

POLICY MANUAL AND ADMINISTRATIVE REGULATIONS

**MAMMOTH-SAN MANUEL UNIFIED
SCHOOL DISTRICT NO. 8
SAN MANUEL, PINAL COUNTY, ARIZONA**

INTRODUCTION

This Manual contains the policies of the Governing Board and administrative regulations of the Superintendent. Policy and administrative regulation development in a modern, forward-looking school system is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing necessity to develop new policies and regulations or to revise existing ones. The loose leaf format has been selected for this Manual to facilitate its being kept up to date.

Each person to whom a copy of this Manual is assigned is charged with keeping it up to date as new policies and regulations are distributed by the central office.

How to Use This Manual

The Mammoth-San Manuel Unified School District No. 8 is operated in accordance with policies established by the Board and regulations developed by the Superintendent. The Board, which represents the state and local community, adopts policies after careful deliberation, and the school administration implements the policies through specific regulations and procedures. The Board and administration evaluate the effects of the policies and procedures and revise them as necessary.

To promote harmony, efficiency, uniformity of interpretation, coordination of effort, and fairness to all concerned, this Manual will be accessible at the District office and at such other places as designated by the Superintendent.

How the Manual is organized. The Manual is organized according to the classification system of the National School Boards Association. The system provides an efficient means of coding, filing, and locating policies.

Please note: All copies of this manual are the property of the Mammoth-San Manuel Unified School District No. 8.

There are twelve (12) major classifications, each identified by an alphabetical code:

- A FOUNDATIONS AND BASIC COMMITMENTS
- B SCHOOL BOARD GOVERNANCE AND OPERATIONS
- C GENERAL SCHOOL ADMINISTRATION
- D FISCAL MANAGEMENT
- E SUPPORT SERVICES
- F FACILITIES DEVELOPMENT
- G PERSONNEL
- H MEET AND CONFER
- I INSTRUCTIONAL PROGRAM
- J STUDENTS
- K SCHOOL - COMMUNITY RELATIONS
- L EDUCATION AGENCY RELATIONS

Subclassification under each heading is based on logical sequence and alphabetical subcoding. For an example of the subcoding system, examine the page immediately following the tab for Section A: FOUNDATIONS AND BASIC COMMITMENTS.

The pages that follow the tabs for each major section present the classification system, section by section, and serve as the tables of contents for the sections or "chapters" of this Manual.

How to find a policy. To find a policy in the Manual, consider where the policy would be filed among the twelve (12) major classifications. Refer to the table of contents for that section and glance down the listing until you find the term that most closely fits the topic you are seeking. Use the code letters given for the term to locate the document that appears in alphabetical order by code within the particular section. All documents in the Manual are coded in the upper right-hand corner.

If you can't find the term you are seeking, look up a synonym or other term you believe is related to the topic.

What if you can find the term and code, but there is no policy? This probably means that the school system has not adopted a written policy in the particular area. All terms used in the classification system appear in the sectional tables of contents to accommodate the coding, insertion, and location of policies that may be adopted later. But there is another possibility. A brief statement related to the policy you are seeking may be incorporated in a "superior" policy that covers the more general area. This "superior" policy will be coded under the broader category. To find it, read up the classification system. For example, a policy statement that encompasses all meetings of the Board might be filed under "School Board Meetings" (BE) rather than the more restrictive heading "Regular Board Meetings" (BEA).

Using the symbols. Various symbols are used in connection with the classification system. They are for your use in locating and/or recognizing the authority of the statements. Included are the following:

- R This symbol following a code indicates that the statement is a regulation, not a policy, and is generally the direction of the Superintendent to the staff for the implementation of a Policy. If there is more than one regulation, the "-R" will be followed by a letter; e.g., "-RA," "-RB," et cetera.

REGULATION **REGULATION**

- E Exhibit. This symbol following a code indicates that the statement is a reference document. The exhibit is there to show the form to be used or for the purpose of information which may support the policy or regulation. If there is more than one reference document, the "-E" will be followed by a letter; e.g., "-EA," "-EB," et cetera.

EXHIBIT **EXHIBIT**

Using References. Implementation of policies requires coordination with other policies and regulations. A policy does not usually stand alone, rather, there are other policies or regulations that may apply. For example the policy on Suspension is an integral part of the implementation of the policy on Weapons in the School. The Weapons policy specifies what weapons are and how extensive the discipline may be but does not contain the step by step due process procedure necessary to accomplish the suspension of the student. That is found in the policy on Student Suspension. To assist districts with this complexity of policy, there may be a side heading at the bottom of each policy (not regulation) identifying cross referenced material and/or legal references. When implementing policies, these cross references and laws should be reviewed for applicability to the circumstances or fact pattern bringing about the use of the policy.

LEGAL REF.: Pertinent legal references are given to inform the reader where in law certain statutes that relate to a policy may be found. References direct the reader to the federal or state laws, pertinent regulatory pronouncements, important legal opinions and will occasionally cite case law. It is important to mention here that other laws and/or court decisions may also be applicable to a particular policy but not all can be cited. The following abbreviations are used in legal references:

A.A.C.	Arizona Administrative Code
A.G.O.	Attorney General Opinion
A.R.S.	Arizona Revised Statutes
C.F.R.	Code of Federal Regulation
P.L.	Public Law (federal law as it is identified by Congress). Such laws will at some time after passage be codified in the United States Code
USFR	Uniform System of Financial Records
U.S.C.	United States Code

CROSS REF.: Certain policies are related to other policies. Cross references are provided following many statements to help the reader find the related information. This related information should be referenced for an in depth understanding of policy.

About Board Policies

Generally, the role of a Board is to set policy, and the role of the administration is to execute it. The basic distinction as set forth by the National School Boards Association is:

- *Policies* are principles adopted by the Board to chart a course of action. They tell what is wanted and may include also why and how much. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of day-to-day problems; they need to be narrow enough to give the administration clear guidance.
- *Regulations* are the detailed directions developed by the administration to put policy into practice. They tell how, by whom, where, and when things are to be done.
- *Exhibits* are checklists, sample documents, forms, and other informational items to assist in implementing policies or procedures.
- The state and federal governments at times require governing boards to make detailed rules, or the Governing Board may decide that such rules are necessary. In spite of the detailed nature of such rules, once adopted by the Board they become policy.

Therefore:

- Where the Board has voluntarily adopted statements of principle or written regulations required by law or has established a position in particularly sensitive areas, and one or more of them are incorporated into policy, the entire statement is presented as policy.
- Where the Board has adopted rules concerning its *own operations* (for instance, how it conducts meetings), these statements concerning operations of the Board also appear as policy.

As long as the administration operates within the guidelines of policy adopted by the Board, it may issue regulations without prior Board approval unless Board action is required by law or unless the Board has specifically directed that certain types of regulations be given Board approval. The Board, of course, is to be kept informed of all District regulations issued by the administration, and all are subject to Board review.

In keeping with the definitions and rules of thumb, the current policies of the Board are presented in this Manual.

Is the Manual Complete?

No. The Manual contains all of the current written policies of the Board. However, there is an almost continual need to draft and adopt new written policies and revise the existing ones. Additionally, changes in state law and State Board of Education regulations may necessitate policy modifications. No matter how well a policy manual is conceived and developed, it can never be totally comprehensive and absolutely up to date. Therefore, as new policies are developed, they will be coded according to the classification system and issued for insertion into the Manual.

Order of precedence. Board policies must be read and interpreted in conformance with the applicable state and federal statutes and regulations. Wherever inconsistencies of interpretation arise, the law and regulations prevail.

Terminology

Whenever the term *Superintendent* appears in this Manual it is to be interpreted as "Superintendent or a person designated by the Superintendent."

Whenever the term *principal* appears in this Manual it is to be interpreted as "principal or a person designated by the principal."

Whenever the term *District* appears in this Manual it is to be interpreted as the "Mammoth - San Manuel Unified School District No. 8."

Whenever the terms *Board* or *Governing Board* appear in this Manual they are to be interpreted as the "Governing Board of the Mammoth - San Manuel Unified School District No. 8."

Whenever the term *day* appears in this Manual it is to be interpreted as any day in which the District or School Administrative Offices conduct business.

Whenever the term *school day* appears in this Manual it is to be interpreted as any day in which the students are present for instruction.

Whenever the term *parent* appears in this Manual it is to be interpreted as parent or legal guardian and the legal guardian is a person to whom custody of the child has been given by order of a court.

It is the expectation of the Board that this collection of policies provides a platform for harmony and efficiency in all areas of school operations. This enables the Board to focus on its primary duty: the development of long-range plans and policies for the future of the School District.

Governing Board

Date of Manual Adoption:

REGULATION**REGULATION****NONDISCRIMINATION / EQUAL
OPPORTUNITY****Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint Procedure

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

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

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

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

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

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

REGULATION**REGULATION****Timelines**

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

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

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

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

REGULATION**REGULATION****SEXUAL HARASSMENT****Compliance Officer**

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EDUCATIONAL PHILOSOPHY / SCHOOL DISTRICT MISSION

The District was established by the state legislature, under the authority contained in the Arizona State Constitution, for the sole purpose of providing an education to the students of the District. While the establishment of the District also provides other services, such as caring for students during the school day, providing employment to the school staff, and providing facilities for the use of the community, all of these services are necessarily subordinate to the District's prime function of providing an education to students. The Governing Board of the District is selected by the citizens of the community to ensure that this responsibility is accomplished. However, the Board recognizes that it cannot accomplish this objective unless all of the sectors of the school community also accept and perform their responsibilities. The Board considers the responsibilities of these elements of the school community to be as follows:

Staff

The Board fulfills its responsibility for the education of students by employing first a competent Superintendent, on whose recommendation it also employs a competent staff. As a condition of this employment, the Board expects each staff member's best efforts to be exerted toward the accomplishment of the educational objectives of the District. Because education is imparted primarily by teachers, the Board specifically places responsibility for maintaining and expanding educational ability on each teacher, to the end that each student may reach maximum potential and develop a sense of dignity and self-worth.

Parents

The Board recognizes that the ultimate responsibility for the well-being of all children rests with their parents. All parents are expected to cooperate in the District's educational effort by ensuring maximum attendance of their children, by requiring that their children cooperate in the educational endeavor of the District, and by fostering an attitude in their children that recognizes the importance of education.

Community

The resources necessary to provide education for students are provided by members of the community through their taxes and other supporting services. The Board's goal is that all members of the community, both individually and through their governmental, civic, and social organizations, will continue to support the educational activities of the District.

Students

Education is an opportunity provided to the children of the District by their community. The Board expects that all students will learn to recognize the value of this opportunity, and will therefore work diligently to help ensure that their maximum potentials are realized. The Board further expects that all students will recognize that their fellow students have the right to be educated, and will avoid any action that may interfere with their ability to exercise that right.

The Board believes that education should develop habits, attitudes, understanding, and skills necessary for a productive, satisfying life in our society. Students should be taught to understand the duties and privileges of responsible citizenship as such duties and privileges relate to themselves as individuals and to the whole community. The vast changes brought about by increasing technology, population, and urbanization must also be taught. The input and support of the citizens of the community, and especially the professional staff, are solicited as the school community endeavors to develop the attitudes and abilities demanded in this age of rapid change.

In consideration of the accomplishment of these responsibilities by each sector of the school community listed above, the Governing Board, with the concurrence of each individual Board member, pledges its best efforts to ensure that the District is governed effectively and efficiently so that the goal of an appropriate and outstanding educational experience is available for all students of the District.

Adopted: date of Manual adoption

LEGAL REF.: Arizona State Constitution, Article XI, Section 1

SCHOOL BOARD OPERATIONAL GOALS

The Governing Board is responsible to the people of the District and, therefore, should be aware of opinions and attitudes in the community and of identified District needs.

As representatives of the people who own and support the schools, the Board accepts the responsibility to identify community attitudes and opinions and District needs and to require short- and long-range strategies that are responsive within the budgetary limitations of the District.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-321
15-341

EVALUATION OF SCHOOL BOARD / BOARD SELF-EVALUATION

The Board may meet at least annually, not later than October 30, for the purpose of appraising its functioning as a Board and to evaluate Board performance. The appraisal plan approved by the Board will be developed by the Board President working with the Superintendent.

Evaluation instruments for Board operation may be used in the process.

The Superintendent and others who regularly work with the Board may be asked to participate in all or a portion of the appraisal.

Areas of Board operations and relationships that may be appropriate to consider during the evaluation of Governing Board procedures may include, but are not limited to:

- Board meetings/decision-making process.
- Policy development/implementation.
- Board/District goal setting.
- Curriculum and instruction management/program.
- Fiscal management/resource allocation.
- School plant planning/management.
- Board member orientation.
- Board member development.
- Board officer performance.
- Board member relationships.
- Board-Superintendent relationship.
- Board-community relationship.
- Legislative and governmental relationships.

Adopted: date of Manual adoption

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

CROSS REF.: BDD - Board-Superintendent Relationship

BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

All powers of the Board lie in its action as a public body. A "meeting" is defined as the gathering, in person or through technological devices, of a quorum of members of a public body to discuss, propose or take legal action, including any deliberations with respect to such action that has been properly noticed, pursuant to Arizona Revised Statutes.

Individual Board members exercise authority over District affairs only by way of votes taken at a legal meeting of the Board. An individual Board member has authority only when and to the extent that the Board, by vote, has so delegated such authority.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-321
 15-341
 15-342
 15-381

CROSS REF.: AA - School District Legal Status
 BBA - Board Powers and Responsibilities

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 school district 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

BOARD MEMBER OATH OF OFFICE

Oath of Office

Board members shall take and subscribe to the oath prescribed for public officers pursuant to A.R.S. 38-231, and forward the acknowledged oath on the same day to the County School Superintendent. The person taking the oath shall file a copy of the acknowledged oath in the District office. The District office shall keep such copy on file as long as the Board member remains on the Governing Board and for a period of five (5) years after last serving on the Board.

Time of Oath (Governing Board Members)

When a different time is not prescribed, the oath of office shall be taken and subscribed after the Board member has notice of appointment or, if elected, at any time after receipt of the certificate of election, or before commencement of the term of office.

