

A

District Mission and Belief Statement

(Vision and Values)

Vision

Amphitheater schools and facilities are places where students thrive academically; places parents want their children to go; places where highly skilled people work; and places community members respect because of the high student achievement, caring environment, and focus on individual needs!

Mission

To empower all students to become contributing member of society equipped with the skills, knowledge, and values necessary to meet the challenges of a changing world.

We believe:

- A. All students can learn and achieve.
- B. Everyone has unique strengths, talents and needs.
- C. All students and staff should be responsible for and dedicated to educational excellence.
- D. Education requires cooperation, honesty, and respect among the students, parents, staff, school, and community.
- E. The school community deserves a safe and caring environment.
- F. Our actions reflect our values and our dedication to meeting student needs fairly and equitably.
- G. Ample resources are essential to accomplish the Mission.

We value:

Diversity, creativity, curiosity, diligence, achievement, honesty, caring, fairness, respectfulness, and service to the community.

Adopted: date of Manual adoption

1-100 Board Authority and Responsibilities

© 1-101 District's Legal Designation; District Boundaries

The District's legal designation is Amphitheater Unified School District No 10 of Pima County, Arizona.

The District is a political subdivision of the State of Arizona with geographic boundaries organized for the purpose of the administration, support and maintenance of its public schools.

The legal boundaries of the District are those shown in the transcript that the County School Superintendent files with the Board of Supervisors and the County Assessor and attached as an Exhibit to this policy.

Adopted:

Legal Authority:

[A.R.S. § 15-101](#)

[A.R.S. § 15-441](#)

[A.R.S. § 15-442](#)

AA-E

**School District Legal status (legal description) Amphitheater Unified School
District No. 10 Tucson, Arizona**

BEGINNING at the Northwest corner of Section 4, Township 11 South, Range 13 East;

THENCE East along the North lines of Sections 4, 3, 2, and 1 of Township 11 South, Range 13 East;

THENCE continuing East along the North line of Township 11 South, Range 14 East, to the Northeast corner of Section 1;

THENCE South along the East line of Section 1;

THENCE West along the South line of Section 1 to the South 1/4 corner of said Section 1;

THENCE South along the North-South quarter line of Section 12; THENCE West along the South line of Section 12;

THENCE South along the East lines of Sections 14, 23, and 26 of Township 11 South, Range 14 East;

THENCE West along the South line of Section 26;

THENCE South along the East line of Section 34 of Township 11 South, Range 14 East;

THENCE continuing South along the East line of Section 3 of Township 12 South, Range 14 East;

THENCE West along the South line of said Section 3; THENCE South along the East line of Section 9;

THENCE West along the South line of said Section 9; THENCE South along the East line of Section 17;

THENCE West along the South line of said Section 17 and continuing West along the South line of Section 18, all in Township 12 South, Range 14 East;

THENCE South along the East lines of Sections 24 and 25 of Township 12 South, Range 13 East, to the South 1/16 corner of 25-30;

THENCE East along the South 1/16 line of Section 30, Township 12 South, Range 14 East, to the south 1/16 corner of Sections 30-29;

THENCE South along the East line of Section 30; THENCE East along the North line of Section 32;

THENCE South along the East line of Section 32 to the 1/4 corner of Sections 32 and 33;

THENCE East along the East-West quarter line of Section 33; THENCE South along the East line of Section 33;

THENCE West along the South lines of Sections 33, 32, and 31 of Township 12 South, Range 14 East;

THENCE South along the East lines of Sections 1 and 12 of Township 13 South, Range 13 East;

THENCE East along the North line of Section 18 of Township 13 South, Range 14 East;

THENCE South along the East lines of Sections 18, 19, 30, and 31 to the South 1/16 corner of Sections 31 and 32;

THENCE West along the South 1/16 line of Section 31 to the Center South 1/16 of Section 31;

THENCE South along the quarter line to the South 1/4 corner of said Section 31;

THENCE West along the South line of Section 31 of Township 13 South, Range 14 East;

THENCE continuing West long the South lines of Sections 36 and 35 to the South 1/4 corner of Section 35 of Township 13 South, Range 13 East;

THENCE North along the quarter lines of Sections 35 and 26 to the Southeast corner of the Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4 of Section 26;

THENCE West to the Southwest corner of said Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4;

THENCE North to the Northwest corner of said Northeast 1/4 of the Northeast 1/4 of the Southwest 1/4;

THENCE West to the Southwest 1/16 corner of said Section 26;

THENCE North along the West 1/16 line to the West 1/16 corner, 23 and 14;

THENCE West along the North line of Sections 23 and 22 to its intersection with the Rillito River;

THENCE Northwesterly along the Rillito River to its intersection with the West line of Section 16, Township 13 South, Range 13 East;

THENCE North along the West lines of Sections 16, 9, and 4 of Township 13 South, Range 13 East;

THENCE continuing North along the West lines of Sections 33, 28, 21, 16, 9, and 4 of Township 12 South, Range 13 East;

THENCE continuing North along the West lines of Sections 33, 28, 21, 16, 9, and 4 of Township 11 South, Range 13 East to the true point of beginning.

1-100 Board Authority and Responsibilities

© 1-102 Board Authority, Responsibilities and Immunities

Board Authority and Responsibilities

The Governing Board is responsible for the general conduct and supervision of the District as vested in the Board by the Arizona State Board of Education, State Superintendent of Public Instruction, its County School Superintendent and as set forth in the [Arizona Constitution](#) and applicable laws, regulations, and rules.

The Board's power and authority is derived from its actions when a quorum of the Board is lawfully convened as a public body. However, the Board may delegate certain matters to the Superintendent. The Board may also authorize a Board member to take a specific action or otherwise act on the Board's behalf in a particular matter.

Board responsibilities include, but are not limited to:

- Hiring and evaluating the Superintendent.
- Hiring school personnel and terminating the employment of school personnel.
- Developing the District's mission, vision, and strategic plans.
- Setting the standards for the performance of District schools to improve student achievement.
- Setting school attendance boundaries.
- Establishing the policies that will be used to govern the District and assessing compliance with policy standards and requirements.
- Approving curriculum and textbooks.
- Approving and monitoring the District's budget and spending priorities.
- Approving salaries and benefits for employees.
- Approving District purchases, unless this responsibility has been delegated to the Superintendent.
- Acting in a "quasi-judicial" capacity in student or employee hearing matters.
- Vesting the Superintendent with the powers and duties permitted by law to implement Board policies and develop procedures, implement Board directives and act as the District's chief administrative officer.
- Conducting a Board self-evaluation should the Board choose to do so.

Individual Board Member Authority and Responsibilities

Individual Board members lack the legal authority to act on behalf of the Board or District unless the Board votes to grant them such authority.

Individual Board members have the authority to consider and vote on matters brought before the Board in Board meetings, except as prohibited by law due to conflicts of interest or otherwise limited or prohibited by law.

Each Board member has important responsibilities, including but not limited to:

- Compliance with federal and state laws and related regulations and rules.
- Collaborating well with others and treating the Superintendent, other Board members, District employees, students and members of the public with respect.
- Focusing on actions that are best for the District and its students.
- Advocating for the needs of the District.
- Properly preparing for Board meetings.
- Communicating the Board member's complaints or staff or community complaints to the Superintendent to permit proper protocols and procedures to be followed.
- Avoiding using the Board member's position for political gain or other purposes not relevant to the District's educational or other operations and student achievement.
- Maintaining confidentiality of information or documents that are confidential by law or policy or otherwise expected or required to be kept confidential.
- Recognizing that the Superintendent is the designated spokesperson for the District, and further recognizing that an individual Board member lacks authority to speak on behalf of the District unless the Board takes legal action provide a Board member with the authority to speak on behalf of the District.

Oath of Office

Pursuant to [A.R.S. § 38-231](#), the District shall provide each Board member with the legally required form of written oath or affirmation, which the Board member shall review, sign, and return to the District after receiving the Board member's certificate of election and at or before commencement of the Board member's term of office. The oath of office shall be filed in the District office and maintained as an official record throughout the Board member's term of office and for five years thereafter.

Governing Board Immunities

The District, and its Board members, school council members, and staff are immune from civil liability for the consequences of adoption and implementation of policies and procedures pursuant to [A.R.S. §§ 15-341\(A\)](#) and [15-342](#), except in cases of gross negligence, or intentional misconduct.

Except in cases of wanton or willful neglect, the District and its officials and staff are immune from civil liability with respect to all decisions made, and actions taken that are based on good faith implementation of policies, and procedures addressing student possession and self-administration of emergency anaphylaxis medications.

Additionally, the District and its officials and staff are immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of policies, and procedures addressing student possession and self-administration of breathing disorder medications.

Except in cases of gross negligence or wanton or willful neglect, the District and its officials and staff are also immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of policies and procedures addressing parent/legal guardian notification when their student has been the recipient of harassing, threatening, or intimidating conduct.

Individual Board Member Immunities

Board members are immune from personal liability with respect to all acts done and actions taken in good faith within the scope of their authority during duly constituted regular, and special meetings, and shall have no personal liability for acts done in reliance upon written opinions of the Arizona Attorney General or upon written opinions of the county attorney pursuant to [A.R.S. § 15-381](#).

Board members are immune from civil liability for the consequences of adoption and implementation of policies and procedures pursuant to [A.R.S. §§ 15-341\(A\)](#) and [15-342](#), except for instances of gross negligence or intentional misconduct.

Adopted:

Legal Authority:

[Ariz. Const. art. XI, § 2](#)

[A.R.S. § 15-321](#)

[A.R.S. § 15-323](#)

[A.R.S. § 15-326](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-342](#)

[A.R.S. § 15-381](#)

[A.R.S. § 15-387](#)

[A.R.S. § 38-231](#)

[A.R.S. § 38-232](#)

[A.R.S. § 38-233](#)

BCA

BOARD MEMBER ETHICS

The following statements are endorsed by the Governing Board.

Because of the vital and important role that the public schools of our state and country play in providing the basic foundation for democratic living and for sustaining the American way of life, and because, therefore, Governing Board membership represents such a challenging responsibility, this code of ethics is recommended by the Amphitheater Governing Board as a guide to its members as they strive to render effective and efficient service to their community.

Individual Governing Board members should honor the high responsibility demanded by Board membership by:

- A. Thinking always in terms of "children first."
- B. Understanding that the basic function of the Board members is policy making, and not administration, and by accepting the responsibility of learning to discriminate intelligently between these two (2) functions.
- C. Accepting the responsibility, along with fellow Board members, of seeing that the maximums of facilities and resources are provided for the proper functioning of schools.
- D. Refusing to "play politics" in either the traditional partisan sense or in any petty sense.
- E. Considering at all times the diversity of concerns within the community.
- F. Accepting the responsibility of becoming well informed concerning the duties of Board members and the proper functions of public schools.
- G. Recognizing responsibility as state officials to seek the improvement of education throughout the state.

Individual Governing Board members should respect their relationships with other members of the Board by:

- A. Recognizing that authority rests only with the Board in official meetings, and that individual members have no legal status to bind the Board outside of such meetings.
- B. Refusing to make statements or promises as to how they will vote on any matter that should properly come before the Board as a whole.
- C. Making decisions only after all facts bearing on a question have been presented and discussed.
- D. Respecting the opinions of others and graciously conforming to the principle of majority rules.
- E. Refusing to participate in secret meetings that all members do not have the opportunity to attend.

Individual Governing Board members should maintain desirable relations with the Superintendent and the Superintendent's staff by:

- A. Striving to procure, when the vacancy exists, the best professional leader available for the head administrative post.
- B. Giving the Superintendent full administrative authority for properly discharging assigned professional duties and also holding the Superintendent responsible for acceptable results.
- C. Acting only upon recommendations by the Superintendent in matters of employment or dismissal of school personnel.
- D. Having the Superintendent present at all meetings of the Board except when the Superintendent's contract and salary are under consideration.
- E. Referring each complaint to the proper administrative office and discussing it only at a regular meeting after failure of administrative solution.
- F. Striving to provide adequate safeguards around the Superintendent and other staff members to the end that they can live happily and comfortably in the community and discharge their educational functions on a thoroughly professional basis.
- G. Presenting personal criticisms of any employee directly to the Superintendent.

Individual Governing Board members should meet their responsibilities to the community by:

- A. Attempting to appraise fairly both the present and future educational needs of the community.
- B. Regarding it as a major responsibility of the Board to interpret the aims and methods of the schools to the community.
- C. Insisting that all school business transactions be consistent with state procurement rules.
- D. Vigorously seeking adequate financial support for the schools.
- E. Refusing to use their individual positions on the Governing Board in any way whatsoever for personal gain or personal prestige.
- F. Refusing to discuss personnel matters or any other confidential business of the Board in their homes, on the street, or in their offices.
- G. Winning the community's confidence that all is being done in the best interests of school children.

Adopted: date of Manual adoption

LEGAL REF.:
A.R.S.
15-321

1-100 Board Authority and Responsibilities

© 1-103 Governing Board Organization

Organizational Meeting

The Governing Board shall meet in January following an election. The Board also may hold an organizational meeting annually during non-election years.

Organizational meetings shall be held at the most convenient public facility in the District. If no such facility is available, the Board may meet at any available public facility convenient to all Board members.

At the organizational meeting, the Board shall elect a President from among the Board members.

At the organizational meeting, the Board may elect a Vice-President whose duty it shall be to assume the duties of the President at Board meetings in the absence of the President. In the absence of an elected officer at Board meeting, the Board members present at the meeting may designate a Board member to assume the duties of the President for that meeting.

Board Presidency

The Board President sets Board meeting agendas with the Superintendent and input from Board members. The Board President also convenes, presides over and keeps order during meetings.

The Board, in its discretion, may vote to elect a new Board President before the next scheduled organizational meeting.

The Board President may make motions and vote on any motion made during the meeting, unless otherwise prohibited by law due to conflict of interest.

Adopted:

Legal Authority:

[A.R.S. § 15-321](#)

[A.R.S. § 15-341](#)

1-100 Board Authority and Responsibilities

© 1-104 Legal Advice and Representation

Definitions

“County Attorney” means the Pima County Attorney and any attorney authorized to act on behalf of the Pima County Attorney.

“In-house counsel” means an attorney who is an employee of the District, on either a full-time or part-time basis.

“Legal counsel” means any individual authorized to practice law in Arizona or a law firm of such persons, and may refer to the County Attorney, in-house counsel, or outside counsel.

“Outside counsel” means legal counsel other than the County Attorney or in-house counsel.

County Attorney

The County Attorney is the statutory attorney for the district and may serve as the district’s legal counsel for any matter for which the County Attorney has no conflict of interest.

The Governing Board may seek consent of the County Attorney for the selection of an attorney or law firm as outside counsel or hiring in-house counsel. If the Board does not seek or obtain consent of the County Attorney before employing outside counsel or in-house counsel, the Board waives any right to representation by the County Attorney on the matter for which outside counsel or in-house counsel represents the District.

Outside Counsel

The Board may select one or more attorneys or law firms that are competent to provide legal advice to Arizona school districts as outside counsel whenever the Board deems advisable. The Board may retain outside counsel for an individual matter or general advice and legal work.

In-house Legal Counsel

The Board may hire an attorney as in-house counsel to provide general legal advice for the district on either a full-time or part-time basis. The employment of in-house counsel shall not preclude the right of the Board to seek other legal advice, either by outside counsel or by the County Attorney, to supplement the work of in-house counsel.

Initiating Lawsuits

The Board may initiate a lawsuit against any other party only by specifically authorizing such lawsuit in a properly noticed public Board meeting.

Obtaining Legal Advice

The Board President and the Superintendent are authorized to communicate with legal counsel. The Superintendent shall ordinarily communicate with legal counsel to obtain legal advice on behalf of the District, but the Board President may communicate directly with legal counsel whenever the Board President deems advisable, including for matters relating to the Superintendent. All Board members shall be provided with a copy of written legal opinions obtained on behalf of the Board.

The Superintendent may delegate authority to consult with legal counsel to other District personnel for matters directly relating to the responsibilities of such personnel.

Adopted:

Legal Authority:

[A.R.S. § 11-532](#)

[A.R.S. § 15-343](#)

Board Authority and Responsibilities

© 1-105 Board Member Conflicts of Interest

Definitions

The following terms have the same definition as set forth in [A.R.S. § 38-502](#): (a) "Remote interest"; and (b) "Substantial interest".

"Board member relative" means a Board member's spouse or any person claimed as a dependent on the Board member's income taxes.

"Employee" means all persons who are not public officers and who are employed on a full-time, part-time or contract basis by the District.

