

SCHOOL YEAR

The school year shall be not less than one hundred eighty (180) instructional days.

Each instructional day shall consist of not less than the minimum amount of time prescribed in A.R.S. 15-901 for each respective program level. Variance from this requirement may be sought under A.R.S. 15-861.

The Board shall establish the school calendar each year after recommendations from the Superintendent.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-341.01 (Laws 2000, 5th S.S., Ch 1 § 54)

15-801

15-854

15-855

15-861

15-881

15-901

CURRICULUM ADOPTION

All new programs and courses of study will be subject to Board approval, as will elimination of programs and courses and extensive alteration in their content. Curricular proposals from the professional staff may be presented to the Superintendent, who will be responsible for making recommendations to the Board on such matters.

The Governing Board acknowledges the legislative affirmation that public school students should be taught to value each other as individuals and not be taught to resent or hate other races or classes of people.

No District school shall include in its program of instruction any courses or classes that:

- Promote the overthrow of the United States government.
- Promote resentment toward a race or class of people.
- Are designed primarily for students of a particular ethnic group.
- Advocate ethnic solidarity instead of treatment of students as individuals.

The above restrictions are not to be construed to restrict or prohibit:

- Courses or classes for Native American pupils that are required to comply with federal law.
- Grouping of students according to academic performance, including capability in the English language, that may result in a disparate impact by ethnicity.
- Courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class is in violation of an above cited course or class restriction.
- Courses or classes that include the discussion of controversial aspects of history.
- Instruction about the Holocaust, any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class.

An alleged failure by the District to abide by the preceding conditions may subject the District to investigation by the State Board of Education (SBE) or the Superintendent of Public Instruction. Enforcement action may be instituted by the SBE or the Superintendent of Public Instruction as prescribed by A.R.S. 15-112.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-111
15-112
15-721
15-722

REGULATION**REGULATION****ENGLISH INSTRUCTION****Program**

Each school shall use an English Language Learner (ELL) program developed from a state task force approved model. All ELLs are to be provided with appropriate daily English language development and instruction.

Student Identification

A home language survey form will be completed at the time of enrollment of new or transfer students. The form will explain how students are assessed for English language proficiency. If the primary home language (the language most often spoken in the home or the first acquired language) is a language other than English the student shall be considered to have a primary or home language other than English (PHLOTE).

All PHLOTE children shall be administered English language assessments upon initial entry and at the end of the year (after February 1). New and continuing ELLs may be assessed at midpoint of the academic year, but no student may be assessed more than three (3) times per year. The midyear assessment (not a wholesale assessment of all students) will provide those who warrant assessment an opportunity to enter a mainstream classroom as soon as possible.

The tests will be administered at the times indicated by trained personnel except when federal grants require different time lines or when an individualized education program (IEP) team for a qualified special education child finds the procedure inappropriate.

**Student Progress and Reassessment
for Reclassification**

At least annually, parents shall receive a notice of student proficiency level and program placement.

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

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

When a student is reclassified as a fluent English language (FEL) student, the school shall monitor the student for two (2) years after the reclassification to determine if the student is performing satisfactorily. The two (2) year monitoring form shall be maintained in the student's file.

LEGAL REF.: A.R.S. 15-751 thru 15-757

TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

The instructional program may include content on drugs, alcohol, and tobacco for the purpose of developing students' ability to make intelligent choices based on facts, and to develop courage to stand by their own convictions. Further, instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, and other dangerous drugs on the human system and instruction on the nonuse and prevention of use and abuse of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs may be included in the courses of study, with emphasis on grades four (4) through nine (9). Instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs on a human fetus may be included in the courses of study in grades six (6) through twelve (12). The instruction may be integrated into existing health, science, citizenship, and similar studies and shall meet the criteria for chemical abuse prevention education programs. The program should also emphasize the therapeutic benefit derived from the use of drugs prescribed by a health professional. The program will conform to all applicable Arizona Revised Statutes and Arizona Administrative Codes.

Objectives of the substance abuse program:

- To create an awareness of the total drug problem: prevention; education; treatment; rehabilitation; and law enforcement on the local, state, national, and international levels.
- To inform the students of the effect on the body of narcotics, sedatives, hallucinogens, and stimulants through the appropriate classes.
- To relate the use of drugs and alcohol to physical, mental, social, and emotional consequences.
- To encourage the individual to adopt an appropriate attitude toward pain, stress, and discomfort.
- To understand the need for seeking professional advice in dealing with problems related to physical and mental health.
- To understand the personal, social, and economic problems caused by the misuse of drugs and alcohol.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 13-3401 15-345 15-712

CROSS REF.: JICG - Tobacco Use by Students
 JICH - Drug and Alcohol Use by Students

SPECIAL INSTRUCTIONAL PROGRAMS

A long-range plan will be the basis for providing special education services for students with exceptional needs and education requirements. These services may include specialized programs, personnel, facilities, materials, and equipment needed to promote the individual physical, social, intellectual, and emotional growth of exceptional students.

The Superintendent shall develop procedures that provide educational opportunities for individuals with disabilities and that accomplish District compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education. Such procedures shall include, but not be limited to, the following provisions:

- All children with disabilities aged birth (0) through twenty-one (21) years within the District's jurisdiction are to be identified, located, and evaluated including children attending religious or private schools who are in need of special education and related services.
- A free appropriate public education (FAPE) shall be available to all children with disabilities aged three (3) through twenty-one (21) years within the District's jurisdiction, including children advancing from grade to grade, those who have been suspended or expelled from school in accordance with the applicable IDEA rules and regulations, and any child with a disability the District has placed in or referred to a private school or facility. The District may refer to and contract with approved public or private agencies as necessary to ensure the provision of FAPE for children with disabilities. FAPE for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22).
- A full individual evaluation encompassing existing and additional data shall be conducted for each child to determine if the child is a child with a disability and the educational needs of the child before the initial provision of special education and related services. A reevaluation of each child shall be conducted at least every third year.
- An individualized education program (IEP) shall be developed and implemented for each eligible child served by the District and for each eligible child the District places in or refers to a private school or facility. An IEP or an individualized family service plan (IFSP) will be in place for each child with a disability prior to the provision of FAPE.

- To the maximum extent appropriate, opportunities for the least restrictive setting, inclusion in educational exercises with regular program students, and for interaction with the total school environment will be provided to exceptional students, the exception to be only when the student's condition, with supplementary aids and services, make such regular class education unsatisfactory.
- All required procedural safeguards must be guaranteed to the exceptional students and their parents. The parents will be provided with notices of procedural safeguards in each specified instance and all due process conditions will be satisfied with respect to the provision of a free appropriate public education.
- The District shall follow the established state and federal standards to protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages.
- To the extent essential to provide FAPE to children with disabilities aged three (3) through twenty-one (21), extended school year (ESY) services shall be made available and implemented as necessary.
- Criteria for the graduation of exceptional students, including accomplishment in reading, writing, and mathematics, shall be as specified in the District policy on graduation requirements. Such standards shall be equivalent to or greater than those established by the State Board of Education.
- Not later than March 1 of each year conduct a review of the reasonable and acceptable ratio of students per teacher for each disability category. The applicable ratios shall be specified in a regulation accompanying the District policy on class size.
- The discipline of exceptional students, and unevaluated students suspected of having a qualifying disability, is to be conducted in such a manner as to comply with FAPE and requirements of the IDEA.

For the purpose of this policy as it relates to a child with a disability, *home school district* means the school district in which the person resides who has legal custody of the child as provided in A.R.S. 15-824. If the child is a ward of the state and a specific person does not have legal custody of the child or is a ward of this state and the child is enrolled in an accommodation school pursuant to A.R.S. 15-913, the home school district is the district the child last attended or, if the child has not previously attended a public school in this state, the school district within which the child currently resides.

The Superintendent is authorized and directed to establish procedures for the development and administration of the necessary programs, and to document District compliance with the law and this policy. Such procedures will be made available to staff members and to parents as necessary to enhance compliance.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-761 15-764 15-881
 15-761.01 15-765 to 15-769 15-1181 to 15-1185
 15-763 15-771 15-1201 to 15-1205
 15-763.01 15-773 36-555
 A.A.C. R7-2-401 R7-2-405 R7-2-603
 R7-2-402 R7-2-601
 R7-2-403 R7-2-602
 20 U.S.C. 1400 *et seq.*, Individuals with Disabilities
 Education Act
 29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

CROSS REF.: IIB - Class Size
 IKE - Promotion, Retention, and Acceleration of Students
 IKF - Graduation Requirements
 JKD - Student Suspension
 JKE - Expulsion of Students
 JR - Student Records

SPECIAL INSTRUCTIONAL PROGRAMS

(Identification and Placement of Exceptional Students)

This detailed administrative regulation is issued to:

- Accomplish the requirements of the Governing Board set out in policy IHB—Special Instructional Programs.
- Assure District compliance with the requirements of applicable federal and state laws and the lawful regulations of the State Board of Education.
- Aid District personnel in fulfilling their duties relating to the topic by presenting the procedural information in a format that aligns with the Arizona Department of Education/Exceptional Student Services (ADE/ESS) compliance checklists.

Citations from the following sources are annotated to the material to assist in conducting research and for clarification:

- Arizona Revised Statutes (A.R.S.)
- Arizona Administrative Code (A.A.C.) Title 7, Chapter 2, State Board of Education Rules
- Regulations of the Family Educational Rights and Privacy Act as published in Part 99 of Title 34 of the Code of Federal Regulations (C.F.R.)
- Regulations to the Individuals with Disabilities Education Act (IDEA) as published in Title 34 of the C.F.R., Part 300.

Whenever the term "District" is used in this regulation, it is to be interpreted contextually to mean the School District, the respective local school site, a representative of the District or a representative of the local school site, as is applicable to the circumstance.

Applicability

To accommodate the necessity to present procedural information in a format that aligns with the Arizona Department of Education/Exceptional Student Services (ADE/ESS) compliance checklists, this generic regulation contains procedural requirements for covered individuals of all ages. However, any statement in this regulation that addresses a provision that is not applicable to the grade levels and age ranges included in the student membership of the District is to be considered for the purposes of compliance to be not applicable.

REGULATION**REGULATION****Child Find**

The District will identify, locate, and evaluate all children with disabilities within its geographic boundaries who are in need of special education and related services including, but not limited to, children who are:

- Homeless;
- Highly mobile, including migrant children;
- Wards of the state; and,
- Attending private schools or who are homeschooled.

In its identification process the District will include children who are suspected of being a child with a disability and in need of special education, even though a student is:

- Advancing from grade to grade
- Highly mobile, including a migrant student. [34 C.F.R. 300.111]

The District will inform the general public and parents within its boundaries of the responsibility for special education services for students aged three (3) through twenty-one (21) years, and how those services may be accessed including information regarding early intervention services for children aged birth through two (2) years. Services for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22). [A.A.C. R7-2-401.C]

The District will require all school-based staff members to review the written procedures related to child identification and referral on an annual basis, and maintain documentation of the staff review. [A.A.C. R7-2-401.D]

Identification screening for possible disabilities shall be completed within forty-five (45) calendar days after:

- Entry of each preschool or kindergarten student and any student enrolling without appropriate records or screening, evaluation, and progress in school; or
- Parent notification of developmental or educational concerns.

Screening procedures shall include vision and hearing status and consideration of the following areas:

- Cognitive or academic;

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- Communication;
- Motor;
- Social or behavioral; and
- Adaptive development.

For a student transferring into a school, the District shall review enrollment data and educational performance in the prior school. If there is a history of special education for a student not currently eligible for special education or poor progress, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services. [A.A.C. R7-2-401.D]

If a concern about a student is identified through screening procedures or review of records, the parents of the student shall be notified of the concern within ten (10) school days and informed of the District's procedures to follow-up on the student's needs. [A.A.C. R7-2-401.D]

The District shall maintain documentation of the identification procedures utilized, the dates of entry into school, notification by parents of a concern and the dates of screening. The dates shall be maintained in the student's permanent records. [A.A.C. R7-2-401.D]

If the screening indicates a possible disability, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services. A parent or a student may request an evaluation of the student. [A.A.C. R7-2-401.D]

If, after consultation with the parent, the District determines that a full and individual evaluation is not warranted, the District shall provide prior written notice and procedural safeguards notice to the parent in a timely manner. [A.A.C. R7-2-401.D]

Confidentiality

The District will permit parents to inspect and review any education records relating to their children that are collected, maintained or used by the District under Individuals with Disabilities Education Act (IDEA). The District will comply with a request without unnecessary delay and in no case more than forty-five (45) days after the request has been made, and before:

- Any individualized education program (IEP) meeting;
- Any hearing involving a due process complaint or disciplinary hearing;
- Any resolution session. [34 C.F.R. 300.613]

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The right to inspect and review education records includes:

- The right to a response from the District to reasonable requests for explanations and interpretations of the records;
- The right to request that the District provide copies of the records if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and
- The right to have a representative of the parent inspect and review the records. [34 C.F.R. 300.613]

The District may presume that the parent has authority to inspect and review records relating to his or her child unless the District has been advised to the contrary by legal proceeding involving guardianship, separation and divorce. [34 C.F.R. 300.613]

The District will keep a record of parties obtaining access to education records collected, maintained or used under IDEA (except access by parents and authorized employees of the District), including:

- The name of the party;
- The date access was given; and
- The purpose for which the party is authorized to use the records. [C.F.R 300.614]

If any education record includes information on more than one (1) child, the parents of those children have the right to inspect and review only the information relating to their child. [C.F.R 300.615]

The District will provide parents on request a list of the types and locations of education records collected, maintained or used by the District. [C.F.R 300.616]

The District may charge a fee for copies of records that are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review records. [C.F.R 300.617]

The District will not charge a fee to search for or to retrieve information. [C.F.R 300.615]

A parent who believes that information in the education records collected, maintained or used by the District is inaccurate or misleading or violates the privacy or other rights of the child, may request the District to amend the information. [C.F.R 300.618]

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The District will decide whether to amend the information in accordance with the request in a reasonable period of time of receipt of the request. [C.F.R 300.618]

If the District refuses to amend the information in accordance with the request, it will inform the parent of the refusal and advise the parent of the right to a hearing under C.F.R 300.619. [C.F.R 300.618]

The District will, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child. [C.F.R 300.618]

If, as a result of a hearing, the District decides to amend information determined inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it will do so accordingly and so inform the parent in writing. [C.F.R 300.618]

If, as a result of a hearing, the District decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, the District will inform the parent of the parent's right to place in the maintained records a statement commenting on the information or setting forth any reasons for disagreeing with the District's decision. [C.F.R 300.618]

Parental consent will be obtained before personally identifiable information is disclosed to parties other than participating agencies, unless the information is contained in education records and the disclosure is authorized without parent consent under Family Educational Rights and Privacy Act (FERPA). [C.F.R 300.622]

Parental consent will be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services in accordance with §300.321. [C.F.R 300.622]

If a child is enrolled, or is going to enroll in a private school that is not located in the boundaries of the district of the parent's residence, parental consent will be obtained before any personally identifiable information about the child is released between officials in the district where the private school is located and officials in the district of the parent's residence. [C.F.R 300.622]

The District will protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages. [C.F.R 300.623]

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One (1) official at the District will assume responsibility for ensuring the confidentiality of any personally identifiable information.