Familiarization with Open Meeting Law

A newly elected or appointed Governing Board member shall, at least one (1) day before taking office, review the Arizona open meeting law (OML) material prepared by the attorney general.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-426
38-231
38-232
38-233
38-431.01

Attorney General Arizona Agency Handbook, Chapter 7,
Open Meetings

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.

When a vacancy occurs, the Governing Board may, within thirty (30) days after notification of the vacancy, submit to the County School Superintendent 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. I82-111
 Arizona Constitution, Article VII, Section 15

BOARD MEMBER ETHICS

Board members will strive to improve public education, and to that end will:

- Attend all Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that decisions should be made only after discussion at publicly held Board meetings;
- Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special-interest groups;
- Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;
- Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent;
- Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by state and national school boards associations;
- Support the employment of persons best qualified to serve as school staff members, and insist on a regular and impartial evaluation of all personnel;
- Avoid being placed in a position of conflict of interest, and refrain from using their Board position for personal or partisan gain;
- Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law; and
- Remember always that a Board member's first and greatest concern must be the educational welfare of the students attending the public schools.

Adopted: date of Manual adoption

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

BOARD MEMBER CONFLICT OF INTEREST

Voting Restrictions

Notwithstanding any other provision of law, a Governing Board member shall be eligible to vote on any budgetary, personnel, or other question that comes before the Board, except that it shall be unlawful for a member to vote on a specific item that concerns the appointment, employment, or remuneration of such member or any person related to such member as a dependent as defined in A.R.S. 43-1001. [LEGAL REF.: A.R.S. 15-323]

Employment Limitation

No dependent, as defined in Section 43-1001, of a Governing Board member may be employed in the District, except by consent of the Board. [LEGAL REF.: A.R.S. 15-502]

No employee of the District or the spouse of such employee may hold membership on the Governing Board of the District. [LEGAL REF.: A.R.S. 15-421]

Conflict of Interest

Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase. [LEGAL REF.: A.R.S. 38-503]

Any Board member or employee who has, or whose relative has, a substantial interest in any decision of the District shall make known such interest in the official records of the District and shall refrain from participating in any manner as a Board member or employee in such a decision. [LEGAL REF.: A.R.S. 38-503]

Districts with Fewer than 3,000 Students

School district procurement rules are required for all purchases of service from Governing Board members, regardless of the dollar amount. Purchases of supplies, materials, and equipment from Board members are subject to the following:

- Purchases less than fifty thousand dollars (\$50,000) comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations;
- Purchases of fifty thousand dollars (\$50,000) and above comply with the school district procurement rules for public competitive bidding;
- Each purchase is approved by the Governing Board;
- The amount of the purchase is included in the Board's meeting minutes.

[LEGAL REF.: A.R.S. 15-323; A.G.O. I06-002]

Filing of Disclosures

The District shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to the statutory conflict-of-interest provisions.
[LEGAL REF.: A.R.S. 38-509]

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-213
15-323
15-421
15-502
38-481
38-503
38-509
43-1001
A.G.O. I84-012
I88-013
I06-002

CROSS REF.: BBBA - Board Member Qualifications
DJE - Bidding/Purchasing Procedures

BOARD ORGANIZATIONAL MEETING

For the purpose of organization of the Governing Board, the Board shall meet at the most convenient public facility in the District. (If a public facility is not available within the District, the Board may meet at any available public facility convenient to all Board members, regardless of the county or school district in which the facility is located.) Such meeting shall be held between January 1 and January 15 next following the election.

The meeting shall be called to order by the President of the Board for the preceding year. If that person is not a member of the Board, a temporary president shall be elected and the meeting shall be called to order by the temporary president. The person calling the meeting to order shall preside until a successor is chosen.

The new President of the Board shall take office upon election.

Whenever there is a vacancy in the office of President, the Board shall elect a new officer to fill the vacancy during the unexpired term of office.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-321
38-431 *et seq.*

CROSS REF.: BDB - Board Officers
BE - School Board Meetings
BEC - Executive Sessions/Open Meetings
BEDA - Notification of Board Meetings

SCHOOL ATTORNEY

The Governing Board may employ an attorney to represent the District if the county attorney consents. The purpose for which an attorney is hired shall be set forth in writing by the Board.

The Governing Board may employ legal counsel without the consent of the county attorney when, in its discretion, it deems it advisable.

Compensation and purpose should be determined at the time of employment of private counsel.

The Superintendent and the President of the Board shall be designated as the representatives of the District who may confer with counsel. The District will not be responsible for fees that accrue because of unauthorized individual Board member or staff consultation with private counsel.

Copies of all written requests for opinions and opinions of private counsel shall be furnished by the Superintendent to all Board members. Requests for opinions requiring research or substantial amounts of work on the part of private counsel shall be in writing when practicable. Only the Superintendent may contact private counsel by telephone or in person regarding matters pertaining to the day-to-day operation of the District.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 11-532
15-341
15-343
38-431.07

EXECUTIVE SESSIONS / OPEN MEETINGS

The Board may enter into executive session after the following requirements have been met:

- A notice of the executive session has been provided to the Board members and the general public stating the provision of law authorizing the executive session in accordance with Board Policy BEDA.
- The Board has first been convened in open meeting, for which notice, stating the specific provision of law authorizing the executive session, has been given.
- The Board President has identified the section or sections of A.R.S. 38-431.03 that authorize the holding of the executive session and has stated the language of the section(s) and a general description of the matters to be considered.
- The executive session is authorized by a vote in open session.

No final action, decision, or vote shall be taken while the Board is in executive session, except as provided by law.

The Board shall reconvene the open meeting after an executive session prior to adjourning the meeting.

During the executive session, all persons present in the executive session will be read the admonition on the confidentiality of the executive session minutes and deliberations.

Adopted: date of Manual adoption

LEGAL REF.:	A.R.S. 15-843	38-431.02
	38-431.01	38-431.03
	A.G.O. I79-45	I80-146
	I79-49	I81-058
	I79-126	I81-060
	I79-136	I81-090
	I80-118	

CROSS REF.: BBBB - Board Member Oath of Office
 BEDA - Notification of Board Meetings
 BEDG - Minutes
 JKD - Student Suspension

NOTIFICATION OF BOARD MEETINGS

A statement shall be conspicuously posted on the District's website specifying where all notices of the Governing Board meetings are posted, including the physical and electronic locations, and give additional public notice as is reasonable and practicable as to all meetings.

The District shall post all Governing Board public meeting notices on its website and give additional public notice as is reasonable and practicable as to all meetings. When the District has complied with all other public notice requirements of A.R.S. 38-431.02, the Board is not precluded from holding a meeting for which notice was posted when a technological problem or failure either:

- prevents the posting of public notice on the District website, or
- temporarily or permanently prevents use of all or part of the District's website.

When an executive session of the Board is scheduled a notice of the executive session stating the provision of law authorizing the executive session and including a general description of the matters to be considered shall be provided to:

- the members of the Governing Board, and
- the general public.

At least twenty-four (24) hours prior to the meeting notice shall be given to the members of the Governing Board and to the general public by posting in the designated public place(s) the time and place, and the meeting agenda or any change in the meeting agenda. The notice shall include an agenda of the matters to be discussed, considered or decided at the meeting, or include information on how the public may obtain a copy of the agenda.

The twenty-four (24) hour notice period:

- May include Saturday when, in addition to any website posting, the public has twenty-four (24) hour access to the physical posting location.
- Does not include Sundays and other holidays prescribed in A.R.S. 1-301.

A twenty-four (24) hour meeting notice is not required in the case of an actual emergency, however, notice shall be given and procedures followed in accordance with the requirements of 38-431.02 as are appropriate to the circumstances.

A meeting may be recessed and resumed with less than twenty-four (24) hours notice when proper initial meeting notice was given and, before recessing, public notice is given specifying the time and place the meeting will be resumed or identifying the method by which such notice shall be publicly given.

When the Governing Board intends to meet at a regular place and time on a regular day, date or event for a specified calendar period, the District may post notice of the beginning of the applicable calendar period and the period for which the notification is valid.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 1-301
 15-321
 15-341
 38-431.01
 38-431.02
 A.G.O. I79-45

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

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

QUORUM

A quorum consisting of a majority of the Board membership shall be necessary to conduct any business. In the event that a quorum is not present within fifteen (15) minutes of the time scheduled, the meeting may be canceled and another meeting scheduled, with due and proper notices as prescribed by policy and law.

When there is a vacancy of one (1) or more members on the Governing Board, a majority of the members remaining constitute a quorum for the transaction of business, except that a single Board member does not constitute a quorum.

Efforts shall be made to fill vacancies on the Governing Board as soon as is practicable.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 1-216
15-321
A.G.O. I84-165

CROSS REF.: BBBE - Unexpired Term Fulfillment

VOTING METHOD

Votes on all motions and resolutions shall be by *ayes, nays* or *abstentions*.

At the discretion of the Board President or on the request of a member, a show-of-hands or roll-call vote shall be made and the vote of members shall be recorded. On a voice vote, members may request that their own votes be recorded.

All motions shall be carried by a majority of the members who vote, or as otherwise required by law.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 1-216
 15-321
 38-431
 A.G.O. I78-237

CROSS REF.: BEDC - Quorum
 BEDD - Rules of Order
 BEDG - Minutes

MINUTES

Written or recorded minutes shall be taken of all regular and special Board meetings, including executive sessions, and shall include the information required by A.R.S. 38-431.01. The written minutes or recording shall be available for public inspection three (3) working days after the date of the meeting, except for confidential executive session minutes. Written minutes or a recording not yet approved by the Governing Board shall be marked as "draft" or "unapproved." The minutes or recording shall not be withheld from the public pending approval and must be in a form readily accessible to the public.

Copies of unapproved written minutes, in print or digital form, shall be distributed to all Board members prior to the next meeting. The Board will take action at a subsequent meeting to amend and/or approve the written minutes.

The Superintendent shall oversee the preparation of written or recorded minutes of all executive sessions, as required by A.R.S. 38-431.01. The Superintendent will provide confidential copies of unapproved written minutes, in print or digital form, to all Board members prior to the next meeting.

The Superintendent shall assure that permanent archival files of all approved Governing Board meeting minutes and related required materials are maintained in accordance with A.R.S. 39-101 and standards established by Arizona State Library, Archives and Public Records (ASLAPR). Regular and special Board meeting minutes shall be filed separately from Board executive session minutes.

Adopted: date of Manual adoption

LEGAL REF.:	A.R.S. 15-843	39-121
	38-421	39-122
	38-431.01	41-1347
	38-431.03	41-1351
	39-101	

A.G.O. I80-198

Attorney General Arizona Agency Handbook, Chapter 7,
Open Meetings

ASLAPR General Retention Schedule for School Districts
and Charter Schools

CROSS REF.: BED - Meeting Procedures/Bylaws

REGULATION**REGULATION****MINUTES****(Minutes of Open Session Governing Board Meetings,
Board Subcommittees and Advisory Committees)**

For meetings other than executive sessions, minutes are to contain *at least* the following information:

- Date, time, and place of meeting.
- Members of the Governing Board recorded as either present or absent.
- General description of the matter considered.
- An accurate description of all legal actions proposed, discussed or taken, and the name of the Board member who proposed each motion.
- Names of the persons, as given, making statements or presenting material to the Governing Board and a reference to the legal action about which they made statements or presented material.

A meeting, for the purposes of the open meeting statutes, is the gathering of a quorum of Governing Board members at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action. [38-431]

It is therefore necessary to remember that:

- the coming together of a quorum of Governing Board members:
 - in person or by technological devices such as speakerphone, Internet, or other device,
 - including study sessions, work sessions, and retreats,
 - regardless of whether or not any voting is scheduled to occur,
- or of a subcommittee or advisory committee appointed by or at the direction of the Board, or which is to report to the Board,
 - is a "meeting" and, therefore,
 - minutes must be taken and processed as required by statute and specified above.

~~EXHIBIT~~ ~~EXHIBIT~~



~~PUBLIC PARTICIPATION AT
BOARD MEETINGS~~

~~REQUEST TO ADDRESS BOARD~~

~~I request permission to address the Governing Board on the following item on the agenda:~~

~~_____~~
~~_____~~
~~_____~~
~~_____~~

~~_____~~ ~~_____~~
~~(Date)~~ ~~(Name and Telephone Number)~~

~~_____~~
~~(Street Address)~~

~~_____~~ ~~_____~~ ~~_____~~
~~(City)~~ ~~(State)~~ ~~(Zip)~~

~~_____~~
~~(E-mail Address)~~

~~_____~~
~~(Representing)~~

SCHOOL BOARD MEMBERSHIPS

The Board may choose to be a member of and participate in school boards associations at the state, county, regional, and national levels. The Superintendent will ensure that the subject of school boards association membership is addressed during budget preparation.

The District shall not spend monies for memberships in an association that attempts to influence the outcome of an election, as determined by state and federal law.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-342
15-511

SUPERINTENDENT

The Board shall employ a Superintendent, who shall enforce the statutes and rules of the state of Arizona and the federal government, and the policies of the Governing Board of the District.

The administration of the school system in all aspects is the responsibility of the Superintendent, whose functions shall be carried out in accordance with the policies of the Board.

The Superintendent may establish regulations for the administration of the District that are in compliance with applicable statutes or regulations of the Arizona Administrative Code and the policies of the Governing Board. These regulations are binding on the employees of this District and students in the schools.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-503

QUALIFICATIONS AND DUTIES OF THE SUPERINTENDENT

(Performance Responsibilities)

The Superintendent shall have appropriate qualifications as determined by the Governing Board by action taken at a public meeting.

The Superintendent shall supervise, either directly or through delegation, all activities and all personnel of the school system according to the laws of the state of Arizona, rules of the Arizona State Board of Education, and adopted policies of the Governing Board.

The Superintendent is the District's chief executive officer and the administrative head of all divisions and departments of the school system. It is the Superintendent's duty to administer the policies of the Board and to provide leadership for the entire school system. The Superintendent is the professional consultant to the Board and, in this capacity, makes recommendations to the Board for changes in Board policies and the educational program.

The Superintendent provides the initiative and the technical guidance for the improvement of the total program of the school system. The delegation of authority for the operation of the various functions of the school system is one of the Superintendent's duties. The Superintendent is, however, responsible to the Board for all functions of the District, including those listed below.