"Official records" means the minutes or papers, records and documents maintained by the District for the specific purpose of receiving disclosures of substantial interests required by law.

"Transaction" means any contract, sale, purchase or other action between the District and a vendor (as defined below).

"Vendor" means any individual, corporation, partnership, association, nonprofit organization, or any other legal entity that does business with the District.

Applicability

This Policy applies only to Board members. For the Policy on conflicts of interest with respect to District personnel, see Policy No. 3-109.

Board Member Relatives

In accordance with [A.R.S. § 15-323](#):

1. Board members may vote on any budgetary, personnel, or other related question before the Board, except:
 - a. It is unlawful for a Board member to vote on a specific item which concerns the appointment, employment, or remuneration of the Board member or a Board member relative.
 - b. It is unlawful for any Board member to vote on the employment of another Board member or on the employment of the spouse of a Board member unless specifically permitted by law.

2. In accordance with [A.R.S. § 15-421\(D\)](#), neither a Board member nor a Board member's spouse may be employed by the District unless specifically permitted by law.
 - a. A Board member must resign from the Board before the Board member or a Board member's spouse accepts any form of employment with the District unless otherwise permitted by law. In accordance with [A.R.S. § 15-502](#), a Board member's dependent may be employed by the District only after receiving specific consent of the Board.
 - b. A District employee or an employee's spouse may run for membership in the Governing Board during the employee's term of employment after notifying the Superintendent and the Board President of the employee's or spouse's intent to run. If such an employee or the employee's spouse wins the election, the Employee must resign from the District before January 1 of the year following the election.

Employment of Former Board Member

Pursuant to A.R.S. § 15-421(E), the District may employ directly or through a third party contractor an individual who has served as a Governing Board member during the preceding two (2) years only in a position in which the individual will provide services directly to students including: a certificated teacher; a substitute teacher; or an individual who provides transportation, instructional support or student support services.

In accordance with [A.R.S. § 15-323](#) and [A.R.S. § 38-503](#):

1. A Board member shall not participate in any manner regarding any transaction or approval of a vendor in which the board member has a substantial interest unless a specific statutory exception applies.
2. A Board member shall not supply to the District any equipment, material, supplies or services, unless pursuant to an award or contract let after public competitive bidding, except:

In accordance with [A.R.S. § 15-323](#), the District may make purchases from a Board member only if all the following conditions have been met:

- i. The purchase does not exceed \$300.00.
- ii. The total of all purchases (including the contemplated purchase) from any Board member within the previous twelve months does not exceed \$1,000.00.
- iii. The decision to purchase has been specifically approved by the Board and has not been delegated to an employee of the District.
- iv. The amount of the purchase or contract for purchase is included in the minutes of the meeting at which the Board approved the purchase.

Mandatory Disclosure of Conflicts of Interest

A Board member who has, or whose relative has, a substantial interest in any contract, sale, purchase or service to the District or decision of the District shall make such interest known in the official records of the District.

Maintenance of Disclosure of Conflict of Interest Forms

The District shall maintain disclosures of conflicts of interest and any related documentation in a separate file that shall be available for public inspection in accordance with public records laws and regulations.

Adopted:

Legal Authority:

[A.R.S. §§ 38-501 through 511](#)

[A.R.S. § 15-213](#)

[A.R.S. § 15-323](#)

[A.R.S. § 15-421](#)

[A.R.S. § 15-502](#)

[A.R.S. § 38-509](#)

Board Member Conflicts of Interest

© 1-105.A Procedure - Board Member Conflicts of Interest - Disclosure Requirements

Arizona's Conflict of Interest Laws ([A.R.S. §§ 38-501 through 511](#)) require Governing Board members to disclose certain conflicts of interest and refrain from participating in the decision-making process where a conflict of interest exists.

To facilitate compliance and record-keeping, Board members must disclose all potential conflicts that may come up using the Governing Board Disclosure of Conflict of Interest Form. All Board members are required to review potential conflicts of interest and fill out a Conflict of Interest Form annually and submit the form to the Superintendent by July 1 of each year. If a conflict arises that the Board member did not anticipate, the conflict must be disclosed as soon as the Board member learns of the conflict.

When in doubt, a Board member should err on the side of disclosure. If a Board member has questions about a specific potential conflict, the Superintendent or Board President may discuss the potential conflict with the District's legal counsel.

BHA

SCHOOL DISTRICT LOGO AND/OR MOTTO

(School Symbols)

The Governing Board recognizes that symbols such as school colors, song, motto, flag, and ring frequently play important roles in school life. The Governing Board endorses their selection and identification with the activities of the schools as long as they conform to the following criteria:

- A. Their existence and use support the goals of the District.
- B. They cast no aspersion upon any members of the school staff or student body and/or community with respect to sex, color, race, age, national origin, sexual orientation, religion/religious beliefs, gender, citizenship status, marital status, political beliefs/affiliation, home language, disability, family, social or cultural background, or creed and do not discriminate against any member of the school staff or student body and/or community.
- C. No student of the school is required to support, adhere to, purchase, employ, or possess any such symbol.
- D. If a student's purchase of a symbol or materials for making it is the only acceptable way to acquire it, designs and standard specifications will be made available both to students and potential vendors. Students' purchases will be made at their discretion from any available symbol vendors, preferably off the school premises and during out-of-school hours.

Adopted: date of Manual adoption

BJ

SCHOOL BOARD LEGISLATIVE PROGRAM

The Board will participate in legislative programs through conferences with the state and national school boards associations.

The Board authorizes the Superintendent to actively participate in the development of legislation that has a positive effect on educational programs of the District.

Lobbying

All District-initiated requests or contacts with state legislators must be directed through the designated public lobbyist. All contacts initiated by state legislators with District personnel must be reported to the designated public lobbyist for documentation and external reporting purposes.

The designated public lobbyist is responsible for all required reporting and for determining which activities meet the legal definition of lobbying.

Only the designated public lobbyist and authorized public lobbyists may conduct lobbying activities on behalf of the District. Authorized public lobbyists must be approved by the administrative management team. The District shall maintain the approval list of authorized public lobbyists.

Adopted: date of Manual adoption

HA

MEET-AND-CONFER GOALS

Teacher-Administrator-Governing Board Relationships

Providing a high-quality education for children is the paramount aim of this school system, and good morale in the teaching staff is necessary in meeting this goal. Thus, the Governing Board encourages the participation of staff members in the activities of their professional organizations and encourages the organizations to exercise their rights and responsibilities within the spirit and letter of the law.

The following roles and responsibilities are clearly established by law:

- A. The Governing Board, under law, has the final responsibility of establishing policies for the school system.
- B. The Superintendent and the administrative staff have the responsibility of carrying out the policies established.
- C. The professional teaching personnel have the ultimate responsibility of providing the best possible education in the classroom.

Attainment of Goals

Attainment of the goals of the educational program of the District requires mutual understanding and cooperation among the Governing Board, the Superintendent and the administrative staff, the professional personnel, the support staff personnel, and other citizens of the community. To this end, free and open exchange of views is desirable, proper, and necessary.

Adopted: date of Manual adoption

HD

MEET-AND-CONFER PROCEDURES

This policy is established to confirm that the District shall meet and confer annually on staff policies, salaries, and fringe benefits. The Board delegates the responsibility to the Superintendent to establish meet and confer procedures with the Amphitheater Education Association (the "Association") and individual employees or groups of employees for this purpose.

Adopted: February 22, 2022

HD-E

MEET-AND CONFER PROCEDURES

MEET-AND-CONFER POLICY REVISION FLOW CHART

The referenced document may be found on the page(s) immediately following this cover sheet.

HD-R

MEET - AND - CONFER PROCEDURES

This regulation provides methods of meeting and conferring on staff policies, salaries, and fringe benefits by establishing facilitators/coordinators and committees with specific assignments in representing the interests of the District administration ("Administration") and the interests of the Amphitheater Education Association (the "Association") and individual employees or groups of employees.

Functions:

- A. The functions of the facilitators and committees will be to reach a consensus for the purposes of making recommendations to the Superintendent concerning 1) existing policies, 2) changes to existing policies, 3) the creation of new policies, and 4) determination of compensation packages. The Superintendent shall then present such recommendations to the Governing Board for its consideration.
- B. The facilitators and committees will publish their completed work, as approved by the Superintendent and, as appropriate, the Governing Board, on the District and Amphitheater Education Association websites.

Meet-and-Confer Committees/Program of Work:

- A. The District's meet and confer process shall utilize an "interest-based bargaining" ("IBB") process.
- B. Two (2) committees of six (6) to eight (8) people will be established to work on personnel policy matters - one (1) committee responsible for professional staff policy recommendations and one (1) committee responsible for support staff policy recommendations. These two (2) committees will each consist for three (3) or four (4) members selected by the Superintendent or the Superintendent's designee and representing the administration ("the District Team") and three (3) or four (4) members selected by the Association representing the Association and district employees ("the AEA Team").
- C. The Administration and the Association will agree upon two (2) facilitators/coordinators for each committee - one (1) from among each of their respective teams forming each committee. It will be the responsibility of the facilitators/coordinators to provide the direction and leadership for the committee.
- D. The Administration and the Association team will agree upon a facilitator/coordinator. It will be the responsibility of the facilitators/coordinators to provide the direction and leadership for the committee.
- E. The professional staff policy committee shall be responsible to meet and confer and make recommendations regarding the District's personnel policies pertaining to professional staff. The support staff policy committee shall be responsible to meet and confer and make recommendations regarding the

- District's personnel policies pertaining to support staff. The initial meeting of the committees shall be held jointly to establish their respective and joint bodies of work. Upon agreement of the committees, they may jointly meet and confer on policy matters affecting either employee group. The committees shall jointly meet and confer regarding District personnel policies affecting all District employees and regarding compensation package recommendations.
- F. Each committee shall establish and prepare a specific written program of work at the beginning of the annual meet-and-confer process. Items may be added or deleted from the program of work after it has been established, with approval by committee members. The written program of work shall be submitted to the Superintendent and the executive board of the Association upon completion.
 - G. The committees' programs of work may include regulations which were Governing Board policies prior to the Arizona School Boards Association (ASBA) formatting and policy system implementation in 1997.
 - H. Except as limited below, items that the District Administration and the Association, or their respective teams, wish to be considered for implementation in a subsequent fiscal year must be submitted to the facilitators/coordinators.

Changes to the personnel policies, salaries, or fringe benefits will go through the meet-and-confer process. Exceptions to this goal may be as follows:

- A. As required by Arizona law, the Superintendent may reserve the right on behalf of the Governing Board to make changes to the Amphitheater Policy Manual when necessary for compliance with the law.
- B. Requests for exceptions to policy from school management councils need not go through the meet-and-confer process.
- C. Minor changes to personnel policies may also be made by agreement between the Superintendent or the Superintendent's designee and the Association President, and, as appropriately approved by the Governing Board.
- D. Approval of policy changes made in accordance with these exceptions shall not be subject to the concurrence of the committees; however, committee members shall be informed by the Superintendent or the Superintendent's designee of such changes as soon as practicable. Specific changes and the exception applied will be identified for committee members.

Timelines:

- A. To the extent possible, the policy committees will hold their first (1st) meetings by mid-October and shall conclude their work by the end of January.
- B. To the extent possible, the combined salary committees will begin their joint compensation package work in mid-January and conclude their work by the end of March.
- C. Final loop-outs will be held no later than two (2) weeks prior to the committees

ending date.

Training:

Facilitators/coordinators, as well as all committee members, will be trained in the meet-and-confer process at District expense. This training will take place prior to assuming committee tasks.

Committee support:

The Administrative facilitators will arrange for clerical support for the work of each committee. Clerical support required by the individual Association and Administrative teams shall be handled by each team.

Employee Input:

- A. Before the policy portion of meet and confer begins, employees will be given a chance to provide input through a joint survey developed by the committees. In addition to this joint survey, the District or the Association may conduct their own survey(s) as needed, and the joint meet and confer committee may ask questions or get feedback through the Superintendent's certificated/teacher advisory council and/or classified advisory council.
- B. Before the compensation portion of meet and confer begins, employees will be given a chance to provide input through a joint survey developed by the committees. In addition to this joint survey, the District or the Association may conduct their own survey(s) as needed, and the joint meet and confer committee may ask questions or get feedback through the Superintendent's certificated/teacher advisory council and/or classified advisory council.
- C. The final meet and confer recommendations (policy and compensation) of the committees will jointly be presented to employees for evaluation and comment before presentation to the Governing Board for consideration.
- D. Following the joint employee feedback process, the Superintendent can reconvene the committees for additional feedback, or submit the item to the Governing Board to take action on the original recommendations.

Communication:

- A. The committees will post periodic briefings to keep constituents informed about the general matters discussed throughout the meet-and-confer process. Also, the committees will post a briefing following any joint survey.
- B. The Superintendent may distribute the committees' briefing(s) through the Superintendent's certificated/teacher advisory council and/or classified advisory council when necessary to ensure all employees have access to the information.

Mediation and/or arbitration:

Mediation may be utilized to help the committee resolve disputes. If mediation is unsuccessful, an arbitrator may be selected. The recommendations of the committee and/or the arbitrators are not binding on the Superintendent or the Association, and Arizona law does not permit them to be binding on the Governing Board.

Legal rights:

The rights and privileges extended herein to the Association are also available to individual employees or groups of employees.

HF

SCHOOL BOARD MEET - AND - CONFER AGENTS

Representative of the Governing Board

The Governing Board designates the Superintendent to represent the Board in all matters of concern to employee organizations or individuals.

All correspondence and inquiries from employees or employee organizations shall be directed first to or through the Superintendent to provide proper communication.

Adopted: date of Manual adoption

HH

EMPLOYEE MEET-AND-CONFER ORGANIZATIONS

All employees are free to join or not to join employee organizations. Decisions affecting the individual employees are made without regard to membership or nonmembership in such organizations. Each employee is entitled to individual legal or ethical rights and privileges.

Employees shall not be interfered with, intimidated, restrained, coerced, or discriminated against - either by the School District or by employee organizations

- because of their membership or nonmembership in employee organizations. They shall have the right to participate through representatives of their own choosing in the presentation of their views to the Governing Board.

Employee organizations that meet the provisions of law and the policies of the District shall have the right to represent their members in matters within the scope of the meet-and-confer process and other matters of employee concern.

Adopted: date of Manual adoption

HI

**RIGHTS AND RESPONSIBILITIES OF EMPLOYEE MEET-AND-CONFER
ORGANIZATIONS**

The rights as set forth below will be granted, upon prior permission of the school principal or the school principal's designee, to any employee organization or its representatives recognized by the Governing Board. Such permission shall not be withheld unreasonably. All costs associated with the employee organization activity shall be borne by the employee organization.

The employee organization and its representatives shall have:

- A. The right to use school buildings at all reasonable hours for meetings.
- B. The right to use the interschool mail facilities and school mailboxes as it deems necessary, provided that materials distributed are of a professional, noninflammatory, and nonlibelous nature.
- C. Space on an appropriate bulletin board in each school building.
 - 1. The locations of such bulletin boards shall be agreed upon mutually by each employee organization and the school principal.
 - 2. Materials posted shall be in good taste.

The Governing Board agrees to furnish to each employee organization a roster of all employees as of October 1 of each year, or as soon thereafter as practicable, and one (1) copy of agendas and minutes of all public Governing Board meetings. The Board also agrees to make available to each employee organization such other public information as shall assist such employee organization in developing intelligent, accurate, informed, and constructive programs on behalf of the schools and students.

In accordance with an opinion of the Attorney General, home addresses and telephone numbers of employees may not be disclosed in response to an employee organization's request.

Adopted: date of Manual adoption

HM

ANNOUNCEMENT OF FINAL MEET-AND- CONFER AGREEMENT

Governing Board and Employee Organization Agreement

Each agreement entered into by the Governing Board with an employee organization shall constitute a commitment by the Governing Board to the provisions of the agreement for its duration or until its amendment by an instrument in writing duly executed by both parties.

Rights of Agreeing Parties

Whenever notice is required to be given by either of the parties to any Board- employee agreement to the other, pursuant to any provision(s) of the agreement, either party may do so by telegram or registered letter at the following places:

- A. If by an employee organization, to the President of the Governing Board at the Governing Board office.
- B. If by the Governing Board, to the president of the organization at the appropriate address as filed with the Governing Board.

Saving Clause

If any provision of any employee organization agreement or any application of it to any employee or group of employees is held to be contrary to law, then such provision or application shall not be deemed valid and subsisting, except to the extent permitted by law, but all other provisions or applications shall continue in full force and effect.