All persons collecting or using personally identifiable information will receive training or instruction regarding the State's policies and procedures under 300.123 and FERPA (34 C.F.R. part 99). [C.F.R 300.623]

The District will maintain, for public inspection, a current listing of the names and positions of its employees who may have access to personally identifiable information. [C.F.R 300.623]

The District will inform parents when personally identifiable information collected, maintained, or used for IDEA purposes is no longer needed to provide educational services to the child. [C.F.R 300.624]

The information will be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation. [C.F.R 300.624]

The rights of the parents regarding educational records are transferred to the student at age eighteen (18) under FERPA unless the student has been declared legally incompetent, or the student has executed a delegation of rights to make educational decisions pursuant to A.R.S. 15-773. [C.F.R 300.625]

If the rights of the parents regarding educational records are transferred to the student at age eighteen (18) under the IDEA, the District will provide any notice required under the procedural safeguards provisions. [C.F.R 300.625]

Discipline

On a case-by-case basis and in consideration of any unique circumstances, school personnel may remove a child with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than ten (10) consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than ten (10) consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under §300.536. [34 C.F.R. 300.530]

After a child with a disability has been removed from his or her current placement for ten (10) school days in the same school year, during any subsequent days of removal the District will provide services to the extent required to:

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- Enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting his/her IEP goals; and
- Receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur. [34 C.F.R. 300.530]

The District is only required to provide services during periods of removal to a child with a disability who has been removed from his or her current placement for the (10) days or less in that school year, if it provides services to non-disabled children similarly removed. [34 C.F.R. 300.530]

After a child with a disability has been removed from his or her current placement for ten (10) school days, and the current removal is for not more than ten (10) consecutive school days and not a change of placement, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed, so as to enable the child to continue to participate in the general education curriculum and to progress toward meeting the individualized education program (IEP) goals. [34 C.F.R. 300.530]

If the removal is a change in placement, the child's IEP team determines the appropriate services. [34 C.F.R. 300.530]

Within ten (10) school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the District, parent, and relevant members of the IEP team will review all relevant information in the student's file, the IEP, teacher observations, and any relevant information to determine:

- If the conduct was caused by, or had a direct and substantial relationship to, the child's disability; or
- If the conduct in question was the direct result of the District's failure to implement the IEP. [34 C.F.R. 300.530]

The conduct will be determined to be a manifestation of the disability if either of the above-named conditions occurred, and, if the IEP was not implemented, the District will take immediate steps to remedy that deficiency. [34 C.F.R. 300.530]

If the District, parent, and relevant members of the IEP team determine that the conduct was a manifestation of the child's disability, the child will be returned to the placement from which the child was removed, unless the parent and District agree to a change of placement. The IEP team will either:

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- Conduct a functional behavioral assessment, unless already done, and implement a behavioral intervention plan; or
- If a behavioral intervention plan has already been developed, review the plan and modify it, as necessary, to address the behavior. [34 C.F.R. 300.530]

School personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to manifestation of disability if the child:

- Carries a weapon to or possesses a weapon at school, on school premises, to or at a school function under the jurisdiction of the state or the District;
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of the state or the District; or
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of the state or the District. [34 C.F.R. 300.530]

The District will notify parents and provide notice of procedural safeguards on the day the District determines the student has violated the code of conduct, and the violation constitutes a change in placement (i.e., interim alternative education setting). [34 C.F.R. 300.530]

The child's IEP team determines the interim alternative educational setting for services. [34 C.F.R. 300.531]

The parent of a child with a disability who disagrees with any decision regarding placement under §§300.530 and 300.531 or the manifestation determination may appeal the decision by requesting an expedited due process hearing in conformance with §§300.310 through 300.314 and A.A.C. R7-2-405.I. [34 C.F.R. 300.532]

When the District believes that maintaining the current placement of the child is substantially likely to cause injury to the child or others the District may appeal the decision by requesting an expedited due process hearing in conformance with §§300.310 through 300.314 and A.A.C. R7-2-405.I. [34 C.F.R. 300.532]

The student will remain in the interim alternative educational setting pending the decision of the hearing officer or expiration of the interim setting, whichever comes first, unless the parent and District agree otherwise. [34 C.F.R. 300.532]

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A non-eligible student who engaged in a behavior that violated a code of student conduct may assert protections if the District had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The District will be deemed to have such knowledge if:

- The parent of the child expressed concern in writing to supervisory or administrative personnel of the District, or a teacher of the child, that the child is in need of special education and related services;
- The parent of the child requested an evaluation of the child pursuant to §§300.300 through 300.311; or
- The teacher of the child, or other personnel of the District, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education or to other supervisory personnel of the District. [34 C.F.R. 300.534]

The District will not be deemed to have knowledge if the parent of the child:

- Has not allowed an IDEA evaluation of the child;
- Has refused special education services for the child; or
- The child has been evaluated and determined to not be a child with a disability under IDEA. [34 C.F.R. 300.534]

When the District does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be disciplined as other children without disabilities who engage in comparable behaviors.

If an evaluation is requested during the time in which a child is subjected to disciplinary measures, the evaluation will be conducted in an expedited manner.

- Until the evaluation is completed, the child remains in the educational placement determined by the District, which can include suspension or expulsion without educational services.
- If the child is determined to be a child with a disability, the District will provide special education and related services in accordance with this part, including the requirements of §§300.530 through 300.536. [34 C.F.R. 300.534]

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The District may report a crime committed by a child with a disability to appropriate authorities to enable them to exercise their responsibilities. [34 C.F.R. 300.535]

When reporting a crime committed by a child with a disability the District ensures that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the District reports the crime, but only to the extent permitted by FERPA. [34 C.F.R. 300.535]

A change of placement occurs if:

- The removal is for more than ten (10) consecutive school days; or
- The child has been subjected to a series of removals that constitute a pattern:
 - because the series of removals total more than ten (10) school days in a school year;
 - because the child's behavior is substantially similar to the behavior in previous incidents that resulted in a series of removals; and
 - because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another. [34 C.F.R. 300.536]

The District will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement, and such determinations are subject to review through due process and judicial proceedings. [34 C.F.R. 300.536]

Evaluation and Eligibility

The District, when proposing to conduct an initial evaluation to determine if a child qualifies as a child with a disability, and after reviewing existing data with the parents and providing prior written notice, will obtain informed consent from the parent of the child before collecting any additional data.

- Parental consent for initial evaluation will not be construed as consent for initial provision of special education and related services.
- The District will make reasonable efforts to obtain the informed consent from the parent for an initial evaluation. [34 C.F.R. 300.300]

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For initial evaluations only, if the child is a ward of the state, is not residing with the child's parent, the District is not required to obtain consent from the parent if:

- Despite reasonable efforts to do so, the District cannot discover the whereabouts of the parents of the child;
- The rights of the parents of the child have been terminated by the court;
- The rights of the parent to make educational decisions have been subrogated by a judge and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child. [34 C.F.R. 300.536]

The District may, but is not required to seek informed consent through due process procedures if the parent of a child who is enrolled or seeking to enroll in the District refuses consent for an initial evaluation. [34 C.F.R. 300.300]

The District will obtain informed consent from the parent of the child before the initial provision of special education and related services to the child, and will make reasonable efforts to obtain that consent. [34 C.F.R. 300.300]

If a parent refuses consent for the initial provision of special education and related services, the District will not seek consent through due process hearing procedures. The District:

- Will not be considered to be in violation to provide a Free Appropriate Public Education (FAPE);
- Is not required to convene a IEP team meeting or develop an IEP for the child. [34 C.F.R. 300.300]

If, at any time subsequent to the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the District:

- May not continue to provide special education and related services to the child, but shall provide prior written notice before ceasing the provision of special education and related services;
- May not use the mediation procedures or the due process procedures in order to obtain agreement or a ruling that the services may be provided to the child;

REGULATION**REGULATION**

- Will not be considered in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
- Is not required to convene an IEP Team meeting or develop an IEP for the child for further provision of special education and related services.

The District will obtain informed consent prior to conducting any reevaluation of a child with a disability.

- If the parent refuses consent, the District may utilize due process hearing procedures to seek consent, but does not violate its obligation if it declines to pursue the evaluation or reevaluation.
- The informed parental consent for reevaluation need not be obtained if the District can demonstrate that:
 - it made reasonable efforts to obtain such consent and has documented those attempts;
 - the child's parent has failed to respond. [34 C.F.R. 300.300]

Parental consent is not required before:

- Reviewing existing data as part of an evaluation or reevaluation; or
- Administering a test or other evaluation that is administered to all children unless consent is required of parents of all children prior to administration. [34 C.F.R. 300.300]

The District will not use a parent's refusal to consent to one service or activity under this section to deny the parent or child any other service, benefit, or activity of the District, except as required by this part. [34 C.F.R. 300.300]

If a parent of a child who is home-schooled or placed in a private school by the parents at their own expense does not provide consent for the initial evaluation or the reevaluation, or the parent fails to respond to a request to provide consent, the District will not utilize due process hearing procedures to seek consent. [34 C.F.R. 300.300]

Consistent with consent requirements of §300.300, either a parent of a child or the District may initiate a request for an initial evaluation to determine if a child is a child with a disability. [34 C.F.R. 300.301]

REGULATION**REGULATION**

The initial evaluation will:

- Be completed within sixty (60) days of receiving parental consent for the evaluation, unless:
 - the parents and the District agree that it is in the best interest of the child to extend the timeline to complete the evaluation for an additional thirty (30) days; or;
 - the child enrolls in the District following the child's departure from a previous district after the parent has provided consent and before the determination of eligibility by the child's previous district. In that event, the District ensures prompt completion of the evaluation.
 - the parent of a child with a disability repeatedly fails or refuses to produce the child for the evaluation.
- Consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child. [34 C.F.R. 300.301]

The District will conduct a reevaluation of a child with a disability if:

- The District determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation; or
- If the child's parents or teacher requests a reevaluation; except
- The District will not conduct a reevaluation more than once a year unless the parent and District agree otherwise. [34 C.F.R. 300.303]

The District will conduct a reevaluation at least once every three (3) years, unless the parent and the District agree that a reevaluation is unnecessary. [34 C.F.R. 300.303]

The District will provide prior written notice to the parents of a child who has, or who is suspected of having, a disability, that describes the evaluation procedures that the District proposes to conduct. [34 C.F.R. 300.304]

In conducting an evaluation or reevaluation, the District will:

REGULATION**REGULATION**

- Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent in order to determine;
 - whether the child is a child with a disability; and
 - if the child is a child with a disability, information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).
- Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and
- Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors. [34 C.F.R. 300.304]

The District ensures that evaluation materials and strategies:

- Are selected and administered so as not to be discriminatory on a racial or cultural basis;
- Are administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so;
- Are used for the purposes for which the assessment(s) or measure(s) are valid and reliable;
- Are administered by trained and knowledgeable personnel;
- Are administered in accordance with the instructions provided by the assessment publisher;
- Are selected and administered so as to ensure that if administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure rather than reflecting the child's impairments (unless those skills are the factors being measured).

