, the Governing Board will be asked to place the student on suspension from school until the formal hearing process is concluded.

If authorized by the Governing Board, a notice of formal hearing shall be issued in accordance with District policy; however, if the student subject to discipline is disabled, the notice of formal hearing shall be issued only upon the conclusion of

a responsibility conference in which it is determined that the alleged misconduct was not caused by the student's disabling condition.

A formal hearing shall be conducted by a District hearing officer or the Governing Board.

Students who are suspended from school for more than ten (10) days will not be provided the opportunity to complete work missed during the suspension.

Expulsion of Special Education Students - Special Considerations

If the student has been identified as a student with disabilities, the responsible administrator will notify the student's advocate of charges and recommendation for expulsion. The advocate may attend the formal hearing if desired.

Prior to the formal hearing to consider expulsion of a student with disabilities, a responsibility conference shall be held.

Adopted: date of manual adoption

J-4866.1 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

(procedures for formal hearings to consider long-term suspension or expulsion)

A formal hearing must be held when long-term suspension or expulsion of a student has been recommended. Formal hearings may be conducted only by the Governing Board or a District hearing officer. Because formal hearings may result in long-term suspension or expulsion of a student, students are afforded rights to present and challenge evidence that are not guaranteed in informal hearings.

- ♦ A formal hearing to consider expulsion can be conducted only after authorization by the Governing Board. Upon the Governing Board's receipt of a recommendation from the Superintendent's designee that a student be expelled from school, the Governing Board shall meet in executive session, and decide whether a formal hearing shall be held.
- ♦ A formal hearing to consider long-term suspension can be conducted only after authorization by the associate superintendent. Upon the associate superintendent's receipt of a recommendation from a principal that a student be placed on long-term suspension from school, the associate superintendent shall decide whether a formal hearing shall be held.
- ♦ The Governing Board may designate one or more District hearing officers to hold a formal hearing, prepare a record, and recommend disciplinary action. If the Governing Board decides to hold the formal hearing, the Governing Board must further determine if the formal hearing shall be held in executive session.
 - A *District hearing officer* means any individual designated by the Governing Board for the purpose of conducting a formal hearing in accordance with District policy.
- ♦ The formal hearing shall, if practicable, be conducted within ten (10) days after authorization to hold the hearing. To the extent practicable, the formal hearing shall be scheduled by agreement between the District hearing officer or Governing Board and the person(s) responsible for the student.
 - In any event, if the student subject to discipline is disabled, the formal hearing shall not be held until the conclusion of the responsibility conference.
- ♦ In conducting a formal hearing, the District hearing officer or Governing Board shall act as an impartial tribunal. A District hearing officer or a member of the Governing Board who for any reason cannot act impartially must withdraw from the proceedings, whereupon another District hearing officer or the remaining members of the Governing Board shall conduct the formal hearing.
- ♦ At least five (5) working days prior to a formal hearing, the District hearing officer shall provide notice of the formal hearing to each student who will be subject to discipline as a result of the hearing, and to the person(s) responsible for such student(s).

- Such notice shall be on a District letterhead and shall include the following information:
 - ▲ The name of the student.
 - ▲ The date, time, and place of the formal hearing.
 - ▲ The purpose of the hearing.
 - ▲ The name of the District hearing officer, if applicable.
 - ▲ The violation(s) of the student code of conduct that are alleged.
 - ▲ The name(s) of any witness(es) expected to testify at the formal hearing at the request of school officials or who have provided statements to school officials, which will be presented at the formal hearing, unless the District hearing officer or the Governing Board determines that the witnesses will be subject to ostracism or reprisal as a result of the disclosure; with respect to each witness whose name is disclosed, a brief summary shall be provided of the testimony expected of the witness or regarding the statement of the witness to be introduced at the formal hearing.
- The notice of formal hearing shall further contain a statement that the School District has the burden of proving that the alleged violation(s) occurred, and the notice shall enumerate the following rights of the student:
 - ▲ The right to be represented by legal counsel at the student's expense.
 - ▲ The right to present witnesses and the obligation to arrange for the presence of such witnesses.
 - ▲ The right to cross-examine witnesses presented by the District.
 - ▲ The right to tape-record the formal hearing; it should be noted, however, that an official record of the hearing (by tape recording or other means of recording or transcription) will be kept by the District hearing officer or the Governing Board.
- The notice of formal hearing shall further state whichever of the following are applicable:
 - ▲ If the hearing is to be conducted by the Governing Board, the right of the person(s) responsible for the student to require, by written demand, that the formal hearing be conducted in an open meeting of the Governing Board.
 - ▲ If the formal hearing is conducted by a District hearing officer, the hearing shall not be open to the public.
- The notice shall be written in English and the language of the home unless it is not feasible to do so.
- ♦ The formal hearing shall be commenced as follows:
 - The District hearing officer or presiding member of the Governing Board shall identify all parties present at the hearing and their interest(s); if the hearing is held by the Governing Board in an open meeting, only the parties participating in the hearing and potential witnesses need be identified.
 - The District hearing officer or presiding Governing Board member shall summarize the procedure described herein.
 - The District hearing officer or presiding Governing Board member shall ask if the student(s) who is the subject of the hearing, person(s) responsible for the student, or counsel for any such party have any objections to the time, place, or procedure for the formal hearing or any challenge to the impartiality of the

District hearing officer or any Governing Board member; the District hearing officer or Governing Board member shall make a ruling regarding any such objection. ▪ The District hearing officer or presiding Governing Board member shall ask if the District representative(s) and person(s) responsible for the student can agree regarding some or all factual matters (e.g., that a specific event occurred) in order to avoid unnecessary presentation of testimony or other evidence.

▪ The District hearing officer or presiding Governing Board member shall read the charge(s) regarding the student violation(s) of the student code of conduct and shall reject any charge(s) that have not been made in a reasonable and timely manner.

▪ The District hearing officer or presiding Governing Board member shall ask if the student(s) admits or denies the charges; the District hearing officer or Governing Board need not receive evidence regarding violation(s) admitted by a student.

▪ The District hearing officer or presiding Governing Board member shall invite opening statements from the school administration and one individual representing each student charged; such individual representing a student may be the student, the person(s) responsible for the student, or counsel.

▪ The school administration shall then be permitted to present its evidence pertaining to the alleged violation(s). Cross-examination of any witness(es) testifying at the request of the administration shall be permitted by each student charged or person(s) responsible for the student, or counsel for the person(s) responsible for the student; however, only one individual may conduct cross-examination on behalf of each student.

▲ Access to the identities of, and the right to cross-examine, student witnesses shall not be provided if anonymity is necessary to protect the student witnesses from ostracism and reprisal.

▪ The student or person responsible for the student shall then be permitted to present evidence; such evidence may be presented by no more than one (1) representative of each student.

▪ The school administration may present evidence in response to evidence or testimony presented on behalf of the student, and one representative of the student may present further evidence in response to the administration's additional evidence, subject to reasonable time limitations that may be imposed by the District hearing officer or Governing Board member. ▪ If questioning of a witness becomes belligerent or argumentative, the hearing officer or presiding Governing Board member has discretion to curtail questioning.

▪ Irrelevant, unreliable, unduly repetitious, and privileged evidence may be excluded by the District hearing officer or presiding Governing Board member, though formal technical rules of evidence do not apply.

▪ A student's refusal to testify, if such testimony is required by the administration, may be considered against the student.

▪ A closing statement on behalf of the administration and each student may be presented, subject to reasonable time limitations imposed by the District hearing officer or presiding Governing Board member.

- Upon conclusion of any closing statements, the District hearing officer or presiding Governing Board member shall explain to the parties that the school administration has the burden of proof and that the decision must be based upon a preponderance of the evidence, and upon deliberation, the District hearing officer or presiding Governing Board member shall announce the decision of the District hearing officer or Governing Board.

- ▲ *Preponderance of the evidence* means that the weight of the evidence causes the trier of fact - e.g., the District hearing officer or the Governing Board - to conclude that it is more likely than not that a fact exists.

- ◆ The decision of the District hearing officer shall be rendered as follows:

- If the hearing is before a District hearing officer, the District hearing officer shall, if a preponderance of the evidence is found that a violation of the student code of conduct has been committed, recommend probationary status, a specified suspension of more than ten (10) school days, or expulsion of the student.

- ▲ The District hearing officer will notify the school administration and the person(s) responsible for the student of the intended recommendation within five (5) working days following conclusion of the formal hearing. If the recommendation is for long-term suspension or expulsion, the person(s) responsible for the student shall also be notified of their right to appeal this decision to the Governing Board.

- If the recommendation is for probation, the hearing officer's decision shall be final and shall be effective immediately. ▪ If the recommendation of the hearing officer is for long-term suspension and no appeal has been made, the hearing officer's decision shall be final and shall be effective five (5) working days after notice of the intended recommendation has been given to the person(s) responsible for the student.

- If the recommendation of the hearing officer is for expulsion, and the formal hearing was authorized by the Governing Board to consider expulsion, and no appeal has been made, the recommendation of the hearing officer will be made to the Governing Board at the first regularly scheduled meeting following the five (5) working days allowed for notice of appeal of the decision of the District hearing officer. The Governing Board's decision shall be final and shall be effective immediately.

- ▲ If the recommendation of the hearing officer is for expulsion but the formal hearing was authorized only to consider long-term suspension, the hearing officer will present a recommendation to the Governing Board to hold a formal hearing to consider expulsion from school.

- If an appeal of the decision of the hearing officer is requested, the Governing Board shall schedule an appeal hearing, which may be held in executive session unless the person(s) responsible for the student request that the hearing be held in an open meeting.

- ▲ Upon conclusion of the appeal hearing, the Governing Board will receive the recommendation from the hearing officer and may accept, modify, or reverse that recommendation. The Governing Board's decision shall be final and shall be effective immediately.

♦ If the Governing Board conducts the formal hearing, the decision of the Governing Board shall be rendered as follows:

▪ The Governing Board may, if it finds by a preponderance of evidence that a violation has occurred, order a specified suspension of more than ten (10) school days, expulsion of the student, or probationary status. The decision of the Governing Board will be made at the first regularly scheduled meeting of the Governing Board following conclusion of the formal hearing. A decision of the Governing Board as a result of a formal hearing conducted by the Governing Board is final and shall be effective immediately.

♦ Each decision of a District hearing officer or the Governing Board to suspend for more than ten (10) days or to expel a student shall be accompanied by findings of fact upon which the decision is based. **Appeal of Recommendation of Long-Term Suspension or Expulsion by District Hearing Officer**

Upon issuance of notice that the District hearing officer intends to recommend to the Governing Board that the student be placed on long-term suspension or expelled from school, the person(s) responsible for the student shall have five (5) working days to request an appeal hearing before the Governing Board. Notice of intent to appeal shall be directed to the President of the Governing Board. The notice of appeal must state the specific reasons for the appeal, i.e., student is innocent of the charges, the record of the formal hearing is incorrect, the recommendation of the hearing officer is too harsh, etc. Notice of intent to appeal may be initially communicated verbally but must occur in writing within the five day period.

If an appeal is so requested, the Governing Board shall schedule an appeal hearing, which may be held in executive session unless the person(s) responsible for the student request that the hearing be held in an open meeting.

At the appeal hearing, the Governing Board shall receive a written and/or verbal report of the District hearing officer regarding the basis for the intention to recommend long-term suspension or expulsion. The Governing Board may, but need not, permit testimony of witnesses or introduction of other evidence.

Upon conclusion of the appeal hearing, the Governing Board will receive the recommendation from the hearing officer and may accept, modify, or reverse that recommendation. The Governing Board's decision shall be final and shall be effective immediately.

Adopted: date of manual adoption

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STUDENT SUSPENSION

/ EXPULSION / DUE-PROCESS RIGHTS

NOTICE OF INFORMAL HEARING - STUDENT COPY

You, _____, are hereby notified to appear at the office
(Name of Student) of _____, located at
_____ (Administrator) _____ (Address)
_____ for an informal hearing regarding your conduct on
_____ at _____ o'clock a.m./p.m. You have been accused of
(Date)

_____.
This charge has resulted in the following disciplinary action pending the
informal hearing: _____

At the hearing, you will be presented with the accusations and evidence against you. You will have the opportunity to present your version of the situation and facts, call witnesses to testify on your behalf, and present any other evidence you feel is necessary. Your parent(s)/guardian(s) should attend. The burden of proof as to the accusations is on the school.

this is the only notice you will receive If you are not present at the hearing, the accusations will be presumed to be true, and disciplinary action will be taken against you according to the nature and severity of the accusations and the conclusiveness of the available evidence. You will be notified of the determination of the hearing officer at the earliest possible time.

_____ (Administrator's Signature)
[this recommended form may be used at the option of the responsible administrator]

Adopted: date of manual adoption

**AGREEMENT ON CONDITION OF ASSIGNMENT
TO ALTERNATIVE TO SUSPENSION PROGRAM
Conditions**

We, the undersigned student, parent or guardian, agree to the conditions as established in Board policy concerning assignment to the Alternative to Suspension Program. We further affirm that we will abide by the protocols implemented by the administration of the school for accomplishment of the conditions of policy.

We acknowledge receipt of this admonition that the original suspension will be summarily reinstated should the student commit a violation of the conditions for

assignment to the Alternative to Suspension Program or a criminal or civil violation reflecting on the school order.

Student Signature Date

Parent/Guardian Signature Date

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J-4868 JKDJKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

NOTICE OF INFORMAL HEARING

Dear Parent/Guardian:

You are hereby notified that _____
(Name of Student) has been accused of _____
_____. (State Accusation)

As parent/guardian, you are hereby notified that you should appear, along with the student, at the office of _____, located at (Administrator) _____, for an informal hearing (Address) regarding his/her conduct on _____ at _____ o'clock a.m./p.m. (Date)

This charge has resulted in the following disciplinary action pending the informal hearing: _____

At the hearing, the student will be presented with the accusations and evidence against him/her. The burden of proof as to these accusations is on the school. The student will have the opportunity to present his/her version of the situation as well as call any witnesses and present any evidence s/he may wish to present.

this is the only notice you will receive

If the student is not present at the hearing, the accusations against him/her will be presumed to be true, and disciplinary action will be taken against him/her according to the nature and severity of the accusations and the conclusiveness of the available evidence. You and the student will be notified of the determination of the hearing officer at the earliest possible time.

_____ (Administrator's Signature)

[this recommended form may be used at the option of the responsible administrator]

Adopted: date of manual adoption

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STUDENT SUSPENSION

**AGREEMENT ON CONDITION OF EARLY READMISSION
FOLLOWING LONG-TERM SUSPENSION**
Readmission Conditions

We the undersigned student and parent or guardian agree to the following conditions:

- Regular attendance – no unexcused absence.
- No violation of school rules or policies.
- Completion of all classroom tasks in a timely fashion, as directed.
- Limitation on the student's attendance or participation in after school activities, school sports, and extracurricular events or activities.

We acknowledge receipt of this admonition that the original suspension will be summarily reinstated should the student commit a violation of the conditions for readmission or a criminal or civil violation reflecting on the school order.

Student Signature

Date

J-4869 JKE/JIA

STUDENT SUSPENSION / EXPULSION / DUE-PROCESS RIGHTS

DECISION OF INFORMAL HEARING

Dear

Parent/Guardian:

An informal hearing was held by _____ on _____ (Administrator) (Date) at _____ regarding the conduct of _____ (Time) (Name of Student) on _____. (Date of Conduct)

The charges reviewed at this hearing were: _____

The evidence presented at the hearing and the informal testimony of witnesses included: _____

As a result of the hearing, it is hereby determined that _____ (Name of Student) is: exonerated of all charges. to be suspended for _____ to begin on _____ (Number of Days) (Date) and end on _____, inclusive. (Date) be placed on probationary status (conditions of probation attached). other (describe): _____

[If suspension is involved]: You have the right to request a hearing to challenge/review this decision. Please contact the undersigned immediately if you wish to arrange for such a hearing, and it will be arranged as soon as practicable.

_____ (Administrator's Signature)

[this recommended form may be used at the option of the responsible administrator]

Adopted: date of manual adoption Date

REMOVAL OF STUDENTS FROM SCHOOL - SPONSORED ACTIVITIES

The principal of a school may remove a student from a school-sponsored activity if the principal determines that the student has violated a provision of the student discipline policies, rules, and/or regulations or if the principal determines that such removal is in the best interest of the activity or in the best interest of the school as a whole.

The principal also may remove a student from a specific position, such as officer, editor, or captain of an activity, without removing the student from the entire activity.

The principal may remove a student pursuant to the preceding two (2) paragraphs, whether or not the student has been elected, appointed, or assigned to, or has volunteered for, the activity.

Before removing a student from an activity or position as a result of the student's violation of the student discipline policies, rules, and/or regulations, the principal must comply with the notice-and-hearing provisions of those policies, rules, and/or regulations.

Before removing a student from an activity or position for reasons other than a student's violation of the student discipline policies and/or regulations, the principal shall give written notice to the student. The notice shall include the reason or reasons for the removal and the date that the removal is to become effective. If the student disagrees with the principal's determination, the student **or parent** may, within five (5) school days, request in writing a conference with the principal. The conference shall be held as soon as practicable after the principal receives the written request. At the conference, the student **and/or parent** shall be given a full explanation of the reason or reasons for the action taken. The student shall be given an opportunity to present an explanation of the events relating to the action.