Any contract between the Governing Board and an individual employee hereafter executed shall be subject to and consistent with the terms and conditions of the appropriate employee organization agreement. If the aforesaid contract contains any language inconsistent with its related agreement, the agreement during its duration shall be controlling.

Unless otherwise provided in an employee organization agreement, nothing contained therein shall be interpreted and/or applied so as to eliminate, reduce, or otherwise detract from any terms and conditions of employment existing prior to its effective date.

Adopted: date of Manual adoption

JA

STUDENT POLICIES GOALS / PRIORITY OBJECTIVES

The Board will prepare youth for gainful employment and useful roles in a self-governing society

The Board will encourage the development of the students' unique talents to their fullest potential

The Board will maintain a school climate that is enjoyable.

The Board approves the following student personnel objectives as a guide to policy development and school system operation:

- A. Admission of all eligible students.
- B. Highest level of attendance compatible with desirable student learning.
- C. Full retention to graduation or program completion.
- D. Minimal discipline problems.
- E. Procedural due process in settling disputes involving students.
- F. Nondiscrimination in all student relations.
- G. Guarantee and attainment of freedom of speech.
- H. Effective channels for student/staff member/Board communication.
- I. Delineated and acceptable lines of responsibility, roles, and powers among the respective groups.
- J. Opportunities within the school structure for students to learn and practice their roles, rights, and responsibilities as citizens.
- K. Provisions for safeguarding the welfare, health, safety, and rights of students.

Adopted: date of Manual adoption

JB

EQUAL EDUCATIONAL OPPORTUNITIES

The right of a student to participate fully in classroom instruction shall not be abridged or impaired because of race, color, religion/religious beliefs, creed, citizenship status, political beliefs/affiliation, home language, gender, sexual orientation, age, national origin, disability, family, social or cultural background or any other reason not related to the student's individual capabilities.

The right of students to participate in extracurricular activities shall be dependent only upon their maintaining the minimum academic and behavioral standards established by the Board, and their individual ability in the extracurricular activity.

Adopted: date of Manual adoption

LEGAL REF.:

Arizona Constitution, Act XI, Sec. 6

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Educational Opportunities Act

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001, as amended by the Every Student Succeeds Act (ESSA) of 2015

CROSS REF.:

AC - Nondiscrimination

ACA - Sexual Harassment

ACAA - Title IX Sexual Harassment

GBA - Equal Employment Opportunity

GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

IHBA - Special Educational Programs and Accommodations for Disabled Students

JII - Student Concerns, Complaints and Grievances

JK - Student Discipline

JKD - Student Suspension

KED - Public Concerns/Complaints about Facilities or Services

JB-R

EQUAL EDUCATIONAL OPPORTUNITIES

Compliance Officer

Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Equal Opportunity Office.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable, within the established timelines. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. 15-539 et seq., may be initiated.

If the person alleged to have violated policy is a support staff employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with Policies JK, JKD and JKE.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

JII

STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

The Superintendent is directed to establish procedures whereby students with sufficient concern may present a complaint or grievance regarding a violation of their constitutional rights, equal access to programs, discrimination, or personal safety provided that:

- A. The topic is not the subject of disciplinary or other proceedings under other policies and regulations of the District, and
- B. The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act.

A complaint or grievance may be raised regarding one (1) or more of the following:

- A. Violation of the student's constitutional rights.
- B. Denial of an equal opportunity to participate in any program or activity for which the student qualifies not related to the student's individual capabilities.
- C. Discriminatory treatment on the basis of gender, sexual orientation, race, color, creed, religion/religious beliefs, citizenship status, age, disability, marital status, political beliefs/affiliation, national origin, home language, family, social or cultural background.
- D. Concern for the student's personal safety.

Refer to Board Policy JICK for procedures applying to a complaint or grievance that alleges incidences of student violence, harassment, intimidation, or bullying.

The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint or grievance. The initial complaint or grievance should be made using form JII-EA; however, a verbal complaint or grievance may be made to any school staff member. The receiving staff member shall immediately inform an administrator of the complaint or grievance.

When the initial complaint or grievance is submitted in a manner other than on the prescribed form, the administrator shall obtain from the student the particulars determined by the Superintendent to be necessary for the complaint or grievance to be investigated. Any question concerning whether a complaint or grievance falls within this policy shall be determined by the Superintendent.

A student or the student's parent or guardian may initiate the complaint process by completing Exhibit JII-EA.

A complaint or grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident.

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students, staff and parents or guardians in the school offices.

Disposition of all complaints/grievances shall be reported to the Superintendent and the compliance officer for discrimination if other than the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

The Superintendent shall develop procedures for the maintenance and confidentiality of documentation related to the receipt of a student's complaint or grievance, findings of the investigation, and disposition of the matter. The documentation shall not be used to impose disciplinary action unless the appropriate school official has investigated and determined there was an actual occurrence of the alleged incident.

Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies shall be followed.

When District officials have a reasonable belief or an investigation reveals that a reported incident may constitute an unlawful act, law enforcement authorities will be informed.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-341

CROSS REF.:

AC - Nondiscrimination/Equal Opportunity

ACA - Sexual Harassment

GBEB - Staff Conduct

JB - Equal Educational Opportunities

JIC - Student Conduct

JICFA - Hazing

JICK - Student Violence/Harassment/Intimidation/Bullying

JK - Student Discipline

JKD - Student Suspension

JKE - Expulsion of Students

KE - Public Concerns and Complaints

Equal Educational Opportunity and Non-Discrimination (Students)

© 1-201.A Procedure - Equal Educational Opportunity and Non-Discrimination for Students - Grievance Procedure

A. Definitions

"Complainant" means the person filing a grievance.

"Compliance Officer" means the District personnel with responsibility for receiving and investigating grievances alleging discrimination.

"Disability discrimination" means any act of discrimination in violation of Section 504 or the ADA.

"Religious discrimination" means any act of discrimination on the basis of religion in violation of Title IV or [A.R.S. § 15-110](#).

"Protected class" means a group of people legally protected by applicable state or federal discrimination laws.

"Title IV" means Title IV of the Civil Rights Act of 1964.

"Title VI" means Title VI of the Civil Rights Act of 1964.

"Title IX" means Title IX of the Education Amendments of 1972.

"Section 504" means Section 504 of the Rehabilitation Act of 1973.

The "ADA" means the Americans with Disabilities Act of 1990.

B. Application

These Procedures apply to grievances alleging discrimination based on race, color, religion, disability, national origin, veteran's status, genetic code, or political affiliation. Grievances alleging discrimination based on sex (including sexual orientation and gender identity) or pregnancy and parenting should be filed using the District's Title IX Procedure.

Examples of discrimination include but are not limited to harassment based on a person's membership in a protected class, limiting or denying a person opportunities, privileges, or advantages based on membership in a protected class and otherwise treating any person differently based on that person's membership in a protected class.

Disability discrimination may also include denying a student with a disability a free appropriate public education and failing to make modifications of policies, practices, or

procedures when such modification is necessary to accommodate individuals with disabilities.

Religious discrimination may also include penalizing a student for coursework based on religious content or religious viewpoint, denying a student the right to engage in religious activities or expression to the same extent students may engage in nonreligious activities or expression, denying a student the right to wear religious clothing or symbols.

The District prohibits retaliation against anyone who files a grievance or cooperates in the investigation of a grievance.

C. Compliance Officer

The District's Compliance Officer(s) are as follows:

Section 504/ADA Compliance Officer: Executive Director of Student Services,
studentservices@amphi.com

Title IV/VI Compliance Officer: Equity & Safety Compliance Officer,
TitleIXCoordinator@amphi.com

References herein to the "Compliance Officer" shall refer to appropriate Compliance Officer based on such Compliance Officer's responsibilities.

D. Grievance Process

Submittal of Grievance

Students may present a complaint or grievance regarding an alleged violation of their constitutional rights, equal access to programs, discrimination, or personal safety provided that:

- The grievance is not already under review as part of a student discipline matter or other proceedings under District policy, and
- The process will not apply to a grievance over which the District or Governing Board has no authority because the method of review is set forth in state or federal law.

A student may submit a grievance to allege the following:

- Student's constitutional rights have been violated.
- Student has been denied equal opportunity to participate in a District program or activity for which the student otherwise qualifies.

- Student has been treated discriminatorily on the basis of race, color, religion, sex, national origin, disability, veteran's status, genetic code, or political affiliation.
- Student is concerned for the student's personal safety.

Grievances should be submitted to the Compliance Officer within thirty (30) days of the date the complainant becomes aware of the alleged discriminatory action.

A grievance should be in writing, containing the name and address of the person filing it. The grievance must state the problem or action alleged to be discriminatory and the remedy or relief sought.

If the complainant is unable to put the grievance in writing, the District shall provide reasonable accommodations to assist the complainant with submission of a grievance. Although the District encourages individuals to submit grievances in writing, the District will nonetheless provide prompt and equitable response when it becomes aware of possible discrimination.

The Compliance Officer will confirm receipt of the grievance within five (5) working days following receipt of the grievance.

Investigation

The Compliance Officer (or designee) shall conduct an investigation of the grievance. This investigation may be informal, but it must be thorough, affording the student(s) and parent(s)/ legal guardian(s) an opportunity to submit evidence relevant to the grievance, including the opportunity to present witnesses.

The Superintendent will designate an alternative investigator if the Compliance Officer has a conflict of interest with the investigation. If the Superintendent is the one alleged to have unlawfully discriminated, the grievance shall be filed with the President of the Board, who will then designate a Compliance Officer to conduct the investigation.

Based on the recommendation of the Compliance Officer, the District may take temporary action to ensure that students have equal educational opportunities during the investigation.

Decision

The Compliance Officer will complete the investigation and issue a written decision on the grievance no later than thirty (30) days after its filing unless extenuating circumstances require an extension of the thirty (30) day timeline. In such a case, the Compliance Officer (or designee) will communicate with the complainant concerning the need for an extension.

Appeal

The complainant may appeal the decision of the Compliance Officer by writing to the Superintendent, within fifteen (15) days of receiving the Compliance Officer's decision. The Superintendent, or designee, shall issue a written decision in response to the appeal within thirty (30) days of receipt of the appeal.

Remedial or Other Action

If it is determined that discrimination occurred, the District shall take the appropriate steps to prevent the recurrence of discrimination and correct the discriminatory effects on the complainant and others. If disciplinary action is appropriate, teachers, administrators, other personnel, and students will be afforded all respective rights afforded by the law and District policy, and disciplinary action will follow all applicable policies and procedures.

General

1. The complainant will not be required to directly interview or confront the person alleged to have engaged in discriminatory behavior.
2. The complainant may withdraw the grievance at any time. However, the Compliance Officer may choose to continue to investigate the alleged discrimination if there are facts supporting the allegations.
3. The District shall maintain confidentiality as required by the Family Educational Rights and Privacy Act (FERPA).
4. The availability and use of this complaint procedure does not prevent a person from filing a grievance of discrimination with the U.S. Department of Education, Office for Civil Rights or any other court or agency with jurisdiction over the matter.
5. The District will make appropriate arrangements to ensure that students and parents/ legal guardians with disabilities are provided accommodations, if needed, to participate in the grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing digital material for the blind, providing a scribe for submission of the grievance, or assuring a barrier-free location for the proceedings. The Compliance Officer will be responsible for making such arrangements.
6. The District will make appropriate arrangements to ensure that persons who are not English proficient are provided with language assistance as needed to participate in the grievance process. The Compliance Officer will be responsible for making such arrangements.
7. The Compliance Officer will maintain the files and records relating to such grievances.

JB-E

EQUAL EDUCATIONAL OPPORTUNITIES

COMPLAINT FORM

(To be filed with the compliance officer as provided in JB-R)

If you feel you have been treated unfairly because of your gender, race, color, religion, age, disability, political affiliation, marital status, veteran status national origin, or as a result of retaliation, you should complete this form and return it to the Equal Opportunity office. If you need further clarification, please contact the Equal Opportunity specialist

Please print:

Name: _____ Date: _____

Address: _____

Telephone: _____

Another phone where you can be reached: _____

During the hours of: _____

E-mail address: _____

I wish to complain against:

Name of person, school (department), program, or activity:

Address: _____

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

If there is anyone who could provide more information regarding this complaint, please list name(s), address(es), and telephone number(s).

Name: _____

Address: _____

Telephone Number: _____

The projected solution

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant

The compliance officer, as designated in JB-R, shall give one (1) copy to the complainant and shall retain one (1) copy for the file.

JBA

DISCRIMINATION ON THE BASIS OF RACE, ETHNICITY, OR GENDER

Every child, regardless of background, is entitled to an equal opportunity to succeed in school. The concept of equal opportunity is not to be reserved for adults. It is the policy of the District not to discriminate on the basis of gender, sexual orientation, race, color, religion/religious beliefs, creed, age, disability, marital status, political affiliation, national origin, citizenship status, home language, family, social or cultural background.

High standards shall be maintained for all students. Every student in the District will be encouraged to aspire for and achieve success. We will actively pursue equal opportunity in education for children.

Objective measures should be used to determine that equal opportunity exists in practice as well as philosophy. When an analysis of such measures results in a conclusion that practice and philosophy do not match, steps will be taken to close the gap. Such efforts are termed affirmative actions. Such efforts might include development of specific programs, staff development, and recruitment and retention of staff members committed to the success of all students.

The Governing Board and the Superintendent shall establish and enforce policies and procedures that foster excellence and equity. It is the particular responsibility of the District's instructional and administrative staff members to ensure high expectations and success for all students. All District staff members shall treat each student fairly and respectfully. Tolerance of anything less is not acceptable.

Adopted: date of Manual adoption

GB

GENERAL PERSONNEL POLICIES

Personnel policies adopted by the Governing Board are to serve as guidelines for the efficient and successful functioning of the District.

The policies are framed and intended to be interpreted within the context of applicable laws and regulations. Changes in the laws and agency rules, as well as in the needs, conditions, purposes, and objectives of the District may result in revisions, deletions, and additions to the policies. Therefore, to the extent permitted or required by law, District personnel policies may be modified, amended, or repealed at any time as the Board determines to be in the best interest of the District. No person shall be deemed to have a vested right to continuing employment or benefits associated with District employment except as may be required by law and provided in the respective employee's written contract or employment agreement. The policies, regulations, exhibits, and other documents in this policy manual do not form any part of any employment contract or employment agreement between the School District and any individual employee.

Wherever inconsistencies of interpretation arise, the law and regulations prevail.

In the event of any ambiguity contained in any of these policies or in any regulations promulgated pursuant thereto, the interpretation and the construction or interpretation of the Governing Board or its designee shall control the applications thereof.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-341

15-342

15-546

GBA

EQUAL EMPLOYMENT OPPORTUNITY

The District will not discriminate against any employee or applicant for employment because of gender, sexual orientation, race, color, creed, religion/religious beliefs, age, disability, political beliefs/affiliation, marital status, citizenship status, national origin, home language, family, social or cultural background. The Governing Board and all management divisions of the District, in all their recruitment and employment practices, solicitations, and advertisements, will constitute an "equal opportunity employer."

Action will be taken to ensure that applicants are employed and employees are treated during employment without regard to their gender, sexual orientation, race, color, creed, religion, age, disability, political affiliation, marital status, or national origin. Neither employees nor applicants for employment shall be limited, segregated, or classified in any way that could adversely affect any applicant's or employee's employment opportunities or status. Such action and employment practices shall be in accordance with all applicable provisions of state and federal law as they relate to equal employment opportunity, and they shall include employment, assignment, upgrading, demotions, transfers, promotions, layoffs, separations, rates of pay, privileges, fringe benefits, compensatory benefits, and/or other forms of compensation and recognition.

Aliens

It is the intent of the District to hire only individuals who are United States citizens, United States nationals, or aliens authorized to work in the United States. The District will comply with the provisions of the Immigration Reform and Control Act of 1986 regarding unfair immigration-related employment practices in seeing that applicants for employment are not discriminated against in recruitment or hiring due to their citizenship status in violation of said act.

Wage Discrimination

The District shall not pay any person in its employ at wage rates that are less than the rates paid by the District to employees of the other gender for the same quality and quantity of the same classification (range and grade) of work.

Differences in classification may be based upon differences in seniority, length of service, duties and responsibilities performed, skills and abilities required for the specific job, and other reasonable factors when exercised in good faith.

Pay differentiations in the same classification of work can be made for differences in the shift or time of day worked and hours of work.

Affirmative Action Program

The District will actively promote the full realization of equal employment opportunity through a positive and continuing affirmative action program with the following objectives:

To set specific and result-oriented procedures for implementation of the affirmative action program.