Education:

- Administers the development, coordination, maintenance, and evaluation of the educational program, including the special education program.
- Supervises methods of teaching, supervision, and administration in effect in the schools.
- Keeps informed of modern educational thought and practices by advanced study, by visiting school systems elsewhere, by attending educational conferences, and by other appropriate means.
- Keeps the public informed about modern education practices, educational trends, and the policies, practices, and problems in the District schools.

Management:

- Ensures that all activities of the District are conducted in accordance with the laws of the state of Arizona, the regulations of the Arizona Board of Education, and the policies of the Governing Board.
- Assumes responsibility for the overall financial planning of the District and for the preparation of the annual budget, and submits it to the Board for review and approval.
- Establishes and maintains efficient procedures and effective controls for all expenditures of school funds in accordance with the adopted budget, subject to direction and approval of the Board.
- Maintains or has maintained adequate records for the schools, including, but not limited to:
 - financial accounts,
 - business and property records,
 - personnel,
 - school population,
 - student records including verifiable documentation of each student's residency in this state in accordance with guidelines and forms adopted by the Arizona Department of Education, and
 - scholastic records.
- Provides suitable instructions and regulations to govern the maintenance of District properties.
- Provides suitable instructions and regulations to govern the safety and transportation of students.
- Assumes responsibility for the use of buildings and grounds.
- Recommends the locations and sizes of new school sites and of additions to existing sites; the locations and sizes of new buildings; the plans for new school buildings; all appropriations for sites and buildings; and improvements, alterations, and changes in the buildings and equipment of the District.
- Oversees the processing and submission of required reports.

- Interprets the budget and finances to the community.
- Remains current on new legislation and implements laws to the best advantage of the District.

Governing Board:

- Attends and participates in all meetings of the Board and its committees, except when excused by the Board.
- Takes prompt action to implement all directives of the Board.
- Advises the Board on the need for new and/or revised policies.
- Provides timely advice to the Board on the implication of changes in statutes or regulations affecting education.
- Informs and advises the Board about programs, practices, and problems of the schools, and keeps the Board informed of the activities operating under the Board's authority.
- Prepares and submits to the Board recommendations relative to all matters requiring Board action, placing before the Board such facts, objective information, and reports as are needed to ensure the making of informed decisions.
- Develops and implements rules and regulations in keeping with Board policy.
- Acts as chief public relations agent for the District.
- Acts on own discretion if action is necessary in any matter not covered by Board policy, reports such action to the Board as soon as practicable, and recommends policy guidance in the future.

Personnel:

- Recommends to the Board the appointment or dismissal of all employees of the District.
- Ensures that all employees are evaluated in accordance with the schedule established by the Board.
- Determines assignments, defines the duties, and coordinates and directs the work of all employees of the District.

- Recommends all promotions, demotions, and salary changes to the Board.
- Communicates to all employees all actions of the Board relating to personnel matters, and receives from employees all communications to be made to the Board.

The Superintendent shall have a valid fingerprint card issued pursuant to A.R.S. 41-1758.03.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-503

15-802
38-201
41-1758
A.A.C. R7-2-603

CROSS REF.: CBI - Evaluation of Superintendent

EVALUATION OF SUPERINTENDENT

The Governing Board shall evaluate the Superintendent at least once each year.

The evaluation(s) shall relate to the Superintendent's duties, responsibilities, and progress toward established goals.

The Superintendent shall provide each member of the Board a copy of the evaluation instrument not later than November 10. The Board President shall schedule a meeting not later than December 18, when the Board will devote an executive session to the evaluation of the Superintendent's performance, to discuss working relationships between the Superintendent and the Board, and to review the Superintendent's contract (with the Superintendent present). If the Superintendent's contract is in its first year, this initial evaluation will not be a comprehensive evaluation, but will be used to allow the Board to communicate its perspective on the Superintendent's performance to date and to allow the Board and the Superintendent to communicate on performance matters. Additional first-year evaluations may be completed by the Board at the Board's discretion or upon invitation by the Superintendent; however, the first fully comprehensive evaluation will be that which occurs in November of the Superintendent's second year.

Any meetings of the Board to compile evaluations, or meetings to discuss the evaluations with the Superintendent, shall be held in executive session unless the Superintendent requests that any such meeting be held in open session. Board members shall have the opportunity to discuss with the Superintendent any item(s) on which the Board member fails to achieve consensus.

A copy of any written evaluation shall be given to the Superintendent. If in disagreement with such evaluation, the Superintendent may respond in writing to the Governing Board.

Upon the conclusion of the evaluation, the Governing Board may determine whether any changes in the compensation and benefits or contract term of the Superintendent are warranted, subject to the following:

If the Superintendent's contract with the School District is for multiple years, the School District shall not offer to extend or renegotiate the contract until May of the year preceding the final year of the contract.

If the Superintendent's contract with the School District is for more than one (1) year, but not exceeding three (3) years, on or before May 15 of the last year of the contract, the Board shall offer a contract for the next school year to the Superintendent unless on or before April 15 the Board gives notice to the Superintendent of the Board's intention not to offer a new administrative contract.

If the Superintendent's contract with the School District is for a single year, on or before May 15 of each year the Board shall offer a contract for the next school year to the Superintendent unless on or before April 15 the Board gives notice to the Superintendent of the Board's intention not to offer a new administrative contract.

The evaluation and any comments by the Superintendent shall become a part of the Superintendent's personnel file.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-503

CROSS REF.: CBA - Qualifications and Duties of Superintendent

POLICY IMPLEMENTATION

The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board. The administrative regulations shall specify required actions and reflect the detailed arrangement under which the District will be operated.

The policies adopted by the Board and the administrative regulations developed to implement policy are designed to promote an effective and efficient school system. All employees and students shall comply with Board policies and administrative regulations.

Adopted: date of Manual adoption

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

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.

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

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

REGULATION**REGULATION****BUDGET PLANNING, PREPARATION,
AND SCHEDULES**

The business manager will prepare a schedule of budget deadlines for presentation to the Superintendent each year. This schedule will cover all actions necessary to prepare the budget for the following school year.

The following items may be included in the recommended budget schedule:

- Specific date for receipt of unit budgets from administrators.
- Date for initial meeting on the budget with appropriate staff members on the budget.
- Date(s) for student membership and attendance reports.
- Date(s) for estimates on the maintenance and operations and capital budgets.
- Date for completion of employee compensation consideration(s).
- Date for preparing financial projections for all categories and subcategories to be included in the proposed budget(s) for the ensuing fiscal year.
- Date for determining if the proposed budget(s) is (are) in excess of the District's truth in taxation base limit [A.R.S. 15-905.01].
 - When the base limit will be exceeded a decision must be made whether to publish the truth in taxation notice separately or in combination with the proposed budget or budget summary.
 - Either publication procedure requires publication at least ten (10) days but not more than twenty (20) days prior to the truth in taxation hearing.
 - The truth in taxation hearing may be held in conjunction with the proposed budget hearing.
- The Governing Board shall not later than July 5 and not less than ten (10) days before:
 - Publish or mail to each household in the District a copy of the proposed budget or a summary of the proposed budget for consideration of the residents or taxpayers of the District, and a notice of the public hearing and Board meeting.

REGULATION**REGULATION**

- Furnish to the Superintendent of Public Instruction and County School Superintendent, in electronic format, the proposed budget and summary of proposed budget for the budget year.
- Submit to the Department of Education the proposed budget which shall prominently display this information about the School District on the website maintained by the Department. If the School District maintains a website, the School District shall post a link to the website of the Department of Education where this information about the School District is posted.
- The Governing Board shall not later than July 15 and not less than ten (10) days after posting or mailing the notice of the public hearing and Board meeting:
 - Conduct the public hearing and present the proposed budget to the persons attending the hearing, and
 - ▲ If a truth in taxation hearing is required it must be conducted prior to the budget hearing.
 - Immediately following the public hearing the President shall call the Governing Board meeting to order for the purpose of adopting the budget.
- Not later than July 18:
 - The adopted budget shall be filed by the Governing Board with the County School Superintendent (who shall immediately transmit a copy to the Board of Supervisors).
 - The adopted budget shall be submitted electronically to the Superintendent of Public Instruction.
 - The adopted budget shall be submitted to the Department of Education. The Department shall prominently display this information about the School District on the website maintained by the Department. If the School District maintains a website, the School District shall post a link to the website of the Department of Education where this information about the School District is posted.
- File with the Superintendent of Public Instruction within thirty (30)

REGULATION**REGULATION**

days from the action date:

- The publisher's affidavit of publication confirming publication of the proposed budget, or
- An affidavit affirming the proposed budget was mailed to each household in the School District, or
- An affidavit noticing that the proposed budget was posted on the Department of Education website.

Override Election:

- Date(s) for override, if applicable.
- Date for budget hearing on following year's budget.
 - At least ninety (90) days before a proposed override election (first [1st] Tuesday following the first [1st] Monday in November, order override election to present proposed override budget to electors. Must also prepare alternate budget without override increase in event voters reject the proposed override budget.
 - At least thirty-five (35) days before override election, mail or distribute to households where qualified electors reside the informational report prepared by County School Superintendent.
 - When a determination is made to cancel the override election, the request must be made to the County School Superintendent at least eighty (80) days before the override election date.

Annual Financial Report:

Not later than October 15 of each year the Governing Board shall:

- Prepare and distribute the annual financial report for the prior fiscal year.
- Electronically submit a copy of the financial report to the County School Superintendent. The report shall be approved by the County Superintendent in an electronic procedure prescribed by the Department of Education.
- Electronically submit a copy of the financial report to the State

REGULATION**REGULATION**

Superintendent of Public Instruction

- Submit a copy of the annual financial report for the prior fiscal year to the Department of Education. The Department shall prominently display this information about the School District on the website maintained by the Department. If the School District maintains a website, the School District shall post a link to the website of the Department of Education where this information about the School District is posted.

Not later than November 15 of each year the Governing Board shall publish the annual financial report:

- In a newspaper of general circulation within the School District, or
- In the official newspaper of the county as defined in A.R.S. 11-255, or
- By mailing a copy to each household in the District, or
- By electronic transmission of the information to the Department of Education for posting on the Department's website, or
 - If the Board chooses this option the School District shall post a link on the District's website to the report on the Department's website.

All forms and technical requirements for each respective form shall be as prescribed in A.R.S. 15-904.

BUDGET HEARINGS AND REVIEWS / ADOPTION PROCESS

At least ten (10) days before and not later than July 5, the Governing Board shall publish notice of the public hearing and Board meeting to be held no later than July 15 to present the proposed budget for consideration of the residents or taxpayers of the District and shall submit the proposed budget to the Department of Education. The Department shall prominently display the budget information on the website maintained by the Department. If the District maintains a website, the District shall post a link to the website of the Department of Education where this information about the District is posted.

If a truth-in-taxation notice and hearing is required under A.R.S. 15-905.01, the Board may combine the budget notice and hearing with the truth-in-taxation notice and hearing.

The publishing of the proposed budget and notice of the hearing and meeting shall be in accordance with A.R.S. 15-905. If a truth-in-taxation notice and hearing is necessary, the notice shall be in accordance with A.R.S. 15-905.01. If the Board determines to combine the budget and truth-in-taxation hearings, publication of a combined notice must satisfy the requirements of both A.R.S. 15-905 and 15-905.01.

Immediately following the public hearing the President shall call to order the Board meeting for the purpose of adopting the budget. A Board member may, without creating a conflict of interest, participate in adoption of a final budget even though the member may have substantial interest in specific items included in the budget.

The Board shall adopt the budget and enter the budget as adopted in its minutes.

Not later than July 18, the Governing Board shall submit the adopted budget to the Department of Education. The Department shall prominently display the District budget information on the website maintained by the Department. If the District maintains a website, the District shall post a link to the website of the Department of Education where this information about the District is posted.

Filing of the budget shall be according to state law. [See Regulation DBC-R]

If the Governing Board receives notification that one (1) or more of the District's categorical budgets are in excess of its authorized limit, the Board shall revise the affected budget(s) in accordance with A.R.S. 15-905.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-903
15-905
15-905.01
15-911
15-915
15-948

CROSS REF.: DBC - Budget Planning, Preparation and Schedules

BUDGET IMPLEMENTATION

In order to determine if budgeted expenditures are in keeping with the adopted budget, a monthly report of expenditures and revenues shall be presented to the Board. Variances within budget categories shall be a part of this report.

An expenditure in excess of a major subsection of the maintenance and operation budget shall require Board approval.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-905

EXHIBIT**EXHIBIT**

**FUNDING PROPOSALS, GRANTS,
AND SPECIAL PROJECTS**

RESOLUTION

WHEREAS, participation in programs funded in whole or in part by federal funds requires that a participating district demonstrate that the district meets the requirement of comparability between schools that receive federal funding and those that do not receive such funding, and that the district provide for equivalency of access to district staffing, equipment, and materials by all district schools, based on student per-capita allocations and individual schools' needs analyses, and, in addition, that all schools and programs have equivalent access to district support operations including but not limited to maintenance, transportation, and warehousing operations support; and

WHEREAS, budgets for staffing, textbooks, equipment, supplies, and services for district schools will be provided for at all schools without supplanting special funding provided from any source with nonsupplanting requirements; and

WHEREAS, expenditures budgets for schools participating in Title I programs will be provided for on the same per-capita basis as budgets for schools not participating in the program; and

WHEREAS, the Mammoth-San Manuel Unified School District No. 8 intends to participate in such programs and receive federal funds;

NOW, THEREFORE, BE IT RESOLVED that the Governing Board of the Mammoth-San Manuel School District No. 8 hereby directs the Superintendent to ensure that said district does in fact comply with such mandates for comparability and equivalency of access for the period of any grant under which such funds are received.

This resolution was moved, seconded, and passed at a meeting of the Mammoth-San Manuel Unified Governing Board on _____, 20____.

ATTEST:

President

FUNDING SOURCES OUTSIDE THE SCHOOL SYSTEM

The District may submit proposals to private foundations and other sources of financial aid for subsidizing such activities as innovative projects, feasibility studies, long-range planning, research and development, or other educational needs.

Timelines permitting, grant proposals are to be approved by the Board before being submitted to the funding agency. The Superintendent shall establish administrative guidelines for the processing of proposal ideas to the Board for its approval.

