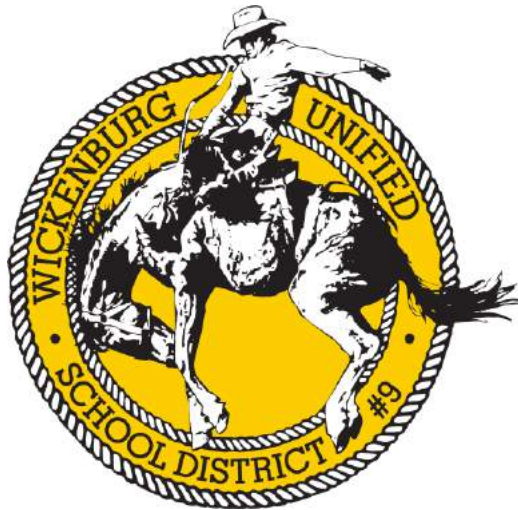


# WICKENBURG UNIFIED SCHOOL DISTRICT #9



## *Student Rights and Responsibilities*

### Governing Board

*Joe Maglio, President  
Amy Brown, Member  
Santee Gill, Member  
Susan Webster, Member*

### Superintendent

*Dr. Howard Carlson*

Governing Board Approved 04/14/2010  
Revised and Governing Board Approved 02/09/2017

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Dear Parents,

Safe, orderly campuses are essential in creating positive learning environments for all students. Ensuring that our schools are safe and secure is a responsibility shared among students, staff, parents and community members. This handbook outlines our expectations of students in fostering safe, productive classrooms and schools. It also defines the possible consequences when a student does not meet behavioral expectations.

Students have an important role in maintaining safe campuses. Each student is responsible for his/her own behavior and for respecting the rights of others. They must know the schools' expectations and work with their teachers and peers to create a physically and psychologically safe environment.

Parents are also important partners in maintaining safe schools. Please talk with your son or daughter about the information in this handbook. Discuss the expectations and consequences for violations and reinforce the importance of personal responsibility and respect for others.

School staff are proactive in responding to threats of violence. We take all threats seriously and emphasize to students that falsely reporting threats or joking about them is unacceptable. All of us know that threats of violence, particularly if a weapon is involved, may lead to tragedy. Additionally, consequences for a student may include suspension, expulsion and the filing of a police report.

Maintaining a safe, secure campus that is free from disruption is vital to student academic success. All of us – students, parents and educators – are partners in fostering that environment.

Thank you for assisting us in maintaining safe schools.

Sincerely,

Dr. Howard C. Carlson  
Superintendent

Every Child has Hope, Every Student is a Graduate, Every Graduate has a Dream

## **Introduction**

The Wickenburg Unified School District uses a progressive discipline philosophy. The purpose of this handbook is to ensure consistency in discipline consequences District wide. Each discipline referral will be investigated on a case-by-case basis to ensure just and fair application of these guidelines. The District administration, the hearing officer and the Governing Board have the discretion to impose a consequence they consider most appropriate for the particular infraction and surrounding facts.

There are a variety of consequences (discipline) for misconduct. Depending on the seriousness of the situation, there may be more than one consequence for a single event. Nothing in the Discipline Guidelines is intended to restrict the District from imposing more or less severe consequences if, in the discretion of the District, the severity of the incident warrants it, or if one incident involves more than one infraction.

In addition, although not listed as a potential consequence for every infraction, long term suspension or expulsion may be imposed based upon the facts.

When a student is referred to the principal/designee for a discipline infraction, the administrator meets with the student and initiates an appropriate investigation. The administrator may, dependent upon circumstances, contact the parent/guardian by phone. Should a student request that his/her parent or guardian be contacted by phone, the administration will attempt to do so at that time. If the administration is unable to reach the parent/guardian at the time of the conference, he/she will continue to conduct the investigation in a timely manner.

In all cases, a parent/guardian will be notified of disciplinary consequences. This notification may be by phone call, written referral form, email or other communication avenue deemed most appropriate based on individual circumstances.

The extent of the due process required will depend upon the severity of the infraction and the related consequence. Campus administrators may use in-school suspension as a disciplinary action in lieu of out-of-school suspension at their discretion and based on individual circumstances.

The Wickenburg Unified School District does not tolerate drugs, weapons or threatening behavior. Any such act will result in a recommendation for long term suspension or expulsion.

The District has entered into agreements with various governmental agencies whereby the District has agreed to cooperate fully with the governmental agency when a student commits an act in violation of the law.

**Please Note:** Federal privacy laws prohibit the District from naming students involved in disciplinary actions and from revealing the consequences of those actions to the parents of other students.

# WICKENBURG UNIFIED SCHOOL DISTRICT #9

## NON-DISCRIMINATION STATEMENT

The Wickenburg Unified School District (WUSD) does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission to its programs, services, or activities, and provides equal access to the Boy Scouts and other designated youth groups. WUSD Career and Technical Education department does not discriminate in enrollment or access to any of the programs available: Business, Photography, Culinary Arts, Construction, and Engineering. The lack of English skills shall not be a barrier to admission or participation in the district's activities and programs. WUSD also does not discriminate in its hiring or employment practices. This notice is provided as required by Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990.

Questions, complaints, or requests for additional information regarding these laws may be forwarded to the designated compliance coordinator(s).

Title VI: Sara Fitzpatrick, Human Resources Specialist – 928-668-5301

Title IX: Jim Missel, Wickenburg High School Athletic Director – 928-684-6609

Section 504: Anne Marie Davee, Director of Special Services – 928-684-6713

Title II: Debbie Hodgkiss, Executive Director of Educational Services

El Distrito Unificado de Wickenburg (WUSD) no discrimina por motivos de raza, color, origen nacional, sexo, edad o discapacidad en la admisión a sus programas, servicios o actividades, y proporciona un acceso equitativo a los Boy Scouts y otros designados grupos de jóvenes. WUSD Carrera y el departamento de educación técnica no discrimina en la matrícula o el acceso a cualquiera de los programas disponibles: Negocio, fotografía, artes culinarias, la construcción y de ingeniería. La falta de conocimientos de inglés no será una barrera para la admisión o participación en actividades y programas del distrito. WUSD también no discrimina en el proceso de contratación de empleados.

Se proporciona este aviso requerido por el Título VI de la Ley de Derechos Civiles de 1964, la Sección 504 de la Ley de Rehabilitación de 1973, el Título IX de las Enmiendas de Educación de 1972, la Ley de Discriminación por Edad de 1975, y los Americanos con Discapacidades de 1990. Preguntas, quejas o solicitudes de información adicional con respecto a estas leyes pueden ser remitidas al coordinador de cumplimiento designado(s).

Título VI: Sara Fitzpatrick, Especialista de Recursos Humanos – 928-668-5301

Título IX: Jim Missel, Director de Deportes de Wickenburg High School – 928-684-6609

Sección 504: Anne Marie Davee, Director de los servicios de Educación Especial – 928-684-6713

Título II: Debbie Hodgkiss, Director Ejecutivo de Servicios Educativos – 928-668-5355

## **Student Rights (Policy JI/JI-R)**

A right is a privilege to which one is justly entitled. The following basic guidelines shall not be construed to be all-inclusive nor diminish the legal authority of school officials and the Governing Board to deal with disruptive students. Students have a right to:

- A meaningful education that will be of value to them for the rest of their lives.
- A meaningful curriculum and the ability to voice their opinions through representatives in the development of the curriculum.
- Physical safety, safe buildings and sanitary facilities.
- Consultation with teachers, counselors, administration and other appropriate school personnel, without fear of reprisal
- Free elections of their peers in student government and to seek and hold office.
- Be made aware of decisions and policies that may affect them.
- To view their personal files, cumulative folders and transcript records.
- Understand that academic performance shall be the prime criterion for academic grades; however, noncompliance with school rules and regulations may affect grades.
- Not be subject to unreasonable or excessive punishment.
- To be involved in school activities
- To express their viewpoints in accordance with district policy (Policy JICEC-Freedom of Expression).
- To due process.

### **Right to Due Process**

Students in the District have certain rights. They also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. In disciplinary cases, each student is entitled to due process. This means students:

- Must be informed of accusations against them.
- Must have the opportunity to accept or deny the accusations.
- Must have explained to them the factual basis for the accusations.
- Must have a chance to present an alternative factual position if the accusation is denied.

### **Privacy and Property Rights**

Students are entitled to maintain privacy of personal possessions within certain limits and are responsible for those personal possessions. A student may not bring onto school property any substance, object, or material prohibited by law or school board policy. School officials may inspect such items on school District property at any time with or without specific reason to do so. In addition, school officials may search a student's person or personal possessions, such as backpacks, purses, and cars parked on campus, if school officials have a reasonable suspicion that the search will reveal the presence of prohibited or illegal materials.

### **Right to Freedom from Violence, Harassment, Intimidation and/or Bullying (Policy JICK)**

It is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. As such, bullying, harassment or intimidation as defined by Policy JICK will not be tolerated.

*Cyberbullying:* Cyberbullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other Internet communications, on school computers, networks, forums and mailing lists, or other District-owned property, and by means of an individual's personal electronic media and equipment.

*Harassment:* Harassment is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual preference, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

*Intimidation:* Intimidation is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

The District will neither allow nor tolerate retaliation in any form by any employee, student, or others against any complaining employee, student, or corroborating witness.

Any student who believes his/her rights have been violated should immediately notify appropriate school personnel (teacher, counselor, or building administration).

## **Student Responsibilities (JI)**

A responsibility is an obligation one has to ensure that the rights of all are protected.

### **All students have the responsibility to:**

- Respect the rights of all persons and to exercise self-discipline in observing and adhering to school rules and regulations.
- Attend school to receive an education. Students must attend school daily unless ill or legally excused.
- Be on time for all classes. Students who enter a classroom after a lesson has begun are interfering with the rights of others to learn and study. Punctuality is a habit that students must develop if they are to be successful in the world of work.
- Come to class with necessary materials. A teacher should not have to delay instruction because a student comes to class unprepared. This interferes with the rights of others to learn and study.
- Complete all in-class and homework assignments and meet all deadlines.
- Obey school rules and school personnel. No one has the right to interfere with the education of others. Students are required to obey and be courteous to everyone who works in our schools.
- Cooperate with school staff. Every community depends upon its citizens to uphold the rules by which everyone has agreed to live. Students have the responsibility to provide truthful information when asked by school authorities.
- Respect the person and property of others.
- Respect public property. Schools are a community investment and resource for young people. People who damage school property will be held responsible.

