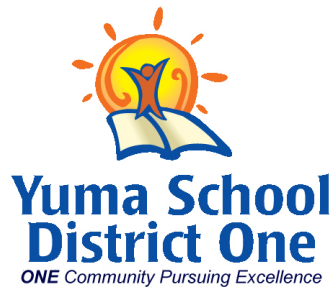


## **Yuma Elementary School District One**

450 W. Sixth Street  
Yuma, AZ. 85364  
(928) 502-4300



## **District Discipline Policies and Procedures**

### Introduction

To Yuma School District One Parents/Guardians, Students, and Staff Members:

Success in school occurs when there is close cooperation between the students, parents, and staff. The purpose of this handbook is to communicate the expectations of Yuma School District One for student conduct in order to promote a safe, orderly, and positive learning environment and to address certain student rights and responsibilities. In compliance with Arizona Revised Statutes 15-843, this handbook is a copy of the District policies and procedures pertaining to discipline, suspension, and expulsion of students.

The District Governing Board, administration, and staff regard student and staff safety as paramount. The rights of each student to receive a quality academic education, provided by caring and supportive faculty, will be fostered in an environment that generates respect and appreciation of others.

Please review the handbook with your child (ren). Please sign the separate signature form indicating you have read and understand this document. Return to your child's teacher. Any questions regarding the contents of this handbook should be expressed with your child's principal.

**THANK YOU!**

**"ONE Community Pursuing Excellence"**

## Preamble

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

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 charts is intended to restrict the District from imposing more severe consequences if, in the discretion of the District, severity of harm, danger, damage or potential harm, danger, or damage warrants it, or if one incident involves more than one infraction.

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

All discipline referrals submitted to the school administration/designee will begin with a conference with the student(s). In the case of suspension/expulsion, parents will be notified through the written referral form or by a personal phone call.

The extent of the due process required will depend upon the severity of the infraction and the related consequence. Campus administrators may use their on-campus reassignment program as a disciplinary action in lieu of off-campus suspension for designated infractions.

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.

## Philosophy of Student Conduct

A positive learning environment in our schools and a good state of student conduct start 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 while demonstrating high standards of personal integrity. 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 those 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 may be referred directly to the administration or its designee.

## Law Enforcement

The District shall notify appropriate law enforcement agencies of violations of the law.

## Definitions

Throughout this handbook, unless the context otherwise requires, the following definitions apply:

**Alcohol** is any intoxicating element.

**Arson** is knowingly damaging property by knowingly causing a fire or explosion on property owned or used by the school district.

**Arson of a Structure or property** (A.R.S. 13-1703) occurs when a person knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion.

**Arson of an Occupied Structure** (A.R.S. 13 -1704) is committed when a person knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion.

**13-1701,2) Occupied structure** means any structure as defined in paragraph 4 in which one or more human beings either is or is likely to be present or so near as to be in equivalent danger at the time the fire or explosion occurs. The term includes any dwelling house, whether occupied, unoccupied or vacant.

**Aggravated Assault** (A.R.S. 13-1204) occurs if the person commits assault as defined in section 13-1203 under any of the following circumstances: 1. If the person causes serious physical injury to another, 2. If the person uses a deadly weapon or dangerous instrument, 3. If the person commits the assault after entering the private home of another with the intent to commit the assault, 4. If the person is eighteen years of age or older and commits the assault upon a child the age of fifteen years or under, 5. If the person commits the assault knowing or having reason to know that the victim is a peace officer, or a person summoned and directed by the officer while engaged in the execution of any official duties, 6. If the person commits the assault knowing or having reason to know the victim is a teacher or other person employed by any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, or any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties, or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

**Assault** is (1) intentionally, knowingly, or recklessly causing any physical injury to another person; Or (2) intentionally placing another person in reasonable fear of imminent physical injury; or (3) knowingly touching another person with the intent to injure, insult, or provoke such person.