To make annual analyses of total employee utilization.

To disseminate internally and externally all policies relative to being an equal opportunity employer.

To design an internal auditing and reporting system for equal employment opportunity in the District. This will include identification of problems, deficiencies, goals, classification, timetables, community action, and the like.

To provide specific and result-oriented procedures for addressing specific instances of discrimination or harassment.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-904

41-1461

41-1463

41-1465

CROSS REF.:

AC - Nondiscrimination

ACA - Sexual Harassment

IHBA - Special Instructional Programs and Accommodations for Disabled Students

JB - Equal Educational Opportunities

KED - Public Concerns/Complaints about Facilities or Services

AC

NONDISCRIMINATION / EQUAL OPPORTUNITY

The Board is committed to a policy of nondiscrimination in relation to race, color, religion/religious beliefs, gender, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, family, social or cultural background. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

23-341

41-1463

Arizona Constitution, Ordinance Art. XX, Par. Seventh

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Employment Opportunity Act of 1972

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 et seq., Americans with Disabilities Act

CROSS REF.:

ACA - Sexual Harassment

ACAA - Title IX Sexual Harassment

GBA - Equal Employment Opportunity

GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

IHBA - Special Instructional Programs and Accommodations for Disabled Students

JB - Equal Educational Opportunities

JII - Student Concerns, Complaints and Grievances

JK - Student Discipline

JKD - Student Suspension

KED - Public Concerns/Complaints about Facilities or Services

Equal Employment Opportunity and Non-Discrimination

© 2020.A Procedure - Equal Employment Opportunity and Non-Discrimination - Grievance Procedure

A. Definitions

"Complainant" means the person filing a grievance.

"Compliance Officer" means the District personnel responsible for receiving and investigating grievances alleging discrimination.

"Harassment" is (1) unwelcome conduct; (2) based on race, color, religion, creed, national origin or ancestry, ethnicity, sex (including gender, pregnancy, sexual orientation, and gender identity), age, physical or mental disability, citizenship, past, current, or prospective service in the uniformed services, genetic information, or any other characteristic protected under applicable federal, state, or local law; and (3)(a) that is sufficiently severe or pervasive to alter the terms of employment and create an abusive work environment; or (b) that results in a tangible employment action (such as termination, demotion, or change in compensation).

"Religious discrimination" means any act of discrimination on the basis of religion in violation of Title IV or [A.R.S. § 15-110](#).

"Title IX" means Title IX of the Education Amendments of 1972.

B. Application

These Procedures apply to grievances alleging discrimination and/or harassment based on race, color, religion, disability, age, national origin, veteran's status, genetic code, or political affiliation. These Procedures also apply to grievances alleging retaliation for good faith reports or complaints of incidents of discrimination or harassment of any kind, pursuing any discrimination or harassment claim, or cooperating in related investigations. Grievances alleging discrimination or harassment based on sex (including gender, pregnancy, sexual orientation or gender identity) should be filed using the District's Title IX Procedure. To the extent a complaint is filed alleging discrimination or harassment on the basis of sex and other conduct, the District may conduct simultaneous investigations under this Procedure and the District's Title IX Policy and Procedure.

The District also prohibits retaliation against anyone who files a grievance or cooperates in the investigation of a grievance.

C. Compliance Officer

The District's Compliance Officers are as follows:

Section 504/ADA Compliance Officer: Executive Director of Student Services,
studentservices@amphi.com

Title IV/VI Compliance Officer: Equity & Safety Compliance Officer,
TitleIXCoordinator@amphi.com

D. Grievance Process

Submittal of Grievance

A grievance should be submitted to the Compliance Officer within thirty (30) days of the date the complainant becomes aware of the alleged violation of District Policy.

A grievance should be in writing, containing the name and address of the person filing it. The grievance should also state the problem or action alleged to be discriminatory and the remedy or relief sought.

If the complainant is unable to or does not submit the grievance in writing, the District will provide reasonable accommodations to assist the complainant or otherwise meet with the complainant for the submission of their grievance. Although the District encourages individuals to submit grievances in writing, the District will nonetheless provide prompt and equitable response when it becomes aware of violations of District Policy.

The Compliance Officer will strive to confirm receipt of the grievance within five (5) working days following receipt.

Investigation

The Compliance Officer, or designee, shall conduct an investigation of the grievance. This investigation may be informal, but it must be thorough, affording all interested persons an opportunity to submit evidence relevant to the grievance, including the opportunity to present witnesses.

The Superintendent will designate an alternate investigator if the Compliance Officer has a conflict of interest with the investigation.

Based on the recommendation of the Compliance Officer, or designee, the District may take temporary action during the investigation to ensure equal employment opportunity and prevent retaliation.

Decision

The Compliance Officer will strive to complete the investigation and issue a written decision on the grievance no later than thirty (30) days after its filing unless extenuating circumstances require an extension of the thirty (30) day timeline. In such a case, the

Compliance Officer, or designee, will communicate with the complainant concerning the need for an extension.

Appeal

The complainant or respondent may appeal the decision of the Compliance Officer by writing to the Superintendent, within fifteen (15) days of receiving the Compliance Officer's decision. The Superintendent, or designee, will strive to issue a written decision in response to the appeal within thirty (30) days of receipt of the appeal.

Remedial or Other Action

If it is determined that discrimination occurred, the District shall take the appropriate steps to prevent the recurrence of discrimination and correct the discriminatory effects on the complainant and others. If disciplinary action is appropriate, teachers, administrators, other personnel, and students will be afforded all respective rights afforded by the law and District Policy, and disciplinary action will follow all applicable policies and procedures.

General

1. The complainant will not be required to directly interview or confront the person alleged to have engaged in discriminatory behavior.
2. The complainant may withdraw the grievance at any time. However, the Compliance Officer may choose to continue to investigate the alleged discrimination if there are facts supporting the allegations.
3. The District shall maintain confidentiality as required by the Family Educational Rights and Privacy Act (FERPA).
4. The availability and use of this grievance procedure does not prevent a person from filing a complaint of discrimination with the U. S. Department of Education, Office for Civil Rights or any other court or agency with jurisdiction over the matter.
5. The District will make appropriate arrangements to ensure that persons with disabilities are provided other accommodations, if needed, to participate in the grievance process. Such arrangements may include, but are not limited to, providing interpreters for the deaf, providing digital material for the blind, providing a scribe for submission of the grievance, or assuring a barrier-free location for the proceedings. The Compliance Officer will be responsible for making such arrangements.
6. The District will make appropriate arrangements to ensure that persons who are not English proficient are provided with language assistance as needed to participate in the grievance process. The Compliance Officer will be responsible for making such arrangements.
7. The Compliance Officer will maintain the files and records relating to such grievances.

1-200 Equal Opportunity and Non-Discrimination

© 1-203 Equal Opportunity - Prohibited Sex Discrimination (Title IX)

Definitions

The following definition of sexual harassment has been established by the Title IX regulations and implemented by the District regarding this Policy.

“Sexual harassment” means conduct based on sex that satisfies one or more of the following:

- a. An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual’s participation in unwelcome sexual conduct;
- b. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District’s education program or activity; or
- c. “Sexual assault” as defined in [20 U.S.C. § 1092\(f\)\(6\)\(A\)\(v\)](#), “dating violence” as defined in [34 U.S.C. § 12291\(a\)\(10\)](#), “domestic violence” as defined in [34 U.S.C. § 12291\(a\)\(8\)](#), or “stalking” as defined in [34 U.S.C. § 12291\(a\)\(30\)](#).

“Complainant” means any person who is participating in or attempting to participate in the District’s education or employment programs and/or activities and who is alleged to be the victim of conduct that could constitute sexual harassment.

“Respondent” means a person who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Party/Parties” means all complainant(s) and respondent(s) involved in a formal complaint; formal complaints may involve multiple complainants and/or respondents.

“Formal complaint” means a document filed by a complainant or one that is signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment.

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the District’s Title IX Coordinator or any official of the District who has the authority to institute corrective measures on behalf of the District, or to any employee of the District.

“Consent” is informed, freely and affirmatively given through mutually understandable words or actions that indicate a willingness to participate in the sexual activity. Consent can be withdrawn at any time. There is no consent when there is force, expressed or implied, or when coercion, intimidation, threats, or duress is used. Whether a person has taken advantage of a position of influence over another person may be a factor in

determining consent. Silence or absence of resistance does not imply consent. Consent to one type of sexual activity does not amount to consent to another type of activity. Prior consent or sexual relations with the same person do not imply future consent. The fact that both people are in a relationship does not, by itself, establish consent. A person cannot consent if they are unconscious, asleep, or impaired to the extent that they do not understand what is going on. Minors under the age of 16 are incapable of giving consent to sexual activity with a person more than four years older than the minor. Consent may never be given by mentally disabled persons if their disability was reasonably knowable to a sexual partner who is not mentally disabled. Consent between parties engaging in sexual activity does not prevent the school system from taking disciplinary action against the parties for violation of any other board Policy.

“Fondling” means the touching of a person's genitalia, anus, buttocks, or breasts without the consent of the victim for purposes of sexual gratification.

“Program or activity” means any location, events, or circumstances over which the District exhibits substantial control over both the alleged harasser and the context in which the harassment occurred.

“Supportive measures” means non-disciplinary, non-punitive, individualized services offered as appropriate and as reasonably available, and without fee or charge to a complainant or respondent before or after the filing of a formal complaint or where no formal complaint has been filed, which are designed to restore or preserve equal access to education or employment programs and/or activities without unreasonably burdening the other party, including measures designed to protect the safety of parties or the educational/work environment or to deter sexual harassment.

Purpose of Title IX

Title IX of the Federal Education Amendments Act protects people from discrimination based on sex in education programs, or activities that receive Federal financial assistance. The District does not discriminate based on sex and adheres to all conditions established by Title IX by recognizing the right of every staff member and student who attends the District to do so without the fear of sexual harassment.

Title IX Coordinator

The District is obligated to identify an employee to serve as the Title IX Coordinator and authorize that individual to coordinate and facilitate the District's compliance efforts regarding its responsibilities under Title IX, including inquiries about the application of Title IX or formal complaints. The District's Title IX Coordinator is:

Elizabeth Rusiecki

Equity & Safety Compliance Officer and Title IX Coordinator

701 W. Wetmore Road, Tucson, Arizona 85705

(520) 696-5164

TitleIXCoordinator@amphi.com

Notices

The contact information for the Title IX Coordinator, and the District's nondiscrimination notice will be prominently posted on the District's website and in any student, or employee handbooks.

Any documents used to train the Title IX Coordinator, investigators, decision makers, and others involved in the grievance process will be posted on the District's website. In addition, the District will notify students, parent(s)/legal guardian(s) of students, employees, applicants for admission and employment, and unions, or similar employee professional organizations that have an agreement with the District (if applicable) of this Policy and the grievance procedures included in this Policy, including how to report sexual harassment and how the District will respond to such reports. The required notification may be accomplished in any way that the District deems appropriate and effective.

Reporting

Any person may report sex discrimination, including sexual harassment, regardless of whether the person reporting is the person alleged to be the victim of the reported conduct or not. A report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Complaints of sex discrimination that are not sexual harassment will be handled pursuant to the District's regular procedures for resolving student or employee grievances promptly and equitably. Formal complaints of sexual harassment will be handled using the grievance procedure set forth in this Policy.

Supportive Services

The District is committed to offering supportive services to every complainant regardless of whether a formal complaint is submitted, to investigating each formal complaint submitted and to taking appropriate action on all confirmed violations of Policy. Supportive measures may include, but are not limited to counseling, class modifications or class schedule changes, and/or increased monitoring and supervision, as deemed appropriate by the Title IX Coordinator.

Allegations of Sexual Harassment

Upon receiving notification of alleged sexual harassment, the Title IX Coordinator shall promptly and confidentially contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint, if applicable.

The Title IX Coordinator shall offer supportive measures to the complainant, either before or after the filing of a formal complaint or following a report where no complaint has been filed.

Adopted:

Legal Authority:

[20 U.S.C. § 1681](#), Education Amendments of 1972, Title IX

ACAA-R

TITLE IX SEXUAL HARASSMENT

Title IX Coordinator

The Superintendent shall appoint an employee as the "Title IX Coordinator." If the Title IX Coordinator is the respondent, the complaint shall be filed with the Superintendent.

Title IX Coordinator:

Name/Title: Equity and Safety Compliance Officer and Title IX Coordinator

Address: 701 W. Wetmore Road, Tucson, AZ 85705

E-mail: TitleIXCoordinator@amphi.com

Telephone: (520) 696-5164

Response to Sexual Harassment

When the District has actual knowledge of sexual harassment in an education program or activity of the District against a person in the United States, it shall respond promptly in a manner that is not deliberately indifferent.

- A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a District's Title IX Coordinator or to any employee.
- B. An "education program or activity" includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the District.
- C. A District is "deliberately indifferent" only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

The District's initial response to any report of sexual harassment must treat complainants and respondents equally by offering supportive measures to both and must follow the established grievance process before disciplining a respondent.

Even if no formal complaint has been filed, the Title IX Coordinator or their designee shall promptly:

- A. Contact the complainant to discuss the availability of supportive measures;
- B. Consider the complainant's wishes with respect to supportive measures;
- C. Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- D. Explain to the complainant the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or

the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The District may remove a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

Response to a Formal Complaint

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed above, and by any additional method designated by the District that results in the Title IX Coordinator receiving the complaint.

The District may place a non-student employee respondent on administrative leave during the pendency of a grievance process in response to a formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

For the purpose of addressing formal complaints of sexual harassment, this grievance process shall comply with the following basic elements:

- A. Provide written notice to all parties upon receipt of complaint, which must include:
 1. Notice of the District's formal grievance process, including any informal resolution process;
 2. Notice of the allegations, including sufficient details to allow respondent to prepare a response (such as the identities of the parties involved in the

- incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident);
3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
 4. Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and
 5. Notice of any provision in the District's code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.
- B. Treat complainants and respondents equitably;
 - C. Require an objective evaluation of all relevant evidence;
 - D. Require that the Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process, be properly trained and not have a conflict of interest against complainants and respondents generally or against the particular complainant and respondent;
 - E. Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process;
 - F. Include reasonably prompt timeframes for the conclusion of the grievance process;
 - G. Describe or list the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility;
 - H. State that the District uses a preponderance of evidence standard to determine responsibility;
 - I. Include the procedures and permissible reasons for appeal by a respondent or a complainant;
 - J. Describe the range of supportive measures available to complainants and respondents; and
 - K. Not require, allow, or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

If the conduct alleged in a formal complaint does not meet the Title IX definition of sexual harassment as established in Governing Board policy, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District shall dismiss the allegations for purposes of Title IX but may still address the allegations in any manner the District deems appropriate under other District policies.

The District may dismiss a formal complaint or any allegations therein, if at any time:

- A. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- B. The respondent is no longer enrolled or employed by the District; or

- C. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint or any allegations therein, the District shall promptly send written notice of the dismissal, including the reasons for the dismissal, simultaneously to the parties.

When investigating a formal complaint and throughout the grievance process, the District shall:

- A. Ensure that the burden of proof and the burden of gathering evidence rests on the District and not on the parties, except that certain treatment records cannot be obtained without voluntary, written consent of a party;
- B. Provide an equal opportunity for the parties to present witnesses and evidence;
- C. Not restrict the ability of either party to discuss the allegations or to gather and present evidence;
- D. Provide the parties with the same opportunities to have others present during any meeting or grievance proceeding;
- E. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of any meeting or grievance proceeding, with sufficient time for the party to prepare to participate;
- F. Provide both parties an equal opportunity to inspect and review any evidence so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation (prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, a copy of all evidence gathered during the investigation and will allow the parties at least ten (10) days to submit a written response to any of the evidence); and
- G. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a determination of responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) shall afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence are offered to prove consent.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), shall apply the District's established standard of evidence and shall issue a written determination regarding responsibility that includes:

- A. Identification of the allegations potentially constituting sexual harassment;
- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the District's code of conduct to the facts;
- E. A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity shall be provided by the District to the complainant; and
- F. The District's procedures and permissible bases for the complainant and respondent to appeal.

The District shall provide the written determination to the parties simultaneously. The Title IX Coordinator is responsible for effective implementation of any remedies.

The District shall offer both parties the right to appeal from a determination regarding responsibility and from a dismissal of a formal complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affect the outcome of the matter.

As to all appeals, the District shall:

- A. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- B. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- C. Ensure that the decision-maker(s) for the appeal does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
- D. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;

- E. Issue a written decision describing the result of the appeal and the rationale for the result; and
- F. Provide the written decision simultaneously to both parties.