## **References for Key Rules on Behavior**

- School boards have a job of supporting and assisting teachers in the enforcement of rules. (A.R.S. 15-843.D.1.4)
- A teacher may remove a student from a classroom who is disruptive. (A.R.S. 15-841)
- A school may reassign a pupil to an alternative program if the pupil refuses to comply with rules. (A.R.S. 15-841.E, A.R.S. 15-841.F)
- A student can forfeit his/her right to a free public education. Expulsion is for continued disruptive behavior, or for violent or dangerous behavior. ( A.R.S. 15-841.B)
- A school may refuse to admit any pupil who has been expelled from another public school. (A.R.S. 15-841.C)

## **Student Concerns, Complaints, & Grievances (Policy JII/JII-R/JII-E)**

Students may present a complaint or grievance regarding one (1) or more of the following:

- Violation of the student's constitutional rights.
- Denial of an equal opportunity to participate in any program or activity for which the student qualifies not related to the student's individual capabilities.
- Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability.
- Concern for the student's personal safety.
- Complaints and grievances related to allegations of student violence, harassment, intimidation or bullying are to be filed in accordance with Board Policy JICK.

Provided that:

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

The guidelines to be followed are:

- The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance.
- The complaint/grievance shall be made only to a school administrator or a school staff member.
- The person receiving the complaint will gather information for the complaint form.
- All allegations shall be reported on forms with the necessary particulars as determined by the Superintendent. *Forms are available in the school office.*
- The person receiving the complaint shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

Any question concerning whether the complaint or grievance falls within this policy shall be determined by the Superintendent.

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

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



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

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

## **Philosophy of Student Conduct**

A positive learning environment in our schools and a good state of student conduct starts with students, parents and staff having knowledge and understanding of the basic standards of acceptable conduct. In order to assist everyone in the pursuit of a quality education, the District has established guidelines designed to ensure a safe environment for all students and staff in our schools. For these guidelines to be most effective, it is vital for the family, the school and the community to work together. Students are responsible for their own actions. Students whose actions are in violation of school/District guidelines will be expected to accept the appropriate consequences. We are proud of our students and strive to see that all students learn through school experiences to recognize the essential worth of each individual. Students are expected to respect the rights and property of others, along with demonstrating high standards of personal integrity. Respecting the rights and property of others and demonstrating personal integrity should guide student behavior at school, on the way to and from school, and at school sponsored events. The student may be disciplined for off campus behavior that affects the school or the District in any way. To meet these goals, we enlist the support of our community.

## **Unacceptable Behavior**

When a District employee observes a student engaged in behavior that violates District policy, the employee is instructed to intervene either by requesting the unacceptable behavior cease or by immediately reporting the incident to the administration. Whenever the school administrator becomes aware of a report from a staff member, prompt and effective action to resolve the problem will be taken. When disciplinary action is appropriate, it shall be according to an established discipline plan. The assistance of the home, other educational supportive services and other professional community agencies may be utilized. Each teacher will have a discipline plan for his/her classroom. When a student's actions go beyond that which the teacher can effectively control using his/her plan, the student will be referred to the administration. Students who break rules outside of the classroom, at school sponsored events, or who make threats against the school or staff at any time, may be referred directly to the administration or its designee.

Students may report an incident of bullying to any adult on the school campus. The person contacted will inform the school administration and an investigation will begin.

## **Student & Staff Self Defense**

### **Student Use of Physical Force in Self Defense (Policy JK-RA)**

Reasonable use of physical force in self-defense, defense of others and defense of property will be considered as a mitigating factor in determining penalties for misconduct. Governing Board Policy JK-R states that the threat or use of physical force by a student is not reasonable

- When made in response to verbal provocation alone,
- When assistance from a school staff member is a reasonable alternative, or
- When the degree of physical force used is disproportionate to the circumstances, or exceeds that necessary to avoid injury to oneself or to others, or to preserve property at risk.

### **Use of Physical Force by Supervisory Personnel (Policy GBEB)**

Any administrator, teacher or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order. Use of physical force shall not be construed to constitute corporal punishment. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel and in the prevention and termination of the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

## **Victim Assistance**

Wickenburg Unified School District is committed to providing a safe and orderly environment where students can focus on learning. Sometimes, students make inappropriate choices that interfere with the learning of others. The following information is provided to assist students who are victims of bullying, threats, intimidation, verbal or physical abuse, or any other action by another person that interferes with safety.

Whenever a student feels bullied or threatened, he/she should tell a parent, teacher, counselor, nurse or other school employee immediately. The most important step a victim must take to stop bullying is to report it. Students should not wait to see if someone else notices the bullying. The student should tell someone he or she trusts and who is able to help them. If the student does not feel that he or she can report the bullying or threat in person, he or she should write a note explaining the situation.

#### **The student should:**

- **Tell what happened** and provide a response to the event.
- **Tell who bullied** and **who saw** it happen.
- **Tell where the incident happened** and **how** it happened.
- **Write down everything** that happened.
- **Get help from a person in authority** such as a teacher or counselor
- **See the school nurse** if the bullying or threat is physical in nature.

## **Personal Property**

The Wickenburg Unified School District assumes no responsibility for student personal items that are lost or stolen on school property or at school sponsored events. Students are discouraged from bringing costly, fragile or irreplaceable items to school that cannot be secured by the owner.

## **Electronic Devices**

Many students want to have the privilege of carrying electronic devices on campus. With that privilege come the responsibilities of ensuring that those items are not used on campus. If they are on and make a noise or vibrate or otherwise call attention to themselves, the device is creating a disruption. These items must be in the off position and be kept out of sight. Misuse of electronic devices may result in discipline procedures in addition to the confiscation of the device.

Students are solely responsible for the proper use and security of any personally owned electronic device that they bring to school or school sponsored activities. Students should not share or loan electronic devices. If they do, they may be held responsible for any misuse of that device by another just as though it had remained in their possession.

Students should understand that they bring an electronic device on campus at their own risk. WUSD assumes no liability for the loss, theft, or damage of any personally owned electronic device on campus. The school administration is under no obligation to conduct investigations for prohibited items if stolen. The use of personally owned electronic devices on campus will not be allowed to interfere with the learning process of any student or with the instructional process of a teacher while in the classroom or on campus. Any such interference will be considered a disruptive activity.

Students are prohibited to use District owned computers and other electronic devices for non-educational purposes.

## **Student Dress Code (Policy JICA)**

Any attire that detracts from the learning environment is not acceptable. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, safety, health and welfare of self and others.

Please see the individual school handbooks for further details.

## **Medications (Policy JLCD)**

All prescription medications must be stored in the Health Center:

- Forms are available in the Health Center if medication is needed during the school day. Each bottle of medication must be in the original container and the medication form filled out and on file in the Health Center.
- Inhalers and self-administered "Epi-Pens" may be carried if the proper medication form has been filled out and placed on file in the Health Center.

All over-the-counter medications must be stored in the Health Center:

- Forms are available in the Health Center if medication is needed during the school day. Each bottle of medication must be in the original container and the medication form filled out and on file in the Health Center.

Medication may not be shared with others. Failure to follow these rules could lead to consequences, including suspension or expulsion.

## **Gang Activity or Association (Policy JICF)**

Gangs that initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, pictures, drawings, etc., or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute indicates or implies membership or affiliation with such a group is prohibited because of the disruption to educational activities that results from such activities or dress. It is the District's position that such activities and dress also present a clear and present danger to other District students and to District staff members.

Behavior which initiates, advocates or promotes activities which threaten the safety or wellbeing of persons or property on school grounds or which disrupts the educational environment is strictly forbidden. Any student wearing, carrying, or displaying gang paraphernalia or exhibiting behavior or gestures that symbolize gang membership or participating in activities that intimidate or adversely affect the educational activities of another student, or the orderly operation of the school, shall be subject to disciplinary action.

## **Hazing (Policy JICFA)**

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months.

"Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:

- The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an educational institution.
- The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.

"Organization" means an athletic team, association, order, society, corps, cooperative, club, or similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing.

In accordance with statute, violations of this policy do not include either of the following:

- Customary athletic events, contests or competitions that are sponsored by an educational institution.
- Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.

All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this policy.

Students and others may report hazing to any professional staff member. Professional staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of

reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accordance with statutory requirements and be reported to a law enforcement agency.

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

All violations of this policy shall be treated in accordance with the appropriate procedures and penalties provided for in District policies related to the conduct and discipline of students, staff, and others.

## **Student Attendance, Truancy, Tardiness**

### **Student Attendance (Policy JE)**

Regular school attendance of a child of school age, that is six (6) to sixteen (16) years, is required by state law. The parent or guardian is charged by law with the responsibility for the student's consistent school attendance. The District places emphasis on the prevention and correction of the causes of absenteeism.

Attendance in class is an important part of the academic process. An absence is an absence, whether excused or unexcused, and may result in hindering the student's academic progress and/or grades if not addressed immediately.

The district has established attendance policies and regulations to ensure that the student misses as little school as possible.

#### **A. Missed Work due to an Absence**

- Students are expected to make up their work for excused and/or unexcused absences in a timely manner. Missed work must be made up as prescribed by school and/or teacher policy.

#### **B. When Absent from School**

- State law mandates that the school record the reasons for all student absences. When the student is absent, it will be necessary for the parent/guardian to call the school's attendance clerk on or before the day of the absence in order to advise the school as to the reason for the absence.
- A student's absence from class is determined as excused or unexcused after the school learns the reason for the absence and categorizes the absence, based on the district definition for excused and unexcused absence.

All schools will ask for cooperation from parents in the matter of school attendance and punctuality, particularly in regard to the following:

- The scheduling of medical and dental appointments after school hours, except in cases of emergency.
- The scheduling of family vacations during school vacation and recess periods.
- The school may require an appointment card or a letter from a hospital or clinic when the parent has not notified the school of an appointment of a medical or dental nature.

