

# POLICY SERVICES ADVISORY

Volume 21, Number 2

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Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

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## Policy Advisory Discussion

The Forty-ninth Legislature has held four sessions to the date of these Advisories, the First Regular Session and three Special Sessions. The recommendations in this addition of Policy Advisories reflect legislative actions through the Second Special Session. The effective date of the majority of the legislative bills is September 30, 2009.

Policy recommendations reflecting legislative actions of the Third Special Session, with an effective date of November 24, 2009, will be presented in subsequent Policy Advisories.

Policy Advisory 324 BBBA — Board Member Qualifications. House Bill 2432 adds to board member qualifications a limitation relating to immediate family members living in the same household serving on a five member board. The limitations restrict simultaneous service, nomination or election, and simultaneous candidacy of family members living in the same household within four years of the date of the present or intended specified activities.

Policy Advisory 325 BBBE — Unexpired Term Fulfillment. Contained in Senate Bill 1196 is a provision which formalizes a board, if it so chooses, to submit to the county school superintendent up to three names of persons for consideration to fill a vacancy on the board. The county school superintendent is not, however, required to appoint a person from the names submitted.

Policy Advisory 326 BEDA — Notification of Board Meetings. Language added to A.R.S. 38-431.02 by Senate Bill 1303 further clarifies requirements for the posting of meeting notices. The statute now specifies that the minimum twenty-four hour notice of a meeting may include Saturday when the public has twenty-four hour access to a physical posting location of the notice, but does not include Sundays or holidays identified in A.R.S. 1-301.

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Policy Advisory 327     BEDB — Agenda. Substantial revisions to policy model BEDB are not the result of legislation, but by an expressed need of school board members and administrators for guidance in the structuring of a board meeting agenda and the effect of the various components of an agenda in accomplishing compliance with Arizona’s open meeting law (OML). The traditional intent of the BEDB model is to provide one example of an agenda, but not necessarily the literal form to be used by districts as is evidenced by the variety of agenda formats produced by the respective school systems. However, board members and administrators have often informed ASBA personnel of their need for a model which better helps them differentiate what, when, and how the several types of items on an agenda can be addressed without violating the OML. Therefore, the ASBA Policy Services, Legal Services, and Leadership Development departments collaborated in the creation of the new BEDB document model. The BEDB model is a guidance document, it is not to be perceived as the prescriptive format for an agenda. Rather, district boards and administrators are to craft a local agenda template that best serves their individual school system. The order and titling of agenda items should reflect local preferences, with the BEDB model consulted to guide the placement and treatment of specific agenda items. The particular agenda form a district uses will now be displayed as a Manual exhibit following policy BEDB.

Policy Advisory 328     BEDC — Quorum. Reports of unfilled seats on governing boards and too few board members present at board meetings to constitute a quorum to transact the necessary business of the board have become more frequent. Lacking a quorum, meetings cannot be convened and board actions necessary to authorize critical functions of the district may not be accomplished. Senate Bill 1196 adds a subsection to A.R.S. 5-321 that permits the remaining members of a board having one or more vacant member seats to qualify as a quorum for the purpose of transacting business, with the stipulation that a single board member does not constitute a quorum. The effects of the can vary contingent on a full board being three or five members. As the provision may create potential legal issues, districts considering invoking the provision should seek advice of legal counsel to assure use of the provision is proper.

Policy Advisory 329     CM — School District Annual Report. Expiration of the statutory authorization to budget for excess utilities eliminates from policy document model CM the excess utilities annual report. Included in the revised CM document model is the requirement added to A.R.S. 15-213.01 by House Bill 2332 for annual reports to be filed with the School Facilities Board and the Department of Commerce Energy Office by school districts having a guaranteed energy cost savings contract.

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Policy Advisory 330 DJG — Vendor/Contractor Relations. Issues and concerns with earlier language in A.R.S. 15-512 concerning the fingerprinting of contractors, subcontractors, and vendors led to further alterations in House Bill 2031. Contractors, subcontractors, and vendors contacted to provide services on a regular basis at an individual school shall obtain a valid fingerprint clearance card unless the superintendent or principal grants an exemption. The statute now states a contractor, subcontractor, and vendor may be exempt from the fingerprint card requirements if the superintendent or principal determines the provider is not likely to have independent access or unsupervised contact with students as a result of the providers normal job duties while at the school. To assure uniformity and nondiscriminatory application of the exemption option, development of specific local criterion should be developed for determining whether or not an exemption is justified.

To comply with the revised 15-512, contractors, subcontractors, and vendors must obtain a valid fingerprint clearance card by December 31. The governing board shall adopt an applicable policy to be implemented sixty (60) days after adoption.

Policy Advisory 331 DKB — Salary Reductions. Duties of the district are increased and the list of salary redirections in policy model DKB is lengthened with the addition of three categorical purposes for which a district may agree to a withholding reduction at the written request of an employee. House Bill 2287 added subsection I to A.R.S. 43-401 to authorize the direction of certain credits from an employee's compensation for contribution to a qualifying charitable organization, a qualified school tuition organization, or a public school. An employer agreeing to the redirections becomes responsible for several specific duties associated with withholding, accounting for, and transferring funds withheld, and providing statements to the employee of amounts withheld and paid. Districts considering an agreement to permit the redirections should familiarize themselves with the specific requirements of A.R.S. 43-401(I).

Policy Advisory 332 GBEB — Staff Conduct. The 2008 Legislature enacted language effective January 1, 2009, stating that a school district employee who fails to report be arrested for or charged with a nonappealable offense listed in A.R.S. 41-1758.03 shall be immediately dismissed from employment or excluded from potential employment. Concerns were raised by some that this could violate the provisions of 15-539(G). 15-539(G) provides for a certificated teacher who has been advised of dismissal to file for a hearing placing the dismissal in suspension. The 2009 Legislature responded by enacting in HB 2031 a revision to 15-550(C) to establish that 15-539(G) provisions of law are not applicable in the circumstance of a person's failure to report. The recommendation of legal counsel is that rudimentary due process be

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given by providing the employee with written notification regarding the violation and an opportunity for the employee to provide a written explanation which might mitigate the charge of failure to report.