REGULATION**REGULATION**

- Assess the child in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, adaptive behavior, communicative status, and motor abilities; and
- Are sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not those needs are commonly associated with the child's disability.
- Provide relevant information that directly assists in determining the educational needs of the child. [34 C.F.R. 300.304]

Evaluations of children who transfer to or from another District in the same school year are coordinated with the prior and subsequent schools, in order to expedite the completion of a full evaluation. [34 C.F.R. 300.304]

As part of an initial evaluation (if appropriate), and as part of any reevaluation, the IEP team and other qualified professionals, as appropriate, will:

- Review existing evaluation data on the child including:
 - evaluations and information provided by the parents;
 - current classroom-based, local and state-wide assessments, and classroom-based observations;
 - observations by teachers, and related services providers.
- On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine whether:
 - the child is or continues to be a child with a disability, and, if so, the educational needs of the child;
 - the present levels of academic achievement and related developmental needs of the child;
 - whether the child needs special education and related services to enable the child to meet measurable annual IEP goals and to participate, as appropriate, in the general education curriculum.
- The IEP team may conduct the review without a meeting. [34 C.F.R. 300.305]

If additional data are needed, the District will administer the assessments required to obtain the additional data. [34 C.F.R. 300.305]

REGULATION**REGULATION**

If additional data are not needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the District will notify the parents of:

- The determination and the reasons for the determination; and
- The right of the parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs. [34 C.F.R. 300.305]

The District will evaluate a child before determining that the child is no longer a child with a disability except when the termination is due to graduation with a regular high school diploma or at the conclusion of the instructional year during which the child attained the age of twenty-two (22).

- When the child's eligibility terminates because of graduation or at the conclusion of the instructional year during which the child attained the age of twenty-two (22), the District will provide a summary of the child's academic achievement and functional performance that includes recommendations on how to assist the child in meeting the child's postsecondary goals. [34 C.F.R. 300.305]

Upon completion of the evaluation process, the District ensures that:

- A group of qualified professionals and the parent of the child determine:
 - if the child is a child with a disability under the Individuals with Disabilities Education Act and the Arizona State Statutes; and
 - if so, the educational needs of the child.
- The parents are provided, at no cost, a copy of the evaluation report and eligibility determination. [34 C.F.R. 300.306]

A child will not be determined to be a child with a disability if the primary factor for the determination is:

- Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in 1208(3) of the Elementary and Secondary Education Act [ESEA]);
- Lack of appropriate instruction in math; or
- Limited English proficiency. [34 C.F.R. 300.306]

REGULATION**REGULATION**

The eligibility determination, including education needs, will be based on all of the information sources used in the evaluation process, and if deemed eligible and in need of special education and related services, an IEP will be developed in accordance with §300.320 through 300.324. [34 C.F.R. 300.306]

Additional procedures for identifying children with specific learning disabilities:

- Option 1:
 - The District will use the state-adopted criteria for determining whether a child has a specific learning disability through a process based on the child's response to scientific, research-based intervention in conformity with IDEA Regulations §300.307-311. [34 C.F.R. 300.307]
- Option 2:
 - The District will use a criteria for determining whether a child has a specific learning disability through the identification of a severe discrepancy between intellectual ability and achievement in conformity with IDEA Regulations §300.307-311. [34 C.F.R. 300.307]
- Option 3:
 - The District will determine, on an individual child basis, the criteria for determining whether a child has a specific learning disability using one of the following criteria in conformity with IDEA Regulations §300.307-311:
 - ▲ The state-adopted criteria based on a child's response to scientific, research-based intervention;
 - ▲ The identification of a severe discrepancy between intellectual ability and achievement. [34 C.F.R. 300.307]

The determination of whether a child suspected of having a specific learning disability is a child with a disability will be made by the child's parents and a team of qualified professionals which will include:

- The child's regular education teacher; or
- If the child does not have a regular education teacher, then a regular education teacher qualified to teach children of that age;

REGULATION**REGULATION**

- For a child of less than school age, an individual qualified by the state to teach children of his/her age;
- At least one (1) person qualified to conduct individual diagnostic evaluations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher. [34 C.F.R. 300.308]

A child may be determined to have a specific learning disability if:

- The child does not achieve adequately for the child's age or to meet state-approved grade level standards in one (1) or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age or meet state-approved grade level standards:
 - oral expression
 - listening comprehension
 - written expression
 - basic reading skill
 - reading fluency skills
 - reading comprehension
 - mathematics calculation
 - mathematics problem solving
- The child does not make sufficient progress to meet age or state-approved grade level standards in one (1) or more of the areas in listed immediately above when using a process based on the child's response to scientific, research-based intervention; or
- The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, through one (1) of the following methods:
 - a discrepancy between achievement and ability;
 - the child's response to scientific, research-based interventions, or
 - other alternative research-based procedures,using appropriate assessments. [34 C.F.R. 300.309]

REGULATION**REGULATION**

The findings of this section are not primarily the result of:

- A visual, hearing or motor disability;
- Mental retardation;
- Emotional disturbance;
- Cultural factors;
- Environmental or economic disadvantage; or
- Limited English proficiency. [34 C.F.R. 300.309]

The group ensures that the underachievement is not due to a lack of appropriate instruction in reading or math and consider:

- Data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and
- Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents. [34 C.F.R. 300.309]

The District will promptly request parent consent to evaluate if, prior to referral, the child has not made adequate progress after an appropriate period of time when provided instruction described in the two (2) immediately preceding bullets. [34 C.F.R. 300.309]

The District ensures that the child is observed in his/her learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty. [34 C.F.R. 300.310]

In the case of a child less than school age or out of school, a group member will observe the child in an environment appropriate for a child that age. [34 C.F.R. 300.310]

For a child suspected of having a specific learning disability, the eligibility determination will contain a statement of:

- Whether the child has a specific learning disability;

REGULATION**REGULATION**

- The basis for making the determination, including an assurance the determination was made in accordance with the Individuals with Disabilities Education Act;
- The relevant behavior, if any, noted during the observation and the relationship of that behavior to the child's academic functioning;
- The educationally relevant medical findings, if any;
- Whether the child does not achieve adequately for his/her age or to meet state-approved grade level standards consistent with whether the child has a specific learning disability; and does not make sufficient progress to meet age or state-approved grade level standards consistent with the basis of a determination in accordance with IDEA; or
- The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade level standards or intellectual development consistent with the observation of relevant behavior.
- The determination of the group concerning the effects of a visual, hearing, or motor disability; mental retardation; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency of the child's achievement level. [34 C.F.R. 300.311]

If the child participated in a process that assessed the child's response to scientific, research-based intervention:

- The instructional strategies used and the student-centered data collected; and
- The documentation that the child's parents were notified about the state's policies regarding the amount and nature of student performance that would be collected and the general education services that would be provided;
- Strategies for increasing the rate of learning; and
- The parent's right to request an evaluation. [34 C.F.R. 300.311]

Each group member will certify in writing whether the report reflects the member's conclusion. If it does not, the group member will submit a separate statement presenting the member's conclusions. [34 C.F.R. 300.311]

Free Appropriate Public Education

REGULATION**REGULATION**

The determination that a child is eligible for special education and related services will be made on an individual basis by a properly constituted District team. [34 C.F.R. 300.306 and, if applicable, 300.308]

For preschool children (age three [3] to five [5]):

- The District will:
 - Make FAPE available no later than the child's third birthday;
 - Ensure that an IEP or an Individualized Family Service Plan (IFSP) is in effect for each child by that date;
 - Ensure that a child's IEP team determines the date when services under the IEP or IFSP will begin if a child's third birthday occurs during the summer.

For school-aged children (age five [5] through twenty-one [21]):

- The District will make FAPE available to any child who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade. Services for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22).

The District will establish policy and procedures with regard to allowable pupil-teacher ratios and pupil-staff ratios within the District or county for provision of special education services. [A.R.S. 15-764]

The special education programs and services provided shall be conducted only in a school facility which houses regular education classes or in other facilities approved by the division of special education. [A.R.S. 15-764]

The District ensures that assistive technology devices or services or both will be available to a child with a disability, if required, as a part of:

- special education;
- related services;
- supplementary aids and service. [34 C.F.R. 300.105]

On a case-by-case basis, the District ensures the use of school-purchased assistive technology devices in a child's home or other setting if the child's IEP team determines that the child needs access to those devices in order to receive FAPE. [34 C.F.R. 300.105]

REGULATION**REGULATION**

The District will make extended school year services available as necessary to provide FAPE to children with disabilities.

- Extended school year (ESY) services will be provided only if a child's IEP team determines, in accordance with §§300.320-300.324, that the services are necessary for the provision of FAPE.
- Services will not be:
 - limited to a particular category of disability; or,
 - unilaterally limited to the type, amount, or duration of services. [34 C.F.R. 300.106]

The ESY services that are provided to a child with a disability will:

- Be provided beyond the normal school year of the District;
- Be provided in accordance with the child's IEP;
- Be provided at no cost to the parents of the child; and
- Meet the standards of the state. [34 C.F.R. 300.106]

The District will afford children with disabilities an equal opportunity for participation in nonacademic and extracurricular services and activities including, as determined appropriate and necessary by the child's IEP team, the provision of supplementary aids and services. [34 C.F.R. 300.107]

Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the District, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the District and assistance in making outside employment available. [34 C.F.R. 300.107]

The District will make regular physical education services available to children with disabilities to the same extent that the District provides those services to children without disabilities, unless:

- The child is enrolled full time in a separate facility; or
- The child needs specially designed physical education as prescribed in the child's IEP. [34 C.F.R. 300.108]

If a child is enrolled in a separate facility, the District ensures that the child receives appropriate physical education services. [34 C.F.R. 300.108]

REGULATION**REGULATION**

If special physical education is prescribed in a child's IEP, the District will provide for those services, either directly or through other public or private programs. [34 C.F.R. 300.108]

The District ensures that children with disabilities have available to them the variety of education programs and services that are available to nondisabled children, including art, music, industrial arts, consumer and homemaking education, and vocational education. [34 C.F.R. 300.110]

When serving children wearing hearing aids or surgically implanted medical devices, the District ensures that:

- The hearing aids worn in school by children with hearing impairments are functioning properly; and
- The external components of surgically implanted medical devices (e.g., cochlear implants) are functioning properly, except that the District will not be responsible for any post-surgical maintenance, programming or replacement of any component, external or internal, of the medical device. [34 C.F.R. 300.113]

The District may use the Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under IDEA, as permitted under the public benefits or insurance program, except that the District:

- Will not require parents to sign up for or enroll in public benefits or insurance programs to receive FAPE;
- Will not require parents to incur out-of-pocket expenses such as payment of a deductible or co-pay for services required by IDEA, but may pay the cost that parents otherwise would be required to pay;
- Will not use a child's public benefit if that use would:
 - decrease lifetime benefits;
 - result in the family paying for non-school services that would otherwise be paid for by public benefits;
 - increase premiums or lead to discontinuation of benefits; or
 - risk loss of eligibility. [34 C.F.R. 300.154]

The District will notify parents that their refusal to allow access to their public benefits does not relieve the District of its responsibility to provide all required IDEA services. [34 C.F.R. 300.154]

REGULATION**REGULATION**

The District will obtain parent consent consistent with §300.09 each time that access to public benefits are sought. [34 C.F.R. 300.154]

Graduation

The District ensures that the Governing Board shall prescribe graduation criteria for students with disabilities from its high schools, which shall include accomplishment of the academic standards in at least reading, writing, mathematics, science and social studies, as determined by District assessment. [A.R.S. 15-701(B) and A.A.C. R7-2-301(D)(1)]

The District ensures that the Governing Board shall develop a course of study and graduation and promotion requirements for all students placed in special education programs in accordance with R7-2-401 *et seq.* [A.R.S. 15-701(B) and A.A.C. R7-2-301(D)(1)]

The District will not be obligated to provide FAPE to students with disabilities who have graduated from high school with a regular high school diploma. [34 C.F.R. 300.102]

The exception does not apply to children who have graduated from high school but have not been awarded a regular high school diploma. [34 C.F.R. 300.102]

Graduation from high school with a regular high school diploma constitutes a change of placement requiring prior written notice in accordance with §300.503. [34 C.F.R. 300.102]

An evaluation is not required before the termination of a child's eligibility due to graduation from secondary school with a regular diploma or due to conclusion of the instructional year during which the student attains the age of twenty-two (22). [34 C.F.R. 300.305]

For a child no longer eligible due to graduation or exceeding the age of eligibility, the District will provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's post secondary goals. [34 C.F.R. 300.305]

Pupils with disabilities as defined in A.R.S. 15-761 or children who receive special education as defined in 15-763, shall not be required to achieve passing scores on competency tests (AIMS) in order to graduate from high school unless the pupil is learning at a level appropriate for the pupil's grade level in a specific academic area and unless a passing score on a competency test is specifically required in a specific academic area by the pupil's IEP as mutually agreed on by the pupil's parents (or eighteen [18] year old student) and IEP team. [A.R.S. 15-701.01(3)]

REGULATION**REGULATION****Individualized Education Program**

The contents of each individualized education program (IEP) will include a statement of:

- The child's present levels of academic achievement and functional performance, including:
 - how the child's disability affects the child's involvement and progress in the general curriculum; or
 - for preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;
- Measurable annual goals, including academic and functional goals designed to:
 - meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and
 - meet each of the child's other educational needs that result from the child's disability;
 - for children with disabilities who take alternate assessments (AIMS A) aligned to alternate achievement standards, a description of benchmarks or short-term objectives;
- How the child's progress toward meeting the IEP goals will be measured and when periodic reports on the child's progress toward the goals will be provided;
- The special education and related services to be provided to the child, the supplementary aids and services to be provided to the child or on behalf of the child, the program modifications or supports for school personnel that will be provided to enable the child:
 - to advance appropriately toward attaining the annual goals;
 - to be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities with other children with disabilities and nondisabled children.
- The extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic activities;