The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. Similarly, the District may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility during a formal complaint process, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:

- A. Provides to the parties a written notice disclosing:
 - 1. The allegations;
 - 2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - 3. Any consequences resulting from participating in the informal resolution process, including the records that shall be maintained or could be shared;
- B. Obtains the parties' voluntary, written consent to the informal resolution process; and
- C. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

The District shall maintain for a period of seven (7) years records of:

- A. Each sexual harassment investigation including:
 - 1. Any determination regarding responsibility;
 - 2. Any disciplinary sanctions imposed on the respondent; and
 - 3. Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.
- B. Any appeal and the result therefrom;
- C. Any informal resolution and the result therefrom; and
- D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website, or if the District does not maintain a website the District shall make these materials available upon request for inspection by members of the public.

The District shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures taken in response to a report or formal complaint of sexual harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If a District does not provide a complainant with supportive measures, then the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

Equal Opportunity - Prohibited Sex Discrimination (Title IX)

© 1-203.A Procedure - Equal Opportunity - Prohibited Sex Discrimination (Title IX) - Grievance Procedure

A. Grievance Process Generally

The District shall follow grievance procedures that provide for the prompt and equitable resolution of formal complaints from students and employees alleging sexual harassment.

The investigator, decision maker and appeal officer involved in the investigation of a formal complaint shall not be the same person. Although the Title IX Coordinator may also be the investigator, the Title IX Coordinator shall not serve as the decision maker or appeal officer in any investigation.

If any person involved in an investigation has a concern that the designated investigator, decision-maker, or appeal officer may have a bias or conflict of interest, or for any other reason, the Title IX Coordinator will evaluate the situation and determine in their sole discretion whether to designate a different internal investigator, decision-maker, or appeal officer. In their sole discretion, the Title IX Coordinator may choose to retain an outside investigator, decision-maker, or appeal officer.

Prior to a determination of responsibility for the conduct alleged, the District may remove a student who is a respondent from the District's educational program or activity on an emergency basis, only when such removal is necessary to protect the student or another individual from an immediate threat to physical health or safety. If a student has an IEP or a Section 504 plan, the decision to remove the student on an emergency basis must be coordinated with the District's special education or section 504 staff and in compliance with relevant IDEA or Section 504 requirements.

The District may place an employee who is a respondent on administrative leave while allegations are investigated and resolved in accordance with this Policy.

The District will attempt to complete the grievance process within sixty (60) District working days, not including any time for an appeal of the Determination of Responsibility. The grievance process may be temporarily delayed and/or timelines may be extended for good cause with written notice to the parties explaining the reason(s) for the delay or extension.

B. Grievance Process for Formal Complaints

A complainant may file a formal complaint by submitting the complaint in person, by mail, by telephone, or by e-mail to the Title IX Coordinator or designee. If a verbal report of sexual harassment is made, the complainant will be asked to submit a written complaint. If a complainant refuses or is unable to submit a written complaint, the

Compliance Coordinator or other District employee to whom the report was made will summarize the verbal complaint in writing and sign the summary.

If a complainant does not file a formal complaint, the Title IX Coordinator in their sole discretion, may sign a formal complaint and initiate the grievance process. The decision to initiate the grievance process over the wishes of the complainant should not be clearly unreasonable in light of the known circumstances. The Title IX Coordinator should document the reasons for signing or not signing a formal complaint including why the decision was not deliberately indifferent.

A complaint should be filed immediately after alleged sexual harassment occurs and as soon as possible to ensure the best possible investigation. Delay in filing can result in an impaired investigation due to lack of sufficient evidence and a compromised ability to rely on recollections of parties and witnesses.

Following the filing of a formal complaint, the Title IX Coordinator will provide written notice to the complainant and the respondent of the allegations of the formal complaint and the grievance process, including any informal resolution process. The notice of the allegations must include:

- Sufficient detail to allow the respondent to prepare a response, including a description of the conduct alleged, the date and location of the conduct and the names of the complainant and other involved parties, if any.
- A statement that the respondent is presumed not to be responsible for the conduct and that responsibility will be determined at the conclusion of the process.
- A notice of the complainant's and respondent's rights to have an attorney or non-attorney advisor.
- The right of complainant and respondent to inspect and review any evidence.
- The prohibition on providing false statements or evidence in connection with the complaint investigation.

If additional allegations arise during an investigation and will be investigated, the Title IX Coordinator or investigator will provide written notice of those additional allegations to both the complainant and respondent.

C. Duty to Report Child Abuse/Law Enforcement Investigation

Title IX sexual harassment complaints may include violations addressed in [A.R.S. § 13-3620](#), Duty to report abuse, physical injury, neglect and denial or deprivation of medical or surgical care or nourishment of minors; medical records; exception; violation; classification; definitions. Any abuses classified by statute as "reportable offenses" must be reported as such to local law enforcement authorities or Department of Child Safety, as not reporting a reportable offense is classified as a Class 6 Felony.

When the Title IX Coordinator, investigator, decision-maker, or appeal officer reasonably believe that a law enforcement investigation will commence in regard to the sexual harassment reported to the District, they reserve the right to temporarily suspend the grievance process and investigative efforts, but will continue supportive measures as appropriate; unless in conjunction with the law enforcement authorities it is determined that continuation of the internal investigation during a pending law enforcement investigation is permissible and necessary. If the investigation has been delayed due to a law enforcement investigation, as soon as the District becomes aware that the law enforcement investigation has concluded, the grievance process will resume. A finding by law enforcement that no wrongdoing occurred will not determine the outcome of the District's investigation but will be considered along with the other evidence.

D. Informal Resolution

After a formal complaint has been filed and at any time during the grievance process before a determination is reached, allegations may be resolved informally only if a formal complaint is filed and only if the complaint does not allege that a District employee harassed a student.

As part of the informal resolution process, the Title IX Coordinator may engage in interviews and other fact finding. Available methods of informal resolution include arbitration, mediation, and restorative justice procedures. Once an informal resolution is agreed to by the parties, it becomes binding. The Title IX Coordinator has the discretion to decline informal resolution for some complaints, including complaints of sexual violence, and instead require a formal investigation.

Both parties to a formal complaint must voluntarily agree in writing to participate in an informal resolution process. No party is ever required to participate in an informal resolution process and intimidation, threats, and coercion are expressly prohibited. Informal resolution will proceed pursuant to the procedures set out below.

The District adopts a mediation approach to informal resolution. Efforts to resolve the formal complaint via informal resolution should not extend longer than ten (10) school days unless for good cause (such as unavailability of the parties, state-wide testing, etc.). If the informal resolution process takes more than ten (10) school days for good cause, the Title IX Coordinator may send a Notice of Temporary Delay for Good Cause if it appears that the District will not be able to meet its deadline to complete the Title IX grievance process.

Either party may withdraw from an informal resolution at any time before agreeing to a resolution and resume the grievance process. Once an informal resolution is agreed to by the parties, it becomes binding.

E. Procedures for Informal Resolution

After receipt of a formal complaint of sexual harassment pursuant to the District's Title IX Policy, the Title IX Coordinator will determine whether the complaint is appropriate for referral to informal resolution. The Title IX Coordinator may consider the complainant's wishes in making this determination. If the Title IX Coordinator determines that the formal complaint is appropriate for informal resolution, he/she will send both parties an Invitation to Participate in Informal Resolution Process letter.

If both parties return the Consent to Participate forms, the Title IX Coordinator or designee will initiate the informal resolution process within five (5) school days of receipt of both signed Consent to Participate forms. The Title IX Coordinator will designate an Informal Resolution Facilitator. Even if the parties do not agree to participate in informal resolution at the outset of the grievance process, the parties may agree to participate in informal resolution at any point in the grievance process prior to the issuance of a determination of responsibility letter by the decision-maker.

Informal resolution facilitator ("facilitator"): this individual may be the Title IX Coordinator or another individual who has been trained on the District's Title IX Policy and procedures, is free from conflicts of interest and bias, and has been trained to serve impartially without prejudging the facts at issue. The facilitator will be responsible for contacting the parties within five (5) school days of receipt of the signed Consent to Participate forms to initiate the informal resolution process.

The facilitator will contact the complainant and the respondent, separately, to discuss the following:

- i. Whether the party would like to have a face-to-face meeting (in-person or virtual) with the other party to discuss informal resolution;
- ii. The allegation(s) and facts each party believes are relevant to the allegation(s); and
- iii. What terms the party believes would resolve the complaint without need for investigation and determination.

After communicating with both parties, the facilitator will determine whether to schedule a face-to-face meeting or to engage in "shuttle diplomacy" by discussing with each party separately the terms for agreement proposed by the other party. In making this determination, the facilitator should give primary deference to the wishes of the complainant regarding whether s/he wishes to meet face-to-face with the respondent but should also consider whether a face-to-face meeting is likely to be emotionally difficult for either party or ineffective in working toward resolution.

F. Resolution Agreement

If the parties agree to resolve the formal complaint without proceeding through investigation and a final determination, the terms of that agreement must be in writing

and signed by both parties. A non-exhaustive list of examples of terms that may be included in an informal resolution agreement are as follows:

- Removal of the respondent from the educational setting via suspension or expulsion.
- Removal of respondent from the same educational setting as complainant (reassignment to an alternate location or change of classes, for example).
- Written or verbal apology from respondent to complainant.
- Agreement that respondent will attend counseling (provided outside of the school setting).
- Non-contact or non-communication agreements between the parties.
- Either or both parties will participate in an age-appropriate sexual harassment training.
- No admission of responsibility by respondent.
- Non-disclosure of the agreement as to the parties.
- Consequences of a breach of any term of the agreement (for example, an agreement might include a term that states that if a party breaches a non-disclosure agreement, that party will be reassigned to an alternative educational setting).

The District is not a party to the resolution agreement; however, the Facilitator should confirm the feasibility of any terms to which the parties have agreed that implicate an administrative action by the District prior to the finalization and signing of a resolution agreement. Once an agreement is finalized, the District will take reasonable steps to ensure that it can be implemented on school property and at school-sponsored events.

G. Confidentiality of the Informal Resolution Process

Information or evidence exchanged during an informal resolution process is not confidential as to the Title IX grievance process if a resolution agreement cannot be reached. Either party may share information or evidence obtained during the informal resolution process with the investigator. However, the Facilitator may not be a witness during investigation and the Facilitator's notes will not be shared with the parties and will not become part of the investigation file.

An informal resolution agreement itself will not be a confidential document as to disclosures by the District pursuant to a public records request, a subpoena for records, or data request from an enforcement agency such as the Office for Civil Rights of the U.S. Department of Education.

H. Summary Dismissal

If the Title IX Coordinator or investigator determines that the allegations in a formal complaint, with all facts assumed to be true for this purpose, do not meet the definition of "sexual harassment" under the applicable Title IX regulations, did not occur in the District's educational program or activity, or did not occur against a person in the United

States, the Title IX Coordinator or investigator shall summarily dismiss the formal complaint. The Title IX Coordinator or investigator may dismiss a formal complaint if the complainant requests withdrawal of the complaint, the respondent withdraws from the District or terminates their employment with the District, or specific circumstances prevent the District from gathering appropriate evidence to make a determination regarding the allegations.

Upon dismissal of a formal complaint or any allegations contained in a formal complaint, the Title IX Coordinator will promptly and simultaneously provide written notice of the dismissal and the reason(s) for the dismissal to the complainant and respondent. If a complaint is summarily dismissed, the District may nevertheless take whatever additional disciplinary action it deems appropriate against the respondent under its student code of conduct, employee handbook or relevant policies and procedures.

I. Investigation

The investigation will be premised on a presumption that the respondent is not responsible for the alleged act(s) of sexual harassment, and both parties will be treated equitably during the investigation. The burden of proof is on the District to prove a violation of this Policy by a preponderance of the evidence, which means that it is more likely than not that the respondent engaged in the prohibited behavior.

This Policy prohibits the complainant, the respondent, and any witnesses from knowingly making a false statement or providing false evidence in connection with a Title IX investigation. The District may take disciplinary action under the student code of conduct or employee handbook against individuals who make such false statements.

Both the complainant and the respondent will have a reasonable opportunity to present witnesses and other evidence to the investigator. The investigator will meet with each party and give them at least 24 hours' advance written notice of the date, time, location, and purpose of any interview that will be conducted. The District will not restrict the ability of either party to discuss the allegations and gather evidence related to the allegations of the formal complaint.

The designated investigator will interview the complainant, the respondent, any witnesses identified by either party, and review relevant records. In no event will a party be subjected to any disciplinary sanctions or consequences for refusing or failing to participate.

Before the investigator prepares the final investigation report, the complainant, the respondent, and their advisors (if any) will be provided with an equal opportunity to review all evidence that is directly related to the allegations in the formal complaint, including any evidence that the investigator does not intend to rely upon, and any exculpatory or inculpatory evidence from any source. If possible, the evidence will be provided to the parties in an electronic format and manner that does not permit copying or downloading of the evidence.

Within ten (10) calendar days of the date on which they were provided with access to the evidence, the parties may prepare and submit to the investigator a written response to the evidence, which the investigator must consider before preparing a final, written investigation report. Following the expiration of the date on which the parties may provide responses to the evidence, the investigator will promptly prepare and issue a written investigation report that fairly summarizes the relevant evidence discovered during the investigation, but no determination of responsibility will be made by the investigator.

J. Determination of Responsibility

The written investigation report and any responses submitted by the complainant and/or respondent will be provided to the District's assigned Decision Maker, who will make the determination regarding responsibility. The Decision Maker will provide each party with an opportunity to submit written, relevant questions for any party or witness within five (5) calendar days of the date on which the Decision Maker is provided with a copy of the final written investigation report and any responses to the report.

If written questions are submitted, the Decision Maker will promptly provide the questions to the appropriate individual so the individual can provide answers to the questions. Answers to the questions must be provided to the Decision Maker within five (5) calendar days of the date on which they are provided. The Decision Maker will promptly provide each party with the answers to the questions and allow for additional, limited follow-up questions in writing from both the complainant and respondent within three (3) calendar days. If written follow-up questions are submitted to the Decision Maker, the Decision Maker will promptly obtain the answers and provide both parties with the responses to the additional questions. Any questions regarding a complainant's prior sexual behavior or sexual predisposition will be deemed irrelevant unless they are offered to provide evidence that someone other than the respondent committed the alleged misconduct or are offered to prove consent.

No sooner than ten (10) calendar days after receiving the investigation report, the Decision Maker will issue a written determination of responsibility (the "Determination") that includes:

- A statement of the allegations;
- A description of the procedural steps taken from receipt of the formal complaint through the Determination, including any notifications to the parties, interviews with parties and witnesses, site visits, and methods used to gather other evidence;
- The findings of fact supporting the Determination;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or

preserve equal access to the District's education program or activity shall be provided to the complainant; and

- A description of the right to an appeal, how to request and appeal, and the permitted bases for an appeal.

The deadline for the Decision Maker to issue the Determination may be extended for good cause at the Decision Maker's sole discretion. The Determination must be based upon a preponderance of the evidence (i.e., whether it is more likely than not that the violation occurred). The complainant and the respondent will be notified concurrently of the Determination.

Students found to have violated Title IX will be referred for potential disciplinary action. Employees found to have violated Title IX will be subject to employment actions, including but not limited to discipline or termination of employment.

K. Appeals

Either the complainant or the respondent may appeal from: (a) the Determination regarding a formal complaint; (b) the District's handling of a report; or (c) the dismissal of a formal complaint, by submitting a written notice of appeal that includes the bases of the appeal to the Decision Maker within ten (10) calendar days of the date of the Determination. No hearing will be held for an appeal.

Written notice of the appeal will be provided to both parties. Either party may file a written response in support of or challenging the Determination and the bases for the appeal within five (5) calendar days of the date on which written notice of the appeal was provided to all parties.

An appeal may be filed on the following bases only:

- A procedural irregularity affected the outcome of the matter;
- Newly discovered evidence that could affect the outcome of the matter and that was not available at the time the Determination was made; and/or
- The Title IX Coordinator, the investigator or the Decision Maker had a conflict of interest or bias that affected the outcome of the matter.

The Parties will simultaneously be provided with a written decision regarding the appeal, which will describe the result of the appeal and the rationale for the decision.

L. Confidentiality and Retention of Investigation Information and Records

Except as necessary to complete a thorough and effective investigation and grievance process under this Policy and as required by law or District Policy, the identity of complainants, respondents, and witnesses, information related to investigations, evidence gathered, and records created during investigations will be maintained in strict confidence.