If, after the conference, the principal determines that the decision to remove the student from the activity or position is correct, the removal shall become effective on the date indicated in the principal's notice. If, after the conference, the principal determines that action of a less severe nature than removal is warranted, the principal may impose the less severe action. If, after the conference, the principal determines that neither removal nor less severe action is warranted, the prior decision to remove the student shall be rescinded.

For purposes of this policy, *activity* is defined as:

- Any school-sponsored athletic activity; or

- Any school-sponsored club; or
- Any school-sponsored organization such as yearbook, newspaper, student government, drama, music, honor society, or any other organization or class of a similar nature.

An *activity* includes activities as defined above, whether or not a student is receiving or may receive academic credit for the activity.

Adopted: **September 25, 2007** date of Manual adoption

LEGAL REF.: A.R.S. 15-342
 15-766
 15-767
 15-841
 15-842
 15-843
 A.G.O. I78-103
 I78-218
 I80-055
 I84-036
 A.A.C. R7-2-401
 R7-2-405
 20 U.S.C. 1400 *et seq.*, Individuals with Disabilities in
 Education Act
 29 U.S.C. 794 (**Section 504**), Rehabilitation Act of **1973 1973**,
 (**Section 504**)

CROSS REF.: IHB - Special Instructional Programs
 JR - Student Records

^ & ^J-4900 © JKE
EXPULSION OF STUDENTS

A recommendation to expel shall be **through the principal and** forwarded **toby** the Superintendent. The authority to expel rests only with the Board. All expulsions requested shall have supporting data indicating the required due process procedure provided at the time of recommendation.

The Governing Board directs all expulsions hearings to be conducted by a hearing officer selected from a list of hearing officers approved by the Board.

Expulsion

Regular Education Students

Expulsion is the permanent exclusion of a student from school and school activities, unless the Governing Board reinstates the student's privileges to attend school.

- *Step 1:* Each recommendation for expulsion shall be delivered to the Superintendent. A recommendation for expulsion may be made before, after or in conjunction with a long-term suspension hearing, if one is to be held.
- *Step 2:* If the Superintendent concurs with the recommendation, **it shall be forwarded to the Governing**the Superintendent shall present the recommendation for expulsion to a hearing officer selected from a list of hearing officers approved by the Board.
- *Step 3:* In each case in which a recommendation for expulsion receives approval by the Superintendent, the Governing Board will meet in executive session:
 - to determine whether the nature of the accusations against the student justify an expulsion hearing,
 - to determine whether the hearing will be held before the Governing Board or before a hearing officer,
 - to designate a hearing officer if one will be used, and
 - if the hearing will be conducted by the Governing Board to determine whether the hearing will be conducted in executive session. Under normal circumstances, the Governing Board will not review any documents or other pertinent evidence during this initial executive session.
- *Step 4:*

The expulsion hearing should be scheduled so **that** it may be resolved, if reasonably possible, during the period of any suspension.

- *Step 54:* A formal letter to the responsible parent or guardian will be mailed by **U.S. Postal Service First Class**first-class mail **with** or delivered by hand (**withby** an adult **witness present**) at least five (5) working days prior to the

formal hearing. A copy of this letter will remain on file, and the letter should contain:

- A statement of the charges and the rule or regulation violated.
 - The extent of the punishment to be considered.
 - The date, time, and place of the formal hearing.
 - A designation of the District's witnesses.
 - That the student may present witnesses.
 - That the student may be represented by counsel at the student's expense.
 - If a hearing officer has been appointed, the name of the hearing officer and how the hearing officer may be contacted, or a statement that the Governing Board will preside at the hearing.
 - Copies of this policy and A.R.S. 15-840 and 15-843 unless previously provided in connection with the same infraction.
- *Step 65*: The parent, guardian or emancipated student shall be informed of the following:
 - Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony of such session or from recording such a session at the parent's or legal guardian's expense.
 - The student is entitled to a statement of the charges and the rule or regulation violated.
 - The student may be represented by counsel, without bias to the student.
 - The student may present witnesses.
 - The student or counsel may cross-examine witnesses presented by the District.
 - The burden of proof of the offense lies with the District.

- Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.
 - The District has the right to cross-examine witnesses, and may be represented by an attorney.
 - **If the hearing is held before a hearing officer, the** hearing will be conducted in private with the attendance of only the hearing officer, administrative representatives, the student and parent(s), counsel for the parties, and witnesses necessary to the proceedings, unless the parent(s), guardian(s) or emancipated student requests in writing that the hearing be open to public attendance.
 - **If the hearing is held before the Governing Board the Board will conduct the hearing in executive session with the attendance of only the hearing officer, administrative representatives, the student and parent(s), counsel for the parties, and witnesses necessary to the proceedings, unless the parent(s), guardian(s) or emancipated student requests in writing that the hearing be open to public attendance.**
- *Step 76:* A formal hearing will be held:
 - When a parent or legal guardian has disagreed that the hearing should be held in executive (closed) session, it shall be held in an open meeting unless:
 - ▲ If only one (1) student is subject to the proposed action, and disagreement exists between that student's parents or legal guardians, then the Board (hearing officer), after consultation with the student's parents or legal guardians, shall decide in executive (closed) session whether the hearing will be in executive (closed) session.
 - ▲ If more than one (1) student is subject to the proposed action and disagreement exists between the parents of different students, then separate hearings shall be held subject to the provisions of A.R.S. 15-843.
- *Step 87:* The decision and appeal procedure, if applicable, upon the conclusion of the hearing will be as follows:
 - Upon conclusion of a hearing conducted by a hearing officer, if a recommendation for expulsion is made, the decision may be appealed to the Board at the time the Board considers the recommendation. A formal letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult

witness present) indicating the recommendation that will be made to the Board. A copy of this letter will remain on file, and the letter should explain:

- ▲ The time and place of the Board meeting at which the recommendation will be made.
 - ▲ That the recommendation may be appealed at the time the recommendation is made to the Board.
 - ▲ That the appeal shall be in writing delivered to the Superintendent prior to the time of the Board meeting.
 - ▲ That the written appeal shall indicate a spokesperson on behalf of the student.
 - ▲ That the spokesperson will be given time to speak to the Board on appeal.
 - ▲ The Board may accept the hearing officer's recommendation or reject the recommendation and impose a different disciplinary action including assignment to an alternative educational program. The Board may grant a new hearing, take the matter under advisement, or take any further action deemed necessary. If the Board decides to expel the student the expulsion shall become effective the day after the Board's decision. The decision of the Board is final.
- Upon conclusion of a hearing on expulsion conducted by the Board, the decision of the Board is final.

Special Education Students

A student qualified under the Individuals with Disabilities **education** Education Act (IDEA) as revised in **1997,2004** may not be expelled from school but in compliance with federal law and regulation may be given a change in placement. The Individualized Education Program Team generally determines a change in placement of an IDEA qualified student. During any change in placement the school must provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's Individualized Education Programs.

A student with a disability qualified under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973 and not qualified under the Individuals with Disabilities Education Act as revised in **1997,2004**, may be suspended or expelled from school and education services may be ceased, if

nondisabled students in similar circumstances do not continue to receive education services.

Readmittance procedure:

- A student expelled from the District may request readmittance by making a written application to the Board. Readmission is at the discretion of the Governing Board. In addition, it is the prerogative of the Board to stipulate appropriate conditions for readmittance. **The application for readmittance shall occur no less than nine (9) months after the date of the expulsion; however, the student may not be readmitted until at least two (2) complete semesters have passed (the remainder of the semester in which the violation has occurred and two [2] additional semesters).** The application must:

- Be written and be directed to the attention of the Governing Board.
- Contain all information that the student and parent(s) consider relevant to the Governing Board's determination as to whether or not to readmit the student. This should include information indicating:
 - ▲ An appreciation by the student of the severity and inappropriateness of the student's prior misconduct.
 - ▲ That such misconduct or similar misconduct will not be repeated.
 - ▲ A description of the student's activities since the expulsion.
 - ▲ Support of the student's application for readmission.
- Be filed in the Superintendent's office.

- The Governing Board shall meet in executive session to consider an initial application for readmission. The student and parents have the right to be present in the executive session but do not have the right to make a presentation or address the Governing Board unless they are asked to do so by the Governing Board. For this reason, it is important that the application for readmission contain all information that the Governing Board may deem important in determining whether to readmit the student. The Governing Board, in its sole discretion, shall determine whether the student should be readmitted, and, if so, under what restrictions and conditions. The burden is on the student and parent(s) to convince the Governing 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 Governing Board's decision is final.

- A student may file more than one (1) application for readmission. Applications subsequent to an initial application, however, may not be filed more frequently than every ninety (90) days, and the Governing Board shall meet to discuss and consider the application only if at least two (2) members of the Governing Board ask that the matter be placed on an agenda for discussion in executive session.

Readmittance conditions

As a condition for readmission from an expulsion, the student, with parent(s) or guardian affirmation, shall agree to the following conditions:

- Regular attendance – no unexcused absence.
- No violation of school rules or policies.
- 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 allowed readmission 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 reflecting on the school order.](#)

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-342
 15-841
 15-766
 15-842
 15-767
 15-843
 A.G.O. I78-103
 I80-055
 I78-218
 I84-036
 A.A.C. R7-2-401
 R7-2-405
 20 U.S.C. 1400 *et seq.*, Individuals with Disabilities
 Education Act
 20 U.S.C. 7151 *et seq.*, The Gun-Free School Act of 1990
 29 U.S.C. 794 Rehabilitation Act of 1973, (Section 504)

CROSS REF.: IHB - Special Instructional Programs

JR - Student Records

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EXPULSION OF STUDENTS
AGREEMENT ON CONDITION OF READMISSION
FOLLOWING EXPULSION

Readmission conditions

We the undersigned student and parent or guardian agree to the following conditions:

- Regular attendance – no unexcused absence.
- No violation of school rules or policies.
- Completion of all classroom tasks in a timely fashion, as directed.
- Limitation on the student's attendance or participation in after school activities, school sports, and extracurricular events or activities.

We acknowledge receipt of this 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 reflecting on the school order.

Student Signature

Date

Parent/Guardian Signature

Date

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STUDENT WELLNESS

The School District strives to make a significant contribution to the general well being, mental and physical capacity, and learning ability of each student while affording them the opportunity to fully participate in the educational process.

The District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases as adults.

To ensure the health and well-being of all students, the Board shall promote and monitor student wellness in a manner that the Board determines is appropriate in the following areas:

- *Nutrition Guidelines:* All foods available in each school during the day will have as a primary goal the promotion of student health and the reduction of childhood obesity. All guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools.
- *Nutrition Education:* The goal is to influence students' eating behaviors by providing nutrition education that is appropriate for students' ages; reflects students' cultures; is integrated into health education or core curricula; and provides opportunities for students to practice skills and have fun.
- *Physical Activity:* The goals for physical activity are to provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain students' physical fitness, to ensure students' regular participation in physical activity, and to teach students the short- and long-term benefits of a physically active and healthful lifestyle.
- *Other School-Based Activities:* The goal is to create a total school environment that is conducive to healthy eating and physical activity.
- *Evaluation:* A primary goal will be to regularly (at least annually) evaluate the effectiveness of this policy in promoting healthy eating and changing the program as appropriate to increase its effectiveness.
- *Parent, Community and Staff Involvement:* A primary goal will be to engage family members, students, and representatives of the school food authority, the Governing Board, school administrators, and the public in development and regular review of this school policy.

The Superintendent is directed to develop administrative regulations to implement this policy, including such provisions as may be necessary to address

all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks and beverages sold from vending machines, school stores, after-school programs, and funding-raising activities and refreshments that are made available at school parties, celebrations and meetings), including provisions for staff development, family and community involvement and program evaluation. Regulations and exhibits created for the purpose of implementing this policy shall be considered, in effect, to be an extension of this policy subject to Governing Board review.

Adopted: **September 25, 2007** date of Manual adoption

LEGAL REF.: A.R.S. 15-242
 15-342
 15-841
 15-766
 15-842
 15-767
 15-843
 A.G.O. I78-103
 I80-055
 I78-218
 I84-036
 A.A.C. R7-2-401
 R7-2-405 20 U.108
 42 U. S. C. 1400 *et seq.*, Individuals with Disabilities
 Education Act
 20 U.S.C. 7151 *et seq.*, The Gun-Free School Act of 1990
 29 U.S.C. 794 Rehabilitation Act of 1973, (Section 504)1751
 et seq. (National School Lunch Act)
 42 U. S. C. 1771 *et seq.* (Child Nutrition Act)

CROSS REF.: ABA - Community Involvement in Education
 ABAA - Parental Involvement
 BBA - Board Powers and Responsibilities
 EF - Food Services
 EFE - Competitive Food Sales/Vending Machines
 IHB- Special Programs
 IA - Instructional Goals and Objectives
 JR - Student Records

J-4925 READMISSION OF EXPELLED STUDENTS

Students expelled from the District may be readmitted to the District at the discretion of the Governing Board. A petition for readmittance to the District may be submitted after a student has been excluded from school for a period of no less than one school semester. The petition must be made in writing and submitted by the student or person(s) responsible for the student.

The Governing Board may condition an expelled student's readmission upon the fulfillment of such requirements as are deemed necessary and appropriate, as long as the conditions are reasonably related to the preservation of the safety, health and general well-being of students and/or members of the school staff, and to the maintenance of an atmosphere conducive to learning.

Adopted: date of manual adoption

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STUDENT WELLNESS

An annual report shall be made to the Board on the District's compliance with law and policies related to student wellness. The report may include but not be limited to:

- Evaluation of the food services program.
- Recommendations for policy and/or program revisions.
- Review of all foods and beverages sold in schools for compliance with established nutrition guidelines.
- Assessment of school environment regarding student wellness issues.
- Listing activities and programs conducted to promote nutrition and physical activity.
- Providing feedback received from District staff, students, parents/ guardians, and community members.

In accordance with the National School Lunch Act (42 U. S. C. 1751 *et seq.*) and the Child Nutrition Act (42 U.S.C. 1771 *et seq.*), as amended, an assurance that District guidelines for reimbursable meals are not less restrictive than regulations and guidelines issued for schools in accordance with federal law shall be provided annually. The Superintendent shall receive assurances from all appropriate administrators and supervisors prior to making the annual Board report.

Nutrition Education

Nutrition education shall focus on students' eating behaviors, be based on theories and methods proven effective by research and be consistent with state and local District health education standards. Nutrition education at all levels of the curriculum shall include, but not be limited to, the following essential components designed to help students learn:

- Age-appropriate nutritional knowledge, including the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, handling and storage and cultural diversity related to food and eating;
- Age-appropriate nutrition-related skills, including, but not limited to, planning a healthy meal, understanding and using food labels and critically

evaluating nutrition information, misinformation and commercial food advertising; and

- How to assess one's personal eating habits, set goals for improvement and achieve those goals.

In order to reinforce and support nutrition education efforts, the guidelines will ensure that:

- Nutrition instruction provides sequential, comprehensive health education in accordance with the Arizona Department of Education curriculum regulations and academic standards;
- Cooperation with agencies and community organizations is encouraged to provide opportunities for appropriate student projects related to nutrition;
- Consistent nutrition messages are disseminated from the District throughout the schools, communities, homes and media; and
- Nutrition education is extended beyond the school environment by engaging and involving families and community.

Nutrition Guidelines and Food Services Operations

All foods and beverages made available on kindergarten (K) through eighth (8th) grade campuses during the school day are to be consistent with the Arizona Nutrition Standards. Guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law. The District will create procedures that address all foods (including Foods of Minimal Nutritional Value and Competitive Food Sales) available to students throughout the school day in the following areas:

- National School Lunch Program and School Breakfast Program Meals.
- À la carte offerings in the food service program.
- Vending machines and school stores.
- Classroom parties, celebrations, fund-raisers, rewards and school events.
- Snacks served in after-school programs.

In keeping with the District's nutrition program goals, only food prepared or obtained by the District's food services program should be served. This includes classroom reward or incentive programs involving food items as well as foods and beverages offered or sold at school-sponsored events during the regular school day. Approval is required to ensure that the foods served meet the

requirements of the District's nutrition policy and regulation (i.e., all foods served fit in a healthy diet and contribute to the development of lifelong healthy eating habits for the District's students).

Physical Activity

District schools shall strive to provide opportunities for developmentally appropriate physical activity during the school day for all students.

Other School-Based Activities

The goal for other school-based activities is to ensure whole-school integration with the wellness program. The District will achieve the goal by addressing elements that include, but are not limited to, school meal times, dining environment, food as an incentive, marketing and advertising, skin cancer prevention and sun safety, staff wellness, and staff development and training.

Program Evaluation

In each school, the principal will ensure compliance with established District-wide student wellness goals and will report on the school's compliance to the Superintendent.

The District, and individual schools within the District, will, as necessary, revise the policy and develop action plans to facilitate their implementation.