**C. Excused Absences**

A student who is absent from school, but is excused, shall be considered in active status in the school's membership and will not be withdrawn. The following constitute excused absences if verified by the parent/guardian or a school administrator:

- Personal illness
- Verified doctor's appointment or dentist's appointment that cannot be made after school hours
- Chronic illness: intermittent periods of consecutive absences due to illness or accidents
- Death in family
- Religious holidays
- Prior parent/guardian request with approval of the principal
- School-related absence with administrative approval

**D. Unexcused Absences**

- Unexcused absences from class constitute not sitting in the class and failure to provide an approved excuse to the school. Schools will have a plan for dealing with student absenteeism.
- The following are also considered unexcused absences:
  - Leaving school without signing out through the attendance office.
  - Unauthorized absence from a class (ditching).
  - Missing the bus, unless the District's transportation is the issue.

**E. Release of students during the school day**

Parent requests to have students released before the end of the school day should be limited to emergency situations or other extenuating circumstances. An authorized person or agency requesting release of a student during the school day must make arrangements with the school administrator before requesting the student.

**Truancy (Policy JHB)**

A child between the ages of six (6) and sixteen (16) failing to attend school during the hours school is in session is truant, unless excused according to district and state regulations and guidelines. *Truant* means an unexcused absence for at least one (1) class period during the day. This includes absence from any class, study hall, or activity during the school day for which the student is scheduled.

Unexcused absence for at least five (5) school days within a school year constitutes *habitual truancy*. The District has established procedures to identify and deal with unexcused absences, beginning with notification of parents.

**NOTE: Continued violation may lead to discipline of the child and/or citation of the parent by the Truancy Officer for the District and/or referral of the parent to a court of competent jurisdiction.**

**Tardiness**

Students are expected to be on time to school and to each class on their schedule. Failure to be in a specified location on time will be considered a tardy. Each school and classroom will monitor the number of individual students' tardiness to class. A school-wide program will be implemented to deal with tardiness.

## **Bus Discipline Procedures (Policy EEAE/EEAE-EA)**

Transportation is extended to students in the District as determined by Policy. It is not a legal requirement except for transportation of special needs students as required by their individual education program. The Governing Board requires students to conduct themselves on the bus, prior to boarding the bus, and leaving the bus, in a manner consistent with established standards for classroom behavior. Bus misconduct may result in suspension from the bus and/or school discipline consequences for behavior on any other school property as defined in this Discipline Handbook. Students who have their bus privileges suspended are expected to be in attendance as per the State's compulsory attendance law.

The driver of a school bus is legally responsible for the orderly conduct and safety of all passengers being transported. All passengers are under the authority of the school bus driver (ADOT R17-9-104). If there is a serious violation or safety concern on the bus, the driver may return the bus to the school where there is adult supervision. Student(s) may be removed from the bus and the parents will be notified to pick up their child. Bus suspensions that occur at the end of the school year may carry over into the next school year.

Suspension from the bus may also result in other disciplinary consequences. All suspensions start only after parent contact. Every attempt will be made to contact the parent by phone. If unsuccessful, written notice will be mailed and/or sent home with the student. Transportation suspensions are progressive.

Students are required to ride their assigned bus. If a student needs to ride another bus due to an emergency, parents must write a note to take to the school office. The school will then complete the appropriate form that allows the student to board the bus. Notes to the driver are unacceptable.

Video cameras may be on the buses. (Cameras are used by the District primarily for aiding student discipline on the buses.)

### **Arriving at pickup point**

- Be on time. Leave home in time so that you will arrive at the pickup point before the school bus.
- If you have to walk along the road to reach the bus stop, walk on the left side facing the oncoming traffic.
- Walk on the shoulder of the road where possible, and not on the traveled portion.
- If other students are waiting at the bus stop, get in line without pushing or crowding and stay off the roadway.

### **Boarding the bus**

- Line up in single file, with younger students in front, so they can board first.
- Wait until the bus comes to a complete stop before attempting to get on board.
- Board the bus quickly but without crowding or pushing.
- Never run on the bus, as the steps or floor may be slippery, especially in wintertime. Place your foot squarely on the step, not on the edge, and use the handrail.
- Be particularly careful if you are carrying books or other items, as it is difficult to see the steps and to hold the handrail.
- Go directly to your seat and sit straight, well to the back of the seat, and face the front of the bus.

### **School bus rules and conduct**

- The bus will not move until all passengers are seated.
- Remain seated throughout the trip, and leave your seat only when the bus has reached its destination and comes to a complete stop.
- Keep your books and parcels on your lap or put them under the seat or on the luggage rack.
- Keep the aisle clear.
- Do not talk to the driver except in case of emergency.
- Avoid doing anything that might disturb or interfere with the driver. Do not use loud talking or yelling.

- Never stick hands, arms, head, or feet out of the windows of the bus.
- Do not open windows without the driver's permission.
- Do not throw anything within the bus or out of a window; you might injure a pedestrian or force a motorist to make a dangerous maneuver.
- Do not touch the emergency door or exit controls or any of the bus safety equipment.
- Do not leave litter in the bus.
- Eat at home or school, but not on the bus.
- Obey promptly the directions and instructions of the school bus driver.

### **Prohibited items on the bus**

- Tobacco or tobacco products are not allowed in a school bus.
- Alcoholic beverages shall not be carried in a school bus.
- Insects, reptiles, or other animals shall not be transported in a school bus.
- No weapon, explosive device, harmful drug, or chemical shall be transported in a school bus.
- Balloons are not allowed on the bus because they can pose a safety issue to the driver and the students.

### **Exiting from the bus**

- Remain seated until the bus has reached its destination and comes to a complete stop.
- Do not push or crowd when leaving the bus.
- If you must cross the road, walk to a point about ten (10) feet in front of the bus, but do not cross until you can see that the driver has indicated that it is safe to do so.
- As you cross the road, look continuously to the right and left. At an intersection, look in all directions.
- Cross at right angles. Never cross the highway diagonally.
- Walk briskly across the road, but do not run.
- Never cross the road behind the bus.

### **Accidents or other emergencies**

- In case of an accident or emergency, older students should help the driver to maintain order and assist younger students.
- Stay in the bus unless otherwise directed by the driver.
- If you have to leave the bus, stay in a group and obey the driver's instructions.
- Do not expose yourself or others to needless hazard.

### **Disciplinary Process**

- Upon receiving the complaint and discussing it with the driver, the school administrator or prevention/intervention team member will call the student to the office and warn the student that the parents must be notified that the student will be put off the bus if the misbehavior continues.
- If poor conduct continues, the driver will again report the incident to the school administration. After discussion, it will be decided whether to take the bus-riding privilege away from the student, and, if so, for how long.
- When a student is not allowed transportation by school bus, the school administration will inform the parents of the penalty, the reason for it, and how long the penalty will last. In such cases, the parents become responsible for seeing that their child gets to and from the school safely.
- A student who is put off one (1) bus will be refused transportation by all drivers for the specified period of time.

**NOTE:** If the student is in Special Education or in the evaluation process, refer to section regarding Special Education procedures.



## **Year-To-Year Progressive Discipline**

Depending upon the nature of the violation, student discipline may be progressive, i.e., generally, a student's first violation should merit a lighter penalty than subsequent violations. A District employee or agent should take into account all other relevant factors in determining an appropriate penalty.

# **Discipline Guidelines: Grades K-12**

## **Alphabetical Listing**

## Discipline Guidelines: Grades K-12

**Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An in-school suspension is an administrative option as a possible disciplinary action in lieu of out of school suspension. An asterisk (\*) indicates that the violation must be reported to ADE. A double asterisk (\*\*) indicates that the violation must be reported to ADE and a police report may be filed.

Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Alcohol Violation (use, distribution, possession, under the influence, paraphernalia)	The possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.	Min: 10 Day Suspension  Max: Expulsion	Min: Expulsion
Arson: *Of a Structure or Property **Of an Occupied Structure	Damaging a structure or property by knowingly causing a fire or explosion. (A.R.S. §13-1703, 1704)	Min: Long-Term Suspension/ Restitution  Max: Expulsion	Min: Expulsion/ Restitution
*Assault	A person commits assault by: (1) intentionally, knowingly or recklessly causing any physical injury to another person; or (2) intentionally placing another person in reasonable apprehension of imminent physical injury; or (3) knowingly touching another person with the intent to injure, insult or provoke such person. (A.R.S. §13-1203)	Min: K-5: 1 Day Suspension 6-12: 3 Day Suspension  Max: Long-Term Suspension	Min: K-5: 3 Day Suspension 6-12: 5 Day Suspension  Max: Expulsion
**Assault (Aggravated)	An assault (as defined above) accompanied by circumstances that make the situation severe, such as the use of a deadly weapon or dangerous instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, the victim is a peace officer or a school employee engaging in a school-related activity. (A.R.S. §13-1204)	Min: Long-Term Suspension  Max: Expulsion	Min: Expulsion
**Bomb, **Chemical or **Biological Threat	Threatening to cause harm using a bomb, explosive, arson-causing device or using chemical or biological agents. (A.R.S. §13-2911)	Min: 5 Day Suspension  Max: Long-Term Suspension	Min: Long-Term Suspension  Max: Expulsion
*Bullying	Repeated acts over time that involve a real or perceived imbalance of power with the more powerful child or group attacking those who are less powerful. Bullying can be physical, verbal, or psychological. Cyber-Bullying includes bullying through the misuse of technology. (A.R.S. §15-341, 1202, 2916, 2921)	Min: Conference/ Mediation  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion

## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
**Burglary or Breaking and Entering	Entering or remaining unlawfully in or on school property with the intent to commit any theft or any felony therein. (A.R.S. §13-1506, 1508)	Min: 5 Day Suspension/ Restitution  Max: Long-Term Suspension	Min: Expulsion/ Restitution
Cheating or Plagiarism	Knowingly using information or property of another, or knowingly sharing academic information to gain an unfair advantage. To steal or use the ideas or words of another as one's own	Min: Loss of credit for assignment  Max: 3 Day Suspension/ Loss of credit in class	Min: 3 Day Suspension/ Loss of credit  Max: 10 Day Suspension
Combustible	Possession of any combustible substance or object capable of causing harm or damage, i.e. matches, lighters, firecrackers, gasoline, lighter fluid.	Min: K-5: Warning 6-12: 1 Day Suspension  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Expulsion
Contraband	Items stated in school handbooks or policy as prohibited.	Min: Warning  Max: 3 Day Suspension	Min: Detention/1 Day Suspension  Max: 10 Day Suspension
*Dangerous Item	Any device that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury. May include: B.B. Gun, Knife with blade less than 2.5 inches, Laser Pointer, Letter Opener, Mace, Paintball Gun, Pellet Gun, Razor Blade or Box Cutter, Taser or Stun Gun, Tear Gas, or Other Dangerous Item. (A.R.S. §13-105.12)	Min: K-5: 1 Day Suspension 6-12: 5 Day Suspension  Max: Long-Term Suspension	Min: 10 Day Suspension  Max: Expulsion
Disorderly Conduct	Any act which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others. (A.R.S. § 13-2904)	Min: 3 Day Suspension  Max: 10 Day Suspension	Min: 10 Day Suspension  Max: Expulsion

## **Discipline Guidelines: Grades K-12**

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
Disrespect, Defiance, Non-Compliance toward authority	Refusal to follow directions, talks back, socially rude interaction. Intentionally resisting or disregarding the authority of district personnel. Displaying contempt or rudeness.	Min: Conference  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Expulsion
Disruption	Behavior causing interruption or disturbance in a class, on campus or at school-sponsored events.	Min: Conference  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
Dress Code Violation	Clothing that does not fit within the dress code guidelines stated in school or district policy.	Min: Change of clothes  Max: 1 Day Suspension	Min: Change of clothes  Max: 3 Day Suspension
**Drug Violation (use, distribution, possession, under the influence)	Chemical substances, narcotics, prescription or non-prescription medications, inhalants, controlled substances, or substances that students represent to be chemical substances, narcotics, or controlled substances.  School administration will consider circumstances and investigative evidence for violations involving over the counter non-prescription pharmaceuticals and have the authority to adjust consequences accordingly. (A.R.S. § 13-3411)	Min: 10 Day Suspension   Max: Expulsion	Min: Expulsion
Drug Paraphernalia	Any apparatus or equipment used or capable of being used in storing, concealing, absorbing or consuming a drug. (A.R.S. § 13-3415)	Min: 10 Day Suspension  Max: Long-Term Suspension	Min: Expulsion
*Endangerment	Recklessly or intentionally creating a substantial risk of injury or imminent death to another. Consequence depends on the potential severity of harm. (A.R.S. § 13-1201)	Min: 3 Day Suspension  Max: Long-Term Suspension	Min: 10 Day Suspension  Max: Expulsion

## **Discipline Guidelines: Grades K-12**

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Extortion	The act of knowingly obtaining or seeking to obtain property or services by means of a threat to cause physical injury, cause damage to property, engage in illegal conduct, or make false accusations. (A.R.S. § 13-1804)	Min: K-5: 1 Day Suspension 6-12: 3 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
*Fighting	When two or more persons engage in any violence toward each other in an angry or quarrelsome manner. Mutual participation involving physical violence.	Min: K-5: 1 Day Suspension 6-12: 3 Day Suspension  Max: 10 Day Suspension	Min: 10 Day Suspension  Max: Expulsion
**Fire Alarm Misuse	Intentionally ringing a fire alarm when there is no fire. (A.R.S. §13-2907)	Min: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: 10 Day Suspension
Gambling	Playing games of chance for money or to bet a sum of money.	Min: 1 Day Suspension  Max: 3 Day Suspension	Min: 3 Day Suspension  Max: 5 Day Suspension
*Harassment, Nonsexual	The persistent or repeated annoying, worrying or tormenting of another. Defamation. (see also Bullying and Sexual Harassment) (A.R.S. §15-341) (A.R.S. § 13-2921)	Min: Mediation  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
*Hazing	Any act committed against another student in connection with an initiation to a school affiliated organization that causes or contributes to a substantial risk of injury, mental harm or personal degradation. (A.R.S. § 15-2301)	Min: 1 Day Suspension  Max: 10 Day Suspension	Min: 10 Day Suspension  Max: Expulsion
Indecent Exposure or Public Sexual Indecency	Exposing genital or private areas. Engaging in sexual contact or sexual acts in public. (A.R.S. § 13-1402, 1403)	Min: 3 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
Language, Inappropriate	Any communication that includes swearing, name calling, or use of words or symbols in an inappropriate way. Hate messages.	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension

## **Discipline Guidelines: Grades K-12**

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<b>Infraction</b>	<b>Definition</b>	<b>Consequence</b>	
		<b>First Offense</b>	<b>Repeated Offense</b>
Leaving Campus without Authorization	Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.	Min: Detention/1 Day Suspension  Max: 3 Day Suspension	Min: 3 Day Suspension  Max: 5 Day Suspension
Lying or Forgery	To make an untrue statement or impression with intent to deceive. The act of falsely or fraudulently marking or altering a document. Using verbal or written communication that is knowingly false or fraudulent.	Min: Conference  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: 10 Day Suspension
Minor Aggressive Act	Non-serious but inappropriate physical contact. Hitting, poking, pushing, tussles, minor confrontations, shoving. Actions that demonstrate low level hostile behaviors.	Min: Mediation  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
Negative Group Affiliation	Attitudes and actions affiliated with gang or negative group activities.	Min: Conference  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Expulsion
Pornography	The use or possession of sexually explicit images, pictures, words, devices or electronic images that offends or disturbs the educational environment.	Min: K-5: Detention 6-12: 1 Day Suspension  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
Public Display of Affection	Kissing, hugging, fondling or touching in public.	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 5 Day Suspension
Recklessness (Horseplay/ Roughhousing)	Unintentional, careless behavior that may pose a risk to others. Rough boisterous play or behavior.	Min: Conference  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
**Robbery	Using force or threatening to use force to commit a theft. (A.R.S. §13-1902)	Min: 10 Day Suspension/ Restitution  Max: Expulsion	Min: Expulsion

## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
**Robbery (Armed)	Robbery while armed with or threatens to use a deadly weapon, dangerous instrument or simulated deadly weapon. (A.R.S. §13-1904)	Min: Expulsion	
**Sexual Abuse	Intentionally or knowingly engaging in sexual contact with any person without consent of that person. For definition, refer to A.R.S. §13-1404, A.R.S. §13-1405, and A.R.S. §13-1410.	Min: 10 Day Suspension  Max: Expulsion	Min: Expulsion
**Sexual Assault	For definition, refer to A.R.S. §13-1406.	Min: Expulsion	Min: Expulsion
**Sexual Harassment	Unwelcome conduct or discrimination based on gender that includes sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature made by one individual to another.	Min: K-5: Conference 6-12: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
**Sexual Harassment with Contact	Sexual harassment that includes unwanted physical contact of <u>non-sexual body parts</u> .	Min: K-5: Conference 6-12: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
Simulated Weapon	An instrument displayed or represented as a weapon.	Min: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
Tardy	Failure to be at a designated location at a specified time.	Min: Warning  Max: 3 Day Suspension	Min: Detention/1 Day Suspension  Max: 5 Day Suspension
Technology, Improper use	Failure to use hardware, software, electronic devices, web pages and networks for the intended educational use or in a manner that causes disruption. This includes the unauthorized access of any computer, system, or network.	Min: Conference  Max: 5 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Telecommunication / Electronic Device	Violation of district policy or school rules related to cell phones, handheld devices, pagers, media players or other electronic items, whether operational or non-operational.	Min: Confiscation  Max: Detention	Min: Confiscation  Max: 3 Day Suspension



## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Theft	Taking, attempting to take or controlling money or property that belongs to another person or the school. (A.R.S. §13-1802)	Min: K-5: 1 Day Suspension 6-12: 3 Day Suspension Restitution  Max: 10 Day Suspension	Min: 3 Day Suspension Restitution  Max: Long Term Suspension
*Threat or Intimidation	The intent, by word or conduct, to cause physical injury or serious damage to person or property. To frighten, compel, or deter by actual or implied threats. (A.R.S. §13-1202)	Min: Mediation  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
*Tobacco Violation	Refers to smoking tobacco (e.g. cigarettes, cigars) and smokeless tobacco (e.g. dip, chew, snuff, or twist), including paraphernalia. Possession of tobacco products on K-12 school grounds, vehicles or at off-campus school-sponsored events is a violation of the law. (A.R.S. § 36-798)	Min: 3 Day Suspension  Max: 5 Day Suspension	Min: 5 Day Suspension  Max: 10 Day Suspension
Transportation / Bus / Bus Stop	Infractions while on a school bus, district vehicle or at a school bus stop may result in <u>additional consequences</u> , including suspension of bus privileges.	Min: Conference/Warning  Max: 10 Day bus suspension	Min: 1 Day bus suspension  Max: Suspension of bus privileges for the remainder of the year
Trespassing	To enter or remain on a school campus without authorization. Includes students under suspension or expulsion. (A.R.S. § 15-841) (A.R.S. § 13-1503)	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Truancy	Truant means an unexcused absence for at least one class period (ditching). Habitually Truant means being truant for at least 5 school days during the year, ten percent of the school year or having five unexcused absences. (A.R.S. § 15-802, 803)	Min: Warning  Max: 3 Day Suspension	Min: Detention/1 Day Suspension  Max: 3 Day Suspension
*Vandalism	Willful destruction or defacement of school or personal property. Graffiti and Tagging. (A.R.S. § 13-1602)	Min: 3 Day Suspension/ Restitution  Max: Long-Term Suspension	Min: 10 Day Suspension/ Restitution  Max: Expulsion