Policy Advisory 332      GBEB-E — Staff Conduct. Senate Bill 1049 revised A.R.S. 41-1758.03 to add “unlawful sale or purchase of children” and “child bigamy” as unappealable offenses.

Policy Advisory 333      GCF-EC — Professional Staff Hiring. House Bill 2118 contains a number of revisions to the statutory language in A.R.S. Title 38 pertaining to the Arizona State Retirement System (ASRS). The majority of them affect individual ASRS members and member retirees. Some can, however, directly affect the district employer if caution is not exercised, particular as it relates to the employment and reemployment of retirees. Exhibit GCF-EC is modified to add new requirements affecting retiree elections related to return to employment as described at A.R.S. 38-766.01. The language, as written in statute, although difficult to understand, is obligatory. An employee contemplating retirement, a retired person considering a return to employment, and a district considering the employment of an ASRS retiree are strongly encouraged to consult with the ASRS and other professionals in finance and law to assure avoidance of unintended liabilities and other potential consequences.

Policy Advisory 334      JFB — Open Enrollment. Senate Bill 1196 inserted a statement into A.R.S. 15-816.01, relating to policies concerned with open enrollment, which authorizes a school district to give preference to and reserve capacity for the children of district employees when determining open enrollment.

Policy Advisory 335      JI-R — Student Rights and Responsibilities. As a component associated with the development of new policy model JICEC — Freedom of Expression, a bulleted statement has been added to statements of students’ rights in regulation JI-R.

Policy Advisory 336      JICEC — Freedom of Expression. House Bill 2357 created A.R.S. 15-110 establishing law on the rights of students at public education institutions. To adequately cover the contents of the act, to be cited as “The Students’ Religious Liberties Act,” the new policy titled Freedom of Expression was created. Its purpose is to memorialize in district policy the requirements of 15-110. Important to providing a platform concerning certain student rights, the law and resulting policy also preserve necessary school rights and responsibilities. Finally, a protocol making and receiving complaints is included, consistent with the Act, and timelines by which certain actions are to occur.

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Policy Advisory 336 JICEC-E — Freedom of Expression. Exhibit JICEC-E provides a form which may be used by persons desiring to file a complaint alleging a violation of A.R.S. 15-110 and policy JICEC.

Policy Advisory 337 JLCB-E — Immunization of Students. Exhibit JLCB-E updates to the Arizona Department of Health Services immunization schedule for fiscal year 2009-2010.

Policy Advisory 338 KB — Parental Involvement in Education. Also incorporated into Senate Bill 1196 is an expansion of A.R.S. 15-102 which specifies parameters for parents to request information from the school principal or the superintendent. Time periods are prescribed within which the principal or superintendent is to respond to a parental request for information. A time frame is set for parental appeal to the board if the request is denied or the response is not timely, and for the board to schedule the request appeal on a meeting agenda.

Policy Advisory 339 LBD — Relations with Charter Schools. Senate Bill 1386 made revisions to A.R.S. 15-183, relating to charter schools. The amendments that will affect a traditional public school that sponsors a charter school have to do with an expansion of the period of a charter renewal from fifteen years to twenty years, and enabling a charter school to initiate an early renewal of a charter by following certain features. A school district that sponsors a charter school needs to become familiar with the modified language.

Policy Advisory 340 LDA — Student Teaching and Relationships. A minor modification to LDA is made to more closely align with a revision in House Bill 2031 relating to the fingerprinting of a person in a teacher preparation program who participates in a student teaching or other field experience.

#### Supplementary Information

Entries have been made to the legal and cross references of several documents. The documents with only those revisions are not included in this production. A table of the entries is provided below.

<b>Index</b>	<b>Code</b>	<b>Added Cross Reference</b>
<b>G-5150</b>	<b>GCMF</b>	GBEB – Staff Conduct
<b>J-2000</b>	<b>JI</b>	JICEC – Freedom of Expression
<b>J-6950</b>	<b>JQ</b>	DKB – Salary Deductions
		<b>Added Legal Reference</b>
<b>D-2750</b>	<b>DJE</b>	15-910.02

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Attached is a table displaying the legislative bills upon which the Advisories are based along with hyperlinks to the chaptered bills on the Arizona Legislative website ([www.azleg.gov/Arizona Revised Statutes.asp](http://www.azleg.gov/Arizona Revised Statutes.asp)). If the hyperlink to a bill is broken the hyperlink may be copied and pasted into a browser's URL field.

Arizona Online Instruction. Senate Bill 1196 made substantial changes to A.R.S. 15-808 revising the language renaming the reference to a technology assisted project based instruction program to Arizona Online Instruction. At 15-808(A) the State Board of Education (SBE) and the State Board for Charter Schools (SBCS) are directed to develop standards for the approval of online course providers and online schools. Additionally, effective July 1, 2010, the SBE and the SBCS shall develop annual reporting mechanisms for schools that participate in Arizona online instruction. ASBA Policy Services will issue Advisories as appropriate when the boards complete the above assigned tasks.

If you have questions, contact Policy Services at (602) 254-1100 or fax inquiries to (602) 254-1177. Ask for Jim Deaton, Director of Policy Services, Dr. Terry Rowles, Policy Analyst, or Steve Highlen, Policy Analyst. The respective e-mail addresses are, [jdeaton@azsba.org](mailto:jdeaton@azsba.org), [trowles@azsba.org](mailto:trowles@azsba.org), and [shighlen@azsba.org](mailto:shighlen@azsba.org).

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## BOARD MEMBER QUALIFICATIONS

### (Governing Board Membership)

A person who is a registered voter of this state and has been a resident of the District for one (1) year immediately preceding the day of election is eligible for election to the office of Governing Board member.

No employee of the District or the spouse of such employee may hold membership on the Governing Board of this District.

A Governing Board member is ineligible to serve simultaneously as a member of any other Governing Board, except that a Governing Board member may be a candidate for nomination or election for any other Governing Board if serving in the last year of a term of office.