In implementing this Policy, the District will comply with state and federal laws regarding the confidentiality of student and employee records. Information and records regarding any disciplinary sanctions imposed on an employee or student will be maintained and disclosed in the same manner as any other disciplinary record.

The Title IX Coordinator will retain investigation files for a time period of no less than seven (7) years, and investigation determination notices will be permanently retained in individual employee and student files.

The records maintained by the District will document that the District's response to allegations of sexual harassment was not deliberately indifferent and that measures were taken to restore or preserve equal access to the District's educational program or activity. If the District did not offer supportive measures in response to a report made under this Policy, the District's records will document why that response was not deliberately indifferent and not clearly unreasonable under the circumstances known at the time.

M. Training

The District will provide annual training to employees on identifying and reporting acts that may constitute discrimination, harassment, or retaliation. The Title IX Coordinator, designated investigators, designated decision-makers, designated appeal officer, and any District employees who are designated to facilitate informal resolution processes, will receive additional training on this Policy and implementation of the grievance process at least as often as required by the Title IX Regulations.

ADA

School District Goals and Objectives

The Governing Board has adopted the following guiding principles to set the tone and direction of the entire District:

- A. Prepare youth for gainful employment and useful roles in a self-governing society.
- B. Operate programs as specified by the Arizona Revised Statutes.
- C. Provide a well-rounded educational program that includes regular and consistent opportunities for students in art, music, and foreign language.
- D. Seek direction from the public on goals and all activities.
- E. Evaluate programs and personnel on the basis of appropriate performance indicators.
- F. Reallocate resources on the basis of these indicators.
- G. Support programs to meet the needs of each student relevant to the skills students will need for the 21st Century.
- H. Encourage the development of the students' unique talents to their fullest potential as lifelong learners and citizens.
- I. Encourage an articulated, evaluated total program.
- J. Cooperate with all agencies and institutions in developing the best education for all of the students.
- K. Provide throughout the District, equivalent a well-rounded educational program that includes regular and consistent opportunities for students in art, music, theater, foreign language and physical education comparable throughout.
- L. Maintain a community education program.
- M. Encourage and promote in-service training techniques that complement school programs.
- N. Maintain a school climate that is enjoyable.

Adopted: date of Manual adoption

ADAA

School District Priority Goals and Objectives

(Goals for Student Attainment)

The Governing Board expects the District to affect the following goals (product goals) for the students:

- A. Each student should develop a sense of self-worth.
- B. Each student should develop skills needed to enter the world of work with an awareness of opportunities and requirements related to specific vocations and advanced education.
- C. Students should acquire attitudes, knowledge, and habits that permit them to function effectively as responsible citizens.
- D. Students should acquire good health habits and an understanding of conditions necessary for maintaining their physical and emotional well-being.
- E. Each student should have the services of an effective and comprehensive counseling and guidance program in grades kindergarten (K) through twelve (12).
- F. Each student should have the opportunity to develop a wide variety of interests.
- G. Students should be exposed, through active participation, to situations that will encourage them to express leadership, participate in collaborative tasks, make decisions, accomplish personal tasks, test new things, examine alternatives, and express creative thinking.
- H. Each school should establish a code of discipline commensurate with community and legal standards. The students should develop self-discipline by becoming aware of the benefits of good discipline and should be willing to assume responsibility for their actions.
- I. The students should develop, to the maximum level of individual abilities, their skills in mathematics, reading, writing, speaking, listening, the arts, athletics, and other kinetic activities.
- J. The District should have a comprehensive system of constructive evaluation whereby school programs and student progress can be continually appraised.
- K. Students should have opportunities for the development of understanding and appreciation of human achievement in the humanities, fine arts, and sciences.

Adopted: date of Manual adoption

BED

MEETING PROCEDURES / BYLAWS

The President of the Board is responsible for the orderly conduct of the meeting.

In the absence of the President of the Board, the Vice President shall preside at the meeting. In the absence of the Vice President, an acting chair shall preside.

The presiding member shall rule on such matters as the order of business and discussion, the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such a presentation. All such rulings are subject to review by the Board at a subsequent meeting, properly noticed, as long as the matter is included on the agenda.

All actions of the Governing Board, the District, and employees of the District, are governed and controlled by the U.S. Constitution, the Arizona Constitution, applicable federal and state statutes, and applicable federal and state regulations.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-321

1-300 Governing Board Meetings

© 1-301 Rules of Order

The Board shall abide by the following Rules of Order:

1. Every item that requires action by the Board shall require a motion made by any member of the Board, including the President.
2. A motion must receive a second from another member of the Board, which may include the President, prior to consideration by the Board. If a motion does not receive a second, the Board will not consider the motion.
3. Motions of the Board may include, but are not limited to, the following:
 - a. A motion for action by the Board.
 - b. A motion to adjourn. The Board President may recess or adjourn a meeting without a motion to adjourn if required to maintain order.
 - c. A motion to table an item.
 - d. A motion to amend a pending motion.
 - e. A motion to refer to committee.
 - f. A motion to refer to the Superintendent.
4. Once a motion receives a second, the Board may consider the motion and discuss the motion.
5. A motion may be amended at any time by any Board member. Amending a pending motion requires a motion and a second.
6. To pass, a motion requires an affirmative vote of a majority of the Board members in attendance and voting. An abstention does not count as a vote for purposes of determining whether a motion passes.

Notwithstanding the above, Board may suspend the Rules of Order by a majority vote of the Board's members in attendance and voting.

Adopted:

Legal Authority:

[A.R.S. § 15-321](#)

[A.R.S. § 15-341](#)

1-300 Governing Board Meetings

© 1-302 Governing Board Meetings and Open Meeting Law Requirements

Compliance with Arizona's Open Meeting Laws

The Governing Board recognizes its responsibility to ensure that its meetings are conducted openly, and that notices and agendas be provided for such meetings that contain such information as is reasonably necessary to inform the public of the matters to be discussed or decided. To that end, the Board shall comply with Arizona's open meeting laws, as set forth in [A.R.S. § 38-431](#) *et seq.*

Newly elected or appointed Board members shall, at least one (1) day before taking office, review the Arizona open meeting law material prepared by the Attorney General.

Definitions

"Advisory Committee" or "subcommittee" means any entity, however designated, that is officially established, on motion and order of the Board or by the Board President and whose members have been appointed for the specific purpose of making a recommendation concerning a decision to be made or considered or a course of conduct to be taken or considered by the Board.

"Business" means any District related budgetary, personnel, or other question that comes before the Board.

"Emergency meeting" means a meeting held upon shorter notice than otherwise required by law because of an "actual emergency". An actual emergency exists when, due to unforeseen circumstances, immediate action is necessary to avoid some serious consequence that would result from waiting until the required notice could be given. The existence of an actual emergency does not dispense with the need to give 24-hour notice to an employee who is to be discussed in executive session.

"Executive Session" means a gathering of a quorum of the Board from which the public is excluded for one or more reasons set forth in [A.R.S. § 38-431.03](#) (describing permissible reasons for an executive session). In addition to the Board members, only those whose presence is reasonably necessary for the Board to carry out its executive session responsibilities may attend an executive session.

"Legal action" means a collective decision, commitment or promise made by the Governing Board in accordance with Arizona law.

"Meeting" means the gathering, in person or through technological devices, of a quorum of the Board at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to that action. A meeting includes one-way

electronic communication by one Board member that is sent to a quorum of the Board and that proposes legal action. It also includes an exchange of electronic communications among a quorum of the Board that involves a discussion, deliberation or the taking of legal action concerning a matter likely to come before the Board for action.

"Quorum" means a majority of the Board. If there is a vacancy or vacancies on the Board, a quorum means a majority of the remaining Board members. A single Board member does not constitute a quorum.

"Regular Meeting(s)" means those meeting(s) that are regularly held and scheduled by the Board for the consideration of Business and/or for the Board to take any legal action.

"Special Meetings" are those held in addition to regular meetings.

Frequency and Location of Board Meetings

The Board shall hold at least one Regular Meeting per month during the regular school year and may hold Special Meetings as often as called.

Board meetings shall be held at the most convenient public facility in the District. However, if a public facility within the District is not available, the Board may meet at any available public facility that is convenient to all Board members, regardless of the county or school district in which the public facility is located. The location shall provide for an amount of seating sufficient to accommodate reasonably anticipated attendance, but the District need not relocate a meeting outside of the District's largest regular meeting room.

Board Meeting Notices

1. If the Board intends to meet for a specified calendar period, on a regular day, date or event during the calendar period, and at a regular time and place, it may post public notice of the meetings at the beginning of the period. Such notice shall specify the period for which the notice is applicable.
2. The Board shall conspicuously post a statement on its website stating where all public notices of its meetings will be posted, including the physical and electronic locations, and shall give additional public notice as is reasonable and practicable as to all meetings.
3. The Board shall post all public meeting notices on the District's website and give additional public notice as is reasonable and practicable as to all meetings.
4. A technological problem or failure that either prevents the posting of public notices on a website or that temporarily or permanently prevents the use of all, or part of the website does not preclude the holding of the meeting for which the notice was posted if the Board complies with all other public notice requirements.

5. Except for emergency meetings or previously recessed meetings with appropriate notice, no Board meeting shall be held without at least twenty-four (24) hours' notice to the Board and the public. The twenty-four (24) hour notice period includes Saturdays if the public has access to the physical posted location in addition to any website posting but excludes Sundays and other holidays prescribed in [A.R.S. § 1-301](#).
6. In the case of an actual emergency, a Meeting, including an Executive Session, may be held on such notice as is appropriate to the circumstances. In such cases, the Board must adhere to the requirements of [A.R.S. § 38-431.02](#) pertaining to emergency meetings.

Board Meeting Agendas

1. The Superintendent is authorized to develop the agenda for each Board meeting, in collaboration with the Board President. Board Members may also request that specific items be considered for placement on a Board meeting agenda. Notice of Board meetings shall include an agenda of the matters to be discussed or decided at the meeting or information on how the public may obtain a copy of the agenda. The agenda will be available to the public at least twenty-four (24) hours before the meeting, except in the case of an emergency meeting.
2. Unless a Board meeting is entirely remote, the agenda shall include notice of the time that members of the public will have physical access to the Board meeting.
3. Generally, the Board may discuss, consider, or make decisions only on those matters listed on the agenda and other matters related thereto.
4. Board members may present a brief summary of current events without the need to list them on the agenda if the summary is listed on the agenda and the Board does not propose, discuss, deliberate, or take Legal Action at the meeting on any matter in the summary unless the specific matter is properly noticed for Legal Action.

Applicability to Advisory Committees, Standing and Special Committees and Subcommittees of the Board

The provisions of Arizona's open meeting laws apply to Advisory Committees, standing and special committees of the Board, and Subcommittees of the Board.

Resuming Recessed Meetings

The Board may recess a meeting during a meeting and resume it with less than twenty-four (24) hours' notice if:

1. Public notice of the initial session of the meeting was given; and
2. If, before recessing, notice is publicly given as to the time and place of the resumption of the meeting or the method by which notice shall be publicly given.

Public Participation in Board Meetings

1. Members of the public shall be permitted to attend and listen to the deliberations and proceedings occurring during a Board Meeting. Members of the public do not have the right to speak unless and until recognized by the Board to do so.
2. Members of the public do not have the right to engage in dangerous or disruptive behavior that compromises or prevents the Board from conducting Board business.
3. The Board, in its discretion, may make an open call to the public during a Meeting, subject to reasonable time, place and manner restrictions, to allow individuals to address the Board on any issues within its jurisdiction.
4. The Board does not permit commercial solicitations during call to the public or actions that violate the prohibitions set forth in [A.R.S. § 15-511](#) (use of school resources to influence the outcome of an election).
5. An individual who wants to make a public comment shall follow the procedures identified by the Board. This may include adding the speaker's name to a list of those wishing to make a public comment, submitting a request card to the Board to make a public comment, or any other reasonable method implemented by the Board.
6. The President may set a time limit on the length of the call to the public period and for each individual speaker. Any time limitation applicable to any individual speaker shall apply to all speakers making a public comment. The President or designee will recognize speakers, maintain proper order, and enforce applicable time limitations.
7. At the conclusion of the open call to the public portion of the meeting, individual Board members may respond to criticism made by those who addressed the Board, may ask staff to review a matter, or may ask that a matter be placed on a future agenda.
8. Board members shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action.
9. Persons in attendance at a public meeting may record the meeting provided there is no active interference with the conduct of the meeting.

Emergency Board Meetings

1. The Board is not required to provide twenty-four (24) hours' notice of a Board Meeting in the case of an actual emergency. An actual emergency may exist when, due to unforeseen circumstances, immediate action is necessary to avoid some serious consequences that would result from waiting until the required notice could be given.
2. In such event, the Board will provide notice as is appropriate under the circumstances. If the Board holds an emergency meeting, the Board will post a public notice within twenty-four (24) hours declaring that an emergency session was held and setting forth the following information:
 - An agenda setting forth the specific matters discussed, considered, or decided at the meeting; and/or

- For Executive Sessions that occur during an emergency meeting, the agenda shall include a general description of the matters to be considered and a recital of the legal authority authorizing the Executive Session. The general description is not required to contain information that would defeat the purpose of the Executive Session, compromise the legitimate privacy interests of a public officer, appointee, or employee, or compromise attorney-client privilege.

Meeting Minutes

1. The Board shall provide for the taking of written minutes or a recording of all their meetings, including executive sessions. For meetings other than executive sessions, the minutes or recording shall include:
 - The date, time, and place of the meeting;
 - The members of the Board recorded as either present or absent;
 - A general description of the matters considered;
 - An accurate description of all Legal Actions proposed, discussed or taken, including a record of how each member voted;
 - The names of the members who propose each motion;
 - The names of the persons, as given, who make statements or present material to the public body and a reference to the Legal Action about which they made statements or presented material;
 - A statement of the reasons for emergency consideration of any matters not on the agenda, including a full description of the nature of the emergency; and
 - If a prior act was ratified during the meeting, a copy of the disclosure statement required for ratification pursuant to [A.R.S. § 38-431.05](#).
2. The minutes or a recording of a public meeting shall be available for public inspection within three (3) working days after the meeting. Minutes the Board has not approved may be marked as "draft", "unapproved", or in any other manner to reflect the Board has not approved or accepted the minutes as drafted.
3. Minutes from an Executive Session shall include:
 - The date, time, and place of the meeting;
 - The members of the Board recorded as either present or absent;
 - A general description of the matters considered;
 - An accurate description of all instructions given pursuant to [A.R.S. § 431.03\(A\)](#), paragraphs 4, 5, and 7;
 - Other matters as deemed appropriate by the Board; and
 - A statement of the reasons for emergency consideration of any matters not on the agenda.

- The minutes on an Executive Session are confidential and may not be disclosed except to certain authorized persons, as set forth permitted by law.
- To ensure confidentiality and avoid inadvertent disclosure, minutes of executive sessions should be stored separately from general session minutes.

Adopted:

Legal Authority:

[A.R.S. § 15-321](#)

[A.R.S. § 15-323](#)

[A.R.S. §§ 38-431 - 38-431.09](#)

BEDH-EA

Public Participation at Board Meetings Request to Address Board on Agenda Items

All meetings of the Governing Board are open to the public, with the exception of executive sessions, and the public is invited to attend. Any individual can be heard on any subject of concern to the Board, provided the subject is relevant and falls within the jurisdiction of the Board. The Governing Board also encourages the submission of written presentations on matters not scheduled for Board action or consideration.

It is the direction of the Governing Board that problems and concerns be first addressed, to the degree practicable, at the school, department, or facility level. If the problem is not satisfactorily resolved at this first level, the concern should be directed to the appropriate District-level administrator or supervisor. If further action is necessary, a problem or concern may be referred to the Superintendent. The Governing Board will not entertain or consider any recommendation, grievance, complaint, or petition from parents, students, employees or patrons of the District until such issues have first been pursued through the proper administrative channels without satisfactory resolution. This requirement is intended to help ensure that the Governing Board is fully informed and able to act without prejudice when acting in the role of a hearing body.

Time for comment regarding items or issues on the agenda will be provided at the time the agenda item is considered by the Board. Speakers shall be allotted three (3) minutes each. Time for comment regarding items or issues which are not on the agenda, shall also be allotted at three (3) minutes per speaker, for a maximum of thirty

(30) minutes. The President of the Board may limit cumulative or repetitive comment on a single subject or may extend the time for comment in order to allow maximum participation by interested individuals.

Due to provisions of the Open Meeting Law, members of the Governing Board are prohibited from responding to or discussing issues raised by individuals, if those issues are not on the Board's agenda.