**Burglary** is the unauthorized entry for the purpose of committing a crime.

## **Bullying**

### **JICK- STUDENT VIOLENCE/HARASSMENT/INTIMIDATION/BULLYING**

The Governing Board of Yuma School District One believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Governing Board further believes a school environment that is inclusive of these traits maximizes student achievement, fosters student personal growth, and helps a student build a sense of community that promotes positive participation as citizens in society. To assist in achieving a school environment based on the beliefs of the Governing Board, bullying in any form will not be tolerated.

Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that

- has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property;
- is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment in the form of physical or emotional harm;
- occurs when there is a real or perceived imbalance of power or strength: or
- may constitute a violation of law.

Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms including, but not limited to the following:

- verbal, written/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly through another person or group or through cyber bullying;
- exposure to social exclusion or ostracism;
- physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting;
- damage to or theft of personal property;

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 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.

Students are prohibited from bullying on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists. Disciplinary action may result for bullying, which occurs outside of the school and the school day when such acts result in a substantial physical, mental, or emotional negative effect on the victim physically, while on school grounds, school property, school buses, at school bus stops, or at school sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. All suspected violations of law will be reported to local law enforcement.

Students who believe they are experiencing being bullied or expect another student is bullied should report their concern to any staff member of the School District. School personnel are to maintain appropriate confidentiality of the reported information.

Reprisal by any student directed toward a student or employee related to the reporting of a case or a suspected case of bullying shall not be tolerated, and the individual(s) will be subject to the disciplines set out in applicable District policies and administrative regulations.

Students found to be bullying others will be disciplined up to and including suspension or expulsion from school. 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.

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying is a violation of the law.

**Bullying, Threatening and Intimidating Behavior to Students** is a verbal or nonverbal implication to do physical injury to or damage to a student, their property, or their family's property.

**Bullying Threatening and Intimidating Behavior to Staff** is a verbal or nonverbal implication or an attempt to do physical injury or damage to any Arizona school district employee, their family, or property.

**Cell Phone Misuse** occurs when using cell phone during class and/or on school grounds. The use of cell phone to film and/or take inappropriate photos or film and/or transmitting them, or posting them in the Internet.

**Cheating or Plagiarism** is intentionally using information or property of another, without permission of the school and/or author, to obtain an unfair advantage.

**Device Tampering** is altering, damaging, or destroying an electronic device, computer hardware, software or school data; introducing a computer contaminant into any or network; causing the disruption of a device or network; and using a device or computer system to threaten, alarm, harass, or cause another person to suffer substantial emotional distress.

**Cyberbullying** is, but is 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, or by means of an individual's personal electronic media and equipment.

**Dangerous Instruments/Devices** means anything 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. Includes, but not limited to, knives, guns, clubs, chains, thrown stones, cigarette lighters, fireworks, etc.

**Death Threat** is the act of stating an intended action, either verbally or in writing that could cause death.

**Defamation** is wrongfully injuring another person's reputation through a written, spoken, or electronic communication that is not otherwise privileged under the law.

**Defiance** is intentionally resisting or disregarding the authority of District personnel. Includes, but not limited to, the failure to respond to a reasonable request, or the refusal to identify self, when requested to do so.

**Disorderly Conduct** is any act, which substantially disrupts the orderly conduct of a school function; a behavior, which substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others. Includes but not limited to (physical aggression). Physical Aggression is tussles, minor confrontations, pushing and/or shoving.

**Disrespect** is treating District personnel or any others with contempt or rudeness.

**Disruption** is creating disturbances in class, on campus, or at school-sponsored events. Continual or repeated disruptions may warrant more severe consequences.

**Disruption of an Educational Institution** is threatening to cause physical injury to any employee of an educational institution or a person attending an educational institution; threatening to cause damage to any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution; knowingly going on or remaining on the property of an educational institution for the purpose of interfering with or disrupting the lawful use of property by others; knowingly refusing to obey a lawful order given by an administrative officer of an educational institution who has reasonable grounds to believe that any person or persons are committing any act that interferes with or disrupts the lawful and safe use of the property by others at an educational institution. Includes but not limited to bomb threats, chemical biological threats, and fire alarm misuse.