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**READMISSION OF EXPELLED STUDENTS
(PROCEDURE TO EXPEL READMITTED STUDENTS)**

If a conditionally readmitted student or a readmitted juvenile is believed to have violated a condition of readmission, the following procedure will be followed:

Step One

The student will receive an immediate informal hearing, prior to which the student will receive oral or written notice of the violation(s) involved in the charges. At that informal hearing, which will take place as soon after the precipitating events as is practical, evidence may be informally presented and an opportunity shall be given for presentation of the student's side of the story. The building principal or designee (the "administrator") conducting the informal hearing should take steps to verify the facts as presented. If the administrator, having heard the evidence and after verification of same, should have reason to believe the student did in fact violate any condition(s) of the prior readmission, the administrator may recommend to the Governing Board that said student be expelled. The Governing Board will then follow the procedures pertaining to expulsion. The student may be suspended immediately for not more than 10 days pending the formal hearing.

Step Two

After receiving the recommendation of the administrator, the Governing Board shall meet to determine whether a formal hearing shall be conducted by the Governing Board, or whether it shall appoint a hearing officer or officers to conduct a hearing as to whether the readmitted student should be expelled for a second time. All other procedures pertaining to expulsion will be followed as set out in District policy.

If a conditionally readmitted student is believed to have engaged in conduct that, although not a violation of the conditions of the readmission but nevertheless may constitute grounds for expulsion, then the standard procedures set forth in District policy shall be followed.

Adopted: date of manual adoption

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STUDENT WELLNESS**

Physical Activity Goals

The primary goal for the District's physical activity component is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness, regularly participate in physical

activity, and understand the short- and long-term benefits of a physically active and healthy lifestyle.

A comprehensive physical activity program encompasses a variety of opportunities for students to be physically active, including physical education, recess, walk-to-school programs, after-school physical activity programs, health education that includes physical activity as a main component, and physical activity breaks within regular classrooms.

Physical education (high school graduation requirements): Students must, at the least, satisfy the state and District's physical education credit requirement.

Physical activity (time, frequency, and/or intensity): Schools will ensure that students are moderately to vigorously active at least fifty percent (50%) of the time while participating in physical education classes.

Physical activity outside of physical education: Schools may offer after-school intramural programs and/or physical activity clubs that meet the needs and interests of all students, including those who are not athletically involved or those with special health care needs.

Recess to promote physical activity: Grades kindergarten (K) through six (6) will have recess or physical education classes daily.

- Each student in a kindergarten program and grades one (1) through five (5) shall have at least thirty (30) minutes of recess consisting of structured physical activity each day.
 - The structured physical activity may take place outside or inside the classroom.
 - Physical education classes may satisfy the recess requirement.
 - Unstructured recess time occurring immediately after lunch periods does not satisfy the recess requirement.

Walking or biking to school to promote physical activity: The District shall annually review safe routes for students who walk or bike to school.

Prohibition of use of punishment: The District will discourage the use of physical activity as punishment, the withholding of participation in physical education class as punishment, or the use of physical education class time to complete assignments from other classes.

After-school programs: The District shall encourage after-school programs to provide developmentally appropriate physical activity for participating children and reduce or eliminate the time spent in sedentary activities such as watching television or videos.

Community use: The District shall encourage community access to, and student and community use of, the school's physical activity facilities outside the normal school day.

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STUDENT INSURANCE PROGRAMS

Student Accident Insurance

A group plan of student accident insurance shall be made available on a voluntary basis to every student enrolled in the District schools in kindergarten (K) through grade twelve (12). The specific plan to be offered will provide for the insurance agent assuming all administrative processes and shall be approved by the Governing Board prior to being offered in the schools. The Board may provide or make available a student health benefits insurance program for the District. The program will be conducted at no expense to the District. (The District cannot pay for health benefits plan insurance out of monies from the School District's maintenance and operation budget.)

The Superintendent will provide to parents or guardians information on student health benefits insurance if such insurance is available.

Adopted: August 28, 2007 date of Manual adoption

LEGAL REF.: A.R.S. 15-384
 A.G.O. I86-095

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STUDENT INSURANCE PROGRAMS

Student Accident Insurance

The Governing Board affords parents the opportunity to participate in group accident insurance at the beginning of each school year. The principal of each school will be responsible for seeing that parents of students enrolled in the school are informed concerning protection afforded through student accident insurance.

One of the following is a prerequisite to registration in classes having a potential of personal injury:

- ♦ Student accident insurance.
- ♦ A statement signed by the parent certifying that insurance covering personal injury of the student is maintained by the family.
- ♦ A statement signed by the parent acknowledging receipt of information concerning student accident insurance and declining participation.

The statements covered in the second and third items above will become part of the student's school file.

Adopted: date of manual adoption

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STUDENT HEALTH SERVICES AND REQUIREMENTS

The Superintendent shall establish procedures for the student health services program in the District. Such procedures will provide for:

- ♦• Administration of patent or proprietary medications (over-the-counter [OTC] medications) in compliance with Arizona Revised Statutes and District policies.
- ♦• Administration of prescription medications in compliance with Arizona Revised Statutes and District policies.
- ♦• Administration of immunizations in conjunction with the County Health Department and in compliance with Arizona Revised Statutes.
- ♦• Providing preventive health information.
- ♦• The treatment of school-related injuries/illnesses, and recommendation for follow-up care.
- ♦• Screening clinics for selected physical impairments.

Counseling services and referrals for students infected with HIV (including AIDS and ARC) shall be available.

Adopted: date of **manual**Manual adoption

LEGAL REF.: A.R.S. 15-344

CROSS REF.: **EBBB - Accident Reports**

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STUDENT HEALTH SERVICES AND REQUIREMENTS

(Health Services/Instruction and Counseling)

Health Instruction

The school nurse may be involved with instruction at all grade levels in the school curriculum. Such instruction may include information related to health service programs; e.g., eye health and vision conservation, ear health and hearing conservation, dental health, orthopedic and posture conditions, hypertension screening, and communicable diseases program. Or, health instruction may include information, pertinent to the students' age level, on cardiopulmonary resuscitation, child development, diabetes, epilepsy, family life education, mental health, nutrition and weight control, personal hygiene, poison control, substance abuse, and other health-related subjects.

Health Counseling

The school nurse may become involved in health counseling in order to help students and their families achieve a greater degree of self-sufficiency in handling their own health problems.

Examinations by School Nurse or School Health Assistant

The following health screenings will be performed by the school nurse or school health assistant at school:

- Annual vision screening is provided for all special education students, students in preschool, in grades kindergarten (K), one (1), four (4), six (6), and all students new to the District.
- Annual hearing screening is provided for all special education students, students in preschool, in grades kindergarten (K), one (1), two (2), six (6), nine (9), and all students new to the District.
- Height and weight measurements will be done on all students in preschool (PK) and grades kindergarten (K) through eight (8).
- Screenings requested by teachers and parents.

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PHYSICAL EXAMINATIONS OF STUDENTS

Each student participating in high school and **middlejunior high** school interscholastic athletics is required to submit to a physical examination when required by the Arizona Interscholastic Association or to submit evidence of being physically fit, as verified by **a physician, osteopath, nurse practitioner, or physician's assistant** **competent medical personnel**.

Adopted: **September 25, 2007** **date of Manual adoption**

IMMUNIZATIONS OF STUDENTS

Subject to the exemptions as provided by law, immunization against diphtheria, tetanus, pertussis, poliomyelitis, rubeola (measles), mumps, rubella (German measles), hepatitis B, haemophilus influenzae b (Hib), and varicella is required for attendance of **any** student in **any** District school. A student's immunization record must be submitted prior to attendance, although a student may be conditionally enrolled provided that necessary immunizations have been initiated and a schedule has been established for completion of the required immunizations. **The school administrator shall review the school immunization record at least twice each school year until the pupil receives all of the required immunizations.** A student shall not be allowed to attend school without submitting documentary proof of compliance to the school administrator unless the student is exempted from immunization. On enrollment, the school administrator shall suspend that student if the administrator does not have documentary proof of compliance and the student is not exempted from immunization. A student who fails to comply with the immunization schedule shall be suspended from school attendance until documentary proof of compliance is provided to the school administrator, except that a homeless student shall not be suspended from attendance until the fifth (5th) calendar day after enrollment.

Any student with serologic confirmation of the presence of specific antibodies against a vaccine-preventable disease shall not be subject to immunization against that disease as a condition for attending school.

The District will cooperate with county and state health departments in programs of immunization. Parents' permission must be secured before a student may participate in such immunization projects.

*Adopted: **September 25, 2007**date of Manual adoption*

- LEGAL REF.: A.R.S. 15-871
- 15-872
- 15-873
- 15-874
- A.A.C. R9-6-**202** **203**
- R9-6-353
- R9-6-356
- R9-6-365
- R9-6-368
- R9-6-372
- R9-6-313
- R9-6-**336** **388**
- R9-6-**338**

R9-6-339

R9-6-349

R9-6-352 350

R9-6-701 *et seq.* through 707

IMMUNIZATIONS OF STUDENTS

Subject to the exemptions in A.R.S. 15-873, immunization against each of the following diseases is required for attendance of **anya** child in any **District** school:

- ♦• Diphtheria.;
- ♦• Tetanus.;
- Hepatitis B;
- ♦• Pertussis.;
- ♦• Poliomyelitis.;
- ♦ Rubeola (measles).
- Measles (rubeola);
- ♦• Mumps.;
- ♦• Rubella (German measles).;
- ♦ Hepatitis B.
- ♦• *Haemophilus influenzae* type b (Hib);
- Varicella; and
- Meningococcal.

Unless exempt in accord with R9-6-706, the schedule for compliance with the requirement for immunization against varicella is:

Grade student entering as of September 1, 2008

- Kindergarten (K) through grade four (4) and grades seven (7) through ten (10)

Grade student entering as of September 1,

- Kindergarten (K) through grade five (5) and grades seven (7) through eleven (11)

Grade student entering as of September 1, 2010

- Kindergarten (K) through grade twelve (12)

Unless exempt in accord with R9-6-706, the schedule for compliance for a student eleven (11) years or older who has not previously received the meningococcal vaccine is:

Grade student entering as of September 1, 2008

- Grade six (6)

Grade student entering as of September 1, 2009

- Grades six (6) and seven (7)

Grade student entering as of September 1, 2010

- Grades six (6) through eight (8)

Grade student entering as of September 1, 2011

- Grades six (6) through nine (9)

Grade student entering as of September 1, 2012

- Grades six (6) through ten (10)

Grade student entering as of September 1, 2013

- Grades six (6) through eleven (11)

Grade student entering as of September 1, 2014

- Grades six (6) through twelve (12)

The preceding schedules will remain in effect unless the school is notified by the Arizona Department of Health Services of a modification to one (1) or both of the schedules.

AnyA child is in compliance with the requirements if the child has met the criteria of the appropriate immunization schedule as recommended by the Department of Health Services or is actively in the process of meeting such criteria as evidenced by having received one (1) dose of each of the required immunizations and has established a schedule for completion of the required immunizations.

A child shall not be allowed to attend school without submitting documentary proof to the school administrator unless the child is exempted from immunization pursuant to section 15-873. Upon enrollment, schools shall forbid attendance **of** (suspend) **anya** student not meeting the requirements for immunization or exemption from immunization. **Homeless students shall be referred to the liaison for homeless students and shall not be required to comply with the immunization requirements until the fifth (5th) calendar day after enrollment.**

The admitting official shall deem the student to be in compliance with the requirements of this regulation if:

- ♦• The student's immunization record complies with the documentary proof required pursuant to [A.A.C. R9-6-703,704](#), and the student has received or is in the process of receiving all required age-specific vaccine doses according to exhibit JLCB-EA; or
- ♦• An exemption from immunization is submitted in accordance with the procedures set forth in [R9-6-705.706](#).

When the student's immunization record is not available at the time of enrollment, the school shall provide the responsible person with the following:

- ♦• Notification of the lack of compliance with the immunization requirements;
- ♦• A written notice that specifies when the required doses shall be completed, notes the availability of exemptions to immunization, and refers the student to a physician or local health department for review of the student's immunization history and provision of immunizations as needed; and
- ♦• Notification that the student is suspended in accordance with 15-872 until an acceptable immunization record that meets the standards of documentary proof is presented to the school.

When immunization records are presented that do not comply with the standards for documentary proof, the school shall:

- ♦• Notify the responsible person of the lack of compliance with the immunization requirements; and
- ♦• Obtain a review and verification of the student's immunization record by or in consultation with a certificated school nurse, a public health nurse, a licensed physician, or an authorized representative of a local health department.

If the admitting official is unable to verify the accuracy of the student's immunization record pursuant to the preceding paragraph, the school shall provide to the responsible person:

- ♦• A written referral to a physician or local health department for further review of the student's immunization history and provision of immunizations as needed; and
- ♦• Notification that the student is suspended until an immunization record that meets the standards of documentary proof is presented to the school.

Each school shall maintain a current list of students without evidence of immunization or immunity to the diseases listed in R9-6-701,702, which shall include the names of all students with incomplete immunization histories or exemptions for personal or medical reasons where evidence of immunity has not been provided.

Schools shall forbid attendance by any studentsa student lacking proof of immunization or immunity against any of the immunization-preventable diseases as determined by the State Department of Health Services or local health department during periods of outbreaks of the diseases for which immunity is lacking. The announcement of an outbreak of disease and the length of the period of communicability shall be as declared by the state or local health department.

Standards for Documentary Proof

Proof of immunity to the diseases listed in R9-6-702 shall be documented in accordance with R9-6-704.

Immunization records or statements of immunity shall be signed by a physician or authorized representative of a health agency.

Exemptions to Immunizations

Students who have reached their fifth (5th) birthday shall be exempt from the Hib immunization requirement.

Students who have reached their seventh (7th) birthday shall be exempt from the pertussis immunization requirement.

Any student with laboratory evidence of immunity shall not be subject to immunization against that disease as a condition for attending school, provided that such evidence is submitted to the school.

In accordance with A.R.S. 15-873, documentary proof is not required for a student to be admitted to school if one (1) of the following occurs:

- ♦• The parent or guardian of the student submits a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the Department of Health Services, understands the risks and benefits of immunizations and the potential risks of nonimmunization, and that, due to personal beliefs, the parent or guardian does not consent to the immunization of the student.
- ♦• The school administrator receives written certification, signed by the parent or guardian and by a physician, that states that one (1) or more of the required immunizations may be detrimental to the student's health and indicates the

specific nature and probable duration of the medical condition or circumstance that precludes immunization.

An exemption pursuant to the preceding subparagraph is valid only during the duration of the circumstance or condition that precludes immunization.

If a medical exemption is granted in accordance with A.R.S. 15-873, it shall be defined by the grantor as either permanent or temporary.

- ♦• A permanent medical exemption may be provided for one (1) or more vaccines.

- ♦• A temporary medical exemption shall specify the date of its termination. A student with a temporary medical exemption shall be allowed to attend school on the condition that the required immunizations are obtained at the termination of the exemption. The responsible person shall be notified of the date by which the student shall complete all required immunizations.

Any exemption granted in accordance with A.R.S. 15-873 shall be recorded on the school immunization record in the student's permanent file.

Students who lack documentary proof of immunization shall not attend school during outbreak periods of communicable immunization-preventable diseases as determined by the Department of Health Services or local health department. The Department of Health Services or local health department shall transmit notice of this determination to the school administrator responsible for the exclusion of the students.

Reporting Communicable Diseases

The administrator of a school shall submit by telephone a report to the local health department any case, suspected case, or outbreak of a communicable disease as follows:

- Within twenty-four (24) hours after detecting a case or suspected case of:
 - Cryptosporidiosis
 - Enterohemorrhagic *Escherichia coli*
 - *Haemophilus influenzae*: invasive disease
 - Hepatitis A
 - Measles
 - Meningococcal invasive disease

- Mumps
- Pertussis (whooping cough)
- Rubella (German measles)
- Salmonellosis
- Shigellosis
- Within twenty-four (24) hours after detecting an outbreak of:
 - Conjunctivitis: acute
 - Diarrhea, nausea, or vomiting
 - Scabies
 - Streptococcal Group A infection
- Within five (5) working days after detecting a case or a suspected case of:
 - Campylobacteriosis
 - Varicella (chicken pox)

The report shall include:

- The name and address of the school
- The number of individuals having the disease, infestation, or symptoms
- The date and time the disease or infestation was detected or the symptoms began
- The number of rooms, grades, or classes affected and the name of each
- Information about each affected individual to include:
 - Name,
 - Date of birth or age,
 - Residential address and telephone number,
 - Whether the individual is a staff member, student, child in care, or a resident,

- The number of individuals attending or residing in the school, and
- The name, address, and telephone number of the person making the report.

Other Required Reports

By November 15 of each year, the Superintendent shall submit a report on the immunization status of students to the state or local health department on a form provided by the Department.

Additional reports that include students in all grades may be required during an outbreak or potential outbreak as determined by the state or local health department.

Each Superintendent of a school whose nurses are authorized to administer vaccines or immunizing agents shall submit monthly reports to the county health department in accordance with the procedures set forth in R9-6-707. Reports are due by the fifth (5th) day of the following month.