#### Five-Member Board Same Household Limitation

By legislative restriction applicable to five (5) member Boards, persons related as immediate family and having the same household within four (4) years:

- Shall not serve simultaneously on the Governing Board.
- Are ineligible to be a candidate for nomination or election to the Governing Board, except when a member is serving in the last year of a term of office.
- Are ineligible to be simultaneous candidates for nomination or election to the Governing Board.

A qualified elector residing in the District may bring an action in Superior Court to enforce these restrictions.

For purposes of this policy, the definitions of "immediate family" and "household of residence" set out in A.R.S. 15-421 shall apply.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-421  
38-201  
38-296.01

Arizona Constitution, Article VII, Section 15



## UNEXPIRED TERM FULFILLMENT

Any vacancy of a Governing Board member, as defined in A.R.S. 38-291, may be filled by appointment by the County School Superintendent as prescribed by state law. Such appointment shall be until the next regular election, at which time a successor shall be elected to serve the unexpired portion of the term. The County School Superintendent may call for an election to fill a vacancy on a local Governing Board as an alternative to appointment.

~~If When a vacancy occurs, the Governing Board may, within thirty (30) days after notification of the vacancy, recommend submit to the County School Superintendent ~~that it be filled by election~~ up to three (3) names for consideration of an appointment to fill the vacancy. The County School Superintendent is not required to appoint a Governing Board member from the list of names submitted by the Board.~~

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-302  
38-291

A.G.O. 182-111

Arizona Constitution, Article VII, Section 15

## NOTIFICATION OF BOARD MEETINGS

A statement of the posting place for all notices of meetings shall be filed with the clerk of the Board of Supervisors. A regular meeting may be canceled by agreement of a majority of the Board.

At least twenty-four (24) hours' notice shall be given by posting, in the designated public place, the time and place, and the meeting agenda, or any change in the ~~regular~~ meeting agenda, ~~time or place~~, with the exception of an actual emergency, in which case such notice as is appropriate to the circumstances shall be given.

The twenty-four (24) hour notice period:

- May include Saturday when the public has twenty-four (24) hour access to the physical posting location.
- Does not include Sundays and holidays set out in A.R.S. 1-301.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 1-301  
15-321  
38-431.01  
38-431.02

CROSS REF.: BE - School Board Meetings  
BEC - Executive Sessions/Open Meetings

## AGENDA

The agenda shall list the specific matters to be discussed, considered or decided at the meeting. The Governing Board may discuss, consider or make decisions only on matters listed on the agenda and other matters related thereto. (Subject to A.R.S. 38-431.02)

Unless changed by a majority vote of Board Members present at a meeting, the order of business shall be as follows:

### Regular meetings

- Call to order
- Adoption of the agenda (discussion of items is not in order)
- Pledge of allegiance
- Board Meeting minutes not previously approved
- Information only items (Items to be heard only; the Board will not propose, discuss, or take legal action during the meeting unless the specific matter is properly noticed for legal action.)
  - Summary of current events
    - ▲ Superintendent
      - ◆ Celebrations and recognitions
    - ▲ Governing Board Members
- Public comments (members of the Governing Board shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action)
- Action items (Matters on which the Governing Board may take legal action during the meeting)
  - Consent agenda items (When so presented, should fully describe the matters on the agenda and inform the public where more information can be obtained)
  - Specific items of District business (as listed for consideration, may include various categorical areas as the business of the District necessitates Board discussion, deliberation, and action)
- Information and Discussion items (Matters about which the Board may engage in discussion but will take no action during the meeting)
- Information items (The Board will not propose, discuss, or take legal action during the meeting)
  - Requests for future agenda items
- Adjournment

Special meetings

- Call to order
- Items for which the special meeting was called (May include timely action, discussion, and information items as conditioned for regular meetings)
- Announcements
- Adjournment

Executive sessions

- An executive session may be scheduled, as necessary, during either a regular or special meeting. (See Arizona Attorney General Agency Handbook Section 7.6.7)
  - When an executive session is to be held, the notice must state the specific provision of law authorizing the executive session.
  - The Board may vote to hold an executive session for the purpose of obtaining legal advice from the Board's attorney on any matter listed on the agenda pursuant to A.R.S. 38-431.03(A)(3).

Emergency meetings

In the case of an actual emergency, the Governing Board, after giving such notice as is appropriate to the circumstances, may act on an emergency matter or call an emergency meeting in accordance with the requirements set out in A.R.S. 38-431.02. The emergency meeting shall follow the order of business for a special meeting. An emergency meeting shall be subsequently followed by the posting of a public notice within twenty-four (24) hours declaring that an emergency session has been held and setting forth the information specified by 38-431.02. Chapter 7 of the Arizona Agency Handbook shall be consulted for guidance when an emergency action or meeting is being considered.

Accommodations for the Disabled

Persons with a disability may request a reasonable accommodation, such as a sign language interpreter, by contacting [name of designated agency contact person] at [telephone number and TDD telephone number]. Requests should be made as early as possible to allow time to arrange the accommodation.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 38-431  
                  38-431.01  
                  38-431.02  
                  38-431.03

CROSS REF.: BEC - Executive Sessions/Open Meetings

## SCHOOL DISTRICT ANNUAL REPORT

The Board shall make an annual report to the County School Superintendent on or before October 1 each year in the manner and form and on the forms prescribed by the Superintendent of Public Instruction or County School Superintendent. The Board shall also make reports directly to the County School Superintendent or the Superintendent of Public Instruction whenever required.