**District Property** is any property owned, leased, or used by the District.

**District Sponsored Event** is any event, which is sponsored or supervised by the District or District personnel.

**Drugs Violation** means the unlawful use or imitation of, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of a controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Category includes over-the-counter medications if abused by the student. This category does not include tobacco or alcohol possession.

"Drug" means any narcotic drug, dangerous drug, marijuana or peyote (A.R.S. 13-3415).

"Drug paraphernalia" means all equipments, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter {A.R.S. 13-3415F}. (Listed in A.R.S. 13-3451); drug paraphernalia (defined in A.R.S. 13-3415); inhalant, glue, paint, or any intoxicating substances that may impair an individual's physical or mental capacity; any narcotic or dangerous drug, unless prescribed by a physician and used in accordance with the prescription and governing board policies.

**Electronic Devices** are cell phones, iPads, Laptop computers, iPods, MP3 players or other electronic items.

**Endangerment** is creating a substantial risk of injury or imminent death to oneself or another.

**Extortion** is the act of knowingly obtaining or seeking to obtain property or services, or causing or seeking to cause another to act in a manner by means of a threat to do any of the following: (1) cause physical injury; (2) cause damage to property; (3) engage in illegal conduct; (4) make false accusations.

**Fighting** is engaging in physical contact for the purpose of inflicting harm on another person. In cases that are determined to be mutual combat situations, all students involved will be disciplined regardless of who actually initiated the fight.

**Self-Defense** • It is the policy of the District that physical force should be avoided all times. Under some circumstances, however, physical force is justified. Physical force is not illegal under this student code of conduct when a review of the evidence determines that physical force is immediately necessary to protect the student or another person against another's use or attempted use of unlawful physical force. Physical force is never justified to protect property, in response to verbal provocation, or after the initial user of physical force has stopped.

**Firearm** is (a) a weapon (including a starter gun) which will, or is designed to, or may be readily converted to expel a projectile by an explosive, or by gas, or air; (b) the frame or receiver of any such weapon; (c) any firearm muffler or firearm silencer; (d) any destructive device, including explosives, incendiaries, poison gas, bomb grenade, rocket having a propellant charge of more than four ounces, missile having an explosive charge of more than one-fourth ounce, or mine, or any weapon or combination of parts which will, or is designed to or may be readily converted to expel a projectile by action of an explosive or other propellant. For purposes of application and enforcement of this policy, a B-B/pellet gun is considered a 'firearm'.

**Forgery/Falsification** is the act of falsely or fraudulently marking or altering a document or a verbal, written, or electronic communication, or any verbal or written communication that is intentionally false or fraudulent (i.e., dishonesty or lying).

**Gambling** is to risk money or anything of value on the outcome of anything involving chance.

**Gangs/Secret Societies** means gangs/secret societies that initiate, advocate, or promote activities that threaten the safety or well being of persons or property on school grounds or that disrupts the school environment. The use of hand signals, graffiti, 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 of affiliation with such a group is prohibited because of the disruption to educational activities. Any activity involving an initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to others is prohibited.

**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.

**Hate Speech** is any written, oral, or electronic communication that manifests malice towards others based on their race, gender, or ethnicity. This includes, but is not limited to, racial slurs, oral or written speech, gang paraphernalia, symbols or gestures.

**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.

**Horseplay/Roughhousing** means rough, boisterous play; outbreak of rough and noisy behavior.

**Insubordination** is being disobedient or failing to follow the directions of authority of a school, a District staff member, or an individual placed in authority by the school or the District.

**Intimidation/ Threats** 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.

**Loitering** occurs if a person is intentionally present in or about school after a reasonable request to leave and does not have any specific legitimate reason for being there or does not have written permission to be there from anyone authorized to grant permission.

**Pornography** is the use or possession of pictures or electronic images that offend or disturb the educational environment.

**Profanity** is the use of obscene language or gestures to the extent that it disturbs the educational process or environment.

**Public Display of Affection** is visible affectionate physical contact (kissing, hugging, touching) that exceeds accepted standards of reasonable public contact.

**Recklessness:** Unintentional, careless behavior that may pose a safety or health risk for others.

**Refusal to Identify Self** is the refusal of a student to give correct name upon request of school personnel, or the use of another person's name or identity. Students in Middle School may be required to carry school ID cards that are issued to them.