An immunization record shall be maintained for each student in the Districtschool. Each immunization record shall include the following information:

- ♦ Name of the student;
- ♦ Date of birth;
- ♦ The date of the student's admission to the school;
- ♦ The month and year in which each vaccine was received, except for measles, mumps, and rubella, for which the day, month, and year are required;
- ♦ The type of immunizing agents administered to the student;
- ♦ The date each dose of immunizing agent is administered to the student; and
- ♦ The established schedule for completion of immunizations if the student is admitted to or allowed to continue to attend a school pursuant to section 15-872, subsection E.

By November 15 of each year, each administrator of a public-school-based day care program or preschool shall submit a report to the state or local health department on a form provided by the Department.

A school shall transfer an immunization record and signed requests for provision of immunizations, including any revocations thereof, with the mandatory

permanent student record and provide at no charge, on request, a copy of the immunization record to the parent or guardian of the pupil.

^ & ^J-5231 © JLCB-EAE
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IMMUNIZATION OF STUDENTS

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.

2009-2010- ARIZONA SCHOOL IMMUNIZA TION REQUIREM ENTS Age Grade	Under Seven (7)	Age Seven through (10) years	(7) ten	Eleven years and (11)	Eleven years and (11)
	Kindergarten (K) and above	Kindergarten (K) through fifth grades	Sixth (6th) & seventh (7th) grades only	Eighth (8th) through twelfth (12th) grades	

Vaccines

DTaP / DTP / DT (Diphtheria, tetanus, acellular pertussis)	Four (4) or five (5) doses. At least one (1) dose at four (4) years of age or older is required. A sixth (6th) dose is needed if five (5) doses have been given before four (4) years of age.	History of four (4) DTaP or a total of three (3) tetanus and diphtheria doses given after twelve (12) months of age.	One (1) Tdap dose is required when five (5) years have passed since the last DTaP, DTP, DT, or Td. Students starting or finishing the first three (3) tetanus and diphtheria doses must receive the one (1) Tdap as part of the three (3) dose series.	Students who have not already received Tdap are required to receive one (1) dose when ten (10) years have passed since the last DTaP, DTP, DT, or Td. Students starting or finishing the first three (3) tetanus and diphtheria doses must receive one (1) Tdap as part of the three (3) dose series.
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Td
(Diphtheria, tetanus, acellular pertussis)

Tdap

Referral source: Name _____

Address _____ Position _____

Symbols: A = Abrasion Bl = Blister Bu = Burn Br = Bruise La = Laceration Le = Lesions S = Scar R = Rash V = Vermin O = Other (describe) *Severity:* (1) = Mild (2) = Moderate (3) = Severe

Signature and Title of Person Making the Report Date _____

To whom reported _____ Date of oral report _____

copy filed in school nurse's office *Adopted:* date of manual adoption _____

^J-5550 © JLDA
SCHOOL COUNSELORS AND PSYCHOLOGISTS

Psychological services, including testing, are available to students through the public schools. Initial referrals for psychological evaluations may come from certificated staff members or parents, or from the student.

Prior written or oral consent of a parent of the legal guardian of a minor child must be obtained in the manner and as required by A.R.S. 26-2272 to procure, solicit to perform, arrange for the performance of or perform mental health screening in a nonclinical setting or mental health treatment on a minor. Eligible student (age eighteen [18] years and beyond) authorization must be obtained prior to the referral or performance of a mental health screening or provide mental health treatment to prevent serious injury to or save the life of a minor child.

A school psychologist shall administer preliminary tests to determine the need for psychological evaluations.

Referrals to outside agencies shall be made only with parental/legal guardian or eligible student authorization, except as otherwise provided by law or a court order.

Adopted: date of manual adoption
LEGAL REF.: A.R.S. 26-2272

^J-6350 © JLH
MISSING STUDENTS

When a child is reported missing by a parent or guardian, the law enforcement agency receiving the report shall notify the school the child was attending. The notification shall include all of the following:

- The missing child's name.
- The missing child's date of birth.
- The missing child's county and state of birth.
- The missing child's Social Security number, if any.
- The physical description of the missing child.

Following proper notification, the records of each missing child will be flagged with a red sticker in the upper-right-hand corner of the cumulative folder. When records are requested for missing children, the local law enforcement agency will be notified and no records will be sent.

The parent or surrogate of each new enrollee in the **Districtschool**, except homeless students **as defined in A.R.S. 15-824,** will be asked to produce one (1) of the following proofs:

- A certified copy of the child's birth certificate.
- 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.
- 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.

The parent or surrogate will be given thirty (30) days to provide documentation requested as listed above. If documentation is not provided, a second (2nd) letter will be sent to notify the parent or guardian 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 **Districtschool** to disclose to any person a student's educational record without prior parental consent unless the **Districtschool** makes a determination that disclosure of such records is necessary to protect the health and safety of the student.

Within five (5) days after enrolling a transfer student from a public school **in another school district** or from a private school, the **District schoolschool** will request, directly from the previous school, a certified copy of the student's record. When records are requested by another school, within **fiveten (510)** days the **Districtschool** will comply with the request unless the record has been flagged

J-6400 © JLI
STUDENT SAFETY

Teachers will be responsible for their classes at all times. At no time are students to be left unsupervised. Students are not to be sent on errands from the school premises.

Teachers have the authority to prohibit the use of and/or to confiscate any article that is a hazard to a student or that may damage school property. In the case of an emergency, the teacher will seek help from the principal.

Every student, teacher, and visitor shall wear appropriate protective eyewear while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to items as listed in A.R.S. 15-151.

The Superintendent will establish procedures covering the duty hours of crossing guards, the use of bicycles to and from school and while they are at school, and the conduct of students going to and from school. In addition, school buildings, playgrounds, and equipment will be regularly inspected for health, fire, and safety hazards.

Adopted: date of **manual**Manual adoption

LEGAL REF.: A.R.S. 15-151
 15-341(A)(27)(28)

J-6450 © JLIA
SUPERVISION OF STUDENTS

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are responsible to the school and the school is responsible for them.

Supervision shall include being within the physical presence and, whenever possible, within a line of vision of the students so that school personnel will have a reasonable opportunity to control the behavior of and assist the students if necessary. Teachers shall exercise supervision as appropriate from the commencement of the school day, before classes begin, during class sessions, during lunch periods, between classes, and at any other time when performing teaching or related duties on behalf of the school.

If it should be necessary in an emergency situation for a teacher to leave the physical presence of the students, then the teacher shall make a reasonable effort to obtain a school employee to supervise the students during the teacher's absence. In no case shall the teacher leave students unsupervised if there is a reasonable possibility that harm to students or property will result from the students being left unattended.

School administrators, teachers, and other staff members will ensure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

Adopted: date of **manual**Manual adoption

LEGAL REF.: A.R.S. 15-341
 15-502(F)
 15-521(A)(4)(5)

CROSS REF.: JK - Student Discipline

J-6461

SUPERVISION OF STUDENTS

The Governing Board shall "provide for adequate supervision over pupils in instructional and noninstructional activities by certificated or noncertificated personnel" [A.R.S. 15-341(A)]. The intent of this statute is to provide for the safety and security of children at school during regular school hours, or while participating in school-sponsored activities, whether on or off the school grounds. The school principal or designee shall be responsible for planning, organizing, and assigning adequate adult supervision for all school-sponsored or school-related activities, as well as for periods during which pupils are on school grounds during regular school hours. Supervision for school-sponsored or school-related activities shall be provided, whether on or off the school premises, and whether during or outside the regular school hours.

Teachers shall supervise pupils on the playground and during recess, if assigned to such duty.

Noncertificated personnel may be assigned to supervise pupils during such periods as may be determined by the principal.

In elementary schools, regular school hours shall be established by the principal of each building, but shall be from not earlier than 20 minutes before the first class of the day to not later than 10 minutes after the last class of the day on days when school is in session, during which time supervision shall be provided.

Each teacher has a definite responsibility for correcting obvious student misconduct *immediately*, anywhere within the school plant or at school-sponsored functions outside of the School District area. A constant, uniform, and reasonable application of *immediate* correction of infractions of rules by all staff members can produce a desirable "know-where-you-stand" attitude on the part of both students and faculty members. In fact, if not applied by all teachers, those who do enforce the *immediate* discipline may receive student censure as opposed to teachers who, failing to carry out their obvious duty, lose the students' respect.*Adopted:* date of manual adoption

J-6500 © JLIB
STUDENT DISMISSAL PRECAUTIONS

No student will be removed from the school grounds, from any school building, or from any school function during school hours except by a person authorized to do so by the student's parent or by a person who has legal custody of the student, except as A.R.S. 8-223(A)(B),303, 8-224(B),304, and 8-546.01(C)(2)802 shall apply. Before a student is removed, the person seeking to remove the student must present, to the satisfaction of the Superintendent, evidence of proper authority to remove the student. If any police or court official requests the dismissal of a student during school hours, parents should be notified as soon as possible.

For purposes of the Arizona Medical Marijuana Act, no person may be denied custody of or visitation or parenting time with a minor, and there is no presumption of neglect or child endangerment for conduct allowed under the Act, unless the person's behavior creates an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

Adopted: date of **manual**Manual adoption

LEGAL REF.: A.R.S. 8-223(B)303
 8-224(B)304
 8-546.01(C)(2)802
 13-1302(A)
 36-2813
 A.G.O. I80-002

CROSS REF.: JIH - Student Interrogations, Searches, and Arrests

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J-6511 © JLIB-R

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STUDENT DISMISSAL PRECAUTIONS

(releasing a child to other than an authorized individual)

In cases of legal custody of children and the releasing of these children by school personnel to an unauthorized individuals, school personnel must adhere to proper legal procedure.

The parent who has legal custody of the child shall make the decision with regard to releasing the child. School personnel shall not release a child to an unauthorized individual unless permission to do so has been received, either verbally or in writing, from the parent who has legal custody of the child. Any exception to this must be approved by the building principal.

If a situation arises wherein it is necessary to release the child to an unauthorized individual and the parent with legal custody of the child cannot be contacted, the matter should be referred immediately to the office of the associate superintendent of staff relations, or to the County Attorney's office or the District's other attorney for decision.

A student may be taken into custody and removed from the school premises by a Child Protective Services worker or a law enforcement officer if, during an investigation of suspected child abuse, such action is deemed necessary by the Child Protective Services worker for the protection of the child. It is the duty of the Child Protective Services worker to notify the parents or guardians that the child has been taken into custody.

School personnel shall cooperate with Child Protective Services workers and/or law enforcement officers in such cases. While it is the legal duty of the Child Protective Services worker to notify parents, the school shall also make every effort to immediately notify the parents or guardians, if a child is taken into custody and removed from the school premises. **Note.** Persons taking children from school must, if asked by school personnel, provide proper identification. School personnel will utilize the proper report form (Exhibit JLIB-E).

Adopted: date of manual adoption

(Student Release Requirements)

At the time of school admission, the principal must complete the student's permanent record form, which will identify the student's legal name and the name, address, and telephone number of the student's lawful custodian(s).

Before releasing a student during the school day, the principal shall be responsible for the verification of the identity of any lawful custodian or any representative seeking release of a student.

If a lawful custodian, as indicated on the student's permanent record, is not recognized by sight, the principal shall require satisfactory identification before such release. If there is a doubt, release may not be granted.

In the case of a written or verbal authorization by a lawful custodian of record, the principal shall require satisfactory verification of the message as being from the lawful custodian of record. If there is a doubt, release may not be granted.

If an unauthorized person refuses to honor the decision of the principal, the principal shall call the local police authority.

If, in the granting of a release of a student, a change in the record of the student's lawful custodian(s) becomes apparent and is verified to the satisfaction of the principal, such change shall immediately be entered on the student's permanent record.

If any police or court official requests the release of a student during school hours, parents should be notified as soon as possible.

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J-6531 JLIB-E

STUDENT DISMISSAL PRECAUTIONS

(releasing a child to other than an authorized individual)

REPORT FORM/TEMPORARY CUSTODY

Date _____

School _____

Name of student _____

Teacher/administrator _____

Authorized individual _____

Identification: _____ Badge number

_____ Driver's license number

_____ Employee card

_____ Court order/type/judge

_____ Other photo identification

_____ Other I.D. (explain)

Notification of parent(s)/guardian(s)/custodian(s)

Spoke with whom? _____

Date/time _____

Comments _____

Adopted: date of manual adoption

J-6650.16650 © JLIE
STUDENT AUTOMOBILE USE AND PARKING

The Superintendent shall establish procedures for registration, parking, and use of motorized vehicles and for searches for and seizures of illegal material contained therein. In the establishment of such procedures the Superintendent will be guided by the following:

- ♦• Students will not bring any motorized vehicles on any campus in the District other than the high school campus.
- ♦• All students will register their vehicles.
- ♦• Registration stickers must be displayed on all student vehicles.

Students who refuse to comply with approved regulations and restrictions and the operating procedures of the individual schools will be subject to disciplinary action, including suspension from school.

Legal Requirements

All student-operated motor vehicles driven to school and parked on school premises must be in safe operating condition, and each driver must show proof that:

- ♦ The driver is licensed to drive said vehicle.
- ♦ The vehicle for which a permit is requested is legally licensed and registered.
- ♦ The vehicle is properly insured.

Parking Violations

Students may be disciplined for the following violations:

- ♦ Parking without a school permit.
- ♦ Parking in a no-parking zone or other unauthorized area, such as bus loading zones, handicap zones, fire lanes, reserved parking spaces, faculty parking, etc.
- ♦ Excessive speed or other unsafe driving on campus.
- ♦ Loitering around an unattended motor vehicle.
- ♦ Any other acts involving motor vehicles that may be deemed unsafe or detrimental to the good of all.

At the discretion of the school administration, warning tickets may be issued prior to the issuance of disciplinary tickets.

Disciplinary Tickets

Students who violate parking regulations will be ticketed. Such ticketing may result in any or all of the following:

- ♦ Vehicles may be towed away at the owners' expense.
- ♦ Parking privileges may be revoked.
- ♦ Other disciplinary action, which may include suspension from school.

Special Permission by Superintendent

Except for motor vehicles of employees and students holding off-street parking permits, visitors, and persons conducting school business, no motor vehicles will

be permitted upon secondary school property without special permission by the Superintendent.

Public Notice

Permanent signs will be erected on all secondary School District property forbidding the use of unauthorized vehicles. In addition, signs will indicate that unauthorized vehicles and/or vehicles parked in unauthorized areas may be towed away at the owners' expense. Vehicles that may be towed away include those of the general public as well as students.

- Vehicles may be towed away at student expense for failure to follow policy and procedures related to motorized vehicles.

Adopted: date of **manual**Manual adoption

LEGAL REF.: A.R.S. 15-341(A)(1)
 28-4836

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J-6661 © JLIE-R

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STUDENT AUTOMOBILE USE AND PARKING

Registration

Students will register their vehicles if they intend to drive to school. The registration will require that the owner of the vehicle sign the forms and acknowledgments. Registration stickers will be affixed to the vehicles in a manner specified by the school administration. Students who fail to register their vehicles or who fail to follow school policy and procedures related to use of vehicles may be disciplined have their vehicles towed away. Any expense related to such towing will be the responsibility of the student. Under the conditions set out in A.R.S 28-4836, the authorizing school personnel will notify the law enforcement agency of the jurisdiction of the school within one (1) hour of the time the vehicle is moved or towed.

Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reason to believe that illegal or unauthorized materials may be contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Seizure of Illegal Materials

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

Adopted: date of manual adoption

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J-6681 © JLIE-E

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STUDENT AUTOMOBILE USE AND PARKING

ACKNOWLEDGMENT CONCERNING USE OF STUDENT PARKING LOTS

I acknowledge and understand that:

- ♦• Students are permitted to park on school premises as a matter of privilege, not of right.
- ♦• The District retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property.
- ♦• The District may inspect the interiors of student automobiles whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside the automobiles.
- ♦• **Inspections**•Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.
- ♦• A student who fails to provide access to the interior of the car upon request by a school official will be subject to school disciplinary action.
- ♦• If the student fails to follow school policy and procedure related to use of vehicles, the vehicle may be towed away and stored, at the owner's expense.

Signature of the Student

Date

Signature of the Parent/Guardian

Date

Signature of the Vehicle Owner

Date

Vehicle license number: _____

Adopted: date of manual adoption

^J-6700 © JLIF
SEX OFFENDER NOTIFICATION
(Sex Offender and Dangerous Juvenile Offender
Notification and Protective Measures)

Arizona statutes require law enforcement agencies to provide notification to the District regarding certain registered sex offenders and require courts to notify the District regarding juveniles adjudicated delinquent for "dangerous offenses" or certain sex offenses.