The Governing Board may receive, hold, and dispose of any gift, grant, or bequest of property or equipment in accordance with state law and the intent of the instrument conferring title.

The Governing Board may also accept gifts, grants, or devises of money. The disposition of unused funds from these sources shall be in accordance with law.

Adopted: date of Manual adoption

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

CROSS REF.: KCD - Public Gifts/Donations to Schools

REVENUES FROM SCHOOL - OWNED REAL ESTATE

Revenues collected from rental or lease of school-owned real estate shall be deposited in the Civic Center fund. Monies from sale of school-owned real estate shall be deposited as allowable under state statutes.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-342
 15-1102
 15-1105
 15-1106

GATE RECEIPTS AND ADMISSIONS

Admission receipts from school events shall be adequately controlled. The Superintendent is responsible for the proper collection, supervision, disbursement, and/or remittance of these fees.

Admission to school events for which an admission is charged ordinarily will be by purchased ticket or special pass only. Adequate records will be maintained for accounting purposes.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-1121 to 15-1126

INCOME FROM SCHOOL SALES AND SERVICES

Vocational Activity Income

Through certain vocational activities, students may provide goods and services at a charge to the public. These activities are designed for educational purposes, not to make a profit or to be competitive with business in the community.

The charges for work performed and goods sold through these activities will be kept current with costs for the particular service or item offered for sale.

Advertising Income

A District advertisement fund shall be established for the deposit of revenues if the District sells advertising.

All revenues collected will be deposited and accounted for in accordance with the Uniform System of Financial Records. Monies in the advertising funds are not subject to reversion.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-342
15-1121

CROSS REF.: KHB - Advertising in Schools

CREDIT CARDS

(Credit Cards and/or Procurement Cards)

Use of Credit Cards/ Procurement Cards

The Governing Board acknowledges that instances may occur when ready payment for goods or services is in the District's best interest. Therefore, the Board authorizes the Superintendent to secure and assign controlled-limit credit/procurement cards to designated personnel. District-assigned credit/procurement cards may not be used for personal expenditures.

The use of credit/procurement cards is to be closely monitored and payment of statements for authorized purchases are to be made as promptly as possible to avoid fees and charges for the use of such cards.

The Superintendent is directed to develop regulations for the use of District-assigned credit/procurement cards. Such regulations are subject to Board review and approval.

The Board reserves the right to revise or rescind this policy at its sole discretion.

Definition of Credit/ Procurement Card

The District defines "credit card" and "procurement card" as a form of payment in lieu of cash, purchase order, or check. The credit/procurement card must bear the applicable Visa, Master Card, Discover, American Express or petroleum company logo.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-342
38-621
38-622
38-623
38-624
38-625

Uniform System of Financial Records

CROSS REF.: DKC - Expense Authorization/Reimbursement

REGULATION**REGULATION****CREDIT CARDS****(Credit Cards and/or Procurement Cards)****Purposes**

The issuance and use of a credit/procurement card is to provide an alternative purchasing mechanism when traditional payment/procurement methods are not feasible.

A credit/procurement card may be used to facilitate the payment of travel expenses such as hotels, meals and registrations for training and education while conducting District business, including fuel for District-owned vehicles.

Authorized Card Holders

Persons designated as authorized credit/procurement card holders must agree to abide by the procedures described in this regulation.

The holders will be held liable for any unauthorized use of a District-assigned credit/procurement card, which may result in disciplinary action up to and including the loss of employment and other actions provided by law.

Except for business department personnel performing authorized office duties, no person other than a designated holder is to have access to or use of a District-assigned credit/procurement card.

Scope

The credit/procurement card is to be used only when the items and/or services to be purchased are for the official use of the District. *No personal use of a credit/procurement card is allowed.*

District-assigned credit/procurement cards may be used only when one (1) of the following conditions exists:

- When a vendor will not accept a purchase order or offer billing terms.
- When the purchase must be made during an "emergency." For the purpose of this regulation, *emergency* means payment for a purchase must be made before the next accounts payable check run. A memo bearing the Superintendent's signature of approval must be presented explaining the circumstances and nature of the emergency.
- When a revolving fund check cannot be used.

REGULATION**REGULATION****Credit/Procurement Card
Purchasing Limitations**

The following are District-established credit card purchasing limitations:

- A single purchase may not exceed a maximum of one thousand five hundred dollars (\$1,500).
- Cumulative purchases by a card holder may not exceed two thousand five hundred dollars (\$2,500) during a statement month.

A purchase made using a District-assigned credit card may not violate any District purchasing policy or regulation. All purchases must be appropriate and in the best interest of the District. Violation may result in termination of the employee's credit card privileges.

**Credit/Procurement Card Transaction
Requirements for Physical, Verbal,
and Internet Orders**

When a District-assigned credit/procurement card is required for a physical, verbal or internet purchase, the following steps must be taken:

- Prior to use of the credit/procurement card, the card holder is to submit a purchase order requisition form to the District business office accompanied by the following:
 - A detailed description of the items and/or services to be purchased using the credit/procurement card.
 - The date the purchase will be made.
 - The actual amount of the purchase. If the actual amount is not known an estimate may be stated, but *the amount of the purchase cannot exceed the stated amount.*
 - Proper account coding information.
 - Signatures of the requester and the approving authority.
- The holder must verify that a purchase order has been created and approved *before* a credit/procurement card transaction occurs.

REGULATION**REGULATION**

- When a credit/procurement card is used the card holder must promptly submit all receipts and other related documentation to the business office. The documentation should clearly indicate the employee making the purchase and the specific school purpose for the expenditure. Receipts for fuel or vehicle repairs are to include the vehicle license number.

Credit/Procurement card statements must be addressed directly to the business office and not to the card holder. All purchase transaction receipts must be reconciled to the monthly credit/procurement card statements prior to entry on an expense voucher. As credit/procurement card companies may charge fees and interest, payments must be made in a timely manner to avoid finance charges.

Use of a Credit/Procurement Card for Travel

Reservations must be made through the purchasing office. A completed professional leave form must be submitted along with the necessary information. The business office will provide the credit/procurement card information to the selected vendor.

EXHIBIT **EXHIBIT**

CREDIT CARDS

**DISTRICT-ASSIGNED CREDIT/PROCUREMENT
CARD HOLDER AGREEMENT**

By my signature I hereby acknowledge that I have read and understand the Mammoth San Manuel Unified School District's credit/procurement card policy and regulations. Furthermore, I affirm that I will not use the credit/procurement card for personal reasons. I understand that a violation of this agreement may result in disciplinary action up to and including termination, and possible legal action.

Signature

Position

Printed name

Date signed

FINANCIAL REPORTS AND STATEMENTS

Prior to October 15 of each year, the Superintendent shall present to the Board the annual financial report for the previous fiscal year and the Governing Board shall submit the annual financial report for the previous fiscal year to the Department of Education, which shall prominently display this information about the District on the website maintained by the Department.

The District annual financial report shall be published by November 15 either in a newspaper of general circulation within the District, by electronic submission to the Department of Education for publication on its web site, in the official newspaper of the county, or by mailing to each household in the School District. If published electronically as indicated above, a link shall be posted on the School District web site to the state department's web site.

The Superintendent shall also ensure that a report of expenditures of public funds and student activity funds is provided to the Board on a monthly basis.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-271
15-302
15-904
15-919.06
15-977
15-991

CROSS REF.: CM - School District Annual Report
DBC-R - Budget Planning, Preparation and Schedules

BIDDING / PURCHASING PROCEDURES

The Superintendent shall be responsible for all purchasing, contracting, competitive bidding, and receiving and processing of all bid protests, in accordance with the Arizona school district procurement rules, including A.A.C. R7-2-1141 *et seq.* A contract shall not be awarded to an entity that does not verify employment eligibility of each employee through the E-verify program in compliance with A.R.S. 23-214 subsection A. Each contract shall contain the warranties required by A.R.S. 41-4401 relative to the E-verify requirements.

The Superintendent shall prepare regulations to assure the District conforms to proper procedures and practices.

Purchases Not Requiring Bidding

Purchases of five thousand dollars (\$5,000) or less may be made at the discretion of the Superintendent. Such procurements are not subject to competitive purchasing requirements, however reasonable judgment should be used to ensure the purchases are advantageous to the District.

Verbal price quotations will be requested from at least three (3) vendors for a transaction in excess of five thousand dollars (\$5,000) but less than twenty-five thousand dollars (\$25,000). The price quotations should be shown on, or attached to, the related requisition form. If three (3) verbal quotations cannot be obtained, documentation showing the vendors contacted that did not offer price quotations, or explaining why price quotations were not obtained, shall be maintained on file in the District office.

Written price quotations will be requested from at least three (3) vendors for transactions of at least twenty-five thousand dollars (\$25,000) but not more than fifty thousand dollars (\$50,000). If three (3) written price quotations cannot be obtained, documentation showing the vendors contacted that did not offer written price quotations, or explaining why written price quotations were not obtained, shall be maintained on file in the District office.

The District is not required to engage in competitive bidding in order to place a student in a private school that provides special education services if such placement is prescribed in the student's individualized education program and the private school has been approved by the Department of Education Division of Special Education pursuant to A.R.S. 15-765. The placement is not subject to rules adopted by the State Board of Education before November 24, 2009 pursuant to A.R.S. 15-213.

The District may, without competitive bidding, purchase or contract for any products, materials and services directly from Arizona Industries for the Blind, certified nonprofit agencies that serve individuals with disabilities and Arizona Correctional Industries if the delivery and quality of the goods, materials or services meet the District's reasonable requirements.

Intergovernmental agreements and contracts between school districts or between the District and other governing bodies as provided in A.R.S. 11-952 are exempt from competitive bidding under the procurement rules adopted by the State Board of Education pursuant to A.R.S. 15-213.

The District is not required to engage in competitive bidding to make a decision to participate in insurance programs authorized by A.R.S. 15-382.

The District is not required to obtain bid security for the construction-manager-at-risk method of project delivery.

Unless otherwise provided by law, contracts for materials or services and contracts for job-order-contracting construction services may be entered into if the duration of the contract and the conditions of renewal or extension, if any, are included in the invitation for bids or the request for proposals and if monies are available for the first fiscal period at the time the contract is executed. The duration of contracts for materials or services and contracts for job-order-contracting construction services shall be limited to no more than five (5) years unless the Board determines that a contract of longer duration would be advantageous to the District. Once determined, the decision should be memorialized in meeting minutes and in the contract/bid file. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies.

Online Bidding

Until such time as the State Board of Education adopts rules for the procurement of goods and information services by school districts and charter schools using electronic, online bidding, the District may procure goods and information services pursuant to A.R.S. 41-2671 through 2673 using the rules adopted by the Department of Administration in implementing 41-2671 through 2673.

Purchases Requiring Bidding

Sealed bids and proposals shall be requested for transactions to purchase construction, materials, or services costing more than fifty thousand dollars (\$50,000). All transactions must comply with the requirements of the Arizona Administrative Code and the Uniform System of Financial Records.

Registered Sex Offender Prohibition

All purchase orders, agreements to purchase, and contracts for services to be provided by personnel other than District employees must include the following statement on the document:

***Registered Sex Offender Restriction.** Pursuant to this order, the named vendor agrees by acceptance of this order that no employee of the vendor or a subcontractor of the vendor, who has been adjudicated to be a registered sex offender, will perform work on District premises or equipment at any time when District students are, or are reasonably expected to be, present. The vendor further agrees by acceptance of this order that a violation of this condition shall be considered a material breach and may result in a cancellation of the order at the District's discretion.*

Required Scrutinized Business Operations Clause

All contracts for District purchase of goods or services shall include a clause requiring the contractor offering the goods or services to certify that the contractor does not have scrutinized business services in Sudan nor in Iran.

The District through the Superintendent shall:

- Verify that the offeror does not appear on the most recent list prepared by the Arizona Central Procurement Officer of parties excluded from Arizona contracts.
- Notify the State Central Procurement Officer of any contractor the District suspects has submitted a false certification.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 11-952 23-214
 15-213 34-101 *et seq.*
 15-213.01 35-391 *et seq.*
 15-213.02 35-393 *et seq.*
 15-239 38-503
 15-323 38-511
 15-342 39-121
 15-382 41-2632
 15-765 41-2636
 15-910.02 41-4401
 A.G.O. I83-136
 I87-035
 I06-002
 A.A.C. R7-2-1001 *et seq.*
 USFR VI-G-8 *et seq.*

CROSS REF.: BCB - Board Member Conflict of Interest
 DJG - Vendor/Contractor Relations
 GBEEA - Staff Conflict of Interest
 JLIF - Sex Offender Notification

REGULATION**REGULATION****BIDDING / PURCHASING PROCEDURES**

All District purchases shall be in accordance with the relevant sections of the Arizona Revised Statutes (including, but not limited to 15-213, 15-323, and 38-503), the Arizona school district procurement rules set out in A.A.C. R7-2-1001 through 1195, and with the following.

Requesting Quotations

Requests for price quotations are to include adequate details and be issued with sufficient lead time to enable vendors to effectively respond. When a contract is to be awarded on the basis of price and additional factors those factors are to be included in the request for quotations. Such factors should include, but are not limited to, the following:

- Submittal requirements including:
 - Date and time due;
 - Type and manner by which quotations may be received (e.g., telephone, written, fax, e-mail, prepared form);
 - Physical or digital address to which quotations are to be delivered.
- Specific information the quotation must include.
- Whether or not negotiations may be held.
- Options that may be made pursuant to a purchase contract, i.e., extensions and renewals.
- Contracts for job-order-contracting services shall be limited to no more than five (5) years unless the Board determines that a contract of longer duration would be advantageous to the District and has provided for such duration as a part of bid documents and conditions of renewal or extension within contract language. Such determination should be memorialized in writing and kept in the meeting minutes and contract/bid file.
- Uniform terms and conditions included in the request by text or reference.
- Such additional terms, conditions, and instructions as are applicable to the purchase under consideration.

REGULATION**REGULATION**

All requests for written quotations shall be at the direction of the Superintendent or a person designated by the Superintendent.