REGULATION**REGULATION**

- Any individual accommodations that are needed to measure the academic achievement and functional performance of the child on state and District-wide assessments;
- If the IEP team determines that the child must take an alternate assessment instead of a particular regular state or District-wide assessment of student achievement, a statement of why:
 - the child cannot participate in the regular assessment; and
 - the particular alternate assessment selected is appropriate for the child;
- The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications. [34 C.F.R. 300.320]

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

- appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and, where appropriate independent living skills;
- transition services (including courses of study) needed to assist the child in reaching those goals. [34 C.F.R. 300.320]

Beginning not later than one (1) year before a student reaches the age of eighteen (18), the IEP will include a statement that the parents and the student have been informed of the rights under Part B, if any, that will transfer to the student on reaching the age of eighteen (18). [34 C.F.R. 300.320]

The IEP team for each child with a disability will include:

- The parents of the child;
- Not less than one (1) regular education teacher of the child (if the child is, or may be, participating in the regular education environment);
- Not less than one (1) special education teacher of the child, or where appropriate, not less than one special education provider of the child;

REGULATION**REGULATION**

- A representative of the District who:
 - is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities;
 - is knowledgeable about the general education curriculum; and
 - is knowledgeable about the availability of resources of the District;
 - may be a District team member described in the IEP team described above, with the exception of the parents, if the above criteria are met.
- An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in the IEP team described above, with the exception of the parents.
- At the discretion of the parent or the District, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and
- Whenever appropriate, the child with a disability.
- A child of any age if the purpose of the meeting is to consider postsecondary goals and transition services needed to assist the child in reaching the IEP goals;
- If the student does not attend the IEP meeting, the District will take other steps to ensure that the student's preferences and interests are considered.
- To the extent appropriate and with consent of the parents or the adult child;
 - the District will invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.
 - for a child who is transitioning from the Arizona Early Intervention Program (AzEIP), representatives from AzEIP will be invited to the initial IEP if the parent requests. [34 C.F.R. 300.321]

REGULATION**REGULATION**

A member of the District IEP team described above, and including a person who can interpret the results, is not required to attend the IEP meeting if the parent and the school agree in writing prior to the meeting that attendance is not necessary because the member's area of curriculum or related services is not being modified or discussed in the meeting. [34 C.F.R. 300.321]

A member of the District IEP team described above, and including a person who can interpret the results, may be excused from attending the IEP meeting in whole or part when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the parent, in writing and the District consent to the excusal, and the member submits, in writing to the IEP team, input into the development of the IEP prior to the meeting. [34 C.F.R. 300.321]

In the case of a child previously served by AzEIP, an invitation to the initial IEP team meeting will, at the request of the parent, be sent to the AzEIP service coordinator to assist with the smooth transition of services. [34 C.F.R. 300.321]

The District will take steps to ensure parent(s) of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate by:

- Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
- Scheduling the meeting at a mutually agreed on time and place. [34 C.F.R. 300.322]

The meeting notice will:

- Indicate the purpose, time, and location of the meeting and who will be in attendance; and
- Inform the parents of the provisions relating to the participation of other individuals who have knowledge or special expertise about the child and of representatives of the AzEIP if the meeting is for an initial IEP of a child transitioning from AzEIP. [34 C.F.R. 300.322]

Beginning not later than the first IEP to be in effect when the child turns sixteen (16), the notice will also:

- Indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services;
- Indicate that the District will invite the student
- Identify any other agency that will be invited to send a representative. [34 C.F.R. 300.322]

REGULATION**REGULATION**

If neither parent can attend, the District will use other methods to ensure parent participation, including individual or conference telephone calls. [34 C.F.R. 300.322]

A meeting may be conducted without a parent in attendance if the District is unable to convince the parents that they should attend. In this case, the District will maintain a record of its attempts to arrange a mutually agreed on time and place, such as:

- Detailed records of telephone calls made or attempted and the results of those calls;
- Copies of correspondence sent to the parents and any responses received; and
- Detailed records of visits made to the parent's home or place of employment and the results of those visits. [34 C.F.R. 300.322]

The District will take whatever action is necessary to help the parent understand the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English. [34 C.F.R. 300.322]

The District will give the parent a copy of the child's IEP at no cost to the parent. [34 C.F.R. 300.322]

At the beginning of each school year, the District will have in effect for each child with a disability in its jurisdiction, an IEP as defined in 300.320. [34 C.F.R. 300.323]

The District ensures that:

- A meeting to develop an IEP for an eligible child is conducted within thirty (30) days of a determination of eligibility for special education and related services.
- As soon as possible following the development of the IEP, the services indicated in the IEP are made available to the child. An IEP will be in effect at the beginning of each school year. [34 C.F.R. 300.323]

For a child aged two (2) years nine (9) months to five (5) years previously served by AzEIP, the IEP team will consider the contents of the child's Individualized Family Service Plan (IFSP). An IFSP may serve as the IEP of the child if:

- The District has provided the parents with a detailed explanation of the differences between an IEP and an IFSP;

REGULATION**REGULATION**

- The parent and the District agree in writing to the use of an IFSP;
- The IFSP contains an educational component that promotes school readiness and includes pre-literacy, language and numeric skills; and
- The IFSP is developed in accordance with IEP procedures. [34 C.F.R. 300.323]

The District ensures that each child's IEP is accessible to each regular education teacher, special education teacher, related service provider and any other service provider who is responsible for implementing the IEP.

- Each teacher and related service provider will be informed of his or her specific responsibilities in implementing the IEP; and
- The specific accommodations, modifications, and supports that will be provided for the child in accordance with the IEP. [34 C.F.R. 300.323]

For a child with an IEP who transfers into the District from another school system in Arizona, the District, in consultation with the parents, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until the District:

- Reviews and adopts the child's IEP from the previous District, or
- Develops, adopts, and implements a new IEP. [34 C.F.R. 300.323]

For a child with an IEP who transfers into the District from another state, the District, in consultation with the parents, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until the District:

- Conducts an evaluation for eligibility for special education in Arizona, or determines that such an evaluation is unnecessary; and
- Develops, adopts, and implements a new IEP, if appropriate. [34 C.F.R. 300.323]

To facilitate the transition of a child enrolling from another school system, either from within or from outside of Arizona, the District will take reasonable steps to promptly obtain the child's education records, including all records pertaining to special education, from the previous school system in which the child was enrolled. [34 C.F.R. 300.323]

REGULATION**REGULATION**

When a records request is received from another District, from either within or outside of Arizona, the District will promptly respond to the request. [34 C.F.R. 300.323]

In developing each child's IEP, the IEP team will consider:

- The strengths of the child and the concerns of the parents for enhancing the education of their child;
- The results of the initial or most recent evaluation of the child; and
- The academic, developmental, and functional needs of the child. [34 C.F.R. 300.324]

In consideration of special factors, the IEP team will:

- In the case of a child whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies to address that behavior;
- In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP;
- In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) that instruction in Braille or the use of Braille is not appropriate for the child;
- Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode;
- Consider whether the child requires assistive technology devices and services. [34 C.F.R. 300.324]

REGULATION**REGULATION**

The regular education teacher of a child with a disability, as a member of the IEP team, will, to the extent appropriate, participate in the development, review, and revision of the child's IEP, including the determination of:

- Appropriate positive behavioral interventions and strategies for the child; and
- Supplementary aids and services, program modifications, and/or supports for school personnel that will be provided for the child, consistent with §300.320(a)(4). [34 C.F.R. 300.324]

In making changes to the IEP after the annual IEP meeting, the parent and the District may agree to amend the IEP without a meeting for the purpose of making those changes and, instead, develop a written document to amend or modify the child's current IEP. The District will:

- Inform all members of the child's IEP team of those changes, and
- Upon request, provide the parents with the revised copy of the IEP. [34 C.F.R. 300.324]

To the extent possible, the District will encourage the consolidation of evaluation, reevaluation and IEP meetings for a child. [34 C.F.R. 300.324]

The District ensures that the IEP team reviews the child's IEP periodically, but not less than annually, to determine if goals are being achieved, and revise the IEP, when appropriate, to address:

- any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate;
- the results of any reevaluation;
- information about the child provided to, or by the parents;
- the child's anticipated needs, or other matters. [34 C.F.R. 300.324]

If a participating agency other than the District fails to provide the transition services in an IEP, the District will reconvene the IEP team to identify alternative strategies to meet the child's transition outcomes. [34 C.F.R. 300.324]

Before the District places a child with a disability in a private school or facility, the District will initiate and conduct a meeting to develop an IEP for the child and ensure that a representative of the private school or facility attends the meeting in person or by conference call. [34 C.F.R. 300.325]

REGULATION**REGULATION**

Subsequent IEP reviews may be initiated and conducted by the private school at the discretion of the District. However, the District ensures that:

- The parents and District representative are involved in any decisions about the child's IEP; and
- Agree to any proposed changes in the IEP before those changes are implemented. [34 C.F.R. 300.325]

The District remains responsible to ensure FAPE to a child placed by the District in a private school or facility. [34 C.F.R. 300.325]

The District ensures that the parents of a child with a disability are members of any group that makes decisions on the educational placement of their child. [34 C.F.R. 300.327]

Least Restrictive Environment

The District ensures that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. [34 C.F.R. 300.114]

The District will make available a continuum of alternative placements to meet the needs of children with disabilities for special education and related services. [34 C.F.R. 300.115]

The continuum of alternative placements will include:

- Instruction in regular classes, special classes, special schools, home instruction, and instruction in hospital and institutions;
- Supplementary services, such as a resource room or itinerant instruction, to be provided in conjunction with regular class placement.

The placement decision for each child will be:

- Made by a group that includes the parents and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options;
- In conformity with the least restrictive environment (LRE) provisions of the IDEA regulations;
- Determined at least annually;

REGULATION**REGULATION**

- Based on the child's IEP; and,
- As close as possible to the child's home. [34 C.F.R 300.115]

Unless the IEP of a child requires some other arrangement, the child will be educated in the school that he or she would attend if not disabled. [34 C.F.R 300.115]

In selecting the LRE, consideration will be given to any potential harmful effect on the child or on the quality of services that she/he needs. [34 C.F.R 300.115]

A child with a disability will not be removed from age-appropriate regular classrooms solely because of needed modifications in the general education curriculum. [34 C.F.R 300.115]

In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and other nonacademic activities, the District ensures that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child. [34 C.F.R 300.117]

The District ensures that the supplementary aides and services determined by the IEP team to be appropriate and necessary are provided to allow the child to participate in nonacademic settings. [34 C.F.R 300.115]

The District will establish, maintain, and implement procedural safeguards that meet the requirements of §300.500 through 300.536 of the IDEA Regulations.

Procedural Safeguards

The District ensures that the parents of a child with a disability shall be given an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child. [34 C.F.R. 300.501]

The District ensures that the parents of a child with a disability shall:

- be given an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and the provision of FAPE to the child.
- be provided notice consistent with §300.322 to ensure they have opportunity to participate in meetings.

REGULATION**REGULATION**

- be members of any group that makes decisions on the educational placement of their child. [34 C.F.R. 300.501]

If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the District must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing. [34 C.F.R. 300.501]

A placement decision may be made by a group without the involvement of the parent, if the District is unable to obtain the parent's participation and has maintained a record of its attempts to ensure their involvement. [34 C.F.R. 300.501]

The parents of a child with a disability have the right to obtain an independent educational evaluation of their child. The District must provide to parents, upon request for an independent educational evaluation:

- Information about where an independent educational evaluation may be obtained; and
- The District criteria applicable for independent educational evaluations. District criteria for the independent educational evaluation must be the same as the criteria the District uses when it conducts an evaluation, to the extent consistent with the parent's right to an evaluation. [34 C.F.R. 300.502]

A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the District. If a parent requests an independent educational evaluation at public expense, the District must, without unnecessary delay, either:

- File for a due process hearing to show that its evaluation is appropriate; or
- Ensure that an independent educational evaluation is provided at public expense, unless the District demonstrates in a hearing that the evaluation obtained by the parent did not meet District criteria. [34 C.F.R. 300.502]

If a due process hearing decision is that the District's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense. [34 C.F.R. 300.502]

REGULATION**REGULATION**

If a parent requests an independent educational evaluation, the District may ask for the parent's reasons for the objections, but may not require the parent to provide an explanation and may not unreasonably delay either providing the independent educational evaluation at public expense or filing a request for due process to defend its evaluation. [34 C.F.R. 300.502]

A parent is entitled to only one (1) independent educational evaluation at public expense each time the District conducts an evaluation with which the parent disagrees. [34 C.F.R. 300.502]

The results of any independent educational evaluation which is obtained by or provided to the District:

- must be considered by the District, if it meets District criteria, in any decision with respect to the provision of FAPE to the child; and
- may be presented by any party as evidence in a due process hearing. [34 C.F.R. 300.502]

If a hearing officer requests an independent educational evaluation as part of a due process hearing, the cost of the evaluation must be at public expense.