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
Vehicle / Parking Lot Violation	Improper driving or parking of a vehicle on school district property without permission, and/or parking in prohibited areas.	Min: Warning; Suspension of parking privilege  Max: 5 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Verbal Abuse/Profanity	The use of profanity or any derogatory language stated publicly.	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Verbal Provocation	Use of language or gestures that may incite a person to fight.	Min: Mediation  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
**Weapon: Firearm, Destructive Device	Any firearm, loaded or unloaded, including a starter gun, firearm muffler, silencer or any destructive explosive, combustible device. (A.R.S. § 13-3101)	Min: Long-Term Suspension  Max: Expulsion	Min: Expulsion
**Weapon: Other	Prohibited instruments which could be used as a weapon, including dagger, dirk, stiletto, knife with a blade over two and one-half inches in length, pocket knife opened by a mechanical device, iron bar, brass knuckles, chains, billy clubs, Chinese stars. (A.R.S. § 13-3101)	Min: Long-Term Suspension  Max: Expulsion	Min: Expulsion

# Discipline Guidelines: Grades K-12 Listing by Infraction

## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Assault	A person commits assault by: (1) intentionally, knowingly or recklessly causing any physical injury to another person; or (2) intentionally placing another person in reasonable apprehension of imminent physical injury; or (3) knowingly touching another person with the intent to injure, insult or provoke such person. (A.R.S. §13-1203)	Min: K-5: 1 Day Suspension 6-12: 3 Day Suspension  Max: Long-Term Suspension	Min: K-5: 3 Day Suspension 6-12: 5 Day Suspension  Max: Expulsion
**Assault (Aggravated)	An assault (as defined above) accompanied by circumstances that make the situation severe, such as the use of a deadly weapon or dangerous instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, the victim is a peace officer or a school employee engaging in a school-related activity. (A.R.S. §13-1204)	Min: Long-Term Suspension  Max: Expulsion	Min: Expulsion
Disorderly Conduct	Any act which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others. (A.R.S. § 13-2904)	Min: 3 Day Suspension  Max: 10 Day Suspension	Min: 10 Day Suspension  Max: Expulsion
*Endangerment	Recklessly or intentionally creating a substantial risk of injury or imminent death to another. Consequence depends on the potential severity of harm. (A.R.S. § 13-1201)	Min: 3 Day Suspension  Max: Long-Term Suspension	Min: 10 Day Suspension  Max: Expulsion
*Fighting	When two or more persons engage in any violence toward each other in an angry or quarrelsome manner. Mutual participation involving physical violence	Min: K-5: 1 Day Suspension  6-12: 3 Day Suspension  Max: 10 Day Suspension	Min: 10 Day Suspension  Max: Expulsion
Minor Aggressive Act	Non-serious but inappropriate physical contact. Hitting, poking, pushing, tussles, minor confrontations, shoving. Actions that demonstrate low level hostile behaviors.	Min: Mediation  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
Recklessness (Horseplay/ Roughhousing)	Unintentional, careless behavior that may pose a risk to others. Rough boisterous play or behavior	Min: Conference  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Verbal Provocation	Use of language or gestures that may incite a person to fight.	Min: Mediation  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
Verbal Provocation	Use of language or gestures that may incite a person to fight.	Min: Mediation  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
*Alcohol Violation (use, distribution, possession, under the influence, paraphernalia)	The possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school sponsored events and on school sponsored transportation.	Min: 10 Day Suspension  Max: Expulsion	Min: Expulsion
**Drug Violation (use, distribution, possession, under the influence)	Chemical substances, narcotics, prescription or non-prescription medications, inhalants, controlled substances, or substances that students represent to be chemical substances, narcotics, or controlled substances.  School administration will consider circumstances and investigative evidence for violations involving over the counter non-prescription pharmaceuticals and have the authority to adjust consequences accordingly. (A.R.S. § 13-3411)	Min: 10 Day Suspension  Max: Expulsion	Min: Expulsion
Drug Paraphernalia	Any apparatus or equipment used or capable of being used in storing, concealing, absorbing or consuming a drug. (A.R.S. § 13-3415)	Min: 10 Day Suspension  Max: Long-Term Suspension	Min: Expulsion

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Tobacco Violation	Refers to smoking tobacco (e.g. cigarettes, cigars) and smokeless tobacco (e.g. dip, chew, snuff, or twist), including paraphernalia. Possession of tobacco products on K-12 school grounds, vehicles or at off-campus school sponsored events is a violation of the law. (A.R.S. § 36-798)	Min: 3 Day Suspension  Max: 5 Day Suspension	Min: 5 Day Suspension  Max: 10 Day Suspension
Arson: *Of a Structure or Property **Of an Occupied Structure	Damaging a structure or property by knowingly causing a fire or explosion. (A.R.S. §13-1703, 1704)	Min: Long-Term Suspension/ Restitution  Max: Expulsion	Min: Expulsion/ Restitution
Leaving Campus without Authorization	Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.	Min: Detention/1 Day Suspension  Max: 3 Day Suspension	Min: 3 Day Suspension  Max: 5 Day Suspension
Tardy	Failure to be at a designated location at a specified time.	Min: Warning  Max: 3 Day Suspension	Min: Detention/1 Day Suspension  Max: 5 Day Suspension
Truancy	Truant means an unexcused absence for at least one class period (ditching). Habitually Truant means being truant for at least 5 school days during the year. Ten percent of the school year or having five unexcused absences. (A.R.S. § 15-802, 803)	Min: Warning  Max: 3 Day Suspension	Min: Detention/1 Day Suspension  Max: 3 Day Suspension
*Bullying	Repeated acts over time that involve a real or perceived imbalance of power with the more powerful child or group attacking those who are less powerful. Bullying can be physical, verbal, or psychological.  Cyber-Bullying includes bullying through the misuse of technology. (A.R.S. §15-341, 1202, 2916, 2921)	Min: Conference/ Mediation  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion

## Discipline Guidelines: Grades K-12

**Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An in-school suspension is an administrative option as a possible disciplinary action in lieu of out of school suspension.

An asterisk (\*) indicates that the violation must be reported to ADE.

A double asterisk (\*\*) indicates that the violation must be reported to ADE and a police report may be filed.

Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Harassment, Non-sexual	The persistent or repeated annoying, worrying or tormenting of another.  Defamation. (see also Bullying and Sexual Harassment) (A.R.S. §15-341.40) (A.R.S. § 13-2921)	Min: Mediation  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
*Hazing	Any act committed against another student in connection with an initiation to a school affiliated organization that causes or contributes to a substantial risk of injury, mental harm or personal degradation. (A.R.S. § 15-2301)	Min: 1 Day Suspension  Max: 10 Day Suspension	Min: 10 Day Suspension  Max: Expulsion
*Threat or Intimidation	The intent, by word or conduct, to cause physical injury or serious damage to person or property. To frighten, compel, or deter by actual or implied threats. (A.R.S. §13-1202)	Min: Mediation  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
Cheating or Plagiarism	Knowingly using information or property of another, or knowingly sharing academic information to gain an unfair advantage. To steal or use the ideas or words of another as one's own.	Min: Loss of credit for assignment  Max: 3 Day Suspension/ Loss of credit in class	Min: 3 Day Suspension/ Loss of credit  Max: 10 Day Suspension
Lying or Forgery	To make an untrue statement or impression with intent to deceive. The act of falsely or fraudulently marking or altering a document. Using verbal or written communication that is knowingly false or fraudulent.	Min: Conference  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: 10 Day Suspension
Transportation / Bus /Bus Stop	Infractions while on a school bus, district vehicle or at a school bus stop may result in additional consequences, including suspension of bus privileges	Min: Conference/Warning  Max: 10 Day bus suspension	Min: 1 Day bus suspension  Max: Suspension of bus privileges for the remainder of the year
Contraband	Items stated in school handbooks or policy as prohibited	Min: Warning  Max: 3 Day Suspension	Min: Detention/1 Day Suspension  Max: 10 Day Suspension

## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
Disrespect, Defiance, Non-Compliance toward authority	Refusal to follow directions, talks back, socially rude interaction. Intentionally resisting or disregarding the authority of district personnel. Displaying contempt or rudeness.	Min: Conference  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Expulsion
Disruption	Behavior causing interruption or disturbance in a class, on campus or at school-sponsored events	Min: Conference  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
Dress Code Violation	Clothing that does not fit within the dress code guidelines stated in school or district policy.	Min: Change of clothes  Max: 1 Day Suspension	Min: Change of clothes  Max: 3 Day Suspension
Gambling	Playing games of chance for money or to bet a sum of money.	Min: 1 Day Suspension  Max: 3 Day Suspension	Min: 3 Day Suspension  Max: 5 Day Suspension
Language, Inappropriate	Any communication that includes swearing, name calling, or use of words or symbols in an inappropriate way. Hate messages	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Negative Group Affiliation	Attitudes and actions affiliated with gang or negative group activities.	Min: Conference  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Expulsion
Public Display of Affection	Kissing, hugging, fondling or touching in public.	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 5 Day Suspension



## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
Vehicle / Parking Lot Violation	Improper driving or parking of a vehicle on school district property without permission, and/or parking in prohibited areas.	Min: Warning; Suspension of parking privilege  Max: 5 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
**Bomb, **Chemical or **Biological Threat	Threatening to cause harm using a bomb, explosive, arson-causing device or using chemical or biological agents. (A.R.S. §13-2911)	Min: 5 Day Suspension  Max: Long-Term Suspension	Min: Long-Term Suspension  Max: Expulsion
**Fire Alarm Misuse	Intentionally ringing a fire alarm when there is no fire. (A.R.S. §13-2907)	Min: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: 10 Day Suspension
Indecent Exposure or Public Sexual Indecency	Exposing genital or private areas. Engaging in sexual contact or sexual acts in public. (A.R.S. § 13-1402, 1403)	Min: 3 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
Pornography	The use or possession of sexually explicit images, pictures, words, devices or electronic images that offends or disturbs the educational environment.	Min: K-5: Detention  6-12: 1 Day Suspension  Max: 10 Day Suspension	Min: 3 Day Suspension  Max: Long-Term Suspension
**Sexual Abuse	Intentionally or knowingly engaging in sexual contact with any person without consent of that person. For definition, refer to A.R.S. §13-1404, A.R.S. §13-1405, and A.R.S. §13-1410.	Min: 10 Day Suspension  Max: Expulsion	Min: Expulsion
**Sexual Assault	For definition, refer to A.R.S. §13-1406.	Min: Expulsion	Min: Expulsion

## Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
**Sexual Harassment	Unwelcome conduct or discrimination based on gender that includes sexual advances, requests for sexual favors, and other verbal, non-verbal or physical conduct of a sexual nature made by one individual to another.	Min: K-5: Conference 6-12: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
**Sexual Harassment with Contact	Sexual harassment that includes unwanted physical contact of non-sexual body parts.	Min: K-5: Conference 6-12: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
Technology, Improper use	Failure to use hardware, software, electronic devices, web pages and networks for the intended educational use or in a manner that causes disruption. This includes the unauthorized access of any computer, system, or network.	Min: Conference  Max: 5 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Telecommunication /Electronic Device	Violation of district policy or school rules related to cell phones, handheld devices, pagers, media players or other electronic items, whether operational or nonoperational.	Min: Confiscation  Max: Detention	Min: Confiscation  Max: 3 Day Suspension
**Burglary or Breaking and Entering	Entering or remaining unlawfully in or on school property with the intent to commit any theft or any felony therein. (A.R.S. §13-1506, 1508)	Min: 5 Day Suspension/ Restitution  Max: Long-Term Suspension	Min: Expulsion/ Restitution
*Extortion	The act of knowingly obtaining or seeking to obtain property or services by means of a threat to cause physical injury, cause damage to property, engage in illegal conduct, or make false accusations. (A.R.S. § 13-1804)	Min: K-5: 1 Day Suspension  6-12: 3 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion

## Discipline Guidelines: Grades K-12

**Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An in-school suspension is an administrative option as a possible disciplinary action in lieu of out of school suspension.

An asterisk (\*) indicates that the violation must be reported to ADE.

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Infraction	Definition	Consequence	
		First Offense	Repeated Offense
**Robbery	Using force or threatening to use force to commit a theft. (A.R.S. §13-1902)	Min: 10 Day Suspension/ Restitution  Max: Expulsion	Min: Expulsion
**Robbery (Armed)	Robbery while armed with or threatens to use a deadly weapon, dangerous instrument or simulated deadly weapon. (A.R.S. §13-1904)	Min: Expulsion	Min: Expulsion
*Theft	Taking, attempting to take or controlling money or property that belongs to another person or the school. (A.R.S. §13-1802)	Min: K-5: 1 Day Suspension 6-12: 3 Day Suspension/ Restitution  Max: 10 Day Suspension	Min: 3 Day Suspension Restitution  Max: Long Term Suspension
*Vandalism	Willful destruction or defacement of school or personal property. Graffiti and Tagging. (A.R.S. § 13-1602)	Min: 3 Day Suspension/ Restitution  Max: Long-Term Suspension	Min: 10 Day Suspension/ Restitution  Max: Expulsion
Verbal Abuse/Profanity	The use of profanity or any derogatory language stated publicly	Min: Warning  Max: 3 Day Suspension	Min: 1 Day Suspension  Max: 10 Day Suspension
Combustible	Possession of any combustible substance or object capable of causing harm or damage, i.e. matches, lighters, firecrackers, gasoline, lighter fluid.	Min: K-5: Warning  6-12: 1 Day Suspension  Max: 5 Day Suspension	Min: 3 Day Suspension  Max: Expulsion

## Discipline Guidelines: Grades K-12

**Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An in-school suspension is an administrative option as a possible disciplinary action in lieu of out of school suspension.

An asterisk (\*) indicates that the violation must be reported to ADE.

A double asterisk (\*\*) indicates that the violation must be reported to ADE and a police report may be filed.

Infraction	Definition	Consequence	
		First Offense	Repeated Offense
*Dangerous Item	Any device that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury.  May include: B.B. Gun, Knife with blade less than 2.5 inches, Laser Pointer, Letter Opener, Mace, Paintball Gun, Pellet Gun, Razor Blade or Box Cutter, Taser or Stun Gun, Tear Gas, or Other Dangerous Item. (A.R.S. §13-105.12)	Min: K-5: 1 Day Suspension  6-12: 5 Day Suspension  Max: Long-Term Suspension	Min: 10 Day Suspension  Max: Expulsion
**Firearm, Destructive Device	Any firearm, loaded or unloaded, including a starter gun, firearm muffler, silencer or any destructive explosive, combustible device. (A.R.S. § 13-3101)	Min: Long-Term Suspension  Max: Expulsion	Min: Expulsion
Simulated Weapon	An instrument displayed or represented as a weapon	Min: 1 Day Suspension  Max: 10 Day Suspension	Min: 5 Day Suspension  Max: Expulsion
**Other Weapon	Prohibited instruments which could be used as a weapon, including dagger, dirk, stiletto, knife with a blade over two and one-half inches in length, pocket knife opened by a mechanical device, iron bar, brass knuckles, chains, billy clubs, Chinese stars. (A.R.S. § 13-3101)	Min: Long-Term Suspension  Max: Expulsion	Min: Expulsion

## **Student Suspension (Policy JKD) / Expulsion (Policy JKE)** **Disciplinary Record Keeping (Policy JR)**

1. **Discipline** — Discipline is administered by the principal/designee, the faculty and the staff.
2. **Referral** — Students will be referred to the principal/designee for violations outlined in the foregoing sections "Discipline Guidelines" and when their disruptive behavior interrupts the educational process.
3. **Due Process** — Students in the District have certain rights. They also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. In disciplinary cases, each student is entitled to due process. This means students:
  - Must be informed of accusations against them;
  - Must have the opportunity to accept or deny the accusations;
  - Must have explained to them the factual basis for the accusations; and
  - Must have a chance to present an alternative factual position if the accusation is denied.
4. **Short Term Suspension** — If the principal or designee decides that the alleged misconduct warrants a consequence of a suspension for ten (10) days or less, the principal/designee shall give the student an informal hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights including the opportunity to present to the principal/designee, his or her defense or position concerning the alleged violation. After the termination of the hearing, the principal/designee, upon the basis of all facts and information learned, shall determine the guilt or innocence of the student. If the student is found to be guilty, a consequence or suspension may be imposed for a period of time not to exceed ten (10) days. If a suspension is imposed, the principal/designee imposing the suspension shall keep a record of the aforesaid proceedings.

There is no appeal process for a short term suspension of 10 days or less. However, a parent may request a campus administrative review of the campus procedures that resulted in discipline. After the administration's review is complete, the principal's/designee's decision is final.

5. **Long Term Suspension** — If the principal/designee decides that the alleged misconduct is sufficiently serious so that the consequence should be suspension in excess of ten (10) days or expulsion, the accused student shall be afforded his or her due process rights. There shall be an investigation to determine if there is sufficient probable cause to charge the student with an act of misconduct, which may result in a suspension in excess of ten (10) days or an expulsion. When a student is charged by the principal/designee with misconduct, which may result in suspension in excess of ten (10) days or expulsion, the parent(s) or guardian of the student shall be informed within a reasonable time period by telephone or letter of the charges against the student. The suspension shall be in accord with pertinent Arizona Revised Statutes. The ability to make up work for credit during long term suspension is at the discretion of the hearing officer or the Governing Board and will only be allowed in exceptional circumstances.

If a school administrator believes that a long term suspension may be warranted as a result of alleged misconduct of a student, the administrator/designee will notify the parent(s) in writing. The school administrator/designee shall also notify the Superintendent to schedule a long term suspension hearing.

When a long term suspension hearing is scheduled, the District will send by certified mail, or deliver, or cause to be mailed or delivered, notice of the hearing to the student's parent(s) at least five (5) working days prior to the hearing. The notice shall contain: The time, date and place of the hearing.

- The name of the hearing officer.
- A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline.
- A copy of Policy JKD and A.R.S. 15-840 through 15-844.
- A statement that the student and his or her parent(s) are entitled to various procedural rights as described in this policy.
- A statement that notice must be given to the superintendent/designee at least 24 hours before the hearing if the student or his parent(s) will have an attorney present.

The hearing shall be held at the time and place stated in the notice unless all interested parties agree otherwise. In the event the District is unable to contact the parents or guardians after taking reasonable steps to do so, the District may proceed to hold a hearing or take other steps regarding the discipline of the student.

At the conclusion of the hearing, the hearing officer shall determine whether discipline will be imposed, and, if deemed appropriate by the hearing officer, a long term suspension may be imposed immediately. Written confirmation of the hearing officer's decision shall be mailed or delivered to the student's parent(s) within five (5) days after the hearing. A copy of the written decision shall be delivered or mailed to the superintendent. If the decision is to impose a long term suspension, the written decision shall:

- Name the student.
- Describe the behavior that resulted in the long term suspension.
- State the beginning and ending dates of the suspension and the restrictions of the student's presence on campus and at school activities.
- Inform the parent(s)/guardian about suspension appeal procedures. Absent extenuating circumstances, once a due process hearing has concluded, no new testimony or documents may be presented.

6. **Suspension Due to Clear and Present Danger** — If in the best judgment of the principal/designee after reasonable investigation, the facts indicate that the presence of the alleged offender constitutes a clear and disruptive influence to the educational processes on campus, the principal or designee may suspend the student from the school pending a hearing and disposition of the case.

7. **Long Term Suspension Appeal** — If the hearing officer recommends a long term suspension, the Governing Board will be informed, in writing, of that decision. Parent(s)/legal guardian(s) may appeal the decision for long term suspension based on one of the following reasons:

- There was substantial non-compliance with policy JKD.
- The pupil's legal rights, including the right to receive due process, were violated by the hearing or the hearing officer's decision.
- The discipline imposed by the hearing officer was unreasonable considering the circumstances present.

To appeal the decision of the hearing officer, parents must deliver a letter to the superintendent within five (5) working days after receiving notice of the decision of a long term suspension. The letter must describe in detail all objections to the hearing or the decisions rendered at the hearing. The Governing Board will review written material forwarded to them by the hearing officer and the parent's/legal guardian's letter of appeal. If the board feels more information is necessary, they will conduct another hearing. No new evidence can be admitted at the appeal hearing. The Governing Board will review the material in executive session. Unless requested in writing by the parents, the executive session will be closed. Upon review of the written material in executive session, the Governing Board may uphold, modify, or rescind the hearing officer's decision.