- Arizona Revised Statutes (A.R.S.) 13-3825 and 13-3826 require the local law enforcement agency to notify the community, including area schools, of the presence of a registered sex offender in the community when the offender has been determined by the agency to be a "level two" (medium risk) or "level three" (high risk) offender.
- A.R.S. 8-350 directs the court to notify the District when a student attending a school in the District has been adjudicated delinquent for or convicted of and placed on probation for a dangerous offense or sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child. *Dangerous offense* is defined in 8-350 as "an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person."
- A.R.S. 13-3821 permits a juvenile court to require a juvenile who has been adjudicated delinquent for certain sex offenses to register as a sex offender until the person reaches the age of twenty-five (25), and A.R.S. 13-3825 permits a juvenile court to further require such juvenile registered sex offender to be subject to the State's community notification requirements.

It is the Governing Board's desire to create and maintain a safe environment for the District's students and staff members. Therefore, the Superintendent is directed to develop procedures to disseminate the information received from the local law enforcement agency regarding adult and juvenile registered sex offenders present in the District and to provide teachers, parents, guardians, or custodians, upon request, information received from a court pursuant to A.R.S. 8-350 concerning a juvenile who has been adjudicated for or convicted of a dangerous offense or a specified sex offense.

District Procedures

Procedures within the District shall encompass, but not necessarily be limited to:

- Measures to disseminate information received from the local law enforcement agency to staff members, parents, guardians, or custodians when the District has been notified that a registered offender has moved into the community. When in

the judgment of the Superintendent it is determined to be appropriate, the measures will include disseminating the information to students.

- Measures to provide to teachers, parents, guardians, or custodians, upon request, information received by the District under A.R.S. 8-350, regarding juveniles adjudicated delinquent of "dangerous offenses" or sex offenses.

Optional language: The following elements are available for inclusion at the District's discretion.

- District restrictions on and requirements of registered sex offenders.
- Assessment, enrollment, placement, and oversight of students about whom an A.R.S. 8-350 notification has been received.
- Student instruction in protective measures.
- Prohibitions against harassment of individuals or acts of vigilantism based upon information received by the District.

Adopted: August 28, 2007 date of Manual adoption

LEGAL REF.: A.R.S. 8-208
 8-321
 8-350
 8-371
 13-1405
 13-1406
 13-1410
 13-1417
 13-3821
 13-3825
 13-3826
 20 U.S.C. 1232g(b)(7)
 42 U.S.C. 14071(d)

CROSS REF.: DJE - Bidding/Purchasing Procedures
 EB - Environmental and Safety Program
 GCF - Professional Staff Hiring
 GDF - Support Staff Hiring
 IJNDB - Use of Technology Resources in Instruction
 JA - Student Policies Goals/Priority Objectives
 JF - Student Admissions
 JLI - Student Safety
 JLF - Reporting Child Abuse/Child Protection
 JR - Student Records

^J-6711 © JLIF-R
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SEX OFFENDER NOTIFICATION
(Sex Offender and Dangerous Juvenile Offender
Notification and Protective Measures)

To fulfill the requirements of Policy JLIF the following procedures are to be implemented.

Registered Sex Offender Community Notification

When the local law enforcement agency notifies the District pursuant to A.R.S. 13-3825 and 13-3826 of a registered sex offender's presence in the community, the following actions shall occur:

- A copy of the notification flyer provided by the law enforcement agency, displaying the offender's photograph and disclosing the offender's exact address, status summary, and criminal background, is to be distributed to each school and department.
- The school principal or department supervisor shall post the notification flyer at locations where the flyer is readily accessible for viewing by staff members, students, and visitors.
- The principal or supervisor shall inform students and staff members that a new flyer has been posted.
- When the registered sex offender described in the notice is also a student within the District, then the provisions regarding juvenile (youthful) dangerous offenders and sex offenders shall also be followed, except that the restrictions against disclosure of information shall not apply to the information obtained in the community notification received from the local law enforcement agency.

Optional language: The following statement on notification is available for inclusion at the District's discretion.

Information is to also be communicated through media, such as newsletters, meal menus, press releases, and similar means to students, staff members, and parents/guardians advising them that listings of sex offenders in the area are available at the Arizona Department of Public Safety Sex Offender Infocenter, www.az.gov/webapp/offender, and at the United States Department of Justice National Sex Offender Public Registry, www.nsopr.gov/, as well as various other websites.

Optional language: The following restrictions on offenders are available for inclusion at the District's discretion.

District Restrictions on Registered Sex Offenders

An adult registered sex offender may not be present on school property, including school buildings, grounds, and vehicles, except when:

- The offender is the parent or guardian of a student attending the school and the offender is:
 - Attending a conference with school personnel to discuss the academic or social progress of the offender's child; or
 - Participating in child review conferences in which special education evaluation and placement decisions may be made with respect to the offender's child; or
 - Attending conferences to discuss other issues relating to the offender's child, such as student discipline, retention or promotion; or
- The offender has obtained prior written permission from the Superintendent. When a registered sex offender is present on school property under any of the circumstances described above, the offender must comply with the following requirements:
 - Notify the principal's office immediately upon arrival on school property;
 - Remain at all times under the direct supervision of the principal or a person designated by the principal; and
 - Notify the principal's office when the offender is departing from school property.

A staff member who observes a person or a situation that leads the staff member to a reasonable belief that the person may be a sex offender, or that a sexual assault or abuse might occur, is to promptly notify a school official of his or her belief. The school official is to notify the Superintendent and, as appropriate, law enforcement of the staff member's belief. When an individual appears to have been inappropriately contacted or approached, or has been assaulted, law enforcement is to be notified without delay. The staff member is not to confront a suspected abuser; investigation and determination is to be left to proper authorities.

When the individual under suspicion is a student in the District, the Superintendent may, pursuant to A.R.S. 8-350, request from the juvenile court the criminal history of the student to determine if the student has been adjudicated delinquent for or convicted of a dangerous offense or a violation of A.R.S. 13-1405, 13-1406, 13-1410, or 13-1417. If the criminal history provided by the court shows such an adjudication or conviction, then the District shall

implement the procedures outlined below for juvenile (youthful) dangerous offenders and sex offenders.

Juvenile (Youthful) Dangerous Offenders and Sex Offenders

When the District is notified by a juvenile court pursuant to A.R.S. 8-350 that a student attending a school in the District has been adjudicated delinquent for or convicted of and placed on probation for a dangerous offense or sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child the Superintendent shall promptly notify the principal of the school where the student is in membership.

The principal shall:

- Send notice to the student's teacher(s), and such other staff members as the principal determines appropriate to the circumstance, to contact the principal concerning a confidential matter. The noticed staff members will be provided with the information received from the juvenile court, and be directed to comply with the student record confidentiality requirements prescribed in District [policy](#) [Policy](#) JR. A staff member who improperly discloses confidential student information may be disciplined pursuant to District policy.

Optional language: The following restrictions on juvenile offenders and instruction in protective measures are available for inclusion at the District's discretion.

- Confer with the student's probation officer to gather information on the student's offense, the conditions of probation, and assessment of the student as a risk factor where other students and staff members are concerned.
 - Where a viable risk is perceived, the principal shall notify the Superintendent who, in consultation with legal counsel and the juvenile offender's parole [office](#) [officer](#), shall determine further steps to be taken.
- Meet without undue delay and to the extent reasonably possible, with the student's parent(s) or guardian(s), the student's teacher(s), and the student's counselor where available. Advise the parties that the student juvenile offender:
 - Cannot attend a school where a victim of the juvenile offender is in membership;
 - Cannot attend a school where a sibling of a victim of the juvenile offender is in membership;
 - Must refrain from contact with the victim of the juvenile offender or a sibling of the victim while on school property.

- Notify the parent(s) or guardian(s) of the juvenile offender's victim of the juvenile offender's membership in a District school.
- Upon request, make the notification information available to teachers, parents, guardians, or custodians.

Staff members are to be alert to and inform school officials of any behavior by a juvenile offender that creates an abnormal risk to members of the school community. However, each circumstance involving a student probationary juvenile offender attending a District school shall be evaluated on a case-by-case basis. Whenever possible without placing other students or adult members of the school community at risk, reasonable efforts should be made to continue the student's education, to provide supportive services, and to avoid any acts of harassment or vigilantism against the student. Although federal and state laws and rules permit the release of information concerning a student registered sex offender, discretion should be exercised when discussing or disseminating information about the student. Whenever possible, the school community should encourage and support timely and appropriate intervention toward the expected outcome that a juvenile offender's conduct will be rectified so the student will commit no further offense and will develop into a responsible, self-controlled adult.

Instruction in Protective Measures

A committee including members of the District staff, the local law enforcement agency, and such other persons as the Superintendent may determine will convene to develop instruction in protective measures against sexual offenders. These shall include, but not be limited to, techniques child sexual molesters use to charm adults and gain access to children and how sexual predators use the internet to entice students into dangerous situations. The committee is to evaluate and select materials and strategies designed to deliver age-appropriate instruction that equips students in identifying, avoiding, fleeing from, and reporting assaults and attempted assaults by sexual offenders.

Instruction in protective measures is to be incorporated into the general curriculum. Instances of the posting of a new notification of a registered sex offender in the community should be accompanied with repetition and reinforcement of protective measures students should know and apply as a defense against sexual predators.

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SEX OFFENDER NOTIFICATION
SEX OFFENDER AND DANGEROUS JUVENILE OFFENDER
NOTIFICATION AND PROTECTIVE MEASURES

Following is a checklist¹ to help parents, teachers, and counselors spot an adult's possible sexual interest in children.

- *Persons who promote and sustain a special one-on-one relationship with a particular child.*
- *Persons who spend an inordinate amount of time alone with children other than their own.*
- *Persons who take pictures of children other than their own.*
- *Teachers, coaches, activity providers, et cetera, who pursue and cultivate an intense ongoing relationship with a child or student who is not a member of the adult's group.*

The checklist is provided only to aid school personnel and parents in the protection of students; it is not intended to be a finite or discriminatory listing. Each potential concern should be carefully considered and evaluated on a case-by-case basis.

¹Adapted from *The Stop Child Molestation Book, What Ordinary People Can Do In Their Everyday Lives to Save Three Million Children*, Gene G. Abel, M.D, and Nora Harlow, authors.

**J-6740 [AUSD10 JM](#)
STUDENT AWARDS, HONORS, AND SCHOLARSHIPS**

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:

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

Adopted: date of manual adoption

CROSS REF.: IHBD - Compensatory Education

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J-6741 [AUSD10](#) JM-R
STUDENT AWARDS, HONORS, AND SCHOLARSHIPS
Gifts to Students**

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.

J-6750 © JN
STUDENT VOLUNTEERS FOR SCHOOL AND COMMUNITY SERVICE

The Board encourages the utilization of student volunteers in the educational program (e.g., student librarians, student office helpers, etc. et cetera) and in useful community services. However, student volunteers must be capable of carrying out the additional load without endangering their academic achievement. Therefore, all student volunteers shall be expected to maintain their grades, attend all classes, and recognize that the activity to which they are volunteering their services is secondary to their primary goal of getting an education.

Teachers and members of the community are encouraged to check with a student's teacher and the principal before a student is sought for volunteer help, to make sure that the additional responsibility can be undertaken without endangering the student's academic achievement.

Adopted: date of manualManual adoption

J-6800 © JO
EMPLOYMENT OF STUDENTS

The Board places a high value on education and strongly urges students to do likewise. All students, therefore, are encouraged to continue with their educational program until graduation from high school.

The Board is aware that many students, for various reasons, seek employment during the school year. These students are reminded that school work and activities must not be neglected, nor shall such employment conflict with the school schedule.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-512
 23-231
 23-232
 23-233
 23-235

J-6900 © JP
STUDENT DONATIONS AND GIFTS

The Superintendent shall establish guidelines for presentation or purchase of gifts for the School District.

Students and their parents shall be discouraged from the routine presentation of gifts to District employees on occasions such as Christmas. The Governing Board considers written expressions of appreciation to be more appropriate collecting money, setting aside funds, or purchasing gifts for the school or for faculty members.

Gifts from groups of students to other student(s) shall be limited to small expressions of condolence, remembrance, or appreciation. Guidelines for such remembrances shall be established by the Superintendent.

Solicitations by or of students are to be governed by the following policies:

- ♦• Students shall not be solicited to purchase books or other merchandise, except for materials approved by the District for use in the classroom.
- ♦• Solicitations by students shall be limited to small contributions, i.e., expressions of condolence, remembrance, or appreciation. Guidelines for such solicitations shall be established by the Superintendent.
- ♦• No other solicitations shall be made by or of students during school hours or on school premises.

Adopted: date of manualManual adoption

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J-6911 [AUSD10](#) JP-R

STUDENT DONATIONS AND GIFTS

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

- ♦ The decision to present the gift shall be made by a majority of the group and shall be voluntary action of the group.
- ♦ 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.
- ♦ The cost of the gift is funded entirely by proceeds from the group's activities and that no budgeted School District funds shall be used in the purchase of the gift.
- ♦ The gift shall be approved by the school principal and shall be recommended by the principal to the Governing Board for acceptance.

Adopted: date of manual adoption

^J-6950 © JQ
STUDENT FEES, FINES, AND CHARGES

The Board recognizes the need for student fees to fund certain school activities that are not financed by local, state, or federal funds. It also recognizes that some students may not be able to pay these fees. No student will be denied an education as a result of inability to pay these supplementary charges. Students will not be required to supply specific types of school supplies or equipment as a prerequisite to successful completion of a required course or project.

Students will, however, be responsible and accountable for loss of or damage to school property, including textbooks and library books. The Superintendent will establish procedures through which students may be held responsible and accountable for loss of or damage to school property, including textbooks and library books.

Authorization is granted for the acceptance of fees or cash contributions paid by a taxpayer for support of extracurricular activities and character education programs in schools of the District. The Superintendent shall establish procedures to assure compliance with all requirements for reporting the receipt and expenditure of taxpayer contributions.

Adopted: [August 28, 2007](#) [date of Manual adoption](#)

LEGAL REF.: A.R.S. 15-342
 15-719
 15-724
 15-727
 15-728
 15-729
 43-1089.01

CROSS REF.: [DKB - Salary Deductions](#)
 EDBA - Maintenance and Control of Instructional Materials

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STUDENT FEES, FINES, AND CHARGES
(Tax Credit Contributions)

The receipt and expenditure of fees or cash contributions may be for "Extracurricular activities" as indicated in A.R.S. 43-1089.01 and 15-342 with contributions also used for "character education programs" as described in A.R.S. 15-719.

To comply with the requirements of A.R.S. 43-1089.01 concerning the receipt and expenditure of fees or cash contributions from taxpayers during the previous *calendar* year for support of extracurricular activities and character education programs of the District, annually not later than February 28 each school in the District shall provide the following information on forms prescribed by the Arizona Department of Revenue:

- Total number of fees and contribution payments received.
- Total dollar amount received.
- Total dollar amount spent, categorized specifically by:
 - Extracurricular activity.
 - Character education program.
- Total number of student participants, categorized specifically by:
 - Extracurricular activity.
 - Character education program.

When a school has a school council, the school council shall determine how contributions not designated for a specific purpose are to be used at the school. When a school does not have a school council, the principal shall make the determination.

If at the end of a fiscal year a public school has unspent contributions that were previously designated for a specific purpose or program and that purpose or program has been discontinued or has not been used for two (2) consecutive fiscal years, these contributions shall be considered undesignated in the following fiscal year for the purposes of this subsection.

STUDENT FEES, FINES, AND CHARGES
(FEES)

Areas where fees may be charged include, but may not be limited to:

- ♦• Optional extracurricular activities, which are defined as any optional, noncredit, educational or recreational activity that supplements the education program of the school, whether offered before, during, or after regular school hours.
- ♦• Optional programs conducted when school is not in session.
- ♦• Fine arts courses (high school only).
- ♦• Vocational education courses (high school only).
- ♦• Other courses, fees for optional services, equipment, and materials offered to the students beyond those required to successfully complete the basic requirements of the course (high school only).

Pursuant to A.R.S. 15-342(21),342, a school district may charge fees for the activities described above if:

- ♦• The fees are reasonable.
- ♦• The fees do not exceed the actual costs of the activities, programs, services, equipment, or materials.
- ♦• A notice of the proposed fees is given to all parents of students enrolled at schools in the District *before* the Governing Board acts to adopt fees.
- ♦• The fees are then adopted by the Governing Board.
- ♦• The Governing Board includes in its action a grant of authority to **the** principals to waive the assessment of all or a part of any fee if it creates an economic hardship for a specific student.
- ♦• No fees are charged for students' access to or use of computers or related materials.

Adopted: date of manual adoption

^ & ^J-7050 © JR
STUDENT RECORDS

Required student records (regular and special education) will be prepared in a manner consistent with State and federal laws, the requirements of the Arizona Uniform System of Financial Records (**U.S.F.R.USFR**) and those of the Arizona Department of Libraries, Archives and Public Records. Retention periods and disposition of records shall be as specified in the **U.S.F.R.USFR**, the Arizona Department of Library Archives and Public Records and relevant federal statutes and regulations.

The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and 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), and the No Child Left Behind Act of 2001 (NCLB) in the establishment, maintenance, correction, and disposition of student records.

The Board directs the Superintendent to establish procedures for such compliance, including informing parents, students, and the public of the contents. The Superintendent will implement procedures as required by law and will establish procedures for dealing with violations.