Written notice must be given to the parents of a child with a disability a reasonable time before the District:

- Proposes to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child; or
- Refuses to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child. [34 C.F.R. 300.503]

The notice must include:

- A description of the action proposed or refused by the District;
- An explanation of why the District proposes or refuses to take the action;
- A description of each evaluation procedure, assessment, record or report the District used as a basis for the proposed or refused action;

REGULATION**REGULATION**

- A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained;
- Sources for parents to contact to obtain assistance in understanding the provisions of this part;
- A description of other options that the IEP team considered and the reasons why those options were rejected;
- A description of other factors that are relevant to the District's proposal or refusal. [34 C.F.R. 300.503]

The notice must be written in language understandable to the general public, provided in the native language or other mode of communication used by the parent. [34 C.F.R. 300.503]

If the native language or other mode of communication used by the parent is not a written language, the District ensures:

- the notice is translated orally or by other means to the parent in his or her native language or other mode of communication;
- That the parent understands the content of the notice;
- That there is written evidence of these requirements. [34 C.F.R. 300.503]

A copy of the procedural safeguards available to the parent of a child with a disability must be given to the parents only one (1) time a school year, except that a copy also must be given to the parents:

- Upon initial referral or parent request for evaluation;
- Upon receipt of a first complaint to the state or first request for a due process hearing in a school year;
- When a disciplinary change of placement /removal has been initiated;
- Upon request by a parent. [34 C.F.R. 300.504]

The procedural safeguards notice must include a full explanation of all the procedural safeguards available under §300.148, §§300.151 through 300.153,

REGULATION**REGULATION**

§300.300, §§300.502 through 300.503, §§300.505 through 300.515, §300.520, §§300.530 through 536, and §§300.610 through 300.625 relating to:

- Independent educational evaluations;
- Prior written notice;
- Parental consent;
- Access to education records;
- Opportunity to present and resolve complaints through the due process hearing and state complaint procedures, including;
 - The time period in which to file a complaint;
 - The opportunity for the District to resolve the complaint;
 - The difference between due process hearing and state complaint procedures, jurisdictions, issues that may be raised, timelines, and relevant procedures.
- The availability of mediation;
- The child's placement during the due process hearing;
- Procedures for students subject to placement in an interim alternative educational setting
- Requirements for unilateral placements by parents of children in private schools at public expense;
- Due process hearings including requirements for disclosure of evaluation results and recommendations;
- Civil actions, including timelines;
- Attorney fees. [34 C.F.R. 300.504]

This notice must meet the same requirements for understandable language as for the written prior notice described in §300.503. [34 C.F.R. 300.504]

The parent of a child with a disability may elect to receive required notices by an electronic mail communication if the District makes that option available. [34 C.F.R. 300.505]

REGULATION**REGULATION**

The District will establish procedures to allow parties to disputes, including those matters arising prior to a request for a due process hearing, to resolve disputes through mediation. Procedures will ensure that the mediation process:

- Is voluntary on the part of the parties;
- Is not used to deny or delay a parent's right to a due process hearing or any other right under the IDEA;
- Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques. [34 C.F.R. 300.506]

The District may establish procedures to offer to parents and schools that choose not to use mediation an opportunity to meet, at a time and location convenient to the parties, with a disinterested party:

- Who is under contract with an appropriate alternative dispute resolution entity, or a parent training and information center, or community parent resource center;
- Who would explain the benefits of, and encourage the mediation process to the parents. [34 C.F.R. 300.506]

A parent or District may file a request for a due process hearing relating to the identification, evaluation or educational placement of a child with a disability. [34 C.F.R. 300.507]

The request for a due process hearing must allege a violation that occurred not more than two (2) years before the date the parent or District knew or should have known about the alleged violation. [34 C.F.R. 300.507]

The District must inform the parent of any free or low cost legal and other relevant services available in the area upon parent request. [34 C.F.R. 300.507]

The District will have procedures that require either party, or the attorney representing a party, to provide to the other party a confidential due process complaint. [34 C.F.R. 300.508]

The party filing the notice for a hearing must forward a copy of the request to the state. [34 C.F.R. 300.508]

The due process hearing complaint must include the following in order for the complaint to be heard:

- The name of the child;

REGULATION**REGULATION**

- The residential address of the child;
- The school of attendance;
- A description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and
- A proposed resolution of the problem to the extent known and available to the party at the time. [34 C.F.R. 300.508]

The due process complaint will be deemed sufficient unless the party receiving the complaint notifies the hearing officer and the other party in writing, within fifteen (15) days of receipt of the complaint, that it believes the complaint does not meet the content requirements. [34 C.F.R. 300.508]

Within five (5) days of receipt of notice, the hearing officer must determine whether the complaint meets the requirements and notify the parties, in writing, of that determination. [34 C.F.R. 300.508]

A party may amend its due process complaint only if:

- The other party consents in writing and is given an opportunity to resolve the complaint through the resolution process; or
- The hearing officer grants permission, but in no case later than five (5) days before the due process hearing begins. [34 C.F.R. 300.508]

If a party files an amended complaint, the relevant timelines begin again. [34 C.F.R. 300.508]

If the District has not sent a prior written notice to the parent regarding the subject matter contained in the due process complaint, it must do so within ten (10) days of receiving the complaint. [34 C.F.R. 300.508]

Within ten (10) days of receiving the complaint, the receiving party will send to the other party a response that specifically addresses the issues raised in the due process complaint. [34 C.F.R. 300.508]

Within fifteen (15) days of receiving the notice of the parent's due process complaint, and prior to the initiation of a due process hearing, the District must convene a meeting with the parent and the relevant members of the IEP team who have specific knowledge of the facts identified in the complaint that:

REGULATION**REGULATION**

- Includes a representative of the District who has District decision-making authority;
- May not include an attorney of the District unless the parent is accompanied by an attorney. [34 C.F.R. 300.510]

The purpose of the meeting is for the parent of the child to discuss the due process complaint, and the factual basis of the complaint, so the District has the opportunity to resolve the dispute. [34 C.F.R. 300.510]

The resolution meeting need not be held if:

- The parent and District agree in writing to waive the meeting; or
- The parent and District agree to use the mediation process. [34 C.F.R. 300.510]

The parent and the District determine the relevant IEP team members to attend the meeting. [34 C.F.R. 300.510]

If the District has not resolved the complaint to the satisfaction of the parent within thirty (30) days of the receipt of the complaint, the due process hearing may occur. The timeline for issuing a final decision begins at the end of this thirty (30) day period. [34 C.F.R. 300.510]

The failure of the parent to participate in the resolution meeting that has not been mutually agreed to be waived, will delay the timelines for the resolution process and due process hearing until the meeting is held. [34 C.F.R. 300.510]

If the District is unable to obtain the participation of the parent after reasonable efforts have been made and documented, the District may, at the conclusion of the thirty (30) day period, request the hearing officer dismiss the parent's due process complaint. [34 C.F.R. 300.510]

If the District fails to hold the resolution meeting within fifteen (15) days of receiving the complaint or fails to participate in the meeting, the parent may request that the hearing officer begin the hearing timeline. [34 C.F.R. 300.510]

The forty-five (45) day timeline for the due process hearing starts the day after:

- Both parties agree in writing to waive the resolution meeting; *or*

REGULATION**REGULATION**

- After either the mediation or resolution meeting starts but before the end of the thirty (30) day resolution period, the parties agree in writing that no agreement is possible; *or*
- If both parties agree in writing to continue the mediation at the end of the thirty (30) day resolution period, but later, one (1) party withdraws from the mediation process. [34 C.F.R. 300.510]

If a resolution is reached at the meeting, the parties must execute a legally binding agreement that is:

- Signed by both the parent and District representative who has authority to legally bind the District; and
- Enforceable in any state court of competent jurisdiction or in a district court of the United States. [34 C.F.R. 300.510]

Either party may void the agreement within three (3) business days of the agreement's execution. [34 C.F.R. 300.510]

The child involved in the due process hearing complaint must remain in his or her current educational placement:

- Unless a discipline appeal has been filed as provided in §300.533;
- During the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing under §300.507; or
- Unless the District and parents of the child agree otherwise. [34 C.F.R. 300.518]

If the complaint involves an application for initial admission to public school, the child, with the consent if the parents, must be placed in the public school until the completion of all the proceedings. [34 C.F.R. 300.518]

If the complaint involves an application for initial services for a child who has turned three (3) and transitioning from Part C to Part B, the District is not required to provide the Part C services the child had been receiving. If the child is found eligible for special education and related services under Part B, and the parent consents to the initial provision of services under §300.300(b), then the District must provide those services that are not in dispute. [34 C.F.R. 300.518]

If the hearing officer agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the state and parent for the purposes of (1)(c) of this section. [34 C.F.R. 300.518]

REGULATION**REGULATION**

The District ensures that the rights of a child are protected by assigning an individual to act as a surrogate for the parents when:

- No parent can be identified;
- After reasonable efforts are made, no parent can be located;
- The child is a ward of the state (with no foster parent);
- The child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act. [34 C.F.R. 300.519]

The District will have a method for determining when a surrogate parent is needed and for making surrogate parent assignments. [34 C.F.R. 300.519]

The District ensures that a person selected as a surrogate parent:

- Is not an employee of the state, the District, or any other agency that is involved in the education or care of the child;
- Has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and
- Has knowledge and skills that ensure adequate representation of the child. [34 C.F.R. 300.519]

In the case of an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents until a surrogate parent can be appointed that meets all the requirements of this section. [34 C.F.R. 300.519]

When a child with a disability reaches age eighteen (18), unless that child has been determined to be incompetent:

- The District will provide any notice required by the IDEA regulations to both the child and the parents; and
- All rights accorded to parents under Part B of the Act transfer to the child. [34 C.F.R. 300.520]

When the rights are transferred, the District will provide notice to the child and parent of the transfer of rights. [34 C.F.R. 300.520]

ONLINE / CONCURRENT / CORRESPONDENCE COURSES

Arizona Online Instruction

Arizona online instruction (AOI) is a learning option for meeting the needs of students in the information age. The District Governing Board may authorize student enrollment in AOI courses for credit to fulfill the academic requirements of the Governing Board and the State Board of Education (SBE). The course(s) must be provided by an online course provider or an online school selected and approved by the SBE as defined by and in accordance with the criteria established in A.R.S. 15-808.

To satisfy District class and course standards, the course offerings and content must:

- meet District and SBE academic standards for the identified student population,
- provide at least the minimum course of study and competency requirements for graduation from high school, based on the current cohort year requirements, and
- prepare students for post-secondary success in the world of work, technical school, or college.

To receive credit towards promotion or graduation, a student participating in Arizona online instruction shall:

- satisfactorily complete the course requirements,
- participate in the testing requirements prescribed by A.R.S. 15-741 *et seq.*, and
- not be allowed to participate in AOI if the student fails to comply with the testing requirements; or the online instruction provider fails to administer the tests to at least ninety-five percent (95%) of the students participating in the provider school's AOI.

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

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

If a student's academic achievement declines while the student is participating in AOI, the student's parents or guardians, teachers and instructors, and the school's administrator shall confer to evaluate whether the student's continued participation in AOI should be allowed.

A student may participate in AOI as either a part-time or full-time student for membership and attendance purposes as prescribed by A.R.S. 15-808. When the student is concurrently enrolled part-time in the District and participating part-time in AOI, daily attendance and membership of the student shall be recorded and reporting for funding apportionment purposes as specified by A.R.S. 15-808 and the Uniform System of Financial Records (USFR).

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

The District may make application to the Arizona State Board of Education to become a provider of Arizona Online Instruction.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-203

15-341

15-701

15-701.01

15-741

15-802

15-808

15-901

A.A.C. R7-2-301

R7-2-302

R7-2-302.01

R7-2-302.02

R7-2-302.03

R7-2-302.04

USFR Memorandum No. 244

CROSS REF.: DI - Fiscal Accounting and Reporting

IHA - Basic Instructional Program

IHB - Special Instructional Programs

IJNDB - Use of Technology Resources in Instruction

IKE - Promotion, Retention, and Acceleration of Students

IKF - Graduation Requirements

JE - Student Attendance

JR - Student Records

REGULATION**REGULATION****ONLINE / CONCURRENT /
CORRESPONDENCE COURSES****Arizona Online Instruction**

A student or the student's parents or guardians may apply to the student's school administrator for part-time concurrent or full-time enrollment in an Arizona online instruction (AOI) program.

The student's school administrator shall confer with the student and the student's parents or guardians to:

- explore the student's interest in and understanding of the AOI program,
- describe the AOI course or program provider's requirements of the student, and
- explain the state testing requirements for the student's participation in AOI, as well as the additional testing situations that might result in the student's loss of eligibility to continue in AOI.

The school's administrator, or a person designated by the administrator, shall monitor the student's performance and progress in the AOI course or program of study. Periodic reports to the student's parents or guardians shall be made at the same time and in the same manner as those for District students of like classification not participating in the AOI.

If a determination is made that the student's academic achievement has declined while the student is participating in AOI, the student's parents or guardians, teacher(s) and instructor(s), and the school's administrator shall confer to evaluate whether the student's continued participation in AOI should be allowed. When a student's decline in academic achievement, or for any other reasons, results in the student becoming ineligible to continue participation in AOI, the student shall be placed in a school class or course commensurate with the student's academic level and AOI program of study, or as nearly equivalent as is practical.

The school's administrator shall cooperate with the AOI provider as necessary to accommodate on-site assistance to special need students participating in AOI courses or programs.

The school's administrator shall ensure that the daily attendance and membership of each student participating in AOI is recorded, maintained, and reported as required by law.

INSTRUCTIONAL RESOURCES AND MATERIALS

Supplies

All students in the elementary (K-8) schools will have required textbooks and supplies furnished by the District.

The Governing Board shall furnish free required textbooks and related printed subject matter materials for high school students in grades nine (9) through twelve (12).

A student or parent may purchase, at the price paid for the books, such books as are necessary for high school students. Students and their parents shall be held responsible for proper care of books and school property. Books must be kept clean and unmarked. Parents may be required to pay for any damage to school property.