### ~~Excess Utilities Annual Report~~

~~If excess utilities are budgeted, the Board shall annually develop, adopt and certify a plan at the time the annual budget is proposed and adopted that:~~

- ~~• Provides a summary for each fiscal year beginning in 1999-2000 of expenditures contained within the revenue control limit (RCL) and excess utilities budgeted outside the RCL for the following:~~
  - ~~▪ Heating.~~
  - ~~▪ Cooling.~~
  - ~~▪ Water.~~
  - ~~▪ Electricity.~~
  - ~~▪ Telephone communications.~~
  - ~~▪ Sanitation fees.~~
- ~~• Includes a review and summary of the current year budget and estimated expenditures, the proposed budget for the direct operational costs that are contained within the RCL and of the excess utilities budget outside the RCL:~~
  - ~~▪ Heating.~~
  - ~~▪ Cooling.~~
  - ~~▪ Water.~~
  - ~~▪ Electricity.~~
  - ~~▪ Telephone communications.~~
  - ~~▪ Sanitation fees.~~

- ~~• Shows a per pupil cost for expenditures and budgeted expenditures above.~~
- ~~• Contains a review and summary of goals to enable the District to pay utility costs within the RCL by June 30, 2009.~~
- ~~• Contains a review showing progress toward the goals.~~

~~A copy of this plan shall be submitted annually on or before July 18 to the Department of Education.~~

#### Guaranteed Energy Cost Saving Contract Annual Reports

The District shall report to the School Facilities Board annually, not later than October 15, actual energy and cost savings pursuant to a guaranteed energy cost savings contract.

The District shall also report for any guaranteed energy cost savings contract to the Department of Commerce Energy Office and the School Facilities Board:

- The name of the project
- The qualified provider
- The total cost of the project
- The expected energy and cost savings

The District shall retain savings achieved by a guaranteed energy cost saving contract, which may be used to pay for contract and project implementation.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-213.01  
15-341  
15-904  
~~15-910.03~~

CROSS REF.: DBF - Budget Hearings and Reviews/Adoption Process  
DIC - Financial Reports and Statements

## VENDOR / CONTRACTOR RELATIONS

### Fingerprinting Requirements

~~Each A contractor, subcontractor or vendor, if required to provide services at least five (5) times during a month on school property, shall submit a full set of fingerprints to the school district of each person or employee who may provide such service. or any employee of a contractor, subcontractor or vendor, who is contracted to provide services on a regular basis at an individual school shall obtain a valid fingerprint clearance card pursuant to A.R.S. 41-1758 et seq. Alternatively, the school district may fingerprint those persons or employees. A fingerprint check shall be made in accord with A.R.S. 41 1750 and Public Law 92 544 of all contractors, subcontractors or vendors and their employees except those who are not likely to have direct unsupervised contact with students, as determined by the School District. Charges for such fingerprint checks may be made as a part of the contractual arrangement or to the contractor, subcontractor, vendor or individual employee as determined by the School District. The Superintendent, or a principal subject to approval by the Superintendent, may exempt from the requirement to obtain a fingerprint clearance card a contractor, subcontractor, or vendor whom the Superintendent or principal has determined is not likely to have independent access or unsupervised contact with students as part of their normal job duties while performing services to the school or to the School District. The exemption shall be given in writing and a copy filed in the District office.~~

The Superintendent shall develop uniform District criterion for making a determination of whether or not an exemption will be granted.

### Required Contract Provisions

Each District contract shall contain the provisions of statute paraphrased below and the Superintendent shall implement procedures to randomly verify the records of contractor and subcontractor employees to ensure compliance with these warranties.

The contract or agreement with each contractor shall contain the warranties indicated below:

- Each contractor shall warrant compliance with all federal immigration laws and regulations that relate to their employees and that they have verified employment eligibility of each employee through the E-Verify program. The contractor shall acknowledge that a breach of this warranty shall be deemed a material breach of the contract subject to penalties up to and including termination of the contract.

- The contractor further acknowledges that the School District retains the legal right to inspect the papers of any contractor or subcontractor employee who works on the contract to ensure compliance by the contractor or subcontractor.

The contractor shall facilitate this right by notice to his employees and supervisors.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-512  
23-214  
~~41-1750~~  
41-1758 et seq.  
41-4401  
Public Law 92-544

CROSS REF.: DBF - Budget Hearings and Reviews/Adoption Process  
DJE - Bidding / Purchasing Procedures  
DIC - Financial Reports and Statements



## SALARY DEDUCTIONS

The Superintendent shall establish procedures that conform to all requirements of the law and all policies of the District, ~~and~~ that ensure ~~that~~ employees receive paychecks not later than the stated payroll dates, and that ensure all amounts withheld from employee compensation are remitted and reported appropriately, correctly, and timely.

### Involuntary Deductions (Public Record)

Federal and Arizona income taxes, Social Security (OASI/FICA), and employee contributions to the Arizona State Retirement System (ASRS) will be deducted as mandated by state and federal statutes. All other deductions must be authorized by the Board and the employee unless ordered by a court of competent jurisdiction.

### Voluntary Deductions and Redirections (Not Public Record)

The following deductions and redirections have been authorized by the Board:

- Insurance premiums for staff members or dependents who are being covered under Board-approved Section 125 cafeteria programs.
- Direct deposits of net payroll with financial institutions.
- Tax-sheltered annuities for companies approved by the District.
- Credit union deposits.
- U.S. Savings Bonds.
- Professional dues.
- Contributions to qualified charitable organizations
- Contributions to school tuition organizations
- Contributions to a public school for the support of extracurricular activities or character education programs of the public school

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-121  
15-135  
23-352  
42-2001  
43-401

## STAFF CONDUCT

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

Potential consequences to employees of the District who violate these rules may include, but are not limited to:

- Removal from school grounds.
- Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
- Warning.
- Reprimand.
- Suspension.
- Dismissal.
- Having consideration given to any such violations in the determination of or establishment of any pay or salary in later contracts or employment, if any.

### Reporting Suspected Crimes or Incidents

Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury to employees, students or others on school property. All such reports shall be communicated to the Superintendent who shall be responsible for reporting to local law enforcement.

A person who is employed by the School District or is an applicant for employment with the School District, who is arrested for or charged with any nonappealable offense listed in section 41-1758.03, subsection B and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of unprofessional conduct and the person shall be immediately dismissed from employment with the School District or immediately excluded from potential employment with the School District. A person dismissed from employment for failure to report being arrested for or charged with a nonappealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection G.