If a parent or eligible student believes that the District is violating the FERPA, that person has a right to file a complaint 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

In adopting this policy it is the intent of the Board that the policy and related procedures be implemented immediately. Copies of the policy and procedures will be available for parent and eligible student review in the District office.

Confidentiality

The right to inspect and review education records and the release of or access to such records, other information, or instructional materials will be consistent with federal law in the Family Educational Rights and Privacy Act, Title 20, United States Code, sections 1232g and 1232h, the USA PATRIOT ACT, NCLB, and with federal regulations issued pursuant to such act.

Annual Notification

Within the first three (3) weeks of each school year, the District will publish in a District communication a notice to parents and eligible students of their rights under the FERPA and this procedure. This notice will also be provided to each parent of new students enrolling after school begins [34 C.F.R. 99.7]. The District will arrange to provide translation of the notice to non-English-speaking parents in their native language or mode of communication [34 C.F.R. 300.561300.9]. The notice shall inform the parents of:

- The right of the parent or an eligible student to inspect and review the **student's education records** **student's education records**.
- The intent of the District to limit the disclosure of personally identifiable information contained in a student's education records, including disciplinary records, except by the prior written consent of the parent or eligible student or under certain limited circumstances as permitted by the FERPA, the USA PATRIOT Act or the NCLB Act.
- The right of the parent or eligible student to seek to correct parts of the school education records that the student or the parent believes to be inaccurate, misleading, or in violation of student rights. This right includes the right to a hearing to present evidence that the record should be changed if the District decides not to alter it according to the parent's or eligible student's request.
- The right of the parent or eligible student to file a complaint with the U.S. Department of Education if they believe the District has violated the FERPA. Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act (FERPA) and this procedure [34 C.F.R. 99.7 and 300.561300.613]. The notice shall also include:
 - The procedure for exercising the right to inspect and review education records.
 - The procedure for requesting amendments of education records that the parent or eligible student believe to be inaccurate, misleading or otherwise a violation of the student's privacy rights.
 - The conditions when prior consent is not required, the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

If the School District permits the release of directory information relating to pupils, the information shall be released on or before October 31 of each year. The Superintendent shall develop procedures to communicate to students and their parents 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

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STUDENT RECORDS

This procedure is designed to meet the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities in Education Act (IDEA). All personnel in the District are expected to fulfill the requirements of policy and the following procedures in order to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. District personnel shall promptly comply with all requests for records authorized by law, including those made by law enforcement and military representatives [34 C.F.R. 300.612].

The Superintendent will inform parents, students, and the public and will exercise administrative resources to implement the policy as well as to deal with individuals who violate it. has the responsibility for ensuring the confidentiality of any personally identifiable information [34 C.F.R. 300.612].

All rights and protections given parents under the FERPA and this procedure transfer to the student upon reaching age eighteen (18) except where the student continues as a dependent under specified circumstances, or enrolling in a postsecondary school. The student then becomes an "eligible student" [34 C.F.R. 99.5 and 300.625].

Definitions

For the purpose of the procedure, the District has used the following definitions of terms:

- ♦• *Student* - Any person who attends or has attended a program of instruction sponsored by the District and for whom the District maintains education records.
- ♦• *Eligible student* - A student who has reached age eighteen (18) or is attending a postsecondary school.
- ♦• *Parent* - Either the natural parent of a student, unless the studentparent's rights under the FERPA have been removed by a court order, statute, or other legal document, or a guardian, or an individual acting as a parent or guardian in the absence of the student's parent or guardian. The District may presume that the parent has the authority to inspect and review education records relating to his or her child unless the District has been advised that the parent does not have authority under applicable law.

♦ • *Education records* - Any record (information directly related to a student recorded in any way including, but not limited to, handwriting, print, tapes, film, or other medium) computer media, video or audio tape, film, microfilm or microfiche, that is maintained by the District, an employee of the District, or any agent of the District that is related to a student except:

- A personal record Personal records kept by a school staff member an employee of the District that meets the following tests:

- ▲ It was made is used only as a personal memory aid.

- ▲ It is kept in the personal possession of the individual who made it.

- ▲ Information contained in it It is not accessible and has never been revealed or made available to any other person except the maker employee's temporary substitute.

- ▲ ▪ Medical treatment records maintained for "eligible students."

- ▲ Records of a law enforcement unit of the school.

- Records collected and maintained by a law enforcement unit of the school.

- Records containing only information about a person after that individual is no longer a student in the District.

- An employment record that is used only in relation to a student's employment by the District. (*Employment* for this purpose does not include activities for which a student receives a grade or credit in a course.)

- Related alumni records after the student no longer attends classes provided by the District, and the records do not relate to the person as a student.

♦ • *Personal identifier* • *Personally identifiable information* - Any data or information that makes the subject of a record known. This includes the student's name, the name(s) of the student's parent(s) or other family member(s), the student's address, the student's Social Security number, a student number, a list of personal characteristics, or any other information that would make the student's identity known easily traceable.

Annual Notification

Within the first three (3) weeks of each school year, the District will publish in a District communication a notice to parents and eligible students of their rights

under the FERPA and this procedure. This notice will also be provided to each parent of new students enrolling after school begins. The District will arrange to provide translation of the notice to non-English-speaking parents in their native language or mode of communication.

- ♦ The right of an eligible student or a student's parents to inspect and review the student's education records.
- ♦ The intent of the District to limit the disclosure of

• *Signed and dated written consent* - May include a record and signature in electronic form that:

- Identifies and authenticates a particular person as the source of the electronic consent.
 - Indicates such person's approval of the information contained in a student's education records except (1) by the prior written consent of the student's parent or the eligible student, (2) as directory information, or (3) under certain limited circumstances as permitted by the FERPA, the USA PATRIOT Act, or the NCLB Act.
- ♦ The right of a student's parent or an eligible student to seek to correct parts of the school education records that the student or the parent believes to be inaccurate, misleading, or in violation of student rights. This right includes the right to a hearing to present evidence that the record should be changed if the District decides not to alter it according to the parent's or eligible student's request.
 - ♦ The right of any person to file a complaint with the U.S. Department of Education if the District violates the FERPA.
 - ♦ The procedure that a student's parent or an eligible student should follow to obtain copies of this procedure and the locations where copies may be obtained.

Statement of Rights

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act and this procedure.

- ♦ The right to inspect and review the student's education record.
- ♦ The right to exercise a limited control over other people's access to the student's education record.
- ♦ The right to seek to correct the student's education record, in a hearing if necessary.
- ♦ The right to report violations of the FERPA to the U.S. Department of Education.
- ♦ The right to be informed about FERPA rights.

All rights and protections given parents under the FERPA and this procedure transfer to the student upon reaching age 18 (except where the student is dependent) or enrolling in a postsecondary school. The student then becomes an "eligible student."[the electronic consent.](#)

Locations of Education Records

A list of types and locations of **educational education** records collected, maintained, or used will be provided to the parents on request [34 C.F.R. 300.616]. See Exhibit JR-EA.

Procedure to Inspect Education Records

Parents of a student, the designated representative of the parents, and an eligible student may inspect and review the student's education records that are collected, maintained, or used by the District [34 C.F.R. 300.501]. In some circumstances it may be mutually more convenient for the record custodian to provide copies of records. Charges for the copies of records will be costs of copying unless the fee **prevents would effectively prevent** the parent from exercising rights to inspect and review those records [34 C.F.R. 300.613 and 300.617].

Since a student's records may be maintained in several locations, the school principal will offer to collect copies of records or the records themselves from locations other than a student's school so they may be inspected at one (1) site. However, if parents and eligible students wish to inspect records where they are maintained, **the school principals's principal** will make every effort to accommodate their wishes.

Parents, the designated representative of the parents, or the eligible student should submit to the student's school principal a **signed and dated** written request that identifies as precisely as possible the record or records wanted for inspection. The District will respond to any request without unnecessary delay before any meeting regarding any individual **educational education** program or hearing relating to the identification, evaluation, placement of a student, or the provision of a free appropriate public education, and in no case more than forty-five (45) days after the request has been made [34 C.F.R. 300.613 and 99.10]. See Exhibit JR-ED.

The principal, **or other education records custodian**, will contact the parent of the student or the eligible student to discuss how access will be best arranged (e.g., copies, at the exact location, or records brought to a single site).

Parents have the right, upon reasonable request, for explanations and interpretations of the information **contained in the records** and a right to request copies of the records containing the information, if not in violation of stated policy of FERPA. **Parents have the right to have a representative of the parent to inspect and review the records** [34 C.F.R. 300.613 and 99.10].

The principal, **or other education records custodian**, will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be

completed in forty-five (45) days or less after receipt of the request for access [34 C.F.R. 300.613].

If for any valid reason -, such as working hours, distance between record location sites, or health - a, the parent or eligible student cannot personally inspect and review a student's education recordrecords, the District will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records [34 C.F.R. 300.613 and 99.10].

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students [34 C.F.R. 300.615, 99.5 and 99.12].

Fees for Copies of Records

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 or eligible student or student's parent or guardian 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:

- ♦• When the refusal to provide copies effectively denies access to the records by a the parent or eligible student [34 C.F.R. 300.617].
- ♦• At the request of the parent or eligible student, when the District has provided the records to third parties by the prior consent of the parent or eligible student.
- ♦• At the request of the parent or eligible student when the District has forwarded the records to another school where the student seeks or intends to enroll.

Directory Information

The District designates the following personally identifiable information contained in a student's education recordrecords as "directory information" and willmay disclose that information without prior written consent [20 U.S.C. 1232g(a)(5)(A)]:

- The student's name.
- The student's date and place of birth.

- The student's photograph.
- The student's **class designation (i.e., first grade, eighth grade, etc.)** grade level.
- The student's major field of study, **if any**.
- The student's dates of attendance.
- The student's enrollment status (e.g., part time or full time).
- The student's **extracurricular** participation **in officially recognized activities and sports**.
- The student's weight and height if a member of an athletic team.
- The student's **achievement honors and awards or honors** received.
- The student's **school or school district the student attended before enrollment in the District** most recently attended educational agency or institution.

Within the first three (3) weeks of each school year the District will publish in a District communication or send home with each student the above list, or a revised list, of the items of directory information **it proposes to designate** designated as directory information. For a student who enrolls after the notice is published, the list will be given to the **student's** parent or **the** eligible student at the time and place of enrollment. **See Exhibit JR-EB.**

After the parents or eligible student have been notified, they will have two (2) weeks to advise the District in writing (a letter to the Superintendent's office) of any or all of the items they refuse to permit the District to designate as directory information about that student.

According to state and federal law if the Governing Board permits the release of directory information relating to students to persons or organizations who inform students of educational or occupational opportunities, then the Governing Board shall provide access to directory information on the same basis to military official recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them. Directory information shall be released on or before October 31 of each year unless the parent or eligible student requests in writing to the District within two (2) weeks after notification not to release directory information to any person or organization without prior signed and dated written consent. The District shall distribute a form, separate from any other form, designed and provided to Districts by the Arizona Department of Education allowing pupils to request that directory information not be released. If the District distributes materials to pupils through electronic communication or on an internet website, the form may be distributed in the same manner. A person who is wrongfully denied access to

directory information or access to school buildings, school grounds or other property may notify the Department of Education, which shall report the alleged violation to the United States Department of Education. If the parent or eligible student refuses to allow the release of directory information without prior signed and dated written consent, then the District will not provide military recruiters, upon request, directory information containing the student's name, addresses and telephone listings.

At the end of the two (2)-week period, if the parent or eligible student has not returned the form indicating refusal to allow the release of directory information, the District will assume it has their permission to release the above-mentioned information. This designation will remain in effect until it is modified by the prior signed and dated written direction of the student's parent or the eligible student. The student's records will be appropriately marked by the records custodian to ensure compliance with the parents' or eligible student's request.

Use of Student Education Records

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The District will use the following criteria to determine who are school officials [34 C.F.R. 99.31]:

- ♦• A person duly elected to the Board (under limited circumstances).
- ♦• A person certificated by the state and appointed by the Board to an administrative or supervisory position.
- ♦• A person certificated by the state and under contract to the Board as an instructor.
- ♦• A person employed by the Board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of such performance as a substitute.
- ♦• A person employed by or under contract to the Board to perform a special task, such as a secretary, a clerk, the Board attorney, or auditor, for the period of such performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so [34 C.F.R. 99.32]. A "legitimate educational interest" is the person's need to know in order to:

- ♦• Perform an administrative task required in the school employee's position description approved by the Board.

- ♦• Perform a supervisory or instructional task directly related to the student's education.
- ♦• Perform a service or benefit for the student or the student's family, such as health care, counseling, student job placement, or student financial aid.

Records of students placed in special educational programs will be under the direct supervision of the program administration. All persons collecting or using personally identifiable information in records of students **placed in special education** **determined to be a student with a disability** will receive training or instruction regarding **the state** **Arizona's** policies and procedures for the protection of these records at the collection, storage, disclosure, and destruction stages. **in accordance with FERPA and IDEA [34 C.F.R. 300.623].**

The District will maintain for public inspection a current listing of the names and positions of employees who have access to personally identifiable information maintained on students placed in special education **[34 C.F.R. 300.623]**. When the information maintained in these records is no longer needed to provide educational services to the student, the District will notify the parents of their right to have the personally identifiable information destroyed **[34 C.F.R. 300.624]**. However a permanent record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed will be maintained **[34 C.F.R. 300.624]**. Destruction of records will be accomplished in accordance with the requirements of Arizona law and regulations of the Department of Library, Archives, and Public Records **[34 C.F.R. 300.623]**.

The District will release information from or permit access to a student's education **record** **records** only with a parent's or eligible student's prior **signed and dated** written consent, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure **[34 C.F.R. 99.30, 99.31, 99.34, and 99.37]**:

- ♦• When a student seeks or intends to enroll in another school district or a postsecondary school, the District will not further notify parents or eligible students prior to such a transfer of records. Parents and student have a right to obtain copies of records transferred under this provision. **See Exhibit JR-EC.**
- ♦• When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District.
- ♦• To parties who provide or may provide financial aid to a student to:
 - Establish the student's eligibility for the aid.
 - Determine the amount of financial aid.

- Establish the conditions for the receipt of the financial aid.
 - Enforce the agreement between the provider and the receiver of financial aid.
- ♦• If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials.
 - ♦• If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials of the juvenile justice system and the officials certify in writing that the information will not be disclosed to any other party, except as provided under state law, without prior **signed and dated** written consent of the parent or the eligible student.
 - ♦• When the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid, or improve instruction.
 - ♦• To accrediting organizations to carry out their accrediting functions.
 - ♦• To parents of an eligible student if the parents claim the student as a dependent as defined by the Internal Revenue Code of 1954.
 - ♦• To comply with a judicial order or lawfully issued subpoena. The District will make a reasonable effort to notify the **student's parents**parent or the eligible student before making a disclosure under this provision unless **directed** otherwise **directed** by a court of competent jurisdiction.
 - ♦ If the disclosure is an item of directory information and the student's parent or the eligible student has not refused to allow the District to designate that item as directory information for that student. ♦
 - To comply with an *ex parte* order from a court of competent jurisdiction requiring the District to permit the U.S. Attorney General or U.S. Attorney General's designee to collect education records in the possession of the District that are relevant to an authorized investigation or prosecution of an offense listed in 18 U.S.C. 2332b(g)(5)(B) for an act of domestic or international terrorism as defined in 18 U.S.C. 2331. An *ex parte* order is an order issued by a court of competent jurisdiction without notice to the adverse party. A disclosure pursuant to an *ex parte* order will not be recorded as a disclosure of information from a student's education records by the District.
 - If the District initiates legal action against a parent or student, the District may disclose to the court, without a court order or subpoena, the education

records of the student that are relevant for the District to proceed with the legal action.

- If a parent or eligible student initiates legal action against the District, the District may, without a court order or subpoena, disclose the student's education records that are relevant for the District to defend itself.

- To comply with the request of authorized law enforcement officials conducting an investigation of acts of terrorism, **which disclosure is required by law.**

- ♦ **To authorize officials of the armed services for recruitment purposes, which disclosure is required by law.**

- The disclosure is in connection with a health or safety emergency. Time is an important and limiting factor in determining whether the disclosure is in connection with a health or safety emergency. The District will permit any **of its officials** school official to make the needed disclosure from student education records in a health or safety emergency if:

- ♦▪ The official deems **it**the disclosure is warranted by the seriousness of the threat to the health or safety of the student or other persons.

- ♦▪ The information is necessary and needed to **meet**address the emergency.

- ♦▪ The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency.

- ♦ **Time is an important and limiting factor in dealing with the emergency.**

- The District may release student attendance, disciplinary, and other education records to a law enforcement agency and county attorney pursuant to an intergovernmental agreement between the District, the law enforcement agency, the county attorney, and other state, local, or tribal government agencies to create a local or tribal juvenile justice network for the purpose of:

- providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.

- providing appropriate programs and services designed to deter at-risk juveniles from dropping out of school or other delinquent behavior.

- increasing the safety and security of the community and its children by reducing juvenile crime.

