



Catalina Foothills Unified School District #16
2101 E. River Road, Tucson, AZ 85718
(520) 209-7500 (520) 209-7570 FAX www.cfsd16.org

BOARD AGENDA ITEM

ITEM NO: 4.2

BOARD MEETING DATE: Tuesday, September 12, 2023

UNFINISHED BUSINESS: Approval of Revisions to Policy JICK, and Regulation JICK-R, *Student Violence/Harassment/Intimidation/Bullying* (second reading)

SUBMITTED BY: Denise Bartlett, Associate Superintendent

PRESENTED BY: Mary Kamerzell, Superintendent

After the first reading of Policy JICK and Regulation JICK-R on August 22, 2023, there were several recommended revisions to both the policy and regulation. Revisions are indicated in bold print below.

The language in Policy JICK and Regulation JICK-R has been revised to provide updated information regarding Title IX as well as to include specific language on the requirements during an investigation when there is evidence of harassment, intimidation or bullying of a student with a disability.

Policy JICK

- **The reference to the Governing Board’s beliefs was removed in the first and third paragraph.**
- **The third paragraph was revised to include the expectation that the school environment is positive, safe, caring, and respectful, mirroring the language in the first paragraph.**
- **Student violence was added to the third paragraph as that is within the title of the policy and needs to be reflected in the list of prohibited behavior.**
- **The word violence was also added to the last paragraph to list all behaviors that are prohibited by this policy.**

- **There were three additions of the word legal in front of the word guardian.**
- **One change was made in the third paragraph to correct a typo. The word properly was replaced with property.**
- **The adopted date was revised to September 12, 2023.**

Regulation JICK-R

Specific language was added to include steps to take during the investigation of an allegation of harassment, intimidation or bullying when the victim is a student with a disability who receives special education services.

- **The paragraph describing harassment was revised to reorder the federally protected categories so that it mirrored the paragraph under Factors to Consider in Evaluating Conduct.**
- **Gender identity or expression was also added to the list under the definition of harassment as a protected class.**
- **The word “orientation” replaced the word “preference” after the word “sexual” in the first paragraph under Factors to Consider in Evaluating Conduct. This mirrors the language under the definition of harassment earlier in the regulation.**
- **The word legal or legal guardian was revised six times in the policy to include legal guardians with parents. This is also consistent with other policy and regulation language.**

Specifically, the language added includes:

A student with a disability who receives special education services or Section 504 accommodations and is the target of violence, harassment, intimidation, or bullying will be referred by the principal or principal’s designee to the special education or Section 504 case manager if there is evidence the violence, harassment, intimidation, or bullying has affected the student’s receipt of FAPE.

The case manager will promptly convene the IEP or Section 504 team to determine whether, and to what extent, as a result of the effects of harassment, intimidation or bullying:

1. The student’s needs have changed such that the IEP or 504 plan is no longer designed to provide free appropriate public education (FAPE); and
2. Additional or different services, if any, that are needed to ensure that the student continues to receive FAPE.

This language provides clarity and better guidance to the principal or designee as to the requirements during the investigation of allegations when the victim is a student with a disability.

Recommended Motion: I move that the governing board approve the revisions to Policy JICK and Regulation JICK-R, *Student Violence/Harassment/Intimidation/Bullying*, as presented.