8. **Expulsion** — The Superintendent may recommend that a student be expelled from the school District. That recommendation will be forwarded to the Governing Board, who will act on it. Parent(s)/legal guardian(s) may appeal the recommendation for expulsion based on one of the following reasons:
- There was substantial non-compliance with policy JKD.
  - The pupil's legal rights, including the right to receive due process, were violated by the hearing or the hearing officer's decision.
  - The discipline imposed by the hearing officer was unreasonable considering the circumstances present.

The Governing Board will consider a hearing if there is an appeal of the hearing officer's recommendation for expulsion from the parent. The Governing Board will review the written material from the hearing officer and the parents and will hear testimony from the hearing officer, the school officials, and the student's family. No new evidence can be admitted at the appeal hearing.

The Governing Board will conduct the hearing in executive session. Unless requested in writing by the parent(s)/guardian(s), the executive session will be closed. If the parent(s)/legal guardian(s) disagree that the hearing, held by the board, should be held in executive session, it shall be held in an open meeting unless:

- If only one student is subject to the proposed action and disagreement exists between that student's parent(s)/legal guardian(s), then the board, after consultation with the student's parent(s)/legal guardian(s), shall decide in executive session whether the hearing will be in executive session.
- If more than one student is subject to the proposed action and disagreement exists between the parents of different students, then separate hearings shall be held subject to the provisions of A.R.S. 15-843.

Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parent(s)/legal guardian(s) and legal counsel from attending any executive session pertaining to the proposed disciplinary action or from having access to the minutes and testimony of such executive session or from recording such a session at the parent's/legal guardian's expense.

9. **Readmission** — When a student is expelled, the student's parent(s)/legal guardian(s) may request that the student be readmitted no sooner than one year after the date of the expulsion. The readmission of an expelled student can only be granted by the Governing Board, in its discretion, and may begin the semester following the decision to readmit.
10. **Student Disciplinary Record-Keeping** — Each principal or designee shall keep and retain complete records of pupil disciplinary actions and procedures. Records regarding pupil disciplinary actions shall be retained for two (2) years after fiscal year of last attendance. The kinds of disciplinary actions for which an accounting shall be kept shall include, but not be limited to, suspension, placement in special classes and referrals of cases to police and juvenile authorities.

The accounting for pupils subject to disciplinary action shall contain an entry of:

- Pupil's full name.
- Time, place and date of the offense or offenses, behavior observed.
- Specific measures taken by person(s) reporting the offense to effect an adjustment, including the specialized help secured before referral, i.e., conferences with parent(s)/legal guardian(s), conference with principal, conferences with other school personnel, referrals to department of pupil, personnel services, etc.
- Final disposition of the case.
- Name of person(s) imposing the action or actions.
- Statement of clarification by student or parent(s)/legal guardian(s) if either wishes.

**Annual Notification to Parents**  
**Regarding Confidentiality of Student Education Records**  
**[34 C.F.R. 300.612]**

Dear Parent:

The Family Educational Rights and Privacy Act (FERPA), affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. The Governing Board has established written policies regarding the collection, storage, retrieval, release, use, and transfer of student educational information collected and maintained pertinent to the education of all students to ensure the confidentiality of the information and to guarantee parents’ and students’ rights to privacy. These policies and procedures are in compliance with:

- The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act;
- Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT);
- No Child Left Behind Act of 2001 (NCLB);
- The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and
- Arizona Revised Statutes, Title 15, sections 141 and 142.

Student education records are collected and maintained to help in the instruction, guidance, and educational progress of the student, to provide information to parents and staff members, to provide a basis for the evaluation and improvement of school programs, and for legitimate educational research. The students’ records maintained by the District may include—but are not limited to—identifying data, report cards and transcripts of academic work completed, standardized achievement test scores, attendance data, reports of psychological testing, health data, teacher and counselor observations, and verified reports of serious or recurrent behavior patterns.

These records are maintained by the District under the supervision of the school administrator and are available only to the teachers and staff members working with the student. Upon request, the school discloses education records without consent to officials of another school District in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies, persons or organizations without prior written consent of the parent [34 C.F.R. 99.7]. The signed and dated written consent may be in electronic form under certain conditions parent [34 C.F.R. 99.30].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for two (2) years after the date your child was last enrolled in this school District.

You have the right to inspect and review any and all records related to your child within forty-five (45) days of the day of receiving a request for access, including a listing of persons or organizations who have reviewed or have received copies of the information [34 C.F.R. 99.7]. Parents who wish to review their children’s records should contact the principal for an appointment or submit to the principal a written request that identifies the record(s) you wish to inspect. School personnel will make arrangements for access and notify you of the time and place where the records may be inspected. School personnel will be available to explain the contents of the records to you. Copies of student education records will be made available to parents when it is not practicable for you to inspect and review the records at the school. Charges for the



copies of records will be costs of copying unless the fee prevents the parent from exercising rights to inspect and review those records.

You have the right to request that an amendment be made to the student's education records and to add comments of your own if you believe information in the record file is inaccurate or misleading [34 C.F.R. 99.7(a)(1)]. You should write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by you, the school will notify you of the decision and advise you of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of a right to a hearing.

You have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on a school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Copies of the district student education records confidentiality policies and procedures may be reviewed in the assigned office in each school [34 C.F.R. 99.7]. You have the right to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., concerning alleged failures by the school to comply with the requirements of FERPA [34 C.F.R. 99.7]. The name and address of the office administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605

# **STUDENT RECORDS (Policy JR/JR-R/JR-EB)**

## **DESIGNATION OF DIRECTORY INFORMATION**

During the school year, District staff members may compile non-confidential student directory information specified below.

According to state and federal law the below-designated directory information may be publicly released to educational, occupational or military recruiting representatives without your permission. If the Governing Board permits the release of the below-designated directory information to persons or organizations who inform students of educational or occupational opportunities, by law the District is required to provide the same access on the same basis to official military recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them, unless you request in writing not to release the student's information without your prior written consent. *If you do not opt out of releasing the below-designated information, then the District must provide military recruiters, upon request, directory information containing the students' names, addresses and telephone listings.*

If you *do not* want the below-designated information about your son/daughter to be released to any person or organization without your prior written consent, you must notify the District through the School Principal in writing of that fact, either by marking the appropriate box on the Acknowledgements & Verifications Form accompanying this handbook or under separate cover. If the School District does not receive this notification from you within the prescribed time, *it will be assumed that your permission is given* to release your son's/daughter's designated directory information listed below:

- The student's name.
- The student's address.
- The student's telephone listing.
- The student's date and place of birth.
- The student's electronic mail address.
- The student's photograph.
- The student's grade level.
- The student's major field of study.
- The student's dates of attendance.
- The student's enrollment status (e.g., part time or full time).
- The student's participation in officially recognized activities and sports.
- The student's weight and height if a member of an athletic team.
- The student's honors and awards received.
- The student's most recently attended educational agency or institution.

## **Electronic Information Services (Policy IJNDB/IJNDB-R)**

The EIS Network is provided for students/users to conduct research and communication for academic purposes only as determined by the District curricula. Independent access to network services is provided to students/users who agree to act in a considerate and responsible manner. Access is a privilege, not a right, and entails responsibility. Students are responsible for appropriate behavior/communication on school computer networks, just as they are in classrooms or school buildings. Network storage areas may be treated like school lockers. All network administrators/teachers may review files and communications to maintain system integrity and ensure responsible use of the Internet by requesting a search history of websites visited to ensure that such use meets the District intent as a tool for academic purposes. Files stored on District servers are not private. Communications are public and often uncensored and students may come in contact with materials that are controversial or inaccurate from all around the world. The District has no control over the nature or content of information from other computer systems and disclaims any responsibility to exercise such control. The District is also not responsible for the accuracy or appropriateness of information retrieved, or for lost, damaged or unavailable information. Outside of school, families must bear the responsibility for such guidance as they also must do with information sources such as television, telephone, movies, radio and other potentially offensive media. Students and parents will be asked to sign an ESI User Agreement. Parents may revoke their students' privileges at any time by notifying the school in writing.

### **The following are not permitted**

- Send, access, download or display offensive messages or pictures
- Use obscene language
- Harass, insult or attack others
- Damage computers, systems or networks
- Violate copyright laws and regulations
- Use passwords of others
- Share passwords with others
- Trespass in others' folders, work or files
- Employ the network for commercial purposes
- Provide personal information, i.e., names, addresses, phone numbers, card numbers, etc.

### **Sanctions**

- Violations of the above may result in a loss of access
- Violations of the above may be subject to disciplinary action including expulsion/dismissal
- When applicable, law enforcement agencies will be involved

## **Section 504 of the Rehabilitation Act of 1973**

It is the responsibility of the District to identify and evaluate students who may need special services or programs in order that such students may receive the required free appropriate education.

A student who may need special services or programs under Section 504 of the Rehabilitation Act of 1973 is one who:

- Has a physical or mental impairment that substantially limits one or more major life activities, including learning; or
- Has a record of such impairment; or
- Is regarded as having such impairment.

Students may be eligible for services under the provisions of Section 504 even though they do not require services pursuant to the Individuals with Disabilities in Education Act (IDEA). Students who are identified as individuals with exceptional needs, according to IDEA criteria, are not addressed under this policy. The needs of such students are provided for under Policy IHB and its regulations and under state and federal laws and regulations.

Students with accommodations under Section 504 are subject to disciplinary procedures outlined for K-6 and 7-12 students.

# **Individuals with Disabilities Education Act – IDEA**

## **Special Instructional Programs**

The District will ensure that all children, including children attending private schools, within the District's jurisdiction who have suspected disabilities are identified, located, and evaluated. The process of identifying, locating, and evaluating students with disabilities is important to the provision of educational opportunities for all students. Children, aged birth through three years, suspected of having a disability will be referred to the Arizona Early Intervention Program for evaluation and, if appropriate, services. Children aged 2.9 years – 5 years are screened by the school District. It is the process of identification, evaluation, and development of program, placement, and the provision of services – its sensitivity, its accuracy – that will determine much of what happens with students during the remainder of their educational lives.