### Use of Physical Force by Supervisory Personnel

Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

The threat or use of physical force is not justified as a response to verbal provocation alone, nor when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

Adopted: date of manual adoption

LEGAL REF.:	A.R.S. 13-2911	15-514
	13-3102	15-521
	13-3111	<u>15-539</u>
	13-3411	15-550
	15-341	38-531
	15-342	38-532
	15-507	41-770
	15-509	41-1758.03
	A.A.C. R7-2-205	

CROSS REF.: GCF - Professional Staff Hiring  
GCMF - Professional Staff Duties and Responsibilities  
JIC - Student Conduct  
JK - Student Discipline  
KFA - Public Conduct on School Property

**EXHIBIT****EXHIBIT****STAFF CONDUCT****NOTIFICATION CONCERNING  
NONAPPEALABLE OFFENSES**

Notice is herein provided, in accordance with A.R.S. 15-550, that any employee of a public school district or charter school in this state who is arrested for or charged with one (1) or more of the offenses listed below as nonappealable offenses precluding that person from receiving a fingerprint clearance card shall immediately report the arrest or charge to the person's supervisor or the person shall be immediately dismissed from employment with the public school district or charter school. A person dismissed from employment for failure to report being arrested for or charged with a nonappealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection G.

1. Sexual abuse of a vulnerable adult.
2. Incest.
3. First or second degree murder.
4. Sexual assault.
5. Sexual exploitation of a minor.
6. Sexual exploitation of a vulnerable adult.
7. Commercial sexual exploitation of a minor.
8. Commercial sexual exploitation of a vulnerable adult.
9. Child prostitution as prescribed in section 13-3212.
10. Child abuse.
11. Abuse of a vulnerable adult.
12. Sexual conduct with a minor.
13. Molestation of a child.
14. Molestation of a vulnerable adult.
15. A dangerous crime against children as defined in section 13-604.01.
16. Exploitation of minors involving drug offenses.

**EXHIBIT****EXHIBIT**

17. Taking a child for the ~~purposes~~ purpose of prostitution as prescribed in section 13-3206.
18. Neglect or abuse of a vulnerable adult.
19. Sex trafficking.
20. Sexual abuse.
21. Production, publication, sale, possession and presentation of obscene items as prescribed in section 13-3502.
22. Furnishing harmful items to minors as prescribed in section 13-3506.
23. Furnishing harmful items to minors by internet activity as prescribed in section 13-3506.01.
24. Obscene or indecent telephone communications to minors for commercial purposes as prescribed in section 13-3512.
25. Luring a minor for sexual exploitation.
26. Enticement of persons for purposes of prostitution.
27. Procurement by false pretenses of person for purposes of prostitution.
28. Procuring or placing persons in a house of prostitution.
29. Receiving earnings of a prostitute.
30. Causing one's spouse to become a prostitute.
31. Detention of persons in a house of prostitution for debt.
32. Keeping or residing in a house of prostitution or employment in prostitution.
33. Pandering.
34. Transporting persons for the purpose of prostitution, polygamy and concubinage.
35. Portraying adult as a minor as prescribed in section 13-3555.
36. Admitting minors to public displays of sexual conduct as prescribed in section 13-3558.
37. Unlawful sale or purchase of children.
38. Child bigamy.

**EXHIBIT****EXHIBIT**

Further, an employee who is convicted of one (1) or more of the above listed offenses shall immediately:

- Surrender any certificates issued by the department of education.
- Notify the person's employer or potential employer of the conviction.
- Notify the department of public safety of the conviction.
- Surrender the person's fingerprint clearance card.

By my signature I acknowledge receipt of a copy of this notification concerning nonappealable offenses.

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Employee signature

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Date

**EXHIBIT****EXHIBIT**

## PROFESSIONAL STAFF HIRING

### AFFIRMATION OF A RETIRED EMPLOYEE UPON RETURN TO EMPLOYMENT

To satisfy the requirements of A.R.S. 38-766.01, and to retain my eligibility to receive retirement benefits from the Arizona State Retirement System (ASRS) following my return to employment following a qualified retirement, by my signature below I affirm my awareness and acceptance of the following provisions:

- I have attained a normal retirement age as defined by the ASRS.
- I am returning to greater than half (1/2) time employment not sooner than twelve (12) months following my termination of full time employment for the purpose of retirement.
- If I return to work as a certificated teacher, my employment is not subject to the requirements prescribed in A.R.S. 15-538, 15-538.01, and 15-539 through 15-543.
- I understand that:
  - pursuant to A.R.S. 38-766.01 my election to return to work is irrevocable for the remainder of the employment for which I have made this election, and
  - I must make this acknowledgement in writing and file it with my employer within thirty (30) days of returning to work.

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Signature

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Date

## OPEN ENROLLMENT

The District has an open-enrollment program as set forth in A.R.S. 15-816 et seq.

### Definitions

Resident transfer pupil means a resident pupil who is enrolled in or seeking enrollment in a school that is within the school district - but outside the attendance area - of the pupil's residence.

Nonresident pupil means a pupil who resides in this state and who is seeking enrollment in a school district other than the school district in which the pupil resides.

### Enrollment Options

District resident pupils may enroll in another school district or in another school within this District. Resident transfer pupils and nonresident pupils may enroll in schools within this District, subject to the procedures that follow.

### Information and Application

The Superintendent shall prepare a written information packet concerning the District's application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. The packet will be made available to everyone who requests it.

The information packet shall include the enrollment application form and shall advise applicants that they must submit enrollment applications on or before \_\_\_\_\_ of each year to be considered for enrollment during the following school year.

### Capacity

The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils. The estimate of excess capacity shall be made for each school and grade level and shall take into consideration:

- District resident pupils in assigned school attendance areas, including those issued certificates of educational convenience and those required to be admitted by statute.
- The enrollment of eligible children of certificated employees persons who are employed by the District. (~~In order to encourage qualified certificated employees to join the staff, children of certificated employees will be enrolled without payment of tuition.~~)



- Resident transfer pupils who were enrolled in the school the previous year.
- Nonresident pupils who were enrolled in the school the previous year.

The Governing Board shall make the final determination of excess capacity and may require resident transfer pupils and/or nonresident pupils to be subject to the enrollment priorities and procedures found below. The excess-capacity estimates shall be made available to the public in \_\_\_\_\_ of each year.