The Superintendent is authorized to establish a replacement-fee schedule and make it available to students, staff members, and parents. Students and parents will be advised of this replacement-cost policy upon enrollment or at the beginning of each school year.

The District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that is not rated for general audiences.

Access to Instructional Material by Parents and Guardians

The Superintendent shall establish procedures that permit parents or guardians of students enrolled in the District to have advance access to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District in accordance with the terms of this policy. A parent who objects to any learning material or activity on the basis that the material or activity is harmful, because of sexual content, violent content, or profane or vulgar language, may request to withdraw that student from the activity or from the class or program in which the material is used and request an alternative assignment.

The request by the parent or guardian must be in writing and must specify the materials that the parent or guardian wishes to review.

Such procedures shall make available at least one (1) copy of the materials for review by the parents or guardians. Printed textbooks, printed supplementary books, and printed subject-matter materials may be checked out from the District premises by parents or guardians for periods not to exceed forty-eight (48) hours. All other materials, including films, may be reviewed only on the District premises.

Parents or guardians will be notified when and where the instructional materials may be picked up or reviewed. Materials will be made available on a first-come, first-served basis.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-102 15-342
 15-341 15-721 to 15-730

CROSS REF.: ABA - Community Involvement in Education
 KB - Parental Involvement in Education

INSTRUCTIONAL RESOURCES AND MATERIALS

Availability of and Access to Instructional Materials by Parents or Guardians

Parents or guardians of students enrolled in the District shall have access in advance to instructional materials and activities currently in use, or being considered for use, in the District. Such access shall be governed by the following:

- Requests must be in writing and must specify the materials that the parents or guardians want to review.
- Requests shall be submitted to the office of the principal.
- At least one (1) copy of such instructional materials shall be available for parent or guardian review.
- Printed textbooks, supplementary books, and other printed subject matter may be checked out for removal from District premises for up to forty-eight (48) hours. All other materials, including films, may be reviewed only on District premises.
- School personnel involved in handling requests to review materials will notify the parents or guardians as to when and where such materials may be picked up or reviewed.
- Materials will be available on a first-come, first-served basis.

Objections to Learning Materials and Activities

A student whose parent or guardian objects to any learning material or activity may be withdrawn from the activity or from the class or program in which the material is used, providing:

- The objection is in writing and is specific in its description of the activity or learning material to which the parent or guardian objects.
- The objection includes a statement that the parent or guardian understands that the educational information and concepts covered in the activity or material may not be covered in any other manner or form and that the parent or guardian understands that the student may not be able to make up the material or activity in any other way.

REGULATION**REGULATION**

- Although the student may be unable to make up for the missed activity or material, no penalty will accrue to the student in grades or credit, with the exception that, if the objection removes a student from a substantial portion of a class, promotion and credit decisions will be based on applicable District policies.
- All such objections shall be directed to the principal of the school in which the student is enrolled, who shall forward a copy of the written objection to the Superintendent, indicating that the student has been removed from the activity or stating the reason for nonremoval.
- Upon receiving a principal's recommendation for removal or nonremoval, the Superintendent will review the situation and make a decision regarding the matter and communicate that decision to the parent or guardian and the principal.
- Within ten (10) days after receiving notification of such decision from the Superintendent, the parent or guardian may request an appeal to the Board.

LIBRARY MATERIALS SELECTION AND ADOPTION

The Superintendent shall annually recommend to the Board an expenditure level for the purchase of library books, materials, and electronic media. The Superintendent shall approve the purchase of library books, materials, and electronic media that:

- Enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
- Stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- Provide a background of information that will enable students to make intelligent judgments in their daily lives.
- Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
- Assure a comprehensive collection appropriate for the users of the library.
- Provide a current, balanced collection of books, basic reference materials, texts, periodicals, and audiovisual materials that depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

The Superintendent is authorized to establish a professional library for the use of the District staff.

The Superintendent will establish procedures for the removal of the following categories of books and other material from the library:

- Damaged materials.
- Materials that no longer present current information.
- Materials that no longer support the goals of the District.
- Materials that have not been used frequently enough to justify the use of library space.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-362
15-721
15-722

LIBRARY MATERIALS SELECTION AND ADOPTION

The following standards shall be used in the selection of library books, materials, and electronic media:

- Materials and media that widen the boundaries of the students' thinking, that enrich their lives and help them fulfill their recreational and emotional needs.
- Materials and media that have imaginative appeal and a style that is interesting and free from monotony.
- Materials and media that stimulate the imagination, provide for mental growth, develop a taste for good writing, and draw attention to the beautiful and artistic.
- Books and media that provide pleasurable reading for the reader's sake.
- Books and media that are illustrated in a manner that complements the text, have quality art, and are suitable for the intended readers.
- Materials and media that adequately cover a wide range of reading ability.

SPECIAL - INTEREST MATERIALS SELECTION AND ADOPTION

Commercial organizations offer a variety of materials for use by teachers in the classroom. Many of these materials are of high educational value, with little or no advertising emphasis. Other materials are primarily advertising and have only limited educational value.

In general, supplementary materials (printed materials, models, films, slides, pictures, charts, exhibits for educational purposes, et cetera) from commercial, political, religious, or other nonschool sources should have approval by the principal. This approval may be given to materials that are of obvious educational quality, supplement and enrich text and reference book materials, are timely and up to date, and promote American democratic ideals and moral values.

Students may not be used as the agents for distributing nonschool materials to the homes. The Superintendent shall be the final judge of whether or not such materials shall be utilized with students and will establish necessary procedures for their evaluation, approval, and use.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-341
15-535

RESOURCE CENTERS / MEDIA CENTERS / SCHOOL LIBRARIES

Library facilities are considered of the utmost importance to the students and should be designed, to the extent possible, to accommodate:

- A comprehensive collection of instructional materials selected to meet the needs of the students.
- Maximum accessibility to these materials.
- A place for materials that will support the curriculum, taking into consideration the individual student's needs and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of all of the students.
- A place for materials for teachers and students to encourage growth in knowledge, which will develop literary, cultural, and aesthetic appreciation and ethical standards.
- The allotment of space for an adequate professional library.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-341
15-362
41-1354

TECHNOLOGY RESOURCES

(Movies/Videos//Electronic Materials)

It is the policy of the District that there is educational value in utilizing movies and videos in classrooms only when such movies and videos extend and/or reinforce the concepts being taught and have been planned for in advance. Parents or guardians of students enrolled in the District shall have access in advance to instructional materials, learning materials and activities currently in use, or being considered for use, in the District.

The District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that may be inappropriate for the age of the student.

The Superintendent shall develop regulations governing the use of movies/ videos in the classroom.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-113
15-341

CROSS REF.: IJ - Instructional Resources and Materials
KB - Parental Involvement in Education

REGULATION**REGULATION****TECHNOLOGY RESOURCES****(Movies/Videos//Electronic Materials)**

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

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

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

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

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

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION

Appropriate use of Electronic Information Services

The District may provide electronic information services (EIS) to qualified students, teachers, and other personnel who attend or who are employed by the District. Electronic information services include networks (e.g., LAN, WAN, Internet), databases, and any computer-accessible source of information, whether from hard drives, tapes, compact disks (CDs), floppy disks, or other electronic sources. The use of the services shall be in support of education, research, and the educational goals of the District. To assure that the EIS is used in an appropriate manner and for the educational purposes intended, the District will require anyone who uses the EIS to follow its guidelines and procedures for appropriate use. Anyone who misuses, abuses, or chooses not to follow the EIS guidelines and procedures will be denied access to the District's EIS and may be subject to disciplinary action.

Each user will be required to sign an EIS user's agreement. The District may log the use of all systems and monitor all system utilization. Accounts may be closed and files may be deleted at any time. The District is not responsible for any service interruptions, changes, or consequences. The District reserves the right to establish rules and regulations as necessary for the efficient operation of the electronic information services.

The District does not assume liability for information retrieved via EIS, nor does it assume any liability for any information lost, damaged, or unavailable due to technical or other difficulties.

Filtering and Internet Safety

The District shall provide for technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or, with respect to use of the computers by students, harmful to students. The protective measures shall also include monitoring the online activities of students.

Limits, controls, and prohibitions shall be placed on student:

- Access to inappropriate matter.
- Safety and security in direct electronic communications.
- Unauthorized online access or activities.

- Unauthorized disclosure, use and dissemination of personal information.

The Superintendent is responsible for establishing and enforcing the District's electronic information services guidelines and procedures for appropriate technology protection measures (filters), monitoring, and use.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 13-2316

13-3506.01

13-3509

15-341

34-501

34-502

20 U.S.C. 9134, The Children's Internet Protection Act

47 U.S.C. 254, Communications Act of 1934 (The Children's
Internet Protection Act)

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION

ELECTRONIC INFORMATION SERVICES USER AGREEMENT

Details of the user agreement shall be discussed with each potential user of the electronic information services (EIS). When the signed agreement is returned to the school, the user may be permitted use of EIS resources.

Terms and Conditions

Acceptable use. Each user must:

- Use the EIS to support personal educational objectives consistent with the educational goals and objectives of the School District.
- Agree not to submit, publish, display, or retrieve any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.
- Abide by all copyright and trademark laws and regulations.
- Not reveal home addresses, personal phone numbers or personally identifiable data unless authorized to do so by designated school authorities.
- Understand that electronic mail or direct electronic communication is not private and may be read and monitored by school employed persons.
- Not use the network in any way that would disrupt the use of the network by others.
- Not use the EIS for commercial purposes.
- Follow the District's code of conduct.
- Not attempt to harm, modify, add/or destroy software or hardware nor interfere with system security.
- Understand that inappropriate use may result in cancellation of permission to use the educational information services (EIS) and appropriate disciplinary action up to and including expulsion for students.

EXHIBIT**EXHIBIT**

In addition, acceptable use for District employees is extended to include requirements to:

- Maintain supervision of students using the EIS.
- Agree to directly log on and supervise the account activity when allowing others to use District accounts.
- Take responsibility for assigned personal and District accounts, including password protection.
- Take all responsible precautions, including password maintenance and file and directory protection measures, to prevent the use of personal and District accounts and files by unauthorized persons.

Personal responsibility. I will report any misuse of the EIS to the administration or system administrator, as is appropriate.

I understand that many services and products are available for a fee and *acknowledge my personal responsibility for any expenses incurred without District authorization.*

Network etiquette. I am expected to abide by the generally acceptable rules of network etiquette. Therefore, I will:

- *Be polite and use appropriate language.* I will not send, or encourage others to send, abusive messages.
- *Respect privacy.* I will not reveal any home addresses or personal phone numbers or personally identifiable information.
- *Avoid disruptions.* I will not use the network in any way that would disrupt use of the systems by others.
- *Observe the following considerations:*
 - Be brief.
 - Strive to use correct spelling and make messages easy to understand.
 - Use short and descriptive titles for articles.
 - Post only to known groups or persons.

EXHIBIT **EXHIBIT**

Services.

The School District specifically denies any responsibility for the accuracy of information. While the District will make an effort to ensure access to proper materials, the user has the ultimate responsibility for how the electronic information services (EIS) is used and bears the risk of reliance on the information obtained.

I have read and agree to abide by the School District policy and regulations on appropriate use of the electronic information system, as incorporated herein by reference.

I understand and will abide by the provisions and conditions indicated. I understand that any violations of the above terms and conditions may result in disciplinary action and the revocation of my use of information services.

Name _____

Signature _____ Date _____
(Student or employee)

School _____ Grade (if a student) _____

Note that this agreement applies to both students and employees.

The user agreement of a student who is a minor must also have the signature of a parent or guardian who has read and will uphold this agreement.

Parent or Guardian Cosigner

As the parent or guardian of the above named student, I have read this agreement and understand it. I understand that it is impossible for the School District to restrict access to all controversial materials, and I will not hold the District responsible for materials acquired by use of the electronic information services (EIS). I also agree to report any misuse of the EIS to a School District administrator. (Misuse may come in many forms but can be viewed as any messages sent or received that indicate or suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, or other issues described in the agreement.)

I accept full responsibility for supervision if, and when, my child's use of the EIS is not in a school setting. I hereby give my permission to have my child use the electronic information services.

Parent or Guardian Name (print) _____

Signature _____ Date _____

FIELD TRIPS

Field trips must be planned within the context of the school program and must be appropriate for the age level, grade level, and curriculum. Due to limitations imposed by local conditions, field trips may be limited by the Superintendent. All field trips must be specifically approved by the Superintendent long enough in advance so that arrangements can be made prior to the trip. Before any student is taken from the school grounds on a field trip, written permission must be obtained from the parents or legal guardians. Transportation shall be provided only by District vehicles, driven by authorized personnel.

In general, field trips shall be conducted within the normal school day. Longer trips or overnight trips must have Governing Board approval. The District will not sponsor, approve, support, or encourage field trips that do not meet the criteria outlined in this policy, unless the Board gives approval after a presentation justifying the specific need for the exception.

Adopted: date of Manual adoption

COMMUNITY RESOURCE PERSONS / SPEAKERS

The District recognizes that one of the greatest resources of the school is to be found in the people of the community who have special knowledge and particular talents to contribute to the school program. Therefore, the use of community resources and citizens to serve in furthering the educational program is encouraged. Staff members should study the needs of their respective schools, survey the resources available in the school community, weigh their probable usefulness, and then present to the Superintendent for approval any staff-developed plans for using those community resources. The Superintendent will consider all such plans, on both their merit and their implications, as if they were to be carried out throughout the District. Use of outside personnel and resources would be under procedures authorized by the Superintendent.