- Education records provided pursuant to an intergovernmental agreement entered into in accord with the above provisions shall be used solely for the

purposes of the agreement and shall not be disclosed to any other party, except as provided by law.

A District **officials**school official may release information from a student's education **record**records, other than directory information, to a third party if the **student's** parent or the eligible student gives prior **signed and dated** written consent for the disclosure. **The** and the third party agrees that the information will not be disclosed to any other party without the prior consent of the parent or eligible student. The **signed and dated** written consent must include at least:

- ♦• A specification of the records to be released.
- ♦• The reasons for the disclosure.
- ♦• The person or the organization or the class of persons or organizations to whom the disclosure is to be made.
- ♦• The signature of the parent or eligible student.
- ♦• The date of the consent and, if appropriate, a date when the consent is to be terminated.

The **student's** parent or the eligible student may obtain a copy of any records disclosed under this provision. **The District will not release information contained in a student's education records, other than directory information, to any third parties except its own officials, unless such parties agree that the information will not be redisclosed without the prior written consent of the parent or eligible student., unless otherwise provided.**

Records of Requests for Access and Disclosures Made from Education Records

The District will maintain an accurate record of all requests for it to disclose information from or to permit access to a student's education records, and of information it discloses and access it permits, with some exceptions as listed below. This record will be kept with, but will not be a part of, each student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, or local officials for the purpose of auditing or enforcing federally supported educational programs [34 C.F.R. 99.32]. See Exhibit JR-EE.

The record will include at least:

- ♦• The name of the person, **organization** or agency that made the request.
- ♦• The interest the person, **organization** or agency had in the information.

- ♦• The date the person, [organization](#) or agency made the request.
- ♦• Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The District will maintain this record as long as it maintains the student's education [recordrecords](#). The record will not include requests for access or access granted to [parents of](#) :

- the [studentparent](#) or [to an](#) eligible student, [requests for access or access granted to officials of the District](#)
- [authorized law enforcement officials conducting an investigation of acts of terrorism,](#)
- [school officials](#) who have a legitimate educational interest in the student,
- requests for or disclosures of information contained in the student's education [recordrecords](#) if the request is accompanied by [or authorized by](#) the prior [signed and dated](#) written consent of [athe parent of the student](#) or [the](#) eligible student, or [the disclosure is authorized by such prior consent,](#)
- [for](#) requests for or disclosures of directory information designated for that student, [or requests for or disclosures of information disclosed to authorize law enforcement officials conducting an investigation of acts of terrorism.](#)

Procedures to Seek to Correct Education Records [34 C.F.R. 99.20 and 99.21]

Parents of students and eligible students have a right to seek to change any part of the student's record they believe is inaccurate, misleading, or in violation of student rights [34 C.F.R. 300.618 and 99.20]. (*Note: Under the FERPA, the District may decline to consider a request to change the grade a teacher assigns for a course.*)

For the purpose of outlining the procedure to seek to correct education records, the term *incorrect* will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term *correct* will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term *requester* will be used to describe the parent of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct [an](#) education [recordrecords](#) for a requester, the District may make a decision to comply with the request for change at several levels in the procedure [34 C.F.R. 300.618 and 99.20].

First-level decision. A parent of a student or an eligible student who finds an item in the student's education **recordrecords** that appears to be inaccurate, misleading, or in violation of student rights should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the record to the requester's satisfaction or the record does not appear to be obviously incorrect, the custodian will:

- ♦• Provide the requester a copy of the questioned record at no cost.
- ♦• Ask the requester to initiate a written request for the change.
- ♦• Follow the procedure for a second-level decision.

Second-level decision. The written request to correct a student's education **recordrecords** through the procedure at this level should specify the correction the requester wishes the District to make. It should at least identify the item thought to be incorrect and state whether the requester believes the item:

- ♦• Is inaccurate and why,
- ♦• Is misleading and why, or
- ♦• Violates student rights and why.

The request will be dated and signed by the requester.

Within two (2) weeks after receiving a written request, the record custodian will study the request, discuss it with other school officials (the person who made the record or those who may have a professional concern about the District's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, a decision is reached that the record should be corrected, the record custodian will **effectaffect** the change and notify the requester, in writing, of that action. Each such notice will include an invitation for the requester to inspect and review the student's education **recordrecords** to make certain the record is in order and the correction is satisfactory.

If a decision is reached that the record is correct, the custodian will make a written summary of any discussions with other officials and of the findings in the

matter. This summary and a copy of the written request will be transmitted to the Superintendent.

Third-level decision. The Superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney or the Board (in executive session unless otherwise requested by parent[s]). The Superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two (2) weeks. If it will take longer, the Superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the Superintendent decides the record is incorrect and should be changed, the record custodian will be advised to make the changes. The record custodian will advise the requester of the change.

If the Superintendent decides the record is correct, a letter to the requester will be prepared that will include [\[34 C.F.R. 300.619 and 99.20\]](#):

- ♦• The District's decision that the record is correct and the basis for the decision.
- ♦• A notice to the requester explaining the requester's right to ask for a hearing to present evidence that the record is incorrect and that the District will grant such a hearing.
- ♦• Instructions for the requester to contact the Superintendent to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing. (The District will not be bound by the requester's positions on these items but will, as far as possible, arrange the hearing as the requester wishes.)
- ♦• Advice that the requester may be represented or assisted in the hearing by other parties, including an attorney, at the requester's expense.

Fourth-level decision. After the requester has submitted (orally or in writing) any wishes concerning the hearing officer and the time and place for the hearing, the Superintendent will, within **one (1)** week, notify the requester when and where the District will hold the hearing and whom it has designated as the hearing officer [\[34 C.F.R. 300.621, 99.21, 99.22, and 99.34\]](#).

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education **recordrecords** is incorrect as shown in the requester's written request for a change in the record (second level).

Within one (1) week after the hearing, the hearing officer will submit to the Superintendent a written summary of the evidence submitted at the hearing.

Along with the summary, the hearing officer will submit recommendations, based solely on the evidence presented at the hearing, that the record should be changed or should remain unchanged.

The Superintendent will prepare the District's decision within two (2) weeks after the hearing. That decision will be based on the summary of the evidence presented at the hearing and on the hearing officer's recommendation. However, the District's decision will be based solely on the evidence presented at the hearing. Therefore, the Superintendent may overrule the hearing officer if the hearing officer's recommendation is deemed inconsistent with the evidence presented. As a result of the District's decision, the Superintendent will take one (1) of the following actions:

- ♦• If the decision is that the District will change the record, the Superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second-level decision [34 C.F.R. 300.620 and 99.21].

- ♦• If the decision is that the District will not change the record, the Superintendent will prepare a written notice to the requester that will include [34 C.F.R. 300.620 and 99.21]:

- The District's decision that the record is correct and will not be changed.
- A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision.
- Advice to the requester that an explanatory statement may be placed in the student's education **recordrecords** stating the reasons for disagreement with the District's decision and/or the reasons for believing the record to be incorrect.

Final administrative step in the procedure. When the District receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education **recordrecords** as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record and whenever the questioned part of the record is disclosed the explanatory statement will also be disclosed [34 C.F.R. 300.620 and 99.21].

Annual Notification to Parents Regarding Confidentiality of Student Education Records [34 C.F.R. 300.612]

Dear Parent:

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. The Governing Board has established written policies regarding the collection, storage, retrieval, release, use, and transfer of student educational information collected and maintained pertinent to the education of all students to ensure the confidentiality of the information and to guarantee parents' and students' rights to privacy. These policies and procedures are in compliance with:

The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act;

The ProvideUniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (Act of 2001 (USA PATRIOT ACT) Act of 2001, PL 107-56;

The No Child Left Behind Act of 2001, PL 107-1102001 (NCLB);

The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and

Arizona Revised Statutes, Title 15, Section 141.sections 141 and 142.

Student education records are collected and maintained to help in the instruction, guidance, and educational progress of the student, to provide information to parents and staff members, to provide a basis for the evaluation and improvement of school programs, and for legitimate educational research. The students' records maintained by the District may include - but are not necessarily limited to -, identifying data, report cards and transcripts of academic work completed, standardized achievement test scores, attendance data, reports of psychological testing, health data, teacher or counselor observations, and verified reports of serious or recurrent behavior patterns.

These records are maintained in the office of the District under the supervision of the buildingschool administrator and are available only to the teachers and staff members working with the student. If your son/daughter should transfer to another school, these records will be sent to the new school upon its requestUpon request, the School discloses education records, including disciplinary records, without consent to officials of another school district in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies or, persons or organizations without prior signed and dated written consent of the parent [34 C.F.R. 99.7]. The signed and dated written consent may be in electronic form under certain conditions [34 C.F.R. 99.30].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your

child. The information must be maintained for two (2) years after the date your child was last enrolled in this school district.

You have the right to inspect and review any and all records related to your child within forty-five (45) days of the day of receiving a request for access, including a listing of persons or organizations who have reviewed or have received copies of the information [34 C.F.R. 99.7]. Parents who wish to review their children's records should contact the principal for an appointment or submit to the principal a written request that identifies the record(s) you wish to inspect. School personnel will make arrangements for access and notify you of the time and place where the records may be inspected. School personnel will be available to explain the contents of the records to you. Copies of student education records will be made available to parents when it is not practicable for you to inspect and review the records at the school. Charges for the copies of records will be costs of copying unless the fee prevents the parent from exercising rights to inspect and review those records.

If you have the right to request that an amendment be made to the student's education records and to add comments of your own if you believe information in the record file is inaccurate or misleading, you have the right to request that a correction be made and to add comments of your own. If at any time an agreement between the principal and parent cannot be reached, you may contact the Superintendent and request a hearing. [34 C.F.R. 99.7(a)(1)]. You should write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by you, the School will notify you of the decision and advise you of the right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for two (2) years after the date your child was last enrolled in this school district.

You have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational

interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Copies of the **district**District student education **record**records confidentiality policies and procedures may be reviewed in the assigned office in each school. **Federal law also permits a parent [34 C.F.R. 99.7]. You have the right** to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., **if you feel the school is violating public school records policies and statutes.**

concerning alleged failures by the School to comply with the requirements of FERPA [34 C.F.R. 99.7]. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605**

J-7062.1

STUDENT RECORDS

(CLASSIFICATION AND MAINTENANCE OF STUDENT RECORDS)

The total set of student personnel data extant in a school at a given time ranges from tentative, uncorroborated reports on alleged student behavior to highly stable information, such as grade level, test scores, and attendance. These differing kinds of data require differing arrangements for security and access.

Category A Data

Category A data includes official administrative records of identifying data, such as names and address of parents or guardian, birth date, academic work completed, level of achievement, attendance data, etc.

- ♦ These records should be maintained in perpetuity, subject to conditions set forth under "Administration of Security" below.
- ♦ Conditions of access to these data can be found under "Dissemination of Information Regarding Students."

Category B Data

Category B data includes verified information of clear importance, such as scores on standardized intelligence and aptitude tests, health data, family background, teacher or counselor ratings and observations, reports of behavior patterns, etc.

- ♦ Care must be exercised to ensure accuracy of Category B data. Reported behavior patterns and specific incidents must be unambiguously described and clearly verified before becoming part of any continuing record.
- ♦ Unnecessary Category B data will be eliminated periodically after notification of parents and eligible students that they may inspect records prior to destruction. Exceptions may be made where, under rigorous standards and impartial judgment, good cause for retention can be shown.
- ♦ No record shall be noted in a student's cumulative file unless there is a demonstrable need reasonably related to basic purposes and necessities of the school.
- ♦ Students shall not be required to make any mention on a school record of race, religion, or political beliefs or associations.

Category C Data

Category C data includes useful but not verified data such as clinical findings of personality test results and unevaluated reports of counselors, teachers, and others that may be needed in ongoing evaluations and disciplinary or counseling actions. Such data shall be reviewed or destroyed as soon as usefulness is ended or transferred to Category B if necessity is demonstrated.

Confidential, Personal Files of Professionals in the School

In some instances, professionals (school psychologists, counselors, etc.) working in the school may maintain personal and confidential files containing notes, clinical diagnoses, and other memory aids for their own use in counseling pupils. All data of this type shall be guarded by the rules noted, in addition to those dictated by professional ethics, terms of employment contract, special agreements between professionals and parents and/or students, and relevant law.

Student Records Accessibility

Student records open to inspection by parents or legal guardians in the presence of a designated school representative shall be as provided by law. Furthermore, if evidence indicates that the child's physical, mental, moral, or emotional health is best served by a "residential caretaker," the right to inspection of student records shall be as provided by law.

Upon request of parents, legal guardians, or residential caretaker, all tests will be translated into meaningful terms for their benefit, and emphasis will be placed upon the educational development of the student.

Administration of Security

All school personnel having access to records should receive periodic training in security, with emphasis upon privacy rights of students and parents.

Records should be kept under lock and key at all times, under the supervision of the designated professional. Computerized data banks pose special problems of maintenance and security. Use of external data banks for record keeping should be in accordance with all procedures outlined herein.

The director of student personnel services shall be designated to determine the validity of Category C data.

Dissemination of Information Regarding Students

Safeguards of privacy can be maintained within the school with some flexibility. However, when the school is asked to transmit student information to other agencies, and since conveyance of records removes the data from control by the school, much more stringent precautions are required to protect the rights of the student.

The school may, without consent by parents or students, release a student's permanent record file, including Categories A and B, to persons or agencies as provided by the Family Educational Rights and Privacy Act of 1974.

The school may not divulge, in any form, to any persons other than those stipulated by law, any information contained in school records (other than directory information as defined in District policy) except with written consent by the student's parents specifying records to be released (with a copy thereof), reasons why and to whom, or by subpoena or court order. In the latter case, parents or guardians must be notified prior to compliance.

Each matter of request for consent must be handled separately. Blanket permission for release of data will not be acceptable.

The Family Educational Rights and Privacy Act specifies that the school shall maintain a record, kept with the education records of each student, that will indicate all individuals or agencies that have requested or obtained access to a student's record. Said record shall indicate specifically the legitimate interest that each such person or agency has in obtaining information. Such record of access shall be available only to parents and school officials who are responsible for the custody of records, and to persons or agencies authorized by law, as a means of auditing the operation of the system.

The school *may* comply with parental requests for release of information subject to the qualifications regarding safeguards of the student's rights. When a student reaches the age of 18 or is attending an institution of postsecondary

education, the student's consent alone must be obtained. This includes the right to deny parental access to the student's parents. The school *may* provide data to organizations conducting studies for, or on behalf of, educational agencies for the purpose of improving instruction, administering student aid programs, etc., provided such studies are conducted in a manner that will not permit the personal identification of students and parents by individuals other than representatives of the organization, and the information will be destroyed when no longer needed for the purpose of the study conducted.

Cases Involving Child Abuse or Neglect

Informed consent for release of information on individuals should apply in all cases *except* those involving existing child abuse or neglect statutes. Criminal Code 13-3620 specifies that school personnel *shall immediately* report to a county peace officer or state protective services when there is evidence of injury, sexual molestation, death, abuse, or physical neglect that appears to have been inflicted upon such minor by other than accidental means and cannot be explained by available medical history. Such reports (by telephone or written) shall contain:

- ♦ The names and addresses of the minor and the parents or person(s) having custody of such minor, if known.
- ♦ The minor's age and the nature and extent of the minor's injuries or physical neglect, including any evidence of previous injuries or physical neglect.
- ♦ Any other information that such person believes might be helpful in establishing the cause of the injury or physical neglect.

Procedure for the Handling of Confidential Materials

Confidential materials are herein defined as:

- ♦ Category A data, if the parents have notified the school that they wish directory information kept confidential.
- ♦ Category B data.
- ♦ Category C data.

All confidential materials shall be kept in the individual schools. The principal assumes responsibility for the confidentiality of these materials. A note shall be placed in the student's regular cumulative record indicating that these materials are available. It shall state "Pupil Personnel Services Rendered."

When the student moves from one school to another within the school system, the principal of the sending school shall assume responsibility for transfer of these confidential records to the receiving principal. The student's parents must be notified of the transfer, receive a copy of the record, if desired, and have an opportunity to challenge the content of the record. These confidential records shall be kept in a separate folder.

When the student transfers to a school outside the District, the principal assumes responsibility for sending these confidential materials to the director of student personnel services, who shall keep these materials in a separate file. This transfer of confidential materials shall take place at the end of the school year during which the student transfers. The parents have the same rights as set forth in the preceding paragraph.

If the receiving out-of-District school desires these confidential materials, a parent-signed request for release may be required by the principal.

When the student graduates from high school, these confidential materials shall be separated from the regular cumulative record and sent to the director of student personnel services.

Transfer of Cumulative Records

Transfer within the District. When the student transfers to another school within the school system, upon written request, the cumulative record is issued and sent to the receiving principal by the sending principal.

Secondary school outside the District. When the student transfers to another secondary school outside the school system, the sending principal shall give to the student a card indicating the student's grade level, date of leaving, course of study, and current grades.

Elementary school outside the District. When the student transfers to another elementary school outside the school system, the sending principal shall give the student a letter indicating grade level, age, and other pertinent placement information.