When a vendor is selected on the basis of factors other than lowest price, the reasons shall be documented and filed with the price quotations. Documentation of the quotations process and details including vendor names, persons contacted, telephone numbers and identification of other communication procedures, price results, and determinations are to be documented and retained by the District in a procurement file that includes the pertinent requisition form and purchase order.

A written contract or purchase order must be approved prior to a purchase being made.

**Cumulative and Like
Item Purchases**

An analysis shall be performed annually to determine the extent of the District need to purchase like items. Prior year purchases and applicable demographic, program, and planning data are to be utilized for projecting quantity and cost of like items to fulfill the anticipated need. The outcomes of calculating the projected quantity and cost factors to acquire like items shall inform the determinations as to the appropriate procurement processes to be applied. The proper competitive purchasing strategies must be applied to assure District compliance with the procurement laws and rules. Splitting of orders or other purchasing practices devised to circumvent allowable procurement practices are prohibited. The cumulative costs of purchasing like items by any and all means of acquisition are to be tracked to assure that no purchases are permitted that will result in violation of Governing Board policies and lawful procurement practices.

**Multiple Year Purchases Totaling
Less Than Fifty Thousand Dollars**

The District may enter into contracts of less than fifty thousand dollars (\$50,000) for a period up to five (5) years, as follows:

- When the terms and conditions of renewal or extension are included in the solicitation for bids;
- When monies are available for the first fiscal year at the time of contracting;
- When the competitive purchasing method is appropriate to the projected cumulative cost over the term of the multiple year contract.

REGULATION**REGULATION****Multiple Year Purchases Totaling
More Than Fifty Thousand Dollars**

The District may enter into contracts for more than fifty thousand dollars (\$50,000) for a period up to five (5) years, as follows:

- The Governing Board has determined in writing that:
 - The estimated requirements cover the contract period and are reasonable and continuing;
 - A multi-term contract will serve the District's best interest by encouraging competition or promoting economies in procurement;
 - If monies are not appropriated or available in future years the contract will be cancelled.

If multiple-year quotations are used, the District shall:

- Document the time period that the pricing is valid;
- Determine the vendor will honor the pricing for the multi-year period;
- Written affirmation with the vendor that, although it is the District's intent to purchase certain quantities, all purchases are subject to the availability of funds.

**Multiple Awards to More
Than One Contractor**

Generally, the District should not use multiple awards allowing more than one (1) vendor to supply the same goods or service. However, there are instances in which the District may make multiple awards. If that instance arises, the request for proposals or invitation for bids should clearly state whether multiple awards may be used so bidders can consider that information when pricing their proposals or bids.

A multiple award to more than one (1) vendor should be made only when the District has determined and documented in writing that a single award is not advantageous to the District. The award should also be limited to the least number of suppliers necessary to meet the District's requirements.

REGULATION**REGULATION****Bidding Methods**

Sealed bids or proposals will be requested when an award is to be made for a transaction to purchase construction, materials, or services costing more than fifty thousand dollars (\$50,000). The Superintendent must review the expenditure and make a recommendation to the Board for final action. The Board reserves the right to waive any informality in, or reject, any or all bids or any part of any bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids.

The bidder to whom the award is made may be required to enter into a written contract with the District.

Pursuant to the procurement code, contracts can be let for a period not to exceed five (5) years.

Definitions

The definition of a term used in this regulation shall be interpreted as being synonymous with the definition of that term listed at R7-2-1001.

Prospective Bidders' Lists

The District shall compile and maintain a prospective bidders' list. Inclusion of the name of a person shall not indicate whether the person is responsible concerning a particular procurement or otherwise capable of successfully performing a District contract.

Persons desiring to be included on the prospective bidders' list shall notify the District. Upon notification, the District shall mail or otherwise provide the person with the District procedures for inclusion on the bidders' list. Within thirty (30) days after receiving the required information, the District shall add the person to the prospective bidders' list unless the District makes a determination that inclusion is not advantageous to the District.

Persons who fail to respond to invitations for bids for two (2) consecutive procurements of similar items may be removed from the applicable bidders' list after mailing a notice to the person. This notice shall not be required if the two (2) invitations for bids which were not responded to both contained the notice that bidders' names may be removed from the bidders' list if they fail to respond to invitations for bids for two (2) consecutive procurements of similar items. Persons may be reinstated upon request.

REGULATION**REGULATION**

Prospective bidders lists shall be available for public inspection, unless the District makes a written determination that it is in the best interest of the District that they should be confidential or private and should not be open for inspection pursuant to A.R.S. 39-121.

Competitive Sealed Bidding

If the intended procurement is for construction to cost less than one hundred fifty thousand dollars (\$150,000), the rules established for the simplified school construction procurement program described at R7-2-1033 may be followed. In all other cases, adequate public notice of the invitation for bids shall be given as provided in R7-2-1022 or as provided in R7-2-1024, which are outlined below, and shall indicate that any bid protest shall be filed with the District representative, who shall be named therein.

If notice is given pursuant to R7-2-1024, notice also may be given as provided in R7-2-1022. If fewer than five (5) prospective bidders are included on the bidders list, the notice must also be given as provided in R7-2-1022. When the invitation for bids is for the procurement of services other than those described in R7-2-1061 through R7-2-1068 and R7-2-1117 through R7-2-1123, Specified Professional Services, notice also shall be given as provided in R7-2-1022.

R7-2-1022:

In the event there are four (4) or less prospective bidders on the bidders' list, the notice shall include publication in the official newspaper of the county within which the school district is located for two (2) publications which are not less than six (6) nor more than ten (10) days apart. The second publication shall not be less than two (2) weeks before bid opening. The time of publication may be altered if deemed necessary pursuant to R7-2-1024.A.

R7-2-1024:

Invitation for bids shall be issued at least fourteen (14) days before the time and date set for bid opening in the invitation for bids unless a shorter time is deemed necessary for a particular procurement as determined by the school district.

The school district shall mail or otherwise furnish invitation for bids or notices of the availability of invitation for bids to all prospective bidders registered with the school district for the specific material, service or construction being bid.

The time and date at which a bid is called due shall be during regular working hours at a regular place of school business or during a public meeting of the Governing Board at its regular meeting place.

REGULATION**REGULATION**

Invitations to bid will be sent to all vendors who have requested to bid or who have applied to be placed on a bid list appropriate to the items being sought.

A bid call relating to "construction projects" must describe the nature of the work to be performed and where complete plans, if necessary, may be obtained. Deposits may be required for plans and specifications in good order. A certified check, cashier's check, or surety bond for ten percent (10%) of the bid must accompany each bid, but will be returned to unsuccessful bidders. The successful bidder must present performance and payment bonds for one hundred percent (100%) of the bid within five (5) working days after notification of the award.

Each sealed bid must be submitted in a sealed envelope, addressed to the District, clearly marked on the outside of the envelope, "Sealed Bid for _____." The bids shall be opened publicly and read aloud at the time and place stated in the invitation. Awards shall be made with reasonable promptness to the lowest responsible, qualified vendor, taking into consideration all factors set forth in policy. Price shall not be the sole factor in making the bid award. When out-of-state bidders are not to pay sales/use tax, the amount of such tax shall not be a consideration in determining the low bidder. All proposed contracts for outside professional services in excess of the amount calculated by the State Board of Education and made applicable for the year in which the transaction will occur, may be reviewed by the attorney for the District prior to entering into the contract. The policies relating to outside professional services apply only to services required by law to be placed on bid, and even those policies may be set aside if a state of emergency is declared. If a state of emergency is declared, a memorandum will be issued justifying such a declaration, which will be filed in the District's records.

The use of bidding, contracting, or purchasing specifications that are in any way proprietary to one (1) supplier, distributor, or manufacturer is prohibited unless no other resource is practical for the protection of the public interest.

The Board reserves the right to reject any or all bids and to accept the bid that appears to be in the best interest of the District. The Board reserves the right to waive informalities in any bid or to reject any bid, all bids, or any part of any bid. Any bids may be withdrawn prior to the scheduled time for the opening of the bids. Any bids received after the opening begins shall not be accepted. Opening of bids shall not be delayed to accommodate late bid responses. Submitted bids shall be honored for at least thirty (30) days or as otherwise stated in the invitation. All information relating to a bid shall be retained and made available for public inspection after the bids are awarded, and prospective bidders shall be notified of this in the invitation or specifications relating to the bid call.

REGULATION**REGULATION****Multistep Sealed Bidding**

The multistep sealed bidding method may be used if the Governing Board determines that:

- Available specifications or purchase descriptions are not sufficiently complete to permit full competition without technical evaluations and discussions to ensure mutual understanding between each bidder and the District;
- Definite criteria exist for evaluation of technical offers;
- More than one (1) technically qualified source is expected to be available; and
- A fixed-price contract will be used.

The District may hold a conference with bidders before submission or at any time during the evaluation of the unpriced technical offers.

The multistep sealed bidding method may not be used for construction contracts.

When the multistep sealed bidding method is determined to be advantageous to the District, the procedures set out in R7-2-1036 and 1037 shall be followed.

Competitive Sealed Proposals

If, pursuant to R7-2-1041, the Governing Board determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the District, a contract may be entered into by competitive sealed proposals. The Governing Board may make a class determination that it is either not practicable or not advantageous to the District to procure specified types of materials or services by competitive sealed bidding. The competitive sealed proposal method may not be used for construction contracts. The Governing Board may modify or revoke a class determination at any time.

If competitive sealed bidding is neither practicable or advantageous, competitive sealed proposals may be used if it is necessary to:

- Use a contract other than a fixed-price type;

REGULATION**REGULATION**

- Conduct oral or written discussions with offerors concerning technical and price aspects of their proposals;
- Afford offerors an opportunity to revise their proposals;
- Compare the different price, quality, and contractual factors of the proposals submitted; or
- Award a contract in which price is not the determining factor.

Procedures to be applied subsequent to the issuance of an invitation for bids are to be consistent with the requirements set out in R7-2-1025 through 1032.

Competitive sealed proposals shall be solicited through a request for proposals. The request for proposals shall set forth those factors listed above for competitive sealed bids that are applicable and shall also state:

- The type of services required and a description of the work involved;
- The type of contract to be used;
- An estimate of the duration the service will be required;
- That cost or pricing data is required;
- That offerors may designate as proprietary portions of the proposals;
- That discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award;
- The minimum information that the proposal shall contain;
- The closing date and time of receipt of proposals; and
- The relative importance of price and other evaluation factors.

Procurement of information systems and telecommunications systems shall include, as criteria in the request for proposal, evaluation factors of the total life cycle cost and application benefits of the information systems or telecommunication systems.

Procurement of earth-moving, material-handling, road maintenance and construction equipment shall include, as criteria in the request for proposal, evaluation factors of the total life cycle cost including residual value of the earth-moving, material-handling, road maintenance and construction equipment.

REGULATION**REGULATION**

A request for proposals shall be issued at least fourteen (14) days before the closing date and time for receipt of proposals unless a shorter time is determined necessary by the District.

Notice of the request for proposals shall be issued in accordance with R7-2-1022.

Before submission of initial proposals, amendments to requests for proposals shall be made in accordance with R7-2-1026. After submission of proposals, amendments may be made in accordance with R7-2-1036(C).

Specified Professional Services and Construction Services

When the procurement of construction services or services to be provided by certain professionals are under consideration, designated District personnel shall become fully familiar with and informed on the requirements established in Arizona Revised Statutes Title 34. The assigned District personnel are to seek assistance from qualified consultants, attorneys, and bond counsel as is necessary and applicable to the projects being considered, including but not limited to determinations of the training, qualifications, experience, fitness, licensure, prior performance, and bonding of potential providers. Procurement activities, including securing the services of persons to assist District personnel as referenced above shall be in accordance with all relevant requirements prescribed by federal and state law and the rules of federal, state, county, and municipal agencies for the acquisition, performance and reporting of the services being sought and acquired.

Procurement of Services by Certain Other Classes of Providers

The purchase of services to be provided by clergy, certified public accountants, physicians, dentists, and legal counsel shall be as specified in R7-2-1061 through R7-2-1068. The procurement of services by an architect, engineer, land surveyor, assayer, geologist, or landscape architect is to be accomplished in compliance with R7-2-1117 and 1118. Procurement procedures related to purchasing services from the professional providers are to conform to R7-2-1119 through 1122.

Contract Requirements

Care is to be exercised to assure the District's procurement practices conform to the general contract requirements set out at R7-2-1068 through 1086 and the accompanying conditions described in R7-2-1091 through 1093.

REGULATION**REGULATION****Preparation of Specifications**

Specifications for goods, services, and construction items are to be prepared in the manner prescribed by rules R7-2-1101 through 1105.

Construction Procurement Procedures

Preparation for inviting bids for construction and the steps to be followed in the construction procurement process shall be guided by and consistent with R7-2-1109 through 1116.

Emergency Purchases

An exception to the above procedures for price competition may be made in the event of an emergency involving the health, safety, or welfare of school personnel or students. In such an emergency, declared by the Superintendent, emergency purchase action may be taken without price competition, if necessary. Even under emergency conditions, price competition should be sought if it will not unacceptably delay the correction of the condition requiring emergency procedures. If emergency purchases are made without price competition, a complete written description of the circumstances pursuant to A.A.C. R7-2-1057 shall be included in the procurement file and maintained in the District office.

Sole-Source Procurements

A contract may be awarded for a material, service, or construction item without competition if the Governing Board determines in writing that there is only one (1) source for the required material, service, or construction item. The District may require the submission of cost or pricing data in connection with an award pursuant to A.A.C. R7-2-1053. Sole-source procurement shall be avoided, except when no reasonable alternative source exists. A copy of the written evidence and determination of the basis for the sole-source procurement shall be retained in the procurement file by the District.

The District shall, to the extent practicable, negotiate with the single supplier a contract advantageous to the District.

Cooperative Purchasing Agreements

Procurements in accordance with intergovernmental agreements and contracts between the District and other governing bodies as authorized by A.R.S. 15-952 are exempt from competitive bidding requirements under A.R.S. 15-213. Inspection of and payment for materials and services acquired under a cooperative purchasing agreement are the obligation of the District.