Adopted: date of Manual adoption

SCHOOL VOLUNTEERS

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

The Superintendent shall promote appropriate annual recognition of volunteer services.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 13-3716
15-512
23-901.06

CROSS REF.: GCFC - Professional Staff Certification and Credentialing
Requirements (fingerprinting requirements)
GDFA - Support Staff Qualifications and Requirements
(fingerprinting requirements)

REGULATION**REGULATION****GRADING / ASSESSMENT SYSTEMS****Subject Grade**

The subject grade should be based upon pupil mastery of the content of the course. The teacher will establish a reasonable standard for average achievement in each of the subjects. If at any time the teacher is in doubt that this standard is either too high or too low, the teacher should discuss the matter with the principal.

The teacher will establish a uniform system of grading. This system is based upon attainment of what the teacher requires. Content of the course shall be set up to be measured by numerical percentages which are then transferred to letter equivalents. The following scale will serve as a guide for the distribution of grades but reasonable alternative letter grades may be approved at the District level:

| | | |
|------------------|---------------|----------|
| 90% through 100% | <i>equals</i> | <i>A</i> |
| 80% through 89% | <i>equals</i> | <i>B</i> |
| 70% through 79% | <i>equals</i> | <i>C</i> |
| 60% through 69% | <i>equals</i> | <i>D</i> |
| Below 60% | <i>equals</i> | <i>F</i> |

The following should be observed in implementing a grading system:

- The grading system should be consistent within the class for the entire year.
- The student should understand the system thoroughly, such as, the content on which the grade for the course depends, the weight attached to various phases of the material, the manner in which the letter grade is devised, and the meaning of the final letter grade which is sent home as a report to the parent.
- If a teacher from year to year consistently promotes classes with predominantly high or low scores for the majority of the pupils in each class, then such practice causes parental and pupil difficulties for the succeeding teacher. If a teacher consistently finds the grades high or low for a large percent of the class, then the teacher should evaluate their established standards of average achievement on grading.

REGULATION**REGULATION**

- Work habits and conduct are two (2) areas that will be marked individually. Grades on basic subjects must not be awarded or upheld based upon disciplinary problems, work habits, or conduct.

Report Cards and Records

An average of two (2) grades per week should be kept in numerical values in the teacher's grade book for each subject. Average numerical values for the nine (9) weeks will also be recorded in the grade book.

Grade reports to the parents are made on a nine (9) week basis. Report cards include an explanation of the system of marks used. Before cards are distributed each nine (9) week period, the teacher should explain the marking system to the students.

Cards are sent home according to a schedule which is developed at the beginning of the school year.

TESTS AND EXAMINATIONS

Final examinations may be used as evaluation of student achievement when they are conducted in such a way that they effectively evaluate the achievement of the goals and objectives on which learning activities have been based.

Adopted: date of Manual adoption

TESTS AND EXAMINATIONS

Principals will develop testing schedules for their schools. Such schedules will then be reported to the Superintendent.

CLASS RANKINGS / GRADE POINT AVERAGES

Rank in class is required by colleges and universities on transcripts submitted for entrance evaluation.

Class rank shall be determined as follows:

- Class ranking will be determined each semester beginning with the first semester of the ninth (9th) grade.
- Class rank will be based only on the grades earned in classes that meet or exceed graduation requirements.
- Total grade points begin accumulating with the ninth (9th) grade. These are divided by total units attempted to produce the accumulative grade point average. Students are then ranked according to grade point average.

Adopted: date of Manual adoption

HONOR ROLLS

An honor roll system is an additional means for encouraging goal setting by students and for providing recognition of students who have achieved those goals.

Honor rolls will be used in grades Kindergarten through eight (8). The Superintendent will establish the minimum achievement level for all honor rolls, and such determination may be subject to Board approval. Students will be informed of the honor roll system and instructed to ensure an understanding of the specific grades and methods used to compute the honor roll formula.

The District will promote public recognition of students who have attained honor roll status.

Adopted: date of Manual adoption

PROMOTION AND RETENTION OF STUDENTS

(Promotion or Retention of Elementary Students; High School Course Pass or Fail)

Regular Education

The District is dedicated to the continuous development of each student.

Year to year promotion of a student in grades one (1) through eight (8) will be based upon standards for each basic subject area as identified in the course of study.

The District standards that students must achieve shall include accomplishment of the standards in reading, written communication, mathematics, science, and social studies adopted by the State Board of Education.

The promotion of a student from grade three (3) shall be conditioned on the satisfaction of the applicable competency requirements prescribed by A.R.S. 15-701 and depicted in Administrative Regulation IKE-RB.

In addition to these standards, test scores, grades, teacher-principal recommendations, and other pertinent data will be used to determine promotion.

Retention of students is a process that is followed when the professional staff, in consultation with the parent, determines it to be in the best interests of the student. Though primary grades are suggested as the most appropriate time, retention may be considered at any grade level.

When circumstances indicate that retention is in the best interest of the student, the student will have individual consideration, and decisions will be made only after a careful study of facts relating to all phases of the student's growth and development. The student's academic achievement level and mental ability are important, but physical and social characteristics are also important factors. A decision should be based on sufficient data, collected over a period of time and motivated by a desire to place students in school programs where they will be the most successful.

The earning of credit for a high school course is based on the student's satisfactory completion of the course academic requirements as demonstrated by the student's course grade. Periodic grade reports shall inform the student and the student's parent(s)/guardian(s) of the student's progress in a course. The teacher should further inform and confer with the student's parent(s)/guardian(s) whenever the student's lack of satisfactory progress in the course indicates a trend toward the student receiving a failing course grade. No course credit is granted for a failing grade.

A student's high school grade classification (i.e., freshman - ninth [9th]; sophomore - tenth [10th]; junior - eleventh [11th]; or senior - twelfth [12th]) is determined by the number of units of credit the student has earned relative to the respective minimum number of credits to attain each successive classification. A student must achieve passing grades in the number of required and elective course credits prescribed by the Governing Board and the State Board of Education to be granted a high school diploma.

In addition to the above, such decisions, when applied to students enrolled in special education, shall be on a case-by-case basis, consistent with the individualized education program and in accordance with A.A.C. R7-2-301 and R7-2-401.

Special Education

Students who do not meet regular promotion requirements must meet the course of study and promotion requirements for special education under the guidance of A.A.C. R7-2-401. The programs for such students may include adaptations.

Any student unable to meet regular academic requirements for promotion must meet the requirements of an alternative curriculum derived from the regular curriculum, which will be developed by an individualized educational program (IEP) team on an individual basis. Students placed in special education will complete the course of study as prescribed in their individual promotion plans and implemented through their individual education programs. Course work will be presented at a level commensurate with the student's ability. The student's permanent file shall identify the courses completed through special education; however, the student will receive the standard certificate of promotion.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-203
15-341
15-342
15-521
15-701
15-701.01
15-715
15-802
A.A.C. R7-2-301
R7-2-309
R7-2-401
A.G.O. I84 - 016

CROSS REF.: IHA - Basic Instructional Program
IKF - Graduation Requirements

PROMOTION AND RETENTION OF STUDENTS

Competency Requirements for Promotion of Students from Third Grade for School Years 2010-2011, 2011-2012 and 2012-2013

The District shall provide an annual written notification to parents or guardians of students in kindergarten programs and first (1st), second (2nd) and third (3rd) grades that a student who obtains a score on the reading portion of the Arizona Instrument to Measure Standards (AIMS) test, or a successor test, that demonstrates the student is reading far below the third (3rd) grade level will not be promoted from the third (3rd) grade. If the student's school has determined that the student is substantially deficient in reading before the end of grade three (3), the District shall provide to the parent or guardian of that student a separate written notification of the reading deficiency that includes the following information:

- A description of the current reading services provided to the student.
- A description of the available supplemental instructional services and supporting programs that are designed to remediate reading deficiencies.
- Parental/guardian strategies to assist the student to attain reading proficiency.
- A description of the District policies on midyear promotion to a higher grade.

Competency Requirements for Promotion of Students from Third Grade for School Years 2013-2014 and Thereafter

The competency requirements for the promotion of a student from the third (3rd) grade shall include the following:

- The student shall not be promoted from the third (3rd) grade if the pupil obtains a score on the reading portion of the AIMS test, or a successor test, that demonstrates the students reading skills fall far below the third (3rd) grade level.

REGULATION**REGULATION**

- The Governing Board may promote a student from the third (3rd) grade if the student obtains a score on the reading portion of the AIMS test, or a successor test, that demonstrates the student's reading skills fall far below the third (3rd) grade level for any of the following good cause exemptions:
 - The student is a child with a disability as defined in A.R.S. 15-761, and did not take the AIMS test or a successor test.
 - The student is a child with a disability as defined in A.R.S. 15-761, has taken the AIMS test, or a successor test, and has previously been retained in a grade.
 - The student is English language learner or a limited English proficient student as defined in A.R.S. 15-751 and has had fewer than two (2) years of English language instruction.
 - The student has demonstrated reading proficiency on an alternate assessment approved by the State Board of Education (SBE).
 - The Governing Board accepts a parent's or guardian's request for an exemption for a student who does not meet any of the good cause exemptions prescribed above. Within thirty (30) days after receipt of notification the student will not be promoted from the third (3rd) grade, a parent or guardian may submit a written request to the Governing Board for an exemption in accordance with this item. The written request shall include documentation showing that promotion of the student is appropriate based on the student's academic record and shall include:
 - ▲ Academic progress reports.
 - ▲ Student's Individualized Education Program.
 - ▲ Letters from the student's teacher(s) and the principal of the school recommending the pupil be promoted from the third (3rd) grade.
 - ◆ The Governing Board shall issue a written acceptance or rejection of the parent's or guardian's exemption request within thirty (30) days after receipt of the parent's or guardian's request.

REGULATION**REGULATION**

- Intervention and remedial strategies developed by the State Board of Education (SBE) for students who are not promoted from the (3rd) grade. The Governing Board shall offer at least one (1) of the intervention and remedial strategies developed by the SBE. The parent or guardian of a student not promoted from the (3rd) grade and the student's teacher(s) and principal may choose the most appropriate intervention and remedial strategies that will be provided to that student. The intervention and remedial strategies developed by the SBE shall include:
 - ▲ A requirement the student be assigned to a different teacher for reading instruction.
 - ▲ Summer school reading instruction.
 - ▲ Intensive reading instruction in the next academic year that occurs before, during, or after the regular school day, or any combination of before, during and after the regular school day.
 - ▲ Online reading instruction.
- Provide for universal screening of pupils in preschool programs, kindergarten programs and grades one (1) through three (3) that is designed to identify students who have reading deficiencies in accordance with A.R.S. 15-704.

REGULATION**REGULATION****MAKE UP OPPORTUNITIES**

When a student provides a written statement signed by a parent or guardian that the student will be or was absent because of the application of pesticides, each teacher will be notified and the following procedure will apply:

- Each teacher will provide the student's assignment(s) and any handouts or materials necessary for accomplishment of such assignment(s), allowing a minimum make up period of one (1) day for each day absent.
- It will be the responsibility of any student who misses a laboratory assignment or test to arrange with the teacher a mutually convenient time to perform the laboratory assignment or to take the test.

The following standards shall apply in the District for make up work other than for absence due to pesticide application. Adjustments may be made when it is in the best interest of the student(s).

- It will be the student's responsibility to ask for make up work and to arrange for a time to make up tests when the student returns.
- If the teacher is unable to supply the student with a make up assignment, the student will not be held responsible for that make up assignment.
- The student has the responsibility to work with the teacher to develop a plan for making up homework and tests.
- If work is not turned in by the time the assignment is due, and the student fails to provide an acceptable explanation of the extenuating circumstances that would merit an extension, the teacher may reduce the grade on the assignment or withhold credit on the assignment.
- When a student has been absent for illness, ample time will be given for make up work once the student returns to school.
- In situations where the student will be absent for more than three (3) days, due to illness (i.e., chicken pox, measles, et cetera), or when the parent notifies the office that the student will be absent more than one (1) week for other reasons (e.g., vacation), teachers may provide required assignments in advance or send assignments to the student.