USE THIS FORM IF YOU WISH TO ADDRESS THE BOARD REGARDING AN ITEM ON A BOARD AGENDA. COMPLETE EXHIBIT BEDH-EB TO ADDRESS AN ISSUE WHICH IS NOT ON AN AGENDA.

Persons wishing to address the Governing Board at a Board meeting must complete this form and submit it to the Board secretary.

Name: _____

Phone: _____

Date: _____

Address: _____

E-mail Address: _____

Agenda Item Number: _____

Agenda Item Name: _____

Do You _____ support _____ oppose the item?

Statement:

Persons attending meetings of the Governing Board or addressing the Board shall observe rules of propriety, decorum, and good conduct. Personal attacks upon District employees, students or Board members are not permitted. Discussion of confidential student or employee matters is also prohibited. The President of the Board may terminate a speaker's privilege to address the Governing Board if a speaker engages in improper conduct or remarks. Undue interruption or interference with the orderly conduct of a Governing Board meeting is a violation of law and may result in the offending person's removal by a peace officer.

BEDH-EB

Public Participation at Board Meetings

Request To Address Board on Non-Agenda Items

All meetings of the Governing Board are open to the public, with the exception of executive sessions, and the public is invited to attend. Any individual can be heard on any subject of concern to the Board, provided the subject is relevant and falls within the jurisdiction of the Board. The Governing Board also encourages the submission of written presentations on matters not scheduled for Board action or consideration.

It is the direction of the Governing Board that problems and concerns be first addressed, to the degree practicable, at the school, department, or facility level. If the problem is not satisfactorily resolved at this first level, the concern should be directed to the appropriate District-level administrator or supervisor. If further action is necessary, a problem or concern may be referred to the Superintendent. The Governing Board will not entertain or consider any recommendation, grievance, complaint, or petition from parents, students, employees or patrons of the District until such issues have first been pursued through the proper administrative channels without satisfactory resolution. This requirement is intended to help ensure that the Governing Board is fully informed and able to act without prejudice when acting in the role of a hearing body.

Time for comment regarding items or issues on the agenda will be provided at the time the agenda item is considered by the Board. Speakers shall be allotted three (3) minutes each. Time for comment regarding items or issues which are not on the agenda, shall also be allotted at three (3) minutes per speaker, for a maximum of thirty

(30) minutes. The President of the Board may limit cumulative or repetitive comment on a single subject or may extend the time for comment in order to allow maximum participation by interested individuals.

Due to provisions of the Open Meeting Law, members of the Governing Board are prohibited from responding to or discussing issues raised by individuals, if those issues are not on the Board's agenda.

USE THIS FORM IF YOU WISH TO ADDRESS THE BOARD REGARDING AN ISSUE WHICH IS NOT ON THE BOARD'S AGENDA. COMPLETE EXHIBIT BEDH-EA TO ADDRESS AN ISSUE WHICH IS ON AN AGENDA.

Persons wishing to address the Governing Board at a Board meeting must complete this form and submit it to the Board secretary.

Name: _____

Phone: _____

Date: _____

Address: _____

E-mail Address: _____

Issue you wish to address (including proposed solution; if applicable): _____

Persons attending meetings of the Governing Board or addressing the Board shall observe rules of propriety, decorum, and good conduct. Personal attacks upon District employees, students or Board Members are not permitted. Discussion of confidential student or employee matters is also prohibited. The President of the Board may terminate a speaker's privilege to address the Governing Board if a speaker engages in improper conduct or remarks. Undue interruption or interference with the orderly conduct of a Governing Board meeting is a violation of law and may result in the offending person's removal by a peace officer.

BEDK

REPORTING BOARD MEETING BUSINESS

Meeting announcements, agendas, summaries of the minutes for each meeting of the Governing Board, and other related supporting documents may be furnished to newspapers circulated within the geographic boundaries of the District.

Members of the Governing Board, the Superintendent, administrators, and others, as may be necessary, will be available for interview by media representatives. The Governing Board may, on a specific issue, direct that the Superintendent be the spokesman.

In its dealing with the media, the School District will be frank and open, recognizing the privilege of the media to publish newsworthy information.

Adopted: date of Manual adoption

1-300 Governing Board Meetings

© 1-303 Adoption, Revision, Suspension and Repeal of Board Policies

Governing Board policies must be adopted, revised, suspended or repealed during public Board meetings.

Adoption

The Board shall prescribe and enforce policies to govern District schools, including their operation, that are not in conflict with law or rules prescribed by the State Board of Education.

The Board shall adopt and enforce any other policies it is required by law to adopt.

The Board may, in its sole discretion, adopt and enforce any other policies not otherwise contrary to law or rules prescribed by the State Board of Education.

Unless otherwise required by law, the Board may, but is not required to, consider the views of the public or employees before adopting any policy.

Unless otherwise required by law, the Board will generally exercise its discretion to consider and adopt a policy after first studying the proposed policy at one or more prior Board meeting(s). The Board may choose to adopt a policy in a single meeting if it first takes action which determines such accelerated action is warranted.

Unless specifically noted, new or revised policies will be implemented prospectively.

Neither Board policies nor procedures are intended to or shall be construed to create a contract or vested interest unless specifically stated otherwise.

Revision

The Board may revise policies as needed to reflect newly enacted laws, changes in law or whenever it determines that revisions are warranted to improve the educational or other operations of the District.

Suspension

The Board may suspend a policy or a portion thereof when deemed in the District's best interest. Upon subsequent Board action, the policy shall be reinstated unless the Board votes to revise or repeal it.

Repeal

Unless a policy is required by law, the Board may repeal Board policies that are no longer necessary or deemed in the District's best interest.

Procedures

The Superintendent is authorized to develop procedures as appropriate or requested by the Board to implement Board adopted policies.

Adopted:

Legal Authority:

[A.R.S. § 15-341](#)

[A.R.S. § 15-342](#)

BGF

SUSPENSION / REPEAL OF POLICY

The operation of any section or sections of Board policies not established and required by law or vested by contract may be temporarily or permanently suspended by a majority vote of Board members present at a regular or special meeting. An action under this policy would not require the two (2) presentations indicated in Policy BGB (Policy Adoption) to reinstate a suspended policy.

The Governing Board reserves the right to waive compliance with any Governing Board policy by any student, employee of the District, or third party, provided that said student, employee, or third party has requested such waiver. The Governing Board may (but need not) specify the length of time during which such waiver will be effective.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-321

KA

SCHOOL - COMMUNITY - HOME RELATIONS

GOALS / PRIORITY OBJECTIVES

The school not only has state and national obligations, but also has the more immediate obligation of serving the community that supports it. Anything that is accepted by a large majority of the thinking citizens of a community as a general obligation or endeavor and is not inconsistent with the schools' state and national obligations becomes at once a matter in which schools are concerned.

The degree and extent to which the schools participate in general community activities, as well as the manner, must be determined by the Governing Board. Such participation shall not interfere with the primary object for which schools are established.

The school belongs to all the people. It takes no sides in open community controversies and may not be used by one group or faction against another. It should not allow itself to be used to promote the personal, commercial, or selfish desires of any individual or group of individuals as opposed to any other individuals or groups in the community.

The schools are democracy builders. They yield to no pressure - official, financial, or social - to grant favors or concessions to certain groups or individuals that could not or would not be granted to any individual or group on the same terms.

Schools are created to render services not only to the community, the state, and the nation, but to individuals as well. Frequently, public employees on regular salaries and protected by office are prone to become somewhat indifferent to matters of courtesy and accommodation of the public they serve. This should never be the case with teachers. It is within this personal relationship field - being courteous, as well as exhibiting the willingness to do a favor or to render an accommodation - that the greatest power of the teacher lies. A small accommodation done by, and soon forgotten by, a teacher may be remembered always by the student and have a profound effect upon that student's attitude toward school and life.

Adopted: date of Manual adoption

KA-E

SCHOOL - COMMUNITY - HOME RELATIONS

GOALS/PRIORITY OBJECTIVES

The Governing Board approves the following community relations objectives as a guide to policy development and the monitoring of their consequences:

- A. Production and distribution of school-sponsored publications within the school system and the community.
- B. Cultivation of open, friendly, effective relations with the press, radio, and television.
- C. Utilization of Board meetings, Board members, employees, and students to enhance school-community relations.
- D. Utilization of talents and abilities of members of the community on behalf of students and school operations.
- E. Utilization of the talents and abilities of students and members of the school staff on behalf of the community.
- F. Community use of the school plant and facilities.
- G. Productive relations with the police and other branches of local government.
- H. Cultivation of beneficial relations with county, state, and federal levels of government.
- I. Maintenance of productive relations with associations interested in education.
- J. Cooperative relations with private schools, special-purpose schools, colleges, and other school districts.

1-400 Parent/Legal Guardian Rights

© 1-401 Parents/Legal Guardian Rights in Education

Definitions

“Harmful material” means educational material that questions a parent or legal guardian’s or student’s beliefs or practices in sex, morality, and religion or is based on sexual content, violent content, or profane or vulgar language.

“Parent or Legal Guardian” means the natural or adoptive parent or legal guardian of a minor child who is a student in the District.

“Parents’ Bill of Rights” means [A.R.S. § 1-602](#).

Parents’ Protected Rights and Bill of Rights

In accordance with [A.R.S. § 1-601](#), the Governing Board recognizes that parents or legal guardians have a fundamental right to direct the upbringing, education, health care and mental health of their children. The District shall not infringe on these rights without demonstrating that a compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored and is not otherwise serviced by a less restrictive means.

The Board and all District employees shall respect and comply with all rights enumerated in Parents’ Bill of Rights.

In accordance with [A.R.S. § 1-602](#), the Parents’ Bill of Rights does not: (a) authorize or allow a parent or legal guardian to engage in conduct that is unlawful or to abuse or neglect a child in violation of Arizona laws; (b) prohibit courts, law enforcement officers or District employees from acting within the official scope of their authority; or (c) prohibit a court from issuing an order that is otherwise permitted by law.

Development of Procedures

A student’s parent or legal guardian shall be promptly notified if any employee of the District suspects that a criminal offense has been committed against the student by a person other than the parent or legal guardian, unless the incident has been reported to a law enforcement agency and in the opinion of the law enforcement agency investigating the incident, notification of the parent or legal guardian would impede the investigation.

The Board shall adopt and periodically review procedures promoting the involvement of parents or legal guardians in educational activities and curriculum development. Such adoption and review shall be in consultation with parents or legal guardians, teachers, and administrators in the District. Procedures shall include the following:

1. A plan for parent or legal guardian participation in the schools that is designed to improve parent or legal guardian and teacher cooperation in such areas as homework, attendance and discipline. The plan shall have the following elements:
 - a. The plan shall provide for the administration of a parent or legal guardian-teacher satisfaction survey; and
 - b. If applicable, the requirements of [20 U.S.C. § 6318](#) – Strengthening and Improvement of Elementary and Secondary Schools - Parent and family engagement.
2. Procedures by which parents or legal guardians may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.
3. Procedures by which parents or legal guardians who object to any learning material or activity on the basis that the material or activity is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that the material or activity is harmful includes objection to the material or activity because it questions beliefs or practices in sex, morality or religion.
4. For schools that offer sex education curricula pursuant to [A.R.S. §§ 15-711](#) or [15-716](#) or pursuant to any rules adopted by the Arizona State Board of Education, procedures to prohibit the District from providing sex education instruction to a student unless the student's parent or legal guardian provides written permission for the child to participate in the sex education curricula.
5. Procedures by which parents or legal guardians will be notified in advance of and given the opportunity to opt their children into any instruction, learning materials or presentations regarding sexuality, in courses other than formal sex education curricula.
6. Procedures by which parents or legal guardians may learn about the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs and activities that have been approved by the school.
7. Procedures by which parents or legal guardians may learn about parental rights and responsibilities under the laws of this state.

Access to Information

The Superintendent shall ensure that the District conveys the following information to parents or legal guardians at least annually:

1. Copies of or information regarding where to find procedures adopted in accordance with this Policy.
2. The availability of the educational teaching background and experience in academic content subject areas for all instructional staff.
3. How to obtain access to District curricula and supplemental materials.

Delivery of information may be by mail, electronically, or any other reasonable method.

The Superintendent and principal of each school shall accept written requests for information during regular business hours. All requests from parents or legal guardians for information relating to the procedures and parental rights set forth herein shall be processed within ten (10) calendar days of receiving a written request. A parent or legal guardian who does not receive such information within ten (10) calendar days may submit a request in writing to the Board for consideration at the next regular Board meeting if the request can be properly noticed, otherwise the Board shall consider the request at the next subsequent Board meeting.

For the purpose of this Policy, standardized testing materials do not constitute “learning materials or activities” subject to procedures regarding inspection and objection.

Adopted:

Legal Authority:

[A.R.S. § 1-601](#)

[A.R.S. § 1-602](#)

[A.R.S. § 15-102](#)

[A.R.S. § 15-104](#)

[A.R.S. § 15-110](#)

[A.R.S. § 15-113](#)

[A.R.S. § 15-117](#)

[A.R.S. § 15-143](#)

[A.R.S. § 15-341](#)

[A.R.S. § 15-351](#)

[A.R.S. § 15-730](#)

Parents/Legal Guardian Rights in Education

© 1-401.A Procedure - Parent/Legal Guardian Rights in Education – Parental Involvement

Survey and Comments

The Superintendent shall annually send a survey to parents or guardians, teachers, and administrators seeking input regarding parental involvement in educational activities and curriculum and in areas such as homework, attendance, and discipline. The survey shall ask survey participants about their satisfaction with the current plan and provide opportunities for participants to provide specific suggestions. The Superintendent may send the survey to all parents or guardians, teachers, and administrators or may use a representative randomly selected sample.

The Parent or Guardian plan required by [A.R.S. § 15-102](#) shall consist of the procedures below (the “Parent or Guardian Plan”).

1. *Parent or Guardian satisfaction survey*
 - a. The Superintendent shall develop and administer a parent or guardian-teacher satisfaction survey that shall be sent to parents or guardians and teachers annually. The Superintendent shall present the survey to and obtain approval from the Board prior to administering the survey and shall share the results of the survey with the Board promptly upon completion.
2. *Curriculum transparency*
 - a. [SEE PROCEDURES FOR POLICY 5-207 “AVAILABILITY OF AND ACCESS TO INSTRUCTIONAL MATERIALS AND ACTIVITIES”]
3. *Objections to learning materials*
 - a. [SEE PROCEDURES FOR POLICY 5-207 “AVAILABILITY OF AND ACCESS TO INSTRUCTIONAL MATERIALS AND ACTIVITIES”]
4. *Sex education—courses*
 - a. [SEE PROCEDURES FOR POLICY 5-218 “SEX EDUCATION”]
5. *Sex education—curriculum*
 - a. [SEE PROCEDURES FOR POLICY 5-218 “SEX EDUCATION”]
6. *Clubs and activities*
 - a. [SEE PROCEDURES FOR POLICY 5-211 “STUDENT CLUBS AND ACTIVITIES”]
7. *Parental rights and responsibilities*
 - a. The District shall prominently post a link to the [Arizona Department of Education Parental Rights Handbook](#) on the District’s website.
8. *Access to Student Records*
 - a. [SEE PROCEDURES FOR POLICY 5-303 “STUDENT RECORDS”]

The district shall keep copies of the following forms and distribute them to parents or guardians upon request:

1. Request to review curriculum and instructional materials.
2. Request to withdraw their student from activities involving Harmful Materials.
3. Permission to participate in sex education.
4. Permission to participate in a mental health screening.
5. Request for a waiver for immunization requirements.
6. Request to withdraw their student from participation in an AIDS education program.
7. Request for information regarding the educational and teaching background and experience of instructional staff.
8. Permission to participate in surveys covered by [A.R.S. § 15-117](#).

KBE

RELATIONS WITH PARENT ORGANIZATIONS

The Governing Board seeks to encourage and facilitate parental involvement in the schools. One means of achieving such participation is the use and encouragement of parent-teacher groups in each individual school. Such parent-teacher groups should have, as a high priority, the goal of increasing parent-teacher cooperation in the areas of homework, school attendance, and school discipline. It is the responsibility of the individual school principal to structure a program that will meet these goals.

A concept that should be kept in mind is the major role that the parent-teacher organization plays in helping large numbers of parents better understand the total school program. All staff members should be encouraged to accept membership in and enthusiastically work with the local school organization. Community support is determined to a great extent by staff participation.