This process is guided by a variety of laws and regulations regarding identification, evaluation, development of program, placement, and the provision of services enacted at both the state and federal levels.

### **Procedural Safeguards:**

Children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of free appropriate public education. A copy of the procedural safeguards notice shall be given to the parent upon initial referral for evaluation. If you suspect your child of having a disability, birth – age 22, contact the administration at the local campus.

If the District and parents or guardian do not agree on the identification, evaluation, education placement of a child with a disability, and provision of FAPE (free appropriate public education), either the District or parent/guardian may request any of the following through the Arizona Department of Education - Exceptional Student Services:

- Mediation – The Arizona Department of Education (ADE) will provide a facilitator trained in the mediation process to assist both the District and parent/guardian in resolving the issues.
- Early Resolution – The Arizona Department of Education will provide trained staff to assist both the District and parent/guardian in resolving the issues. This is normally handled by phone and the final resolution provided in writing by ADE.
- State Complaint – The Arizona Department of Education provides trained investigators to review all records when a parent/guardian files a state complaint in writing. ADE will determine if the District is or is not in compliance and issue the findings in writing.
- Due Process – A parent/guardian or the District may initiate a due process hearing. A due process is overseen by a hearing officer and is the most formal method of resolution.

## **Individuals with Disabilities Education Act – IDEA** **Student Discipline**

When a student is receiving special education services, is being considered for special education services, or has received special education services in the past, and violates the discipline code of the school and/or school District and is recommended for a suspension of more than ten (10) days during the school year (a possible change in placement), a manifestation determination conference must be held.

A recommended suspension of a special education student for more than ten (10) consecutive days, or a series of suspensions totaling more than ten (10) days, may constitute a change of placement and shall require a manifestation determination conference. Such a conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability. The parent(s)/legal guardians(s) is notified in writing that a possible suspension and/or expulsion is being considered.

For the manifestation conference to occur, a multidisciplinary evaluation team is convened. The multidisciplinary evaluation team is comprised of the school staff that is most knowledgeable about the nature of the student's disability and, if possible, about the student. Prior written notice and procedural safeguards are given to the student and parents/legal guardians(s) per IDEA (Individual with Disabilities Education Act) and ADE/ESS (Arizona Department of Education/Exceptional Student Services). The student and the student's parent(s)/legal guardians(s) are invited. At the conference, the following will occur:

- Student's explanation of the incident.
- Professionals' explanation of the incident (those who were involved in the investigation of the incident).
- Review of the current IEP if student is receiving special education services.
- Review of the behavior plan; if there is no behavior plan, a functional behavioral analysis must be done.
- Determination of the relationship of the behavior to the disability (manifestation determination).
- Consideration of the necessity for further assessment and/or evaluation is discussed. If further evaluation is necessary, decisions concerning the relationship of the behavior to the disability will be on hold until the completion of the evaluations.
- Need for interim placement is discussed.

After the decision has been made, prior written notice and procedural safeguards are given to the student and parents/legal guardians(s) per IDEA (Individual with Disabilities Education Act) and ADE/ESS (Arizona Department of Education/Exceptional Student Services), the team must develop, review, and/or revise the behavior plan within ten (10) days of the action. If the behavior is related to the disability, then suspension and/or expulsion cannot occur. However, the student's educational program will be reviewed and revised and the multidisciplinary evaluation team may determine a change of placement/location of services. (34 C.F.R. 300.519 – 300.526)

If the behavior is not related to the disability, suspension and/or expulsion can occur; however, an education program must be delivered to the student who is on an IEP. The IEP team develops this program. The delivery of the educational program can occur through placement on an alternative campus, self-contained public, self-contained private and/or residential setting, as determined by the multidisciplinary evaluation team.

If there are any questions, the administrator should contact the Director of Special Education Services. The findings and all conference notes are forwarded to the District's hearing officer. If necessary, special education staff may be invited to the hearing.

If the parents(s)/guardians(s) do not agree with the findings of the IEP conference, they can file due process. The District, if it is deemed that the student is a threat to the educational environment, may remove the student from the educational environment until due process has been served. An interim placement will be activated while the due process is taking place. (34 C.F.R. 300.519 – 300.526)

# **STUDENT INTERROGATIONS, SEARCHES, & ARRESTS (Policy JIH)**

## **Interviews**

School officials may question students regarding matters related to school without limitation. The parent will be contacted if a student is then subject to discipline for a serious offense. A student may decline at any time to be interviewed by a law enforcement officer or another peace officer.

*When child abuse is alleged:* If a child protective services worker or peace officer enters the campus requesting to interview a student attending the school, the personnel of the District will cooperate with the investigating child protective services worker or peace officer. If a student is taken into temporary custody in according with A.R.S. 8-821, school personnel may respond to inquiries about the temporary custody of the child.

If a peace officer enters the campus requesting to interview a student attending the school on an issue other than upon request of the school or for abuse, the parent will be contacted and will be asked if they wish the student to be interviewed, unless directed not to by the peace officer. If the parent consents, the parent will be requested to be present or to authorize the interview in their absence within the school day of the request. Where an attempt was made and the parent could not be reached or did not consent within the school day of the request, the peace officer will then be directed to contact the parent and make arrangements to question the student at another time and place.

When a peace officer is present on the campus to interview students at the request of school authorities, parents will be contacted if the student is to be taken into custody or if the student is subject to discipline for a serious offense.

## **Searches**

School officials have the right to search and seize property, including school property temporarily assigned to students, when there is reason to believe that some material or matter detrimental to health, safety, and welfare of the student(s) exists. Disrobing of a student is overly intrusive for purposes of most student searches.

Items provided by the District for storage (e.g., lockers, desks) or personal items provided as a convenience to the student but remain the property of the school are subject to its control and supervision. Students have no reasonable expectancy of privacy, and lockers, desks, storage areas, et cetera, may be inspected at any time with or without reason, or with or without notice, by school personnel.

## **Arrests**

When a peace officer enters a campus providing a warrant or subpoena or expressing intent to take a student into custody, the office staff shall request the peace officer establish proper identification, and complete and sign a form for signature of an arresting officer or interviewing officer. The school staff shall cooperate with the officer in locating the student within the school. Unless asked not to by a peace officer, school officials will notify parents/guardians about the arrest or may, if necessary, explain the relinquishment of custody by the school and the location of the student, if known.

## **Safe Schools**

### **Threat Management Procedure**

Zero tolerance for threatening behavior is a necessity. Every case of a threat must be taken seriously. Every instance of threat behavior will be examined individually. It is recognized that a thorough screening of such cases will reveal that no potential for harm exists in particular cases and, in many other instances, a full, comprehensive forensic psychological evaluation is neither indicated nor warranted.

In determining whether a threat situation exists under this procedure, school administrators and other personnel will be guided substantially by the provisions of A.R.S. 13-1202 & 13-2911 (see below). In general, a threat situation will be deemed to exist when, following investigation by school administration, a student has been determined by admission or by reliable informant(s)/evidence to have:

- Communicated a death threat against self or others,
- Communicated a threat of mass violence,
- Communicated a threat involving weapons or explosive devices,
- Communicated a threat against school property, or
- Engaged in behaviors that suggest a substantial risk of lethal violence, with or without direct communication of a threat.

However, the impulsive communication of a verbal threat must be considered in the context of the environment, developmental stage, and interpersonal situation in which it occurs. In such cases, administrators will be guided by their own judgment in determining whether or not a threat situation exists or may exist under the provisions of this section.

#### **Ref: A.R.S. 13-1202. Threatening or intimidating; classification.**

- A. A person commits threatening or intimidating if such person threatens or intimidates by word or conduct:
1. To cause physical injury to another person or serious damage to property of another; or
  2. To cause, or in reckless disregard to causing, serious public inconvenience including, but not limited to, evacuation of a building, place of assembly, or transportation facility; or
  3. To cause physical injury to another person or damage to the property of another in order to promote, further or assist in the interests of or to cause, induce or solicit another person to participate in a criminal street gang, a criminal syndicate or a racketeering enterprise.

#### **Ref: A.R.S. 13-2911. Interference with or disruption of an educational institution; violation; classification; definitions**

- A. A person commits interference with or disruption of an educational institution by doing any of the following:
1. Intentionally, knowingly or recklessly interfering with or disrupting the normal operations of an educational institution by either:
    - (a) Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.
    - (b) Threatening to cause damage to any educational institution, the property of any educational institution or the property of any employee or student of an educational institution.
  2. Intentionally or knowingly entering or remaining on the property of any educational institution for the purpose of interfering with the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.
  3. Intentionally or knowingly refusing to obey a lawful order given pursuant to subsection C of this section.



The chief administrative officer of an educational institution or an officer or employee designated by the chief administrative officer to maintain order may order a person to leave the property of the educational institution if the officer or employee has reasonable grounds to believe either that:

1. Any person or persons are committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.
2. Any person has entered on the property of an educational institution for the purpose of committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.

Interference with or disruption of an educational institution pursuant to subsection A, paragraph 1 of this section is a class 6 felony. Interference with or disruption of an educational institution pursuant to subsection A, paragraph 2 or 3 of this section is a class 1 misdemeanor.

## **Arizona Revised Statutes References (A.R.S.)**

### **A.R.S. §15-841: SUSPENSION AND EXPULSION OF PUPILS**

A teacher may refuse to readmit a student to class for either of the following conditions:

- The teacher has documented that the pupil has repeatedly interfered with a teacher's ability to communicate effectively with other pupils in the class or with the ability of the other pupils to learn.
- The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.

The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. 15-841. (Reference WUSD Board Policy JK-R)

### **A.R.S. §15-507: ABUSE OF TEACHER OR SCHOOL EMPLOYEE IN SCHOOL**

A person who knowingly abuses a teacher or other school employee on school grounds or while teacher or employee is engaged with the performance of his/her duties is guilty of a class 3 misdemeanor. (Reference WUSD Board Policy GBGB-R)

**Pursuant to A.R.S. § 41-1351:** Please consider this official notification that all Education Records will be destroyed in four years according to A.R.S. § 41-1351 unless parents contact the Wickenburg Unified School District office. Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.