Records mailed upon request. When a student transfers to another school within or outside the school system, a notification shall be sent to the receiving principal that the cumulative records will be mailed upon request. If such request has not been made at the end of the school year, the cumulative records shall be sent to the director of student personnel services.

In each of the aforementioned situations, parent's rights are as herein specified and according to law.

When the student graduates from high school, the regular cumulative record shall be sent to the director of student personnel services.

Amphitheater Requesting Cumulative Records

At the time a pupil transfers to a school in this system from one outside the District, a request shall be made to the sending school district requesting all records on the student (cumulative records, health record, test scores, etc.).

Student Records

The following student records are started in kindergarten and kept for each student:

♦ *Cumulative record folders:*

- All data entered on report cards are recorded, along with results of all standardized tests, in appropriate spaces.
- Results of any basic reading tests that accompany an adopted reading series are recorded on the cumulative individual record and placed in the student's cumulative record folder.
- Other items to be placed in the folder include warning slips, teacher comments, important correspondence, health notes, accident reports and records from other schools, notes and reports on pupil achievement, behavior problems, etc., student test scores, and records of parent conferences.

♦ *Enrollment cards:*

- These cards give statistics (birth date, parents' names, attendance, etc.) of the student.

- At the time a student is transferred from the system, one copy of the card should be included with the student's cumulative record folder and sent from the building principal's office to the central guidance office, and another copy of the card should be sent to the office of the director of student personnel services.

- ♦ *Health cards:*

- These are kept in the nurse's office to provide a record of the school's physical history of students.

- At the time a student transfers from the system, this card should be forwarded with the other records to the central guidance office.

- ♦ *Microfilming:* ▪ (Note: This directive will be effective at the time the District has microfilming procedures established and storage facilities available at the central administration office.)

- The building principal will forward student records of all students transferring out of the system to the central administration permanent records office, where selected records will be microfilmed and the original copies forwarded to the student's receiving school.

Counselor's Right to Exercise Confidentiality

School counselors will have the right to exercise confidentiality in protecting the counselor-student relationship, in accordance with the American Personnel and Guidance Code of Ethics and applicable law. (See *Ethical Standards - American Personnel and Guidance Association*, October 1961)

Annual Notification of Parents

A summary notice of the Governing Board's policy and the administrative regulations on Student Records shall be published annually in a memorandum and circulated in the District.

Right to Hearing and Purpose of Hearing

The School District shall provide parents an opportunity for a hearing to challenge the content of students' education records and to provide an opportunity for the correction or deletion of inappropriate data contained therein and to insert into such records written explanations by the parents and eligible students respecting the content of such records.

The school may attempt to settle a dispute with the parent of a student or the eligible student regarding the content of the student's records through informal meetings and discussions with the parent or eligible student.

Upon request by either party, the school, or the parent or eligible student, the hearing shall be conducted under the procedures adopted and published by the School District as follows:

- ♦ The hearing shall be conducted within a reasonable period of time following the request for the hearing. Parties shall be given notice of the date, place, and time reasonably in advance of the hearing.

- ♦ The hearing shall be conducted and the decision will be rendered by a school official or other party who does not have direct interest in the outcome of the hearing.

♦ A full and fair opportunity to present evidence relevant to the issues raised will be afforded the parents or eligible students, who may be assisted or represented by an individual of their own choice and expense, including an attorney.

♦ The decision of the School District shall be based solely upon the evidence presented at the hearing and shall include a summary of the evidence and the reasons for the decision, which shall be rendered in writing within a reasonable period of time following the conclusion of the hearing.

Suggested forms and related materials shall be available to all relevant personnel in a separate packet entitled, "Administrative Procedures and Forms for Implementing the Family Educational Rights and Privacy Act of 1974."

Note: All student records shall remain at the last school of attendance until such time as the central administration office provides microfilm and storage facilities.

Adopted: date of manual adoption

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STUDENT RECORDS

(ESTABLISHING AND OBTAINING LOCATIONS OF EDUCATION RECORDS)

Registering New Students

All District schools will follow the procedures outlined below when a new student is being registered in the school:

- ♦ Secure a photocopy of birth certificate or other proof of birth document.
- Examples of substitute birth documents are hospital birth records and Bureau of Immigration and Naturalization Certificates.
- In the absence of a birth certificate or substitute birth document, the following documents indicating date of birth are acceptable: baptismal record, an application for a Social Security number, original school registration records and an affidavit explaining the inability to provide a copy of the birth certificate, legal guardianship court documents, Department of Economic Security placement documents or a letter from the agency representative, and passports. (Place them in the cumulative record folder.)
- If the parent/guardian fails to submit a birth certificate (or substitute document) at the time of enrollment of the student, the individual(s) will be given written notice that such birth documentation must be submitted within 30 days of enrollment.
- If the parent/guardian fails to comply within 30 days of enrollment, the school shall notify that person in writing that, unless compliance occurs within 10 days, the case shall be referred to the local law enforcement agency for investigation.
- If compliance is not obtained within the 10-day period, the school shall refer the case to the local law enforcement agency. ▪ If any affidavit received by the school or the District appears inaccurate or suspicious in form or content, it must be reported immediately to the local law enforcement agency.
- ♦ Ensure that the parent/guardian completes the school registration packet *using the student's legal name*:
 - Student Registration Form [contains student language data]. (Elementary school - retain in cumulative record folder; middle school and high school - retain original in a secure locked area, alphabetically by school year.)
 - Student Health & Emergency Card. (Retain in school office.)
 - Data from student registration form inputted into SASI by school and updated to District central office computer records every two weeks.
 - Home [Parent] Language Survey. (Place in cumulative record folder.)
- ♦ Secure the signature of the parent/guardian on the student record request form. (Forward to previous school.)
- ♦ Secure the student's Arizona school immunization record [ASIR 109R] as required by state law. (Forward to school nurse and/or school health assistant.)
- ♦ Request a properly executed withdrawal form from an entering pupil, if the pupil previously attended another school in this state.

In addition to the above, the middle and high schools will:

- ♦ Schedule a conference with the student and the school counselor to ascertain the student's schedule. The parent and/or guardian of the student may be included in this conference.

A foster-child student and/or a student who is a ward of the state must have an accompanying court order and/or a D.E.S. placement certificate at the time of enrollment or a letter from the authorized representative of an agency having custody of the student certifying that the student has been placed in the custody of the agency as prescribed by law.

The school will immediately complete a Certificate of Educational Convenience form for each such student, attach a copy of the court order or placement certificate thereto, and submit the documents to the director of budget and finance. (Copies shall be placed in cumulative record folders.)

Prior to processing *foreign students* for enrollment, refer to District policy on admission of nonresidents of the United States. Prior to processing homeless students for enrollment, refer to District policy on admission of homeless students.

Upon completion of the above, the school will make a cumulative record folder, using a standard District folder and label. The Avery label shall contain the student's *legal* name and permanent I.D. number. If the name the student goes by is different from the legal name, use the "also known as" abbreviation and prepare the label as follows:

Legal Name: SCOTT, Donald F. (AKA: Wilson, Donnie) PERMANENT I.D. NO.: ___ __ _ ____*

*Permanent I.D. number consists of the following: the first two digits are the scheduled graduation year; the next two digits are the year of entry (if the school year is 1991/92, the number "91" is used); the next two digits are the school code number; the last four digits are assigned by the school.

Incoming Student Records

All district schools will follow the procedures outlined below when receiving incoming student records:

- ♦ Once the student has entered the classroom, and no later than five days after enrollment, the school will send a request for a certified copy of the student records to the former school. The address of the former school shall be logged for follow-up purposes.

- ♦ Upon receiving student records, they shall be sorted as follows:

- Items listed on the front of the cumulative folder shall be placed in the cumulative folder.

- Pertinent confidential records shall be forwarded to the special education department.

- Health/immunization information shall be forwarded to the school nurse and/or school health assistant.

- Except for formal correspondence, discard such items as old homework, quizzes, worksheets, and any other documentation not pertinent to the schools of the District.

Maintaining Cumulative Records

State law mandates that cumulative records may not be discarded. Until such time as central administrative office acquires a microfiche system, no records may be destroyed, and cumulative records must be stored in the school the student last attended. *Cumulative folders* shall be stored in the school office and shall include:

- ♦ All registration forms.
- ♦ Photocopy of birth certificate/substitute birth record or other appropriate documentation.
- ♦ Proof of residence.
- ♦ Open enrollment forms.
- ♦ Report cards and/or cumulative record card.
- ♦ Promotion/retention forms.
- ♦ Achievement test results.
- ♦ All language preference forms.
- ♦ Special education 45-day screening form.
- ♦ Gifted screening form.
- ♦ Discipline records (placed in file at the close of each school year).
- ♦ 504 Plan.

Special education files shall be established, maintained, and stored in the special education office for the designated time period.

Medical/health folders shall be maintained by the school nurse and/or the school health assistant on all current students. Upon withdrawal, the health folder becomes a part of the student's cumulative folder.

Office files. In addition to the above, the files stored in the school office by school year shall include:

- ♦ Grade books.
- ♦ ADM SASI disk (daily attendance and other supporting data).
- ♦ Withdrawal reports.
- ♦ Student health & emergency cards.
- ♦ School-based disciplinary action records.
- ♦ Reports from outside agencies, i.e., social services, courts, hospitals, private schools, professional consultations, etc.
- ♦ List of original cumulative record folders sent to other District schools.
- ♦ Log of reports made to law enforcement agencies on students without birth documents.
- ♦ Log of "missing child" flagged records.

Disbursement of Cumulative Records

If the student's records are flagged, please refer to the District policy on missing children.

Student Withdrawal Forms

A student withdrawal form must be completed for every pupil leaving a District school. The principal's signature is required if the parent/guardian does not sign the form.

Written Request for Student Records Student records will be sent from a District school only when a written request is received from the new school. The

school must comply with the written request for records within five days after receipt of the request.

Student transferring within the District. The following procedure will be followed when a student is transferring from one school to another within the District:

- ♦ A record request authorizes the sending of the original cumulative folder and health records. Verbal requests for the original cumulative folder are not acceptable.
- ♦ The record request form may be destroyed upon entry into a control log listing the name of the student, the date files were sent, and the name of the receiving school.

Student transferring outside the District. The following procedure will be followed when a student transfers to a school outside of the District:

- ♦ A record request authorizes sending copies only of the following:
 - All report cards.
 - Most recent achievement test results.
 - Special education 45-day screening forms.
 - REACH form (placement in gifted program).
- ♦ The original Arizona school immunization record (form ASIR 109R) shall be forwarded to the receiving school when a student leaves the School District. A copy of the ASIR shall be maintained in the student's cumulative folder.
- ♦ The school shall forward the original record request to the special education department if the child was involved with any special program.
- ♦ The file record request, or a copy thereof, shall be placed at the front of the cumulative folder, noting the date the records were sent.
- ♦ The inactive cumulative folders shall be maintained in alphabetical order in the school office.

Parental Request Student Records

Due to student mobility, family domestic differences, etc., parents should be discouraged from hand-carrying student records to a new school. Upon request, the school should advise the parents that upon arrival at the new school they will be asked to sign a student record request form and, immediately upon receipt by the District school, all student records will be sent to the new school.

Most parents will find this information acceptable. If a parent is adamant about carrying the records, the school will:

- ♦ Have the parent sign and date a record request form or school log. (If possible, the school should try to determine the location of where the student will be attending school and make a note on the request form or log.)
 - ♦ Prepare copies only of the following:
 - All report cards.
 - The most recent achievement test results.
 - Immunization history.
 - Special education 45-day screening form.
 - REACH form (placement in gifted program).
 - ♦ Not give the original Arizona school immunization record to the parents, but they may be given a copy for their records. (When an official request for records

is received from the school in which the child has been enrolled, prepare a copy of the immunization record for placement in the student's cumulative folder and mail the original form ASIR 109R to the requesting school.)

- ♦ Place student records in a sealed envelope before giving them to the parents.

Student Progression (Promotion) within the District

Within the District, when a fifth-grade student is promoted to middle school level and when an eighth grade student is promoted to high school level, the following procedure shall be followed:

- ♦ Upon receiving final report cards and achievement test results, place these data, along with the health records, in the student's cumulative folder, and purge folders of unnecessary data.
- ♦ Send original cumulative folders of all promoted students to the appropriate middle schools or high schools.
- ♦ Keep a record of all files sent, indicating the date files were sent to the new school. (Include a copy of same with the cumulative folders.)

For reasons of security, all records shall be sent to the receiving school as a group (preferably boxed), appropriately marked, and special delivered by the person in charge of handling mail delivery.

If a student fails to enroll in the appropriate middle school or high school within a reasonable period of time (suggest two months), the receiving school shall return the student's cumulative folder to the sending school.

Custody Documents

Documents concerning parental custody will be copied and retained in the student's cumulative folder. If necessary, the school will advise the custodial parent of the following:

- ♦ "Parental inspection and review right of a child's education records is not detrimentally affected by a decree of dissolution, separation, or custody unless specific language in the decree sets forth how the right is detrimentally affected." [Op.Atty.Gen. No. I79-249.]
- ♦ "An educational agency or institution may presume that either parent of the student has authority to inspect and review the education records of the student unless the agency or institution has been provided with evidence that there is a legally binding instrument, or a state law or court order governing such matters as divorce, separation, or custody, which provides to the contrary." [45 C.F.R. 99.11, Family Rights and Privacy Act, 20 USC, Sections 1232(g) and 1232(h).]

Purging/Storing School Records

Schools shall purge all cumulative records annually, discarding all superfluous information. Inactive cumulative records shall then be filed alphabetically. Records shall be stored at the school's facilities until such time as centralized storage is available.

Adopted: date of **Location** **Custodian**
manual
adoption**Types**
Cumulative school records

Cumulative school records (former students)

Health records

Speech therapy records

Psychological records

Special test records

School transportation records

Occasional records: education records not identified above, such as those in the Superintendent's office, in the school attorney's office, or in the personal possession of teachers (examples: discipline records, Honor awards) The principal will collect and make available at the student's school

- Honors and awards received
- Major field of study
- Enrollment status (e.g., part time or full time)
- Participation in officially recognized activities and sports
- Weight and height of members of athletic teams
- Most recent educational agency or institution attended

(Parent/guardian signature) (Date)

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STUDENT RECORDS

Notification to New School of Attendance of Records Available at Previous School of Attendance

NOTIFICATION TO NEW SCHOOL OF ATTENDANCE OF RECORDS AVAILABLE AT PREVIOUS SCHOOL OF ATTENDANCE

Dear Principal,

_____ has been attending District school(s) at _____, Arizona. Records available at our school contain information that should be helpful to your staff in developing an educational program. Our student education records policy permits forwarding copies of records to schools in which the student intends to enroll upon a formal request to receive them.

To expedite the transfer of the information, please review the **list below** enclosed **Request for Student Education Records** and check the records for which you are requesting a copy.

Information available in our records include the following. (Please check item for a copy.)

Please return **Return** this form and the enclosed Request for Student Education Records to:

(Records Custodian) (School District Name)

(Date) (Date) (Address)

Adopted: date of manual adoption

Enclosed: Request for Student Education Records

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STUDENT RECORDS

REQUEST FOR STUDENT EDUCATION RECORDS

Copy to Request for Student Education Records

student file _____

Name of Agency Address _____

Requester _____

Name of Authorized Person Phone _____

Requested _____

from Name of Agency Address _____

Student Name Address _____

Student _____

Parent Name Address _____

Previous School Address Dates Attended _____

- No information available Need information to help prepare about previous school program an educational program for the
- Need assistance in under- student
- Purpose for standing complex behavior* Need verification that the student *request* and needs has a disability
- Need evaluation informa- Other: _____
- tion for immediate special _____
- education placement _____

Permanent record data: Basic identifying data, attendance data, and academic data

General cumulative data: General administrative data and results *Type of in- of group tests*

formation Health data: General medical data and reports

requested Specialized student data: Individualized evaluation records and

specialized reports (including reports from outside agencies)

Special education placement records: All records of placement if special education

Suspension and/or expulsion records: All records of suspension and/or expulsion

In making this request, the undersigned agrees that the information received will be used only by the professional school staff members who are assigned to work with the student in the educational program and will not be released to any other party without the prior written consent of the parent. *statement* *and* *signatures or eligible student*.

Date Requested

Authorized Signature

I, _____, as the parent of _____, consent to the release of records listed above to the *Parental* party named above.

I am aware of _____
consent my rights to review the records and (Signature of Parent) receive a copy at my expense, if I so request. _____

(Date)

Adopted: date of manual adoption

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STUDENT RECORDS

Record of Access

RECORD OF ACCESS

(To be placed inside Placed Inside the student's record file Student's Record File.)

Method Educa- Requester Date Date Records of tional Date (Name or Request
Re- Access Interest Parents Agency) of Filled quested (C - copy, or Notified
Request E - examine, Purpose V - Verbal)

Adopted:

date of
manual
adoption

Requester (Name or Agency	Date Request	of	Date Request Filled	Records Requested	Method of Access (C- copy, E- examine, V-Verbal)	Education al Interest or Purpose	Date Parents Notified
---------------------------------	-----------------	----	---------------------------	----------------------	--	--	-----------------------------