### Enrollment Priorities

If the Governing Board has determined that there is excess capacity to enroll additional pupils, such pupils shall be selected on the basis of designated priority categories from the pool of pupils:

- Who have properly completed and submitted applications; and
- Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

- Enrollment preference shall be given to resident transfer pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.
- Enrollment preference shall be given to nonresident pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.
- Enrollment preference shall be given to resident transfer pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.
- Enrollment preference shall be given to nonresident pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

## Admission Standards

A pupil who has been expelled by any school district in this state or who is not in compliance with a condition of disciplinary action imposed by any other school or school district or with a condition imposed by the juvenile court shall not be admitted. Acceptance for enrollment may be revoked upon finding the existence of any of these conditions.

A school shall not admit a pupil if the admission of the pupil would violate the provisions of a court order of desegregation or agreement by a school or district with the United States Department of Education Office for Civil Rights directed toward remediating alleged or proven racial discrimination.

## Notification

The District shall notify the emancipated pupil, parent, or legal guardian in writing by \_\_\_\_\_ whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or rejected. The District shall also notify the resident school district of an applicant's acceptance or placement on a waiting list. If the applicant is placed on a waiting list, the notification shall inform the emancipated pupil, parent, or legal guardian of the date when it will be determined whether there is capacity for additional enrollment in a school. If the pupil's application is rejected, the reason for the rejection shall be stated in the notification.

## Exception

Should there be excess capacity remaining for which no applications were submitted by the date established, the Superintendent, upon approval by the Board, shall authorize additional enrollment of nonresident pupils:

- Up to the determined capacity.
- On the basis of the order of the completed applications submitted after the notification date established in this policy.
- Without regard to enrollment preference.
- As long as admission standards are met.
- Whose applications are submitted by \_\_\_\_\_.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-816 et seq.

CROSS REF.: JF - Student Admissions  
JFAA - Admission of Resident Students  
JFAB - Admission of Nonresident Students  
JG - Assignment of Students to Classes and Grade Levels

**REGULATION****REGULATION**

## STUDENT RIGHTS AND RESPONSIBILITIES

All students are entitled to enjoy the basic rights of citizenship that are recognized and protected by laws of this country and state for persons of their age and maturity. Each student is obligated to respect the rights of classmates, teachers, and other school personnel. District schools shall foster a climate of mutual respect for the rights of others. Such environment will enhance both the educational purpose for which the District exists and the educational program designed to achieve that purpose.

All District personnel shall recognize and respect the rights of students, just as all students shall exercise their rights responsibly, with due regard for the equal rights of others and in compliance with the rules and regulations established for the orderly conduct of the educational mission of the District. Students who violate the rights of others or who violate rules and regulations of the District or of their school are subject to appropriate disciplinary measures designed to correct their own misconduct and to promote adherence by them and by other students to the responsibilities of citizens in the school community.

The following basic guidelines of rights and responsibilities shall not be construed to be all-inclusive, nor shall it in any way diminish the legal authority of school officials and the Governing Board to deal with disruptive students.

### Rights:

- Students have the right to a meaningful education that will be of value to them for the rest of their lives.
- Students have the right to a meaningful curriculum and the right to voice their opinions, through representatives of the student government, in the development of such a curriculum.
- Students have the right to physical safety, safe buildings, and sanitary facilities.
- Students have the right to consultation with teachers, counselors, administrators, and anyone else connected with the school if they so desire, without fear of reprisal.

**REGULATION****REGULATION**

- Students have the right to free elections of their peers in student government, and all students have the right to seek and hold office in accordance with the provisions of the student government constitution and in keeping with the extracurricular guidelines of the District.
- Students have the right to be made aware of administrative and/or faculty committee decisions and to be aware of the policies set forth by the Governing Board and school.
- Legal guardians or authorized representatives have the right to see the personal files, cumulative folders, or transcripts of their children who are under the age of eighteen (18) years. School authorities may determine the time and manner of presentation of this information.
- Students' academic performance shall be the prime criterion for academic grades; however, noncompliance with school rules and regulations may affect grades (e.g., unexcused absences).
- Students shall not be subjected to unreasonable or excessive punishment.
- Students have the right to be involved in school activities, provided they meet the reasonable qualifications of sponsoring organizations, state organizations, and school regulations.
- Students have the right to express their viewpoints in accordance with District Policy JICEC - Freedom of Expression.
- Married students share these rights and responsibilities, including the opportunity to participate in the full range of activities offered by the school, and shall be subject to the rules and regulations of the school.

**Responsibilities:**

- Students have the responsibility to respect the rights of all persons involved in the educational process and to exercise the highest degree of self-discipline in observing and adhering to school rules and regulations.
- Students have the responsibility to take maximum advantage of the educational opportunities available and seek to achieve a meaningful education.

**REGULATION****REGULATION**

- All members of the school community, including students, parents, and school staff members, have the responsibility to promote regular attendance at school.
- Students have the responsibility to protect school property, equipment, books, and other materials issued to or used by them in the instructional process. Students will be held financially responsible for any loss or intentional damage caused to school property.
- Students have the responsibility to complete all course assignments to the best of their ability and to complete make-up work after an absence.
- Students have the responsibility to help maintain the cleanliness and safety of the school buildings and property.
- Students have the responsibility to present themselves in class at the prescribed time and with the necessary materials.

## FREEDOM OF EXPRESSION

Students possess inalienable rights to develop, believe, and follow personal viewpoints and beliefs to the extent their viewpoints and beliefs do not infringe upon nor denigrate the same rights of others.

The District shall not discriminate against students or parents on the basis of a religious viewpoint or religious expression. If a student includes in an assignment a viewpoint expression, an evaluation of the student's work shall be based on ordinary standards of substance and relevance to the course curriculum or requirements of the coursework or assignment, and shall not penalize or reward the student on the basis of religious content or viewpoint.

Students are to be permitted to pray or engage in religious activities or expression in the same manner and to the same extent as students are permitted to engage in nonreligious activities or expression, before, during, and after the school day.

To the extent and in the manner that other types of clothing, accessories, and jewelry displaying messages or symbols are permitted, students are permitted to wear clothing, accessories, and jewelry that display religious messages or symbols.