REGULATION**REGULATION****Due Diligence**

The District is responsible for ensuring that all procurements are done in accordance with school district procurement rules whether the procurement is done independently or through a cooperative purchasing agreement. The District shall develop and follow a clear plan prescribing the purchasing practices to be followed. The plan will describe the elements of internal control and auditing to assure the District's procedures are sufficient to confirm the adequacy of the procurements practices and that the accountability of all personnel engaged in procurement practices is regularly evaluated and corrective measures taken when necessary. The due diligence activities shall include the use of the applicable sections of the Uniform System of Financial Records (USFR) Compliance Questionnaire for school districts when assessing the quality of the procurements procedures and the competence of the persons performing the procedures. Day-to-day and periodic formal checks of due diligence performance are to be documented and retained in a procurement file.

VENDOR / CONTRACTOR RELATIONS

Fingerprinting Requirements

A contractor, subcontractor or vendor, 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.* 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
41-1758 *et seq.*
41-4401
Public Law 92-544

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

VENDOR / CONTRACTOR RELATIONS

A District appointed contract liaison shall at random times request contractor and subcontractor employment records. Intermittently and without prior notice, the District appointed liaison to each contractor shall request from the individual contractor and subcontractor employees the information required on the I-9 form. Such information shall be used to verify the employee's right to work status and the contractor and subcontractor compliance with contract warranties. A report of the result of this inquiry shall be made to the Superintendent.

~~PAYROLL PROCEDURES / SCHEDULES~~

~~The District will establish two (2) or more days in each month as fixed paydays for payment of wages in accord with Arizona Statute. Employees may choose to have their salaries paid in full upon the last pay date following completion of their assignments or may annualize their pay. Employees who choose to receive payment of wages beyond the period in which the wages were earned (deferred payment) will be subject to Internal Revenue Service (IRS) penalties unless they provide a written election of such deferral prior to the first duty day of the year of deferral. Forms for such deferral shall be made available. Any change to the election must be made prior to the first duty day of the fiscal year of the deferment.~~

~~An employee who quits the service of the District shall be paid all wages due on the regular payday for the pay period during which termination occurs. Such wages may be paid by mail if requested.~~

~~An employee who is discharged from service of the District shall be paid all wages due within ten (10) calendar days from the date of discharge.~~

~~Adopted: date of Manual adoption~~

~~LEGAL REF.: A.R.S. 15-502
23-351
23-353~~

~~CROSS REF.: GCQF - Discipline, Suspension, and Dismissal of
Professional Staff Members
GDQD - Discipline, Suspension, and Dismissal of
Support Staff Members~~



~~EXHIBIT~~ ~~EXHIBIT~~

~~PAYROLL PROCEDURES / SCHEDULES~~

~~DEFERRED WAGE PAYMENT ELECTION FORM~~

~~By my signature I hereby acknowledge that I have read and understand the School District's policy on deferred wages. Furthermore, by my signature on this form I am electing to defer payment of my wages on an annualized basis consisting of twenty-six (26) payments. I understand that any change from an annualized election of payment requires that I notify the District prior to the beginning of duty for the fiscal year in which the change is being given.~~

Signature

Position

Printed name

Date signed



SALARY DEDUCTIONS

The Superintendent shall establish procedures that conform to all requirements of the law and all policies of the District, that ensure 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.

For deductions after October 1, 2011, the District shall make no deduction for payment from an employee's paycheck for political purposes unless the employee has provided annually a written or electronic authorization to the District for the deduction.

After October 1, 2011, if the District makes a deduction from an employee's paycheck for multiple purposes the District shall obtain a statement from each entity that indicates the payment is not used for political purposes or a statement that indicates the maximum percentage of the payment that is used for political purposes, consistent with rules for the entity statements adopted by the Attorney General. The District shall not deduct any payment in excess of the amount specified for nonpolitical purposes without the annual written or electronic permission of the employee.

For the purposes of this policy and the law, *political purposes* means supporting or opposing any candidate for public office, political party, referendum, initiative, political issue advocacy, political action committee or other similar group.

If the District knowingly deducts payments without the written or electronic employee permission as set out above or an entity provides an inaccurate statement of the political purposes or the percentage used for political purposes as set out above, the District or the respective entity is subject to a civil penalty of at least ten thousand dollars (\$10,000) for each violation.

The requirements for payroll deductions set out above do not apply to any of the following:

- A single deduction for nonpolitical purposes.
- Deductions for savings or charitable contributions.
- Deductions for employee health care, retiree or welfare benefits.
- Deductions for state, local or federal taxes.
- Deductions for contributions to a separate segregated fund pursuant to 2 United States Code 441b(b) or 16-920(A)(3).
- Any deduction otherwise required by law.

If an employee has authorized a deduction from the employee's paycheck under this policy and the law and the employee resigns membership in the association or organization for which the deduction was authorized, the employee's authorization for the deduction is *rescinded* upon the District's receipt from the employee of written notice of the resignation. The District shall have one (1) pay period to process the *rescission*.

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.
- Professional dues.
- 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	35-146
	15-135	35-147
	23-352	42-2001
	23-361.02	43-401

SCHOOL PROPERTIES DISPOSITION

Sale or Lease of Property

The Board may sell or lease to the state, a county, a city, another school district or a tribal government agency any school property required for public purpose provided the sale or lease of the property will not affect the normal operation of a school within the District.

Disposition of Surplus Materials

The School District shall determine the fair market value of excess and surplus property. Except as provided in A.R.S. 15-342, surplus materials, regardless of value, shall be offered through competitive sealed bids, public auction, established markets, trade-in, posted prices, or state surplus property. If unusual circumstances render the above methods impractical, the District may employ other disposition methods, including appraisal or barter, provided the District makes a determination that such procedure is advantageous to the District. Only United States Postal Money Orders, certified checks, cashier's checks, or cash shall be accepted for sales of surplus property unless otherwise approved by the District or for sales of less than one hundred dollars (\$100).

Exceptions for Disposition of Learning Materials and Equipment

The Board authorizes the Superintendent to establish regulations for the disposal of surplus or outdated learning materials to nonprofit community organizations when it has been determined that the cost of selling such materials equals or exceeds estimated market value of the learning materials.

The Board may sell used equipment to a charter school before attempting to sell or dispose of the equipment by other means.

Competitive Sealed Bidding

Notice of the sale bids shall be publicly available from the District at least ten (10) days before the date set for opening bids. Notice of the sale bids shall be mailed to prospective bidders, including those on lists maintained by the District pursuant to A.A.C. R7-2-1023. The notice of the sale bids shall list the materials offered for sale; their location; availability for inspection; the terms and conditions of sale; and instructions to bidders, including the place, date, and time set for bid opening. Bids shall be opened publicly pursuant to the requirements of A.A.C. R7-2-1029.

The award shall be made, in accordance with the provisions of the notice of the sale bids, to the highest responsive and responsible bidder, provided that the price offered by such bidder is acceptable to the District. If the District determines that the bid is not advantageous to the District, the District may reject the bids in whole or in part and may resolicit bids, or the District may negotiate the sale, provided that the negotiated sale price is higher than the highest responsive and responsible bidder's price.

Auctions shall be advertised at least two (2) times prior to the auction date in a newspaper of the county as defined in A.R.S. 11-255. Advertisements must be at least seven (7) days apart. All of the terms and conditions of any sale shall be available to the public at least twenty-four (24) hours prior to the auction date.

Before surplus materials are disposed of by trade-in to a vendor for credit on an acquisition, the District shall approve such disposal. The District shall base this determination on whether the trade-in value is expected to exceed the value realized through the sale or other disposition of such materials.

An employee of the District or a Governing Board member shall not directly or indirectly purchase or agree with another person to purchase surplus property if said employee or Board member is, or has been, directly or indirectly involved in the purchase, disposal, maintenance, or preparation for sale of the surplus material.

State Surplus Property Manager

Except as provided in A.R.S. 15-342, the District may enter into an agreement with the State Surplus Property Manager for the disposition of property pursuant to Article 8 of the Arizona Procurement Code [A.R.S. 41-2601 *et seq.*] and the rules promulgated thereunder.

Donation of Surplus

The Board may donate surplus or outdated learning materials, educational equipment and furnishings to nonprofit community organizations where the Board determines the anticipated cost of selling the learning materials, educational equipment or furnishings equals or exceeds the estimated market value of the materials.

Offer to Sell

The Board may offer to sell outdated learning materials, educational equipment or furnishings at a posted price commensurate with the value of the item to pupils who are currently enrolled in the District before those materials are offered for public sale.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-189
 15-341
 15-342
 USFR Sec. III-J-5(10); App. B(6)
 A.A.C. R7-2-1131
 A.G.O. I80-036
 I80-189

CROSS REF.: BCB - Board Member Conflict of Interest
 GBEAA - Staff Conflict of Interest
 IJJ - Textbook/Supplementary Materials Selection and
 Adoption

ENVIRONMENTAL AND SAFETY PROGRAM

The Superintendent will establish procedures to protect the safety of all students, employees, visitors, and others present on District property or at school-sponsored events.

The practice of safety shall also be considered a facet of the instructional plan of the District schools by virtue of educational programs in sex offender awareness, traffic and pedestrian safety, driver education, fire prevention, indoor air quality (IAQ), and emergency procedures, appropriate for students at different grade levels. General areas of emphasis shall include, but not be limited to: in-service training; accident record keeping; plant inspection; driver and vehicle safety programs; fire prevention; school site selection; and emergency procedures and traffic safety problems relevant to students, employees, and the community.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 13-2911
15-151
15-341
15-507
23-403
23-408

CROSS REF.: EBAA - Reporting of Hazards/Warning Systems
ECB - Building and Grounds Maintenance
JLIF - Sex Offender Notification

REGULATION**REGULATION****ENVIRONMENTAL AND
SAFETY PROGRAM*****Responsibilities of the maintenance supervisor:***

- Maintain an overall safety program in maintenance and operation of buildings and grounds.
- Provide specialized assistance as requested by school principal.
- Coordinate with the District Indoor Air Quality Coordinator who will:
 - Monitor indoor air quality.
 - Document District responses to the biennial information on improving and maintaining the indoor air quality (IAQ) in school buildings, which is required by A.R.S. 15-2002(A)(14) to be distributed to school districts by the School Facilities Board.

Responsibilities of the school principals:

- Schedule regular inspections.
- Post required state and federal safety regulations and maintain appropriate safety records.
- Arrange for the correction of defects reported to them by employees in the building by requesting assistance from the maintenance department.
- Cooperate in the correction of defects reported by the maintenance department or other school administrators.
- Implement procedures to monitor and maintain safe indoor air quality.

Responsibilities of the transportation supervisor:

- Maintain standards for certification of school bus drivers.
- Maintain standards for periodic inspection and maintenance of school buses.
- Maintain standards for school bus operation and idling procedures for gasoline, diesel, and alternative fuel engines which minimize air pollution by buses.

REGULATION**REGULATION*****Responsibilities of other employees:***

- Report promptly to the principal of the school or immediate supervisor any events or situations which may cause increased air pollution within the school or on the campus and any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.
- Take reasonable precaution for the safe use of buildings, grounds, and equipment by students.

Responsibilities of students:

- Avoid the following behaviors:
 - Setting off a false fire alarm.
 - Misusing the fire alarm system, fire extinguishers, or other fire protection and safety equipment.
 - Setting a fire in the building or on the school grounds.
 - Taking any action or creating any situation which either directly or indirectly affects indoor air quality in an adverse manner.
- Report promptly to the principal of the school or other appropriate school employee any defects in buildings, grounds, indoor air quality, or equipment that might prove injurious to the safety, health, or comfort of employees, students, or other persons.

Responsibilities of other individuals utilizing school buildings:

- Refrain from abusing safety equipment, such as fire extinguishers, alarm systems, et cetera.
- Report promptly to the Superintendent or another school employee any defects in buildings, grounds, indoor air quality, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.

REGULATION**REGULATION****EMERGENCIES**

Each principal or other appropriate unit administrator will develop emergency plans for fire or other threats. Such plans will be submitted to the Superintendent prior to the first instructional day of each school year. These plans will provide for:

- Inside emergencies, such as a fire, actual or potential explosion, propane leak, or collapsing structure.
- Outside emergencies, such as a fallen electrical wire, plane crash on campus or nearby, sniper, or earthquake.

The plans will specify the conditions under which evacuation of the building will occur (and the procedures therefore). The plans will also designate specific emergency drills to be conducted. A diagram of the school floor plan will be posted in each room showing emergency exits to be used.

REGULATION**REGULATION****EMERGENCIES****(Emergency Drills)**

Emergency drills will be scheduled and conducted each month during the school year. The purpose of a drill is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to an assigned evacuation area outside.

The following rules and procedures will be complied with in all schools:

- Evacuation routes will be posted in each room. These routes will indicate the primary and alternate exits and the evacuation area to which the student should proceed upon leaving the building. During the first week of the school year, rules for emergency evacuation will be discussed with each class using the room.
- A distinct alarm signal will be used for emergency drills only; another signal will be established by the principal for return to class.
- No student or staff member is to remain in the building during emergency drills.
- All persons should exit according to their posted evacuation routes and proceed to assigned locations a safe distance away from the building.
- It is each student's responsibility to move quickly, quietly, and in an orderly manner through the assigned exit to the assigned evacuation area.
- The teacher will be responsible for:
 - Seeing that windows and doors are closed with doors unlocked.
 - Assuring that electrical equipment and gas jets are turned off.
 - Maintaining order during the evacuation.
 - Taking the class roster and checking roll when the class is in the assigned evacuation area. The name of any student not accounted for will be reported immediately to the principal, who shall promptly notify the Superintendent.
- A report stating the date and time that the drill was conducted, and the time required to complete the evacuation will be made.

REGULATION**REGULATION****EMERGENCIES****(First Aid)**

If a student is injured or becomes ill during the school day or while attending a school-sponsored activity, it is the responsibility of any staff member present to render assistance and to summon school health personnel.