**Restitution** is providing an equivalent replacement or compensation for damages or loss of personal or District property.

**Robbery** is the taking, or attempting to take, any property of another from his/her person or immediate presence and against his/her will and such person threatens or uses force against any person with intent either to coerce surrender of property, or to prevent resistance to such person taking or retaining property.

**Sale or Distribution of Alcohol** is the attempt or act of offering, selling, trading, procuring, or distributing (with or without compensation) alcohol on District property or at a District-sponsored event.

**Sale or Distribution of Dangerous Instruments** is the attempt or act of offering, selling, trading, procuring, or distribution (with or without compensation) dangerous instruments on District property or at a District-sponsored event.

**Sale or Distribution of Drugs** is the attempt or act of offering, selling, trading, procuring, or distributing (with or without compensation) drugs on District property or at a District-sponsored event.

**School/District Property** is any personal or real property owned or under the control of the school or District.

- 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.

**Sexual Harassment** is defined by but not limited to: (1) suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, touching, impeding or blocking movement, leering, gestures, display of sexually suggestive objects, pictures, or cartoons; (2) continuing to express sexual interest after being informed that the interest is unwelcome; (3) implying or withholding support or offering or granting favors in exchange for sexual favors.

**Sexual Misconduct/Behavior** is the use of verbal, written, electronic, or physical threats/actions, or any language that is sexually demeaning or offensive.

This includes touching toward private areas, depantsing, pulling another's underclothing in public, or any form of sexual relations.

**Simulated Weapon** is an instrument displayed or represented as a weapon or dangerous instrument.

#### **Surreptitious Photographing, videotaping or filming**

A. It is unlawful for any person to knowingly photograph, videotape, film, digitally record or by any other means secretly view, with or without a device, another person without that person's consent under either of the following circumstances:

1. In a restroom, bathroom, locker room, bedroom or other location where the person has a reasonable expectation of privacy and the person is urinating, defecating, dressing, undressing, nude or involved in sexual intercourse or sexual contact.
2. In a manner that directly or indirectly captures or allows the viewing of the person's genitalia, buttock or female breast, whether clothed or unclothed, that is not otherwise visible to the public.

B. It is unlawful to disclose, display, distribute or publish a photograph, videotape, film or digital recording made in violation of subsection A of this section without the consent or knowledge of the person depicted.

**Tardy** is failure to be at a designated location at a specified time without permission.

**Technology Misuse** is the failure to use hardware, software, electronic devices, web pages, social media and network for the intended educational use or in a manner that causes disruption at a campus or any District facility.

**Theft** is taking property that belongs to another. Theft does not include confiscation by school authorities of property not permitted at the school.

NOTE: In the event of theft or damage, personal items brought to school, such as musical instruments, radios, etc., are not covered by District insurance.

**Tobacco Violation** refers to, but is not limited to, smoking tobacco, (e.g., cigarettes, cigars, e-cigarettes, inhalation devices), smokeless tobacco (e.g., dip, chew, snuff, or twist), or tobacco-like substance such as herbal mixtures/smoking blends.

**Trespass** occurs when a person(s) enters upon, or in, school property without legal justification or without the implied or actual permission of the administration.

**Truancy** is being absent from class or school without parent or school permission (unexcused absence). Being habitually truant occurs when a student is truant for at least five days within a school year. Every child between the ages of six and sixteen failing to attend school during the hours school is in session is truant unless excused pursuant to A.R.S. 15-802, 15-803, or 15-901. The district desires to encourage and ensure students attend school daily. It is important for parents/guardians to communicate with school officials regarding any absences of their children. If a student continues to have unexcused absences, the student may be referred to Juvenile Court. Excessive Absences: Absences may be considered excessive when the number of absent days exceeds ten percent of the number of required attendance days in a school year. Additionally, with regard to absences, if a student's absences become excessive, which is defined as 10% of the instructional days for the school year, or above 18 days, the absences must be reported as unexcused regardless of the reason for the absence. In this case, the following Arizona Revised Statute will apply:

Pursuant to A.R.S 15-901(A)(1), "...All absences in excess of a cumulative 10% of the instructional days for the school year shall be reported as unexcused...regardless of multiple enrollments within the same LEA."