~~GRADUATION REQUIREMENTS~~

~~Regular Education~~

~~A minimum of twenty-one (21) units of credit are required for graduation. Listed below are the units that must be completed before a student may receive a high school diploma. Each student shall demonstrate accomplishment of the standards in reading, writing, science, social studies, and mathematics adopted by the State Board of Education and pass each of the sections of the required competency test. A student not successfully passing the competency test shall graduate with a recognized diploma if the student meets the alternative graduation requirements established by A.R.S. 15-701.02. The Superintendent shall prepare regulations to implement the alternative graduation requirements and appoint a hearing officer for appeals.~~

~~Graduation requirements may be met as follows:~~

- ~~• By successful completion of subject area course requirements.~~
- ~~• By mastery of the standards adopted by the State Board of Education and other competency requirements for the subject as determined by the Governing Board in accord with A.A.C. R7-2-302.04 and rules established by the Superintendent.~~
- ~~• By earning credits through correspondence courses (limited to one [1] in each of the four [4] major subject areas) and/or by passing appropriate courses at the college or university level if the courses are determined to meet standards and criteria established by the Board and in accord with A.R.S. 15-701.01.~~
- ~~• An out-of-state transfer student is not required to pass the competency test to graduate if the student has successfully passed a statewide assessment test on state adopted standards that are substantially equivalent to the State Board Adopted Academic Standards.~~

~~Graduation requirements by year of graduation are:~~

~~2008-2009 through 2010-2011:~~

| | |
|--|------------------------------|
| English | 4.0 units |
| Math | 2.0 units |
| Science | 2.0 units |
| United States and Arizona Constitutions and United States and Arizona History | 1.5 units |
| World History and Geography | 1.0 unit |
| Free Enterprise | 0.5 unit |
| Fine Arts or Vocational Education | 1.0 unit |
| Electives | 8.0 units |
| Total | <u>20.0 units</u> |

~~2011-2012:~~

| | |
|---|------------------------------|
| English | 4.0 units |
| Math | 3.0 units |
| Science | 2.0 units |
| American Government and Arizona Government | 0.5 unit |
| American History - including Arizona History | 1.0 unit |
| World History and Geography | 1.0 unit |
| Economics | 0.5 unit |
| Fine Arts or Vocational Education | 1.0 unit |
| Electives | 7.0 units |
| Total | <u>20.0 units</u> |

~~2012-2013:~~

| | |
|--|------------------------------|
| English | 4.0 units |
| Math | 4.0 units* |
| Science | 3.0 units |
| American Government and Arizona Government | 0.5 unit |
| American History - including Arizona History | 1.0 unit |
| World History and Geography | 1.0 unit |
| Economics | 0.5 unit |
| Fine Arts or Career, Technical and Vocational Education | 1.0 unit |
| Electives | 7.0 units |
| Total | <u>22.0 units</u> |

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

~~Special Education~~

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

~~**Competency requirements.** Any student who is placed in special education classes, grades nine (9) through twelve (12), is eligible to receive a high school diploma without meeting state competency requirements, but reference to special education placement may be placed on the student's transcript or permanent file.~~

~~Adopted:~~ date of Manual adoption

~~LEGAL REF.: A.R.S. 15-203~~

~~15-341~~

~~15-701.01~~

~~15-701.02~~

~~A.A.C. R7-2-302.01~~

~~R7-2-302.02~~

~~R7-2-302.03~~

~~R7-2-302.04~~

~~R7-2-302.06~~

~~R7-2-302.07~~

~~CROSS REF.: IGD - Curriculum Adoption~~

~~IGE - Curriculum Guides and Course Outlines~~

~~IIE - Student Schedules and Course Loads~~

~~IKA - Grading/Assessment Systems~~

GRADUATION REQUIREMENTS

(Alternative Graduation Requirement)

Pursuant to A.R.S. 15-701.02, A.A.C. R7-2-302.06 and R7-2-302.07, a pupil who fails to achieve a passing score on the State Board required competency test in reading, writing, and mathematics assessment for high school graduation during the 2007-2008 through the 2010-2011 school years and thereafter may graduate if the student meets the alternative graduation requirements. Using the state approved formula, this process allows a pupil to augment their State Board required competency test scores with additional points derived from classroom performance. The pupil must meet the eligibility requirements described below to be eligible to receive augmentation points. Points are calculated using grades of *C* or better in the state specified credits of required coursework.

- *Threshold determination:*
 - If a student's augmented assessment scores would not meet or exceed the "Meets the Standard" threshold if augmented by twenty-five percent (25%) for school years 2007-2008 and 2008-2009, by fifteen percent (15%) for school year 2009-2010, or by five percent (5%) for school year 2010-2011 and thereafter, no additional credit shall be calculated per A.R.S. 15-701.02(c).
- *Eligibility requirements for augmentation:*
 - The student must have completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the student's school district or charter school.
 - The student must have taken the State Board standards assessment at every administration when the pupil was eligible to take the test after August 12, 2005.
 - The student must have participated in any academic remediation program available in the student's school in those subject areas where the student failed to achieve a passing score on the State Board competency test.
- *Failure to meet eligibility requirements - Appeal:*
 - If a student is not eligible for the standards assessment score

REGULATION**REGULATION**

augmentation due to failure to:

- ▲ Have taken the State Board competency test at every administration when the pupil was eligible to take the test after August 12, 2005. An appeal, following the procedures indicated below, may be requested in which the student or parent shall have the burden of demonstrating what circumstances prevented compliance with this requirement. An appeal should be granted only upon presentation of credible evidence that extreme circumstances made the student ineligible for each State Board competency test administration the student did not attend.
 - ▲ Have participated in any academic remediation program available in the student's school in those subject areas where the student failed to achieve a passing score on the State Board competency test. An appeal, following the procedures indicated below, may be requested in which the student or parent shall have the burden of demonstrating what circumstances prevented compliance with this requirement. An appeal should be granted only upon presentation of credible evidence that the student participated in a least one state or school sanctioned remediation program in those subject areas where that student failed to achieve a passing score on the State Board competency test.
- *Appeal procedure:*
 - If a senior student fails a subject matter competency test, that student may request an appeal by submitting a petition form prepared by the District to the high school principal within ten (10) days of being notified of failure to achieve "Meets the Standard" on any section of the State Board competency test. The principal shall be the hearing authority for all appeals.
 - School officials shall provide adequate notice to the pupil and the pupil's parents or guardians regarding the date, time, and place of the appeal. A pupil or a pupil's representative may participate in the appeal either personally, by telephone, or by providing written documentation.
 - The student or parent shall have the burden of demonstrating what circumstances prevented compliance with the requirements.

REGULATION**REGULATION**

- An appeal shall be granted only (see Suggested Basis for Appeal below):
 - ▲ Upon presentation of credible evidence that extreme circumstances made the student ineligible for each State Board competency test administration the student did not attend.
 - ▲ Upon presentation of credible evidence that the student participated in a least one (1) state or school sanctioned remediation program in those subject areas where that student failed to achieve a passing score on the State Board competency test.
- The response to the appeal shall be in writing within five (5) days of the appeal hearing.
- The decision of the principal is final.

Suggested Basis for Appeal

A student who has not satisfied the requisites of A.A.C R7-2-602.6 (C)(2) and/or (3) to qualify for the alternative graduation requirement may appeal the determination to the Governing Board when one (1) or more of the conditions listed below exist:

- The student was precluded from taking all available administrations of the AIMS assessment, or has not fully participated in the school's academic remediation program, due to a bona fide emergency. For the purpose of this policy a bona fide emergency is defined as a circumstance beyond the student's or the student's family's control. Examples of a bona fide emergency may include, but are not limited to the following:
 - The student's sudden serious illness or injury simultaneously with the assessment or remediation program offering as attested as affirmed by a licensed medical practitioner.
 - The sudden serious illness, injury, or death of an immediate member of the student's family, as defined in Board Policy GCCA, when such circumstance prevented the student's attendance for an assessment or a remediation program offering, and when affirmed by a licensed medical practitioner.

REGULATION**REGULATION**

- Weather or road conditions that interfered with the student's attendance at the assessment or remediation program offering when the condition was declared by or has been verified with appropriate public authorities.
- A religious event of the student's and/or the student's family's faith when the student and/or the student's family have historically and consistently participated in the religious event in lieu of any other event occurring at the same time.

The school principal must have received from the student's parent(s) written, dated, and signed notification within twenty-four (24) hours, or as soon thereafter as is practicable, of any event that prevented the student from participating in the assessment or the remediation program offering. Notification by telephone or other means may temporarily suffice, but must be validated by a written, dated, and signed notification not less than fourteen (14) calendar days from the date of the event.

Other extreme and extraordinary circumstances may be considered for appeal by the Board when credible evidence is provided affirming actual occurrence of the extreme and extraordinary circumstance.

EXHIBIT **EXHIBIT**

GRADUATION REQUIREMENTS

AUGMENTATION POINTS CALCULATIONS

Threshold Determination

Multiply "Meets the Standard" for each section of the State Board competency test by the factor listed below by year of graduation to determine the score that must be met at a minimum before the augmentation procedure may be completed.

| <u>Graduation year</u> | <u>Factor</u> |
|--------------------------|---------------|
| 2007-2008 and 2008-2009 | .75 |
| 2009-2010 | .85 |
| 2010-2011 and thereafter | .95 |

Example: In the graduation year 2008-2009 if the "Meets the Standard" score for reading were to be 674. Then, multiplying 674 *times* .75 produces 505.5, rounded to 506, would produce the test score below which no augmentation scores will be calculated and for which no appeal would be allowed for the year 2008-2009. The "Meets the Standards Scores" will be determined the State.

Calculation of Augmentation points to be used for each competency test section failed when the threshold is met.

Only classes that satisfy the specifically required subject matter credits by the State Board for graduation shall be included in the calculation of the augmentation score. Use the highest grades earned or if advanced placement/honors courses the grade credited with the most points per R7-2-302.07(E)(b & c).

Credits

| | Course Name | Grades ⁽¹⁾⁽²⁾ | Additional Points |
|----|------------------------------------|--------------------------|-------------------|
| 1) | _____ | _____ | _____ |
| | English or ESL | | |
| 1) | _____ | _____ | _____ |
| | English or ESL | | |
| 1) | _____ | _____ | _____ |
| | English or ESL | | |
| 1) | _____ | _____ | _____ |
| | English or ESL | | |
| 1) | _____ | _____ | _____ |
| | AZ and US History and Constitution | | |

| | |
|----------------|----------------|
| EXHIBIT | EXHIBIT |
|----------------|----------------|

| | | |
|--|---------------------------|------------------------|
| .5) _____ AZ and US History and Constitution | _____ | _____ |
| 1) _____ World History/Geography | _____ | _____ |
| 1) _____ Mathematics | _____ | _____ |
| 1) _____ Mathematics | _____ | _____ |
| 1) _____ Science | _____ | _____ |
| 1) _____ Science | _____ | _____ |
| 1) _____ Fine Arts or Vocational Education | _____ | _____ |
| TOTAL of 11.5 credits for 2009 through 2011 | Total added points | () |

Total added points divided by 11.5 equals
 Average Additional Points per Credit _____

| | | |
|---|---|------------------------|
| Average Additional Points per Credit | (Pupil's Original Score, by Section) | Augmentation Points |
| 100 | <i>times</i> | <i>equals</i> |

Augmentation points may be added to the highest score on each section of the State Board competency test that the student may have taken.

If the augmented score of the student exceeds the passing score on the competency test, the student shall be considered to have passed the competency test in that area for graduation purposes.

(1) Advanced Placement or Honors

- A equals twenty-five (25) times credits equals points
- B equals twenty (20) times credits equals points
- C equals fifteen (15) times credits equals points
- D or F equals zero (0)

(2) Other eligible grades

- A equals twenty (20) times credits equals points
- B equals fifteen (15) times credits equals points
- C equals twelve (12) times credits equals points
- D or F = zero (0)

GRADUATION EXERCISES

Graduation exercises will be held for students who have met state and local requirements for graduation from high school.

Participation in high school commencement exercises is encouraged but is not compulsory. However, since these exercises require planning and rehearsals, the following rules shall apply:

- Students who wish to participate must be present at the rehearsals. Failure to do so, except for legitimate reasons for absence, may be cause for excluding students from participating in the exercises.
- Students may not participate in the commencement exercises unless they have successfully completed the requirements for graduation.
- Awards to seniors will be printed on the commencement program and announced at the exercises only in cases where the recipients have been selected solely by the school.
- Other awards to graduating seniors selected by persons or organizations outside the school may be presented at the final awards assembly if approved by the principal.

Adopted: date of Manual adoption

EVALUATION OF INSTRUCTIONAL PROGRAMS

The instructional programs of the District will be regularly evaluated, and periodic reports will be provided to the Board. The Board will rely on the Superintendent to provide regular evaluation of the educational program and instructional processes. The Superintendent may also arrange for evaluations to be conducted by outside agencies within the budgeted funds of the District.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-341

TEACHING METHODS

(Lesson Plans)

Guidelines for the implementation of this administrative regulation shall include:

- Lesson plans shall be developed according to District-wide formats and shall reflect the scope and sequence of the courses of instruction. Acceptable alternatives may be approved by the principal.
- Lesson plans shall demonstrate the correlation of the lesson with State Board standards when applicable.
- Lesson plans should include information pertinent to the effective implementation of a lesson. When commercially prepared plans are in use, lesson plans may simply refer to the appropriate aspects of such plans.
- While teachers are required to be thoroughly prepared for each daily lesson, plans may be prepared for each lesson or on a long-term basis (i.e., unit of work), whichever is most appropriate. Material to be used in a lesson(s) - such as duplicated material, cassette tapes, films, filmstrips, transparencies - may serve as an integral part of the plan.
- Lesson plans for individualized programs should be consistent with the general overview and purpose of the instructional program. The progress of individual student(s) must be a consideration in the plan.
- Teachers are to provide adequate directions for substitutes, the purpose of which shall be to continue, if possible, the ongoing program or, if more appropriate, a meaningful educational alternative that relates to the subject area.
- The provision that copies of lesson plans must be available for substitute teachers.

ANIMALS IN SCHOOLS

The Superintendent may establish procedures for appropriately and humanely bringing live animals into a classroom. Such procedures shall forbid the transporting of live animals on school buses.

Seeing-eye and service dogs are permitted on school buses and in classrooms to perform the functions for which they are trained. A dog's laminated identification card may be requested for verification.

Pets and other animals are not permitted on District property, or in District vehicles, unless the animal is a service animal or is present for an educational purpose by written approval from the Superintendent or school principal.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 11-1024
A.A.C. R17-9-102