First aid procedures shall be based on the following fundamental concepts:

- The school is responsible for the emergency handling of accidents and sudden illness occurring at school or on school property. The school is not responsible for subsequent treatment.
- At the time of an emergency, the school has the responsibility for:
 - Caring for the student.
 - Notifying the student's parents or guardian, or, if these cannot be reached, following directions given on the student's enrollment card.
 - In extreme cases, getting the student under professional care with or without family permission.
- In the absence of family transportation or ambulance service, an authorized District employee may have to take the sick or injured student home, to the physician's office, or to the hospital. A sick or injured student should be accompanied from the school by an adult. If the destination is the student's home, the adult shall have ascertained that a responsible person is at home to assume responsibility.
- In case of any serious injury or illness, the parent or responsible person should always be notified as soon as possible. Emergency care of the student has priority.
- Medication administered by any school personnel, including health personnel, shall be in compliance with JLCD and JLCD-R.
- A written report of an accident shall be made by the school principal to the Superintendent not later than noon of the school day following the incident.

CROSS REF.: JLCD - Administering Medicines to Students

EMERGENCIES

(Procedures for Aftermath of Suicide, Suicide Attempt, or Other Tragedy)

In the event of an emergency, District personnel are to refer to the District's Emergency Response Plan.

Notification

Administration:

- Anyone who hears about a suicide or other tragedy involving a District student/employee should contact the Superintendent immediately.
- If the tragedy has occurred in school, crisis-intervention procedures should be followed.
- The Superintendent shall verify the information. The information must be handled with great care. To verify the facts, the local law enforcement station or coroner should be called to determine precisely what has happened. A log of all communications must be maintained. The Superintendent should communicate appropriate information to staff members as quickly as possible. The Governing Board shall be notified of the tragedy and implementation of emergency procedures.
- The Superintendent should notify the coordinator of emergency programs and the District media spokesperson of the nature of the tragedy.

Teachers:

- If the tragedy has occurred outside of school hours, the teaching staff should be notified as soon as possible.
- If possible, an emergency mandatory meeting of the teachers should be called to review general strategy.
- Appropriate school personnel should meet as soon as possible to discuss specifics of the plan.

Students. Appropriate school personnel may be relieved of duties in order to notify students in individual classroom groupings.

Media. The Superintendent should designate a spokesperson to answer press and community inquiries.

REGULATION**REGULATION**

Other contacts. The Superintendent should notify others in the District, and the chief administrators of neighboring school districts if appropriate.

Services

Drop-in centers. Any student who would like to discuss personal feelings regarding the tragedy should be invited to use this service. Drop-in center locations should be posted in every classroom and office. Counselors and other professionals trained in crisis intervention should be available in the drop-in centers throughout the school day. This service should be available for a reasonable time after the tragedy.

Identification of at-risk students. Students and members of the faculty and staff should submit to the administration names of any students they believe to be especially vulnerable in the aftermath of suicide or other tragedy. Such persons include friends/relatives of the victim, students with histories of emotional problems or low self-esteem, and other students who may be vulnerable. Any student who is visibly upset should be referred to a drop-in center immediately.

Discussion groups for teachers. The purpose of such groups is not to discuss specifics of the tragedy. Instead, group members will be given the opportunity to vent their feelings regarding the recent loss.

Follow-up

Condolences. The Superintendent should express condolences and offer help to the family of the victim on behalf of the District.

Recognition of the tragedy:

- It is vitally important that school personnel not glamorize the suicide death of a student. The school should not conduct a special memorial service or dedication to the memory of an individual who has committed suicide.
- A memorial should be considered in the event of a death other than suicide.
- Students who have parental permission to do so may be excused from school to attend the funeral or memorial service.
- As much as possible, the school policy should be "business as usual." Counseling services should be available to all students, but classroom teachers should continue to use class time for schoolwork.

REGULATION**REGULATION****Guidelines for Administrators*****The school administrator:***

- Should immediately notify the Superintendent.
- Should verify the information with the proper authorities before taking further action (if so designated by the Superintendent).
- Should, if possible, call an emergency meeting of the teachers to review general strategy.
- May relieve staff members of their duties so that students may be notified in individual classroom groupings.
- Should express condolences and offer to help the family of the victim on behalf of the District.
- Should excuse students (who have parental permission) to attend the victim's funeral or memorial service. However, the school should not conduct a memorial service or dedication to the memory of an individual who has committed suicide or who has died as a result of substance abuse.
- Should model a calm demeanor for students and staff members. As much as possible, the school policy should be "business as usual." Counseling services should be available to all students, but classroom teachers should be instructed to continue to use class time for schoolwork.

The coordinator of emergency programs:

- Should be notified of the tragedy by the school administrator.
- Together with the school administrator(s), should conduct an emergency meeting of the teachers to review general strategy.
- At such emergency meeting, should distribute to teachers and administrators copies of applicable procedures and guidelines.
- Should arrange and conduct an emergency meeting of the school crisis team to discuss specifics of the plan.
- Should organize drop-in services for students.
- Should note the names of students who are believed to be especially vulnerable in the aftermath of a suicide or other tragedy.

REGULATION**REGULATION**

- Should meet with high-risk students and make appropriate referrals.
- May conduct an after-school discussion group for interested faculty and/or staff personnel to help them work through their feelings.
- Should be a resource person for students, parents, administrators, teachers, and members of the support staff.

The District media spokesperson:

- Should be designated by the District to answer press and community questions.
- Must take care that confidential information is not released. A release such as the following may be used:
 - "A tragedy has happened. _____, a _____th-grade student, has died. To protect family privacy, details of _____'s death will not be released. The School District is providing counseling and referral services to help our students work through this tragedy."
 - *Note:* The death should not be referred to as a suicide unless it has been verified by authorities. If the cause of death is unclear, media representatives should be referred to the proper authorities.

Guidelines for Teachers***Teachers:***

- Should inform students about the availability of the drop-in centers. A drop-in center can provide students the opportunity to talk, with a counselor or other professional trained in crisis intervention, about their feelings regarding the tragedy. Drop-in center location(s) should be posted in every classroom.
- Need to be aware of students' reactions to the tragedy. A student who is visibly upset should be referred to a drop-in center immediately.
- Should submit to the coordinator of emergency programs the names of any students whom they believe to be especially vulnerable in the aftermath of a suicide or other tragedy. Such persons may include friends/relatives of the victim, students who seem to have emotional problems or low self-esteem, and students who seem to be holding in their feelings.

REGULATION**REGULATION**

- As much as possible, should abide by the principle of "business as usual." Class time should not be used to discuss the incident. Instead, any concerned student should be sent to a drop-in center.
- Should not talk to the media about the tragedy. The privacy of the victim's family must be respected. Questions should be referred to the District media spokesperson.
- Should, above all, model calm demeanor during the crisis situation.
- Need to check their personal reactions to the tragedy. After-school discussion groups will be available to help teachers work through their feelings.

EMERGENCIES

PROCEDURES FOR AFTERMATH OF SUICIDE, SUICIDE ATTEMPT, OR OTHER TRAGEDY

At the beginning of a school year a plan should be developed that will delineate how District personnel are to respond to a crisis involving suicide, attempted suicide, or another tragedy involving a District student or employee. Assignments and operational details of such a plan should be made when these details can be handled without the pressure of the crisis or tragedy.

The following questions should receive attention during the planning phase:

- Who should be the coordinator of emergency programs?
- Who is to be the media spokesperson?
- Who will constitute the crisis team? (At a minimum, an administrator, psychologists, counselors, teachers, nurses, and community social services representatives should be considered.)
- What training will the crisis team need for their function?
- Who will provide counseling through the drop-in centers?
- How will referrals of at-risk or suspected at-risk students before and after the crisis be made?

A review of "Youth Suicide: A Special Problem in Need of Preventive Planning" (*Az - TAS*, February 1992) will provide some assistance as to resources and strategy.

BUILDING AND GROUNDS MAINTENANCE

Adequate maintenance of buildings, grounds and property is essential to efficient management of the District.

The Board directs a continuous program of inspection and maintenance of school buildings and equipment. Wherever possible, maintenance shall be preventive and will focus on providing an on-going healthy learning environment for both students and school personnel. Emphasis will be placed on the implementation of a District Indoor Air Quality (IAQ) Management Plan in order to minimize indoor air pollution.

The Superintendent shall appoint a District IAQ Coordinator who will develop and implement inspection, maintenance, repair, use, and disposal schedules as applicable for buildings, HVAC systems, new construction and renovations, chemicals and other materials.

The Superintendent shall oversee the development and implementation of routine facilities maintenance guidelines covering the District's:

- plumbing systems,
- electrical systems,
- heating, ventilation and air conditioning systems,
- special equipment and other systems, and
- roofing systems, including visual inspections performed by District personnel to search for signs of structural stress and weakness.

A roofing inspection is required to be:

- Accomplished prior to any repair or replacement of roof elements or roof mounted equipment performed in accordance with the requirements of the local building official requiring a permit.
- Conducted by a registered structural engineer or other professional with appropriate skills, training and certification.

District preventive facilities maintenance guidelines shall be submitted to the School Facilities Board for review and approval.

Adopted: date of Manual adoption

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

15-342.01
15-2002
15-2031
15-2131
15-2132

CROSS REF.: EB - Environmental and Safety Program
JLIF - Sex Offender Notification

MAINTENANCE AND CONTROL OF MATERIALS AND EQUIPMENT

Surplus Equipment

Property that is surplus at any unit shall be transferred to the business manager for reassignment to other District locations where a need may exist for the equipment.

Transfer of Equipment

All transfer of property within a school or other District location must first have the approval of the principal or department head. Transfers of equipment from one school to another must be approved by the business manager, whether the transfer is temporary or permanent.

AUTHORIZED USE OF SCHOOL - OWNED MATERIALS AND EQUIPMENT

District equipment may be used by school or nonschool agencies and individuals for purposes that are not in conflict with any Arizona Revised Statute(s), federal or state rules or regulations, or Board policies, subject to the following:

- The District shall not incur any expense due to the use of materials or equipment.
- The Superintendent shall establish procedures for approval of the use of materials or equipment, or shall submit requests to the Governing Board for review and action.
- The District shall not be in competition with any local business firm that could provide like equipment.
- Rental fees will be charged or waived, as appropriate, by the District. Income from charges will be deposited to the civic center fund.
- Any person or agency using such materials or equipment that is lost or damaged during such period of use shall be required to reimburse the District for repair or replacement.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-1105

CROSS REF.: KF - Community Use of School Facilities

WALKERS AND RIDERS

The Board authorizes the administration to provide regular school bus transportation to and from school for the following categories:

- Students with disabilities who require transportation, as indicated in their respective individual education programs.
- Students living within a one (1) mile radius of the school where hazardous or difficult routes exist and where other arrangements cannot be provided.
- Students who are residents within a school attendance area and:
 - If common school students, live more than one (1) mile from the school.
 - If high school students, live more than a mile and a half (1 1/2) from the school.
- Transportation for pupils who do not reside within an established school attendance area, limited to no more than twenty (20) miles each way to and from the school of attendance or to and from a pickup point on a regular transportation route or for the total miles traveled each day to an adjacent school for eligible nonresident pupils who meet the economic eligibility requirements established under the National School Lunch and Child Nutrition Acts (42 United States Code sections 1751 through 1785) for free or reduced-price lunches.
- Transportation for homeless students to their school of enrollment, if it is the school of origin, will be arranged as needed by the school liaison for homeless students.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-342

15-764

15-816.01

15-901

15-922

28-797

28-900

28-901

A.G.O. I80-025

42 U.S.C. 11301, McKinney-Vento Homeless Assistance

Act of 2001

CROSS REF.: JFABD - Admission of Homeless Students

BUS SAFETY PROGRAM

The safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation. Toward that end, all District transportation department personnel, bus operators, and bus passengers shall comply with the rules adopted pursuant to A.R.S. 28-900 and the Minimum Standards for School Buses and School Bus Drivers promulgated by the Arizona Department of Administration and adopted as Chapter Nine of A.A.C. Title 17, and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the health, safety, or welfare of a passenger.

Bus evacuation drills shall be conducted at least twice every school year at the school and shall include every passenger who rides a school bus and is in school on the day of the evacuation drill. Each bus driver shall participate in at least two (2) evacuation drills during each school year. The bus evacuation drill shall be conducted in compliance with the requirements set out by the Arizona Department of Public Safety for such a drill.

All vehicles used to transport students shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals as will provide good equipment at all times.

Students shall not be put off the bus until reaching their destination.

In addition to the regular state inspections, each school bus shall be inspected by the driver daily, before each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order.

Each school bus owned by, or contracted to, the District will conform to all applicable federal and state requirements as provided by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 17, Chapter 9.

Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 17, Chapter 9, will conform to all requirements of the Act and such state statutes, rules and regulations governing the operation of the vehicle.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-843
15-922
28-101
28-900
28-984
A.A.C. R17-9-102
R17-9-104
R17-9-106
R17-9-108
Commercial Motor Vehicle Safety Act of 1986
49 U.S.C. 30101 (Standards and Compliance - School Buses
and School Bus Equipment)

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

During school or school-sponsored functions, students may be transported only in school-approved vehicles operated by District-authorized personnel unless specific approval by the Superintendent has been obtained.

The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent.

Each District employee authorized to use a private vehicle for District purposes shall be notified in writing that the employee's automobile insurance is the primary coverage and District insurance coverage is secondary.

The Superintendent may develop regulations to govern the use of private vehicles for transporting students.

Adopted: date of Manual adoption

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

BUSINESS AND PERSONNEL TRANSPORTATION SERVICES

(District Travel Policy)

Administrative Requirements

Administrators shall be responsible for making certain that the use of school vehicles is not abused inside or outside the District, and it is the responsibility of such administrative personnel to assure that all travel has final approval from the District administration office. Use of private vehicles for school purposes must be approved by the Superintendent.

Use of School Vehicles

No school vehicle shall be used for personal business, unless the personal business is incidental to a school-related trip. On a space-available basis, an employee's family may be included on an out-of-town trip if approval is granted by the Superintendent. Only Governing Board members or District employees may drive the vehicle. A school vehicle shall not be taken to an employee's home at night unless the employee has permission from the Superintendent.

Use of Private Vehicle

Only when authorized by the Superintendent, a private vehicle may be used at the mileage rate set by the District, and reimbursement for mileage will be given to the owner of the private vehicle. Credit for mileage outside the District will be given for school business only. An employee using a private vehicle for a school trip shall not claim mileage for any purely personal use of the vehicle during said trip.