Acknowledging and permitting the above freedoms is not to be interpreted to mean the District is requiring any person to participate in prayer or other religious activities nor attempting to violate the constitutional rights of any person.

The District does retain its rights to:

- Maintain order and discipline on District property in a content and viewpoint neutral manner.
- Protect the safety of students, employees, and visitors on District property.
- Adopt and enforce polices and regulations concerning student speech while on District property in a manner that does not violate a student's state and federal constitutional rights.
- Adopt and enforce polices and regulations than ban student clothing, accessories, and jewelry worn to convey affiliation with a criminal street gang.

A student or a student's parent is barred by statute from initiating legal action to enforce the student rights set out in this policy unless the student or the parent has:

- Submitted to the school principal a written complaint containing specific facts of the alleged violation.
  - The principal shall investigate the complaint and provide a written response within fifteen (15) days of receiving the complaint describing any action taken by the principal to resolve the complaint.

If the principal's actions do not resolve the complaint, the student or the student's parent shall:

- Submit written complaint containing specific facts of the alleged violation to the Superintendent or other designated administrator.
  - The Superintendent or other designated administrator shall investigate the complaint and provide a written response within twenty-five (25) days of receiving the complaint describing any action taken by the Superintendent or other designated administrator to resolve the complaint.

If the action taken by the Superintendent or other designated administrator does not resolve the complaint the student or the student's parent may pursue legal action to enforce this policy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 13-105  
15-110  
15-341  
15-720  
15-841  
15-843  
15-844

20 U.S.C. 4071 et seq. Equal Access Act, (Section 801)

CROSS REF.: JICEC - Freedom of Expression  
JI - Student Rights and Responsibilities  
JII - Student Concerns, Complaints, and Grievances  
JJAB - Limited Open/Closed Forum  
JK - Student Discipline



**EXHIBIT** **EXHIBIT**

FREEDOM OF EXPRESSION

COMPLAINT FORM

(To be filed with the school principal)

Additional pages may be attached if more space is needed.

Please print:

Name \_\_\_\_\_ Date \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

I wish to complain against:

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Address \_\_\_\_\_

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of the action against which you are complaining \_\_\_\_\_

**EXHIBIT** **EXHIBIT**

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

<u>Name</u>	<u>Address</u>	<u>Telephone Number</u>

The projected solution

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

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

\_\_\_\_\_  
Signature of Complainant

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Principal receiving the initial complaint

\_\_\_\_\_  
Date initial complaint received

The principal shall give one (1) copy to the complainant and retain one (1) copy for the file.

**EXHIBIT** **EXHIBIT**

IMMUNIZATION OF STUDENTS

~~2008-2009~~ 2009-2010 ARIZONA SCHOOL IMMUNIZATION REQUIREMENTS

Age	Under Age Seven (7)	Seven (7) through ten (10) years	Eleven (11) years and older	Eleven (11) years and older
Grade	Kindergarten (K) and above	Kindergarten (K) through fifth (5th) grades	Sixth (6th) grade only	Seventh (7th) through twelfth (12th) grades
Vaccines				
DTaP / DTP / DT  (Diphtheria, tetanus, acellular pertussis)	Four (4) or five (5) doses.  At least one (1) dose at four (4) years of age or older is required.  A sixth (6th) dose is needed if five (5) doses have been given before four (4) years of age.	History of four (4) DTaP or a total of three (3) tetanus and diphtheria doses given after twelve (12) months of age.	One (1) Tdap dose is required when five (5) years have passed since the last DTaP, DTP, DT, or Td.  Students starting or finishing the first three (3) tetanus and diphtheria doses must receive one (1) Tdap as part of the three (3) dose series.	Students who have not already received Tdap are required to receive one (1) dose when ten (10) years have past since the last DTaP, DTP, DT, or Td.  Students starting or finishing the first three (3) tetanus and diphtheria doses must receive one (1) Tdap as part of the three (3) dose series.
Td  (Diphtheria, tetanus, acellular pertussis)				
Tdap  Tetanus, diphtheria, acellular pertussis)				

**EXHIBIT** **EXHIBIT**

<p>Meningococcal</p>			<p>One (1) dose</p>	<p>One (1) dose recommended. Not required during 2008-2009 school years</p>
<p>Polio</p>	<p>Three (3) or Four (4) doses Three (3) doses meet the requirement if the third (3rd) dose was given at four (4) years of age or older. Four (4) doses meet the requirement even if all four (4) doses were given during the first (1st) year of life.</p>			
<p>MMR (Measles, mumps, rubella)</p>	<p>Two (2) doses A third (3rd) dose will be required if the first (1st) dose was given before twelve (12) months of age.</p>			
<p>Hepatitis B</p>	<p>Three (3) doses A fourth (4th) dose will be required if the third (3rd) dose was given before twenty-four (24) weeks of age.</p>			
<p>Varicella (Chickenpox)</p>	<p>One (1) dose if given before thirteen (13) years of age. Two (2) doses if first (1st) dose was given at thirteen (13) years of age or later. Varicella vaccination, or history of chickenpox disease, is required for grades kindergarten (K) through <del>fourth (4th)</del> <u>fifth (5th)</u> and seventh (7th) through <del>tenth (10th)</del> <u>eleventh (11th)</u> in the <del>2008-2009</del> <u>2009-2010</u> school years. Students in <del>fifth (5th)</del>, sixth (6th), <del>eleventh (11th)</del>, and twelfth (12th) grades are not required to be immunized against chickenpox during the <del>2008-2009</del> <u>2009-2010</u> school year.</p>			

Source: Arizona Immunization Program Office

## PARENTAL INVOLVEMENT IN EDUCATION

The Superintendent, in consultation with parents, teachers, and administrators, shall develop a procedure for parental involvement in the school(s). This shall include:

- A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline.
- A method by which parents may learn about the course of study for their children and review learning materials.
- A procedure by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion.

Resumés of all current and former instructional personnel shall be maintained and available for inspection of parents and guardians of pupils enrolled. The resumé shall include individual educational and teaching background and experience in a particular academic content subject area.