Parent organizations which support school and student programs through financial contributions may engage in fund-raising activities on District premises or through the use of District resources, for the benefit of District and student programs. Because the continuity and future success of student programs can be influenced in part by current fund-raising efforts, the Superintendent shall develop procedures which facilitate appropriate use of District facilities and resources, and which ensure protection of student interests and which comply with applicable financial standards. Compliance by parent organizations with the procedures developed by the Superintendent shall be mandatory for use of District facilities or resources.

Adopted: date of Manual adoption

KBE-R

RELATIONS WITH PARENT ORGANIZATIONS

Parent/Citizen Group Guidelines

In order for a parent/citizen group to be approved by the school and the District, the following guidelines must be observed. Only approved groups may be granted use of school facilities.

Formation/Structure of Parent/Citizen Groups

Any group of parents or citizens seeking to be approved by the school or District shall submit the Annual Application for Governing Board Approval (Exhibit KBE-EB) to the designated site administrator. If the site administrator approves the group, the site administrator shall submit the form to the Superintendent for District approval.

The administration may terminate privileges of any organizations which deviate from their stated purpose, or which contravene law or District policy or regulation.

Finances

For the purpose of operating as an organization and performance of financial obligations, groups that support schools shall obtain their own federal tax identification number. Such groups shall comply with the following financial guidelines:

- A. All funds shall be deposited and disbursed through the organization's bank account.
- B. Fund raisers must be approved by the school administration, with designated use(s) and distribution specified for each fund-raiser. Monies raised are to be deposited in the account by the organization. Such funds shall not be refunded to an individual who leaves or is dismissed from the program.
- C. Capital items (over one thousand dollars [\$1,000]) purchased by the support group for the school/District are considered a gift to the District and must be approved by the Governing Board. Gift and donation forms will be available at all schools for this purpose.

Supervision of Students at School- Related Activities or Fund-Raisers

School-related activities:

A staff representative (coach, club sponsor, administrator) must be present. If the staff representative is a nonexempt employee and the school requires the person's attendance, the employee must be paid through the District payroll. Funds used for wage or salary expenses shall be provided by the parent group or athletic department.

Fund-Raising Activities:

Individual-sale type events. Students shall be informed in writing that they shall not sell items door to door.

Group events, e.g. car wash, bake sale. If students are involved, a staff representative must be present.

Fund-raising efforts supported by student effort shall apportion revenues for the use and benefit of students in accordance with law.

Coordination with the School Administration

The initial and annual approval of a group must be confirmed in writing.

A written monthly report must be provided to the principal or the principal's designee, to include monthly minutes of meetings, consisting of the calendar and budget statement. A final report is required each year, to include the minutes and a financial report. The year-end minutes should include an assessment of goals.

KBE-EA

RELATIONS WITH PARENT ORGANIZATIONS

Parent support organizations requirements for operation and financial responsibility:

- A. Obtain approval and support from school administrator.
- B. Principals/teachers/coaches of the school can only play an advisory role. They cannot be officers of the organization or signatories on the checking account.
- C. Develop and adopt organization by-laws (governing document). This document should include provisions for amendment.
- D. Establish officers of the organization (usually: President, vice president, secretary, treasurer).
- E. Develop annual budget plan and goals for the organization. Plan activities for the year based on the budget and goals.
- F. Treasurer should produce a monthly financial report after the receipt of each bank statement. (see Exhibit KBE-ED)
 - 1. The report should identify all revenue sources during the month and be reconciled with the deposits on the bank statement.
 - 2. The report should itemize all expenditures paid during the month, listing by date, check number, to whom it was written, description of expense, and dollar amount.
 - 3. Cash balance on report should be reconciled to cash balance on bank statement.
 - 4. Copies of report and bank statement should be made available to all Board members monthly and any other members that request or show interest.
 - 5. Board members should vote approval of the financial report after presented.
 - 6. An annual audit should be conducted by an independent third party (does not have to be a Certified Public Accountant).
- G. Checking account should require two (2) signatures on all checks. Monthly bank statements should be mailed to the school address, not an individual's home.
- H. Money collected through fund-raisers and other organization activities should be accounted for, verified by, and prepared into deposits for the bank by two (2) individuals.
- I. Minutes of each Board and membership meeting should be produced, distributed to members, and maintained for at least three (3) years.
- J. Arizona School Risk Retention Trust insurance policy includes liability insurance for parent support organizations as long as their meetings and activities are approved and co-sponsored by the school administrator. The organization must be acknowledged annually by the District Governing Board. Internal Revenue Service (IRS) Form 990 must be submitted to the District Finance Department within ninety (90) days of filing, if applicable.

- K. Fund-raising activities must be approved and agreed to by site administrator in advance on approved District form Exhibit KBR-EB.
- L. Parent support organizations can choose to join the state and national Parent-Teacher Association (requires payment of membership dues annually). Organization becomes a local chapter of a national nonprofit corporation.
- M. If a parent organization wishes to compensate a District employee for services, the request must go through the District so that proper payroll deductions are withheld.

Formal nonprofit corporation:

- A. File IRS Form SS4 to obtain a taxpayer identification number. Toll free number 1-800-829-4933 or Web Site: www.irs.gov/.
- B. Contact Arizona Corporation Commission for application for Nonprofit Corporation, 1300 W. Washington St., Phoenix, AZ 85007-2929, (602) 542-3135. Internet information from www.cc.state.az.us/.
- C. Develop and adopt a set of organization by-laws, establish officers of organization.
- D. File application and Articles of Incorporation with the Arizona Corporation Commission.
- E. Establish checking account with two (2) signatures required on all checks.
- F. After receiving stamped and approved Articles of Incorporation from the Arizona Corporation Commission, publish the Articles in a local newspaper three (3) consecutive days to establish 501(c)(3) Non-Profit Tax Exempt Organization.
- G. File IRS form 1023 "Application for Recognition of Exemption" with the Internal Revenue Service.
- H. Annual report required by Arizona Corporation Commission listing current officers and including financial statements.
- I. Annual Financial Report is required to Internal Revenue Service. (IRS Form 990)
- J. *Advantages of Formal Nonprofit Corporation status:*
 - 1. Tax deduction for donation to organization.
 - 2. No personal liability for corporation board and officers as long as acting as a reasonable, prudent person.

K. Disadvantages:

- 1. Expensive and time consuming to establish.
- 2. Requires diligent annual reporting by succeeding officers and Board with penalties attached for noncompliance.

Informal nonprofit association:

- A. File IRS Form SS4 to get a taxpayer identification number.
- B. Develop and adopt a set of organization by-laws, establish officers of organization.

- C. Establish checking account with two (2) signatures required on all checks.
- D. *Advantages of Informal Non-Profit Association: Inexpensive, simple to establish.*
- E. *Disadvantages:*

1. Donations to organization are not tax deductible.
2. Personal liability can attach to officers and Board if negligence is established.
3. Board members can be held personally responsible for contractual obligations which they have signed.
4. IRS may determine that annual net income of the organization is subject to federal income tax.

KBE-EB

RELATIONS WITH PARENT ORGANIZATIONS

PARENT SUPPORT ORGANIZATIONS

ANNUAL APPLICATION FOR GOVERNING BOARD APPROVAL

School Year: _____

Name of Organization: _____

School: _____

Related Student Organization or Club: _____

Taxpayer I.D.: _____

Officers:

Name:

Address:

Phone:

Office Held: _____ Date taking office: _____

Name:

Address:

Phone:

Office Held: _____ Date taking office: _____

Name:

Address:

Phone:

Office Held: _____ Date taking office: _____

Name:

Address:

Phone:

Office Held: _____ Date taking office: _____

For additional officers, please add a separate, attached sheet.

Formal Nonprofit

Please Attach:

- 1) Articles of Incorporation (first year only)
- 2) I.R.S. Determination Letter (first year only)
- 3) Annual budget, goals and objectives
- 4) Current operating by-laws
- 5) Last fiscal year AZ Corporation Commission Annual Report
- 6) Last fiscal year I.R.S. Form 990 Annual Report
- 7) Most recent treasurers financial report
- 8)Most recent bank statement

Informal Nonprofit

Please Attach:

- 1) Annual budget, goals and objectives
- 2) Current operating by-laws
- 3) Most recent treasurers financial report

4) Most recent bank statement

Are two (2) signatures required on disbursements? Yes No

By-laws reviewed annually? Yes No

Member meetings held how often? _____

Executive meetings held how often? _____

As officers, we hereby agree to abide the by-laws of our organization, attend annual District-provided Parent Support Group training, and follow the District's Guidelines For Operation And Financial Responsibility while we strive to improve our children's educational opportunities where support is needed.

Signature Date Signature Date

Signature Date Signature Date

Site Administrator's Approval:

Signature Date

For District use:

Finance Department recommendation: _____

Governing Board Agenda date: _____

KBE-EC

RELATIONS WITH PARENT ORGANIZATIONS

FUND-RAISING AUTHORIZATION AND APPROVAL FORM

(Copies of this form, with any contracts, written agreements and club meeting minutes attached, should be filed with the school office and the organization.)

Name of Club/Organization: _____ School: _____

Contact Person: _____ Phone No.: _____

Position in Organization: _____

Date of Request: Organization's Meeting Date (of approval): _____

Purpose of Fund-Raiser:

Fund-raiser method and description (what will be sold, at what function will it be sold, etc.):

If fund-raiser is cosponsored between parent organization and student clubs, description of how the fund-raising activities will be divided:

Location of fund-raiser (specific room, address, etc.):

Start date: _____ End date: _____

All fund-raisers must have the approval of the school administrator. Amphitheater District activities that are done for the purpose of fund-raising must be initiated, sponsored, and recorded by one (1) of the following groups. Fund-raisers that are co-sponsored must be initiated by both groups. Initial all appropriate:

- A. _____ Authorized Student Club (Advisor's and Club Officer's initials required).
 We acknowledge that student clubs who sponsor a fund-raiser must always deposit funds and record expenditures in the school's student account and follow the Student Activities Handbook guidelines.
- B. _____ Recognized Parent Organization (Officer's initials required).
 We acknowledge that parent organizations who sponsor a fund-raiser must record receipts and expenditures in the parent organization's checking account. (Joint fund-raisers must have the appropriate initials in A and B.)
- C. _____ School Site Council (Council Member's initials required).
 We acknowledge that site councils who sponsor a fund-raiser must record receipts and expenditures in an Amphitheater donation account and follow cash handling procedures.

All contracts have been thoroughly reviewed for clear understanding, including minimum charges and consequences of possible unsuccessful fund-raiser, and have been reviewed with the school principal.

 Club Advisor/Parent Organization Officer/
 Council Member Signature

 Date

Authorization:

I have reviewed this request for compliance with District policies and approve this activity.

 School Principal signature

 Date

KC

COMMUNITY INVOLVEMENT IN EDUCATION

(Relations Between the Public and School Personnel)

The Governing Board recognizes that teachers and other employees of the School District have community responsibilities both as private citizens and as employees of the District and that this dual role may, from time to time, complicate decisions concerning an employee's responsibility to each role.

Teachers, especially, may have to decide between their responsibilities as professionals employed by the school system on the one hand or as members of the community on the other when issues arise concerning goals or operations of the schools.

The Governing Board believes that the First Amendment rights of free speech for teachers and other employees must be protected; however, all differences with policy and practice or with members of the Board shall be subject to fair and reasonable expressions, aimed at mutual understanding and the resolution of conflicting opinions.

To achieve these two (2) goals, the Governing Board instructs the administration to confer with and work with employees or employee groups in setting up a procedure for handling differences of opinion between Board and staff personnel that meets the following criteria:

- A. Protects and guarantees each employee's First Amendment rights.
- B. Sets guidelines for assisting teachers in distinguishing between their professional responsibilities as employees and their responsibilities as citizens.
- C. Establishes procedures, including arbitration, for handling grievances so that the role of prosecutor, judge, and jury is not centered on one (1) person or group.
- D. Provides for channels of communication within the school system to provide employees access to the policy positions of the Governing Board, the regulations of the administration, and prompt notification of events and pertinent facts.

Participation in Community Life

Community living requires participation in community, social, and civic activities aside from and in addition to school activities. Participation by school personnel in church, social, fraternal, and civic activities generally contribute to improved community relations. Person-to-person communications serve to transmit school information and to gather public opinion for future Governing Board reference and guidance. Employees are urged to secure correct and complete information pertaining to the schools in order to represent the school effectively.

Teachers are urged to increase their community contacts; however, a classroom teacher's primary responsibility is to the students in the class. Classroom teachers may

not accept community responsibility if such community involvement requires that time be taken from regularly scheduled classroom time, unless approved in advance by the principal.

Administrators are obligated to participate in parent study groups and workshops as part of their jobs.

Regular attendance at service club meetings may be permitted, provided such attendance does not interfere with the duties of the employee.

Adopted: date of Manual adoption

KCA

SCHOOL COMMUNITY RELATIONS GOALS

(Responsibilities of School Personnel)

The public image of the schools and the school program depends in large part upon the daily contacts of pupils, teachers, and employees with other citizens. To facilitate the goal of good communication between the citizens and the District's students, teachers, and other employees, the following priorities for the public-relations program are established:

- A. The establishment of effective internal interpersonal relationships among staff personnel and between pupils and staff members.
- B. The establishment of effective school-community relations at the neighborhood school level.
- C. Recognition and use of generally recognized media communication.

Adopted: date of Manual adoption

KCA-R

SCHOOL COMMUNITY RELATIONS GOALS

(Responsibilities of School Personnel)

Dissemination of School News

Any employee of the District may disseminate school news information to communications media without approval by the administration, provided that the information shall deal specifically with the area of operation in which the employee serves. The employee shall be responsible for the accuracy of any such information given out. The employee shall notify the immediate supervisor in all cases in which information has been given to communications media and shall notify the administrator in charge of public information.

KDC-R

SCHOOL - SPONSORED INFORMATION MEDIA

The District administration is authorized to utilize a wide variety of media to communicate the District's public business and newsworthy items and events to the school staff members, students, parents, interested citizens, and the general public.

Means of communication will include, among others, radio, television, newspapers, magazines, special bulletins, newsletters, Governing Board meetings, minutes of open Board meetings, and open forums.

Materials for system-wide distribution will be developed in the central office and will carry approval by the Superintendent's staff. Copies of such materials are given to Governing Board members.

Normally, techniques used to develop good public relations shall include the following:

- A. School newspapers.
- B. Yearbooks.
- C. Annual report.
- D. Periodic news pieces.
- E. Special news releases.
- F. Special bulletins and brochures.

KDD-R

MEDIA RELATIONS

Suggestions and advice from representatives of newspapers, magazines, radio, television, and other mass communication media as how best to facilitate the flow of information to them by the Governing Board and personnel of the School District will be welcomed.

Newscasts, spot announcements, sports, and other school activities coverage and programs dealing with the schools must be presented in the public interest. No identification of the schools with the promotion of any commercial or political enterprise will be permitted.

News solicitation and release thereof shall be handled in the following manner:

- A. News releases initiated by or within the school system shall be released through the office of the Superintendent or the Superintendent's designee.
- B. News solicited by media representatives will be released primarily through the Superintendent or administrative designee.

When an individual school is contacted by a representative of the media for information, the media representative shall be referred to the building principal for consultation.

- C. Addresses of students shall not be released.

KEC-R

PUBLIC CONCERNS / COMPLAINTS ABOUT INSTRUCTIONAL RESOURCES

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

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

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

KEC-E

PUBLIC CONCERNS / COMPLAINTS ABOUT INSTRUCTIONAL RESOURCES

RECONSIDERATION REQUEST FORM

(Request for Reevaluation of Printed or Audiovisual Material)

Review material in its entirety before completing the following.

Fill in all applicable information.

Author: _____

Title: _____

Publisher or producer (if known): _____

Date of publication or production: _____

Type of material (book, filmstrip, motion picture, etc.): _____

Request initiated by: _____

Telephone: _____ Address: _____

City: _____ Zip: _____

School(s) in which the item is used: _____

Person making the request represents:

Him/herself

Group or organization

Name of Group

Address of Group

1. To what in the item do you object? Please be specific; (cite pages or frames, etc.) _____

2. In your opinion, what harmful effects upon pupils might result from the use of this item? _____

3. Do you perceive any instructional value in the use of this item? _____

4. Should the opinion of any additional experts in the field be considered? _____

Yes. Please list suggestions, if any: _____

 No.

In the place of this item, would you care to recommend other material you consider to be of equal or superior quality for the purpose intended? _____

5. Do you wish to make an oral presentation to the Challenged Materials committee?

Yes (a) Please call the office of the librarian

(Telephone Number) _____

(b) Please be prepared at this time to indicate the approximate length of time your presentation will require.

No.

Date

Signature