Each District employee authorized to use a private vehicle for District purposes shall be notified in writing that the employee's automobile insurance is the primary coverage and District insurance coverage is secondary.

Accident Report

Any accident (no matter how minor) in a school vehicle or in any private vehicle while on school business is to be reported immediately to the District transportation office, or to an administrator if the accident occurs after school hours. The business office shall immediately report the accident to the District's insurance company.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-341
38-538

CROSS REF.: DKC - Expense Authorization/Reimbursement

FOOD SERVICES

The District food service program shall strive to provide well-balanced meals that are nourishing, available at moderate prices, and served in a pleasant surrounding.

The Board shall establish prices to be paid by students for school meals and the price charged to adults who purchase meals.

The Superintendent shall develop procedures to implement this policy and shall formulate a plan to provide free or reduced price meals for all eligible students.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 11-195 *et seq.*

15-239

15-242

15-342

15-1151

15-1152

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15-1157

15-1158

15-1251

Richard B Russell National School Lunch Act

42 U. S. C. 1751 *et seq.*

Child Nutrition Act of 1966 42 U.S.C. 1771 *et seq.*

Arizona Department of Education: The Arizona Nutrition Standards

CROSS REF.: GDN - Supervision of Support Staff Members

JL - Student Wellness

REGULATION**REGULATION****FOOD SERVICES**

District and school administrators will work together to provide a safe, accessible and compliant food service program and shall observe the following directives in operating the food services programs.

Meals in schools. Each school shall:

- Provide meals at a reasonable price and accordingly shall use state allocated food services funds to supplement federal funds as a means of keeping prices within reach of paying students.
- Encourage students to participate in each school's meal program while still allowing meals to be brought from home.
- Provide modified meals, upon a physician's written request, for students with food allergies or other special food needs. (The allergies would be of a life threatening or severe reaction nature.)

Menu.

Each school that includes grades kindergarten (K) through eight (8) shall:

- Ensure that nutritious foods are available as an affordable option whenever food is sold or served and that Foods of Minimal Nutritional Value (FMNV) as defined by United States Department of Agriculture (USDA) and the Arizona Department of Education (ADE) are prohibited. This includes all food and beverages sold and/or served to students at school during the normal school day exclusive of school parties.

Each school that includes grades nine (9) through twelve (12) are:

- Prohibited from the sale of FMNV in the dining, serving, and kitchens areas during breakfast and lunch periods.

Each school, (kindergarten [K] through twelve [12]) shall inform families, upon request, about the ingredients and nutritional value of the foods served.

Competitive foods. Competitive foods mean any foods sold in competition with the National School Breakfast and Lunch Program to students during the meal periods. The principal may approve the sale of competitive foods if:

- All income from the sale of such foods accrue to the benefit of:
 - The nonprofit school food service; or
 - The school or student organizations approved by the District.

REGULATION**REGULATION**

- They are sold in locations other than the dining, serving, and kitchen areas.
- The school promotes an overall school environment that encourages students to make healthy food choices.
- The competitive foods meet the state nutrition standards.

Pricing, posting, and expenses. The school meal program must be nonprofit. Pricing for student meals shall be established considering market share, creation and loss of revenue and shall be reviewed and adjusted periodically as necessary. Revenue generation should not take precedence over the nutritional needs of students. Prices for adult meals and catering shall be reviewed periodically and shall reflect direct cost of operations. Revenues received are to be used only for the operation or improvement of the program.

Schools shall ensure that:

- The sale price of any food items sold including a reimbursable meal shall be posted in the dining area.
- School meal program facilities used by outside organizations or individuals must have approval from the school principal or food service supervisor.
- If outside organizations or individuals use the food service facilities, a qualified staff member must be on duty.
- All food items and/or consumable supplies purchased through the food service program and all labor used for a special meal function must be reported. The sponsoring agency must be billed for the food, labor and other costs of the special function. All special meal functions must operate on a self-sustaining basis.
- Each person who eats a school meal must pay the regular price for the meal with two (2) exceptions:
 - Students who have an approved free or reduced-price income application on file for the current school year.
 - Food service employees who are paid from school lunch funds.
- No person is permitted to take food or garbage from the food service program for personal use.

REGULATION**REGULATION**

Training. The school meal program director/supervisor will develop ongoing in-service and staff development training opportunities for staff in the area of food safety, nutrition, and customer service.

Eligibility. Principals will ensure that families are aware of need-based programs for free or reduced price meals and encourage eligible families to apply. The confidentiality of students and families applying for or receiving free or reduced priced meals shall be maintained.

Dining environment. Principals shall ensure that students and staff have adequate space to eat meals in pleasant surroundings and shall have adequate time to eat, relax, and socialize. Safe drinking water and convenient access to facilities for hand washing and oral hygiene shall be available.

Student workers. Students shall be allowed to assist with meal preparation and service if mutually agreeable between the parent, teacher, and food service staff. Student workers must receive documented food safety and sanitation training.

Denial of meals as disciplinary action. School personnel shall not withhold food from students as punishment. Disciplinary action, which indirectly results in the loss of meals, is allowable (such as suspension from school). Any student attending school, who is not allowed to eat in the cafeteria for disciplinary reasons, shall have a reimbursable meal made available to them.

Feeding Senior Citizens. The District may enter into an agreement to provide meals for persons sixty (60) years of age or older and their spouses, or any group of such persons.

Student, Parent, Teacher and Community Involvement. The District shall promote activities to involve student and parents in the food/nutrition program. Activities may include menu planning, enhancement of the eating environment, program promotion and related student-community support activities. Schools are encouraged to use the school meal program to teach students about good nutrition practices. School faculties and the general community should be involved in activities to improve the overall acceptability of the food service program. Each school should welcome and encourage parents to eat with students.

Recordkeeping. The District must keep complete and accurate records of the school meal program to serve as a basis for claims for reimbursement and for audit and review purposes. All records and tickets must be kept in accordance with the National School Lunch Program and School Breakfast Program State Guidance Manual.

REGULATION**REGULATION**

Safety inspections. The District is required to obtain a minimum of two (2) food safety inspections each school year.

Other food sales. Food sales by student or adult entities or organizations shall be permitted provided these sales ensure optimum student participation in the school meals program and are in compliance with state and federal regulations.

When meals or snacks are offered to students in organized after-school education or enrichment programs, they should be provided by the food services program.

FREE AND REDUCED - PRICE FOOD SERVICES

Upon Board approval, the District shall enter into an agreement with the Arizona Department of Education to participate in the National School Lunch Program and School Breakfast Program and to receive commodities donated by the United States Department of Agriculture.

The Superintendent shall develop procedures with respect to determining eligibility of children for free and reduced price meals which follow federal regulations and state guidelines.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-242

15-1151

15-1152

15-1153

15-1154

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15-1157

15-1158

15-1251

Administrative Regulations, USFR, Section VI, Food
Services

Richard B Russell National School Lunch Act

42 U. S. C. 1751 *et seq.*

Child Nutrition Act of 1966 42 U.S.C. 1771 *et seq.*

Arizona Department of Education: The Arizona Nutrition
Standards

CROSS REF.: GDN - Supervision of Support Staff Members

JL - Student Wellness

REGULATION**REGULATION****FREE AND REDUCED - PRICE
FOOD SERVICES**

Free and reduced price meals will be provided to all students who are eligible. The District shall have an approved free and reduced-price policy statement on file at the Arizona Department of Education.

The supervisor of the school meal program is designated to determine which individual children are eligible for free or reduced price meals and to ensure compliance with all policies, rules and regulations of the United States Department of Agriculture and the Arizona Department of Education.

In providing free and reduced-price meals, the District shall:

Provide for public announcements. Near the beginning of the school year, an announcement must be made to notify the public of the availability of the National School Lunch Program (NSLP), the School Breakfast Program (SBP), the School Milk Program (SMP), and the Food Commodity Program (FCP). The notice must include the eligibility criteria for reduced price meals and/or milk. The public news release will be provided to the local news media. The District shall submit a public/press release to local employment offices and major employers contemplating layoffs in the attendance area of the school. Copies of the public release shall be made available upon request to any interested party.

Send notices to households (Parent Letter). A letter or notice informing households about the availability of the school meal program is to be distributed at the beginning of each school year.

The letter must state the option of free and reduced price benefits. An application form must be distributed to all households of children in attendance at the school who were not determined eligible through Direct Certification match results or from the migrant/homeless/runaway list. The application should not be distributed earlier than July 1, or no more than thirty (30) days prior to the beginning of the school year, whichever is later. New students enrolling in school after the school year begins must be provided a letter/notice and application form when they enroll.

Applications for free or reduced price meals programs shall be available to students at all times during the regular school day.

REGULATION**REGULATION**

Provide for Foreign Language Translations. In schools where a significant number or proportion of the population eligible to be served needs information in a language other than English, the District must make reasonable efforts, considering the size and concentration of such population, to send appropriate non-English language household letters/notices and application forms to such households. Schools will provide households with assistance in completing applications through the use of foreign language personnel.

Enforce Confidentiality/Disclosure of Eligibility. All procedures shall insure that names of children eligible to receive free or reduced-price meals shall not be published, posted, or announced in any manner. Information such as family size, income and social security numbers shall remain confidential and shall not be shared for any purpose. No individual indicators of participation shall be maintained in the permanent record of any pupil not otherwise allowed by law.

Disclosure may be made of aggregate information, such as the number of children eligible for free or reduced price meals, to any program or individual. Aggregate information shall not identify children.

Ensure Nondiscrimination Practice. There shall be no overt identification of any eligible children by use of special tickets, special tokens, serving lines, separate entrances, separate dining areas, or by any other means. When more than one (1) lunch, breakfast or type of milk is offered, the children shall have the same choice of meals that is available to those children who pay the full price. Children shall not work for their meal unless other children are required to do so as part of their educational training.

No child shall be discriminated against because of race, color, national origin, religion, age, sex or handicap.

Parents/guardians who appeal the challenge of decisions on applications and school officials' challenges to the correctness of information contained in an application or of continued eligibility of any students for free or reduced-price meals shall have a fair hearing. During an appeal and hearing, the student will continue to receive free or reduced-price meals.

COPYRIGHT COMPLIANCE

School equipment and personnel cannot be used for any printing work for Parent-Teacher Association (P.T.A.) or for professional, charitable, or character-building organizations. The only exception to this policy is when an individual school duplicates notices of the parent group meetings directly connected with a specific activity in the school.

The District does not condone violations of the United States copyright law. Subject to certain specific exceptions, the owner of a copyright has the exclusive rights to reproduce, distribute, perform, or display the copyrighted work, or to authorize such reproduction, distribution, performance, or display by others.

An exception to the exclusive rights enjoyed by copyright owners is the doctrine of fair use. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. All of the following factors shall be considered in determining fair use:

- The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes.
- The nature of the copyrighted work.
- The amount and importance of the portion used in relation to the copyrighted work as a whole.
- The effect of the use upon the potential market for or value of the copyrighted work.

A further exception shall be performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other similar place devoted to instruction.

Adopted: date of Manual adoption

LEGAL REF.: 17 U.S.C. 101 *et seq.*

DATA / RECORDS RETENTION

(Records Management)

All required records and any other records that are deemed necessary or helpful will be prepared in a manner consistent with law and the requirements of the Uniform System of Financial Records. An administrative records management program approved by the Governing Board shall be established and maintained, and copies of retention schedules shall be submitted to the Arizona State Library, Archives and Public Records (ASLAPR).

Records management standards adopted by the ASLAPR for the maintenance and storage of the District's public records provides for the maintenance and storage of records either on paper or in an electronic format, or a combination of paper and electronic format.

The Governing Board is the custodian of the official copies of all records, required or optional, and the Superintendent shall be responsible for protecting such records on behalf of the Board. As a part of the records management program, the Superintendent may assign management responsibilities to other employees by naming the employee positions and a general description of the records assigned to their jurisdiction.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-271
15-272
15-341
15-521
23-721
23-926
23-962
38-421
38-423
38-424
39-101
39-103
39-121
41-1346 *et seq.*
44-1373
A.A.C. R7-2-803

DATA / RECORDS RETENTION

(Records Management Program)

Records shall be prepared and managed as outlined below.

Business and Financial Records

Management of the following records is the responsibility of the business manager:

- Annual District budget.
- Audit reports.
- Financial statements.
- Capital levy plan.
- Bids.
- Contracts (except employment).
- Deeds.
- Leases/lease purchases.
- Inventory (history records of general fixed assets).
- Records identified in the Uniform System of Financial Records.

Other District Records

The current year's records will be kept in the District administration office. When practical to do so, but no later than during the second immediate past year, all records will be grouped, bundled together, and labeled, with the disposal date noted on the label. Records created and/or maintained in an electronic format will be preserved in a manner approved by the Records Management Division of the Arizona State Library, Archives and Public Records (ASLAPR). Retention periods noted will refer to the number of years after the end of the fiscal year in which the records were made or superseded, as specified in the *General Retention Schedules for School Districts and Charter Schools*.

REGULATION**REGULATION**

All records shall be managed in compliance with the requirements of the Records Management Division of the Arizona State Library, Archives, and Public Records (ASLAPR). Due to the ongoing process by the ASLAPR to revise existing and add new retention schedules for school districts and charter schools, the current point-in-time status of records retention requirements must be confirmed prior to determining disposition of the subject records by accessing the General Retention Schedule for School Districts and the Standards and Guidelines for Electronic Records available on the ASLAPR website at:

<http://www.lib.az.us/records/school.aspx>
and

http://www.lib.az.us/records/Standards_and_Guidelines.aspx

RETIREMENT OF FACILITIES

(Closing a School Facility)

If it is determined the Board needs to consider closing a school facility the Board may consult with the Arizona School Facilities Board (SFB) for technical assistance and for information on the impact of closing a school. The information provided from the SFB shall not require the Board to take or not take any action.

The Board recognizes the impact closing a school has on the community, the students who attend the school being considered, the projected impact on other schools in the District, and the District. In response the Board shall discuss and consider a proposed school closing at a scheduled Board meeting. The Superintendent shall present at a Board meeting demographic data related to present and future school facility needs along with information related to a school closing.

Community members shall be provided an opportunity to address the consideration at the Board meeting.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 15-341
38-431.01

CROSS REF.: JC - School Attendance Areas