Parent means parent or person who has custody of the student.

When a parent submits a written request for information to the Superintendent or a school principal during regular business hours:

- The Superintendent or principal shall:
  - Deliver the requested information to the parent within ten (10) calendar days, or
  - Provide to the parent a written explanation for denial of the requested information.
- If the requested information is denied or is not received by the parent within fifteen (15) calendar days
  - The parent may submit to the Governing Board a request for the requested information, and

- The Governing Board shall consider the request at the next scheduled meeting of the Board on which the request can be properly noticed.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-101  
15-102  
15-341

CROSS REF.: ABA - Community Involvement in Education  
IHBD - Compensatory Education  
IJ - Instructional Resources and Materials  
KDB - Public's Right to Know/Freedom of Information

## RELATIONS WITH CHARTER SCHOOLS

To prepare for the possible receipt of a proposal requesting sponsorship of a charter school, and in order to facilitate the decision to accept or reject sponsorship of a charter application/proposal, the Governing Board establishes the charter school application requirements as set forth in Exhibit LBD-E. In addition to these application requirements, each applicant shall submit a full set of fingerprints to the District for the purpose of obtaining a state and federal criminal records check. The criminal records check shall be completed prior to issuance of a charter [A.R.S. 15-183]. Additional supporting information and data may be required and shall be provided by the applicant if requested by the District or the Superintendent to assist the Board in evaluation of the application for possible sponsorship of the charter school.

The Superintendent is directed to prepare copies of the requirements, together with any instructions deemed appropriate to the distribution or receipt of the applications.

Upon receipt of the application/proposal, the Superintendent shall provide copies to the Board and review the submission for inclusion of the application requirements, reporting the findings to the Board.

The Superintendent may designate personnel to provide liaisons between applicants and the District. If requested, a liaison may also provide technical assistance to improve the application.

### Public Meetings

The Board may schedule and hold community meetings in the affected areas or the entire District to obtain information to assist the Board in making a decision about the charter school application. All persons or groups that have an interest in the approval or denial of the charter school application must present their comments or concerns to the Board in writing in a timely manner or in testimony during a public meeting.

### Decision on Sponsorship

The Board will make a decision to accept or reject sponsorship of the applicant charter school, in either a regular or special meeting, within ninety (90) days after receipt of the application/proposal. An applicant may submit a revised application for reconsideration by the Board. If the application is rejected, the Board shall notify the applicant in writing of the reasons for the rejection [A.R.S. 15-183].

## A Charter Plan

If the District decides to sponsor a charter school, a contract shall be prepared and executed by the charter applicant and the Board, containing at a minimum the following:

- The charter requirements and assurances found in A.R.S. 15-181 through A.R.S. 15-189.
- All representations contained in the application/proposal and those submitted as additions to the application/proposal.
- A description of all Board policies and rules the charter school will be required to follow.
- Other matters as deemed necessary to the creation of a charter school document.

An approved plan to establish a charter school is effective for fifteen (15) years from the first day of operation [A.R.S. 15-183].

## Renewal/Nonrenewal of a Charter

A charter may be renewed for a period of ~~fifteen (15)~~ twenty (20) years if the District deems that the school is in compliance with its own charter and [A.R.S. 15-183]. A charter renewal request shall be made at the conclusion of fourteen (14) years of operation least fifteen (15) months prior to expiration of the approved plan in the form of an application, which must contain a report on the progress of the charter school in meeting the obligations of the contract and other terms of the agreement, including the laws applicable to the charter school.

A charter operator may apply for an early renewal by submitting to the District, at least nine (9) months prior to a renewal consideration, a letter of intent to apply for early renewal. The District shall review the charter school's annual fiscal audits and academic performance data collected by the District, shall review the existing contract with the charter school, and shall provide a renewal application to a qualifying charter school. The District shall give written notice to the charter school of its consideration of the renewal application.

Notice of intent not to renew a charter shall be given at least twelve (12) months prior to the expiration of the approved plan [A.R.S. 15-183]. The Superintendent shall assess the charter school's performance, including compliance with the charter and laws affecting the charter school, and report the findings to the Board in a timely fashion.



~~A charter renewal request may be denied upon a determination by the Board that the charter school failed to complete the obligations of the contract or to comply with the laws applicable to the charter school.~~

A charter may be renewed for successive periods of ~~fifteen (15)~~ twenty (20) years.

#### Revocation of a Charter

The District shall review approved charters at five (5) year intervals and may revoke a charter at any time if the charter school breaches one (1) or more provisions of its charter. The District shall give written notice of intent to revoke a charter at least ninety (90) days before the effective date of the proposed revocation, thereby allowing the charter school at least ninety (90) days to correct the problems associated with the reasons for the proposed revocation. The notice shall be delivered personally to the operator of the charter school, or sent by certified mail, return receipt requested, to the address of the charter school. The notice shall incorporate a statement of reasons for the proposed revocation of the charter.

Final determination of whether to revoke the charter shall be made at a public hearing called for such purpose.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-181  
15-182  
15-183  
15-184  
15-185  
15-187  
15-188  
15-189  
15-741  
15-816

## STUDENT TEACHING AND INTERNSHIPS

The Board authorizes the Superintendent to arrange for the supervision and training of a reasonable number of student teachers each year and to establish procedures for such activity.

Before providing services directly to students, a ~~student teacher or intern~~ person in a teacher preparation program who participates in a student teaching or other field experience shall obtain a fingerprint clearance card.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-534  
15-1640  
15-1651

## Hyperlinks to Legislative Bills

HB 2031	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0075.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0075.htm</a>
HB 2118	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0036.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0036.htm</a>
HB 2287	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0167.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0167.htm</a>
HB 2332	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0101.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0101.htm</a>
HB 2357	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0088.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0088.htm</a>
HB 2432	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0090.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0090.htm</a>
SB 1049	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0008.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0008.htm</a>
SB 1196	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0095.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0095.htm</a>
SB 1303	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0027.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0027.htm</a>
SB 1386	<a href="http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0117.htm">http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/1R/laws/0117.htm</a>