**Under the Influence** occurs when a student's behavior or mood has changed as a result of consumption of alcohol or drugs.

**Unexcused Absence** is being absent from class or school without permission.

**Vandalism** is the act of defacing or destroying any building, fixture, vegetation, or personal property.

**Verbal Abuse** is profanity or any derogatory language stated publicly to others.

**Verbal Provocation** the use of language or gestures that may incite another person or other people to fight.

**Weapon** includes, but is not limited to, firearms, knives, bomb, dagger, dirk, stiletto, iron bar, brass knuckles, chains, bat or any object used to do bodily injury to any person.

Arizona Revised Statutes References (A.R.S)

- Abuse, Verbal Abuse (include profanity) and Physical Abuse (assault) of a staff member- A.R.S. 15-507
- Computer Tampering- A.R.S. 13-2316
- Disorderly Conduct - A.R.S. 13-2904
- Disruption- A.R.S. 13-2911
- Loitering- A.R.S. 13-2905
- Tobacco- A.R.S. 36-798
- Vandalism- A.R.S. 15-842
- Weapons- A.R.S. 13-3102
- Threatening and Intimidating Behavior - A.R.S. 15-507
- Participating in criminal street gang- A.R.S. 13-2308
- Surreptitious photographing, videotaping or filming-A.R.S.13-3019

A student who is guilty of multiple infractions in different areas may be referred to the Governing Board for long-term suspension or expulsion.

**Recommended Discipline Actions: Grades K-5**

Infraction	Discipline Action		
	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral
<b>** Alcohol</b> , use, under the influence or distribution of, on District property or at a District sponsored event.	Up to Ten (10) Day Suspension, Long Term Suspension	Long Term Suspension, Expulsion	Expulsion
<b>** Alcohol</b> , possession of alcohol on District Property or at a district sponsored event.	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion	Expulsion
<b>** Arson</b>	Up to Expulsion Restitution	Expulsion, Restitution	
<b>**Assault Aggravated</b>	Long Term Suspension, Expulsion, Restitution	Expulsion, Restitution	
<b>*Assault-Student</b>	Up to Three (3) Day Suspension	Up to Five (5) Days Suspension, Long Term Suspension	Up to Ten (10) Day Suspension Long Term Suspension, Expulsion
<b>**Assault- Staff</b>	Up to Three (3) Day Suspension	Up to Five (5) Days Suspension Long Term Suspension	Up to Ten (10) Day Suspension Long Term Suspension, Expulsion
<b>**Burglary</b>	Up to Five (5) Day Suspension Restitution	Up to Ten (10) Days Suspension Restitution	Long Term Suspension, Expulsion, Restitution
<b>Cell Phone Misuse</b>	Conference, One (1) Days Suspension	Up to Three (3) Day Suspension	Up to Ten (10) Day Suspension
<b><u>Cheating or Plagiarism</u></b>	Notify Parent, Conference with Student	Detention	Up to Three (3) Day Suspension
<b>Cyber bullying</b>	Mediation, Up to Three (3) Day Suspension	Up to Five (5) Days Suspension	Up to Ten (10) Day Suspension, Long Term Suspension
<b><u>Dangerous Instruments/Devices</u></b> Possession, use of, or threat to	Detention	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<b>*Death Threat</b>	Up to Three (3) Day Suspension-Gr. K-3; Up to Ten (10) Day Suspension-Gr. 4-6, May recommend evaluation with Psychologist	Up to Ten (10) Day Suspension (Gr. K-3), Long Term Suspension (Gr. 4-6), May recommend evaluation with Psychologist, Expulsion	Long Term Suspension, Expulsion
<b>Defamation</b>	Mediation, Detention, Up to Three (3) Day Suspension	Detention, Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<b>Disorderly Conduct</b>	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>Disrespect/Defiance</b>	Conference, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>Insubordination</b>	Conference, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<b>Disruption</b>	Conference, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<b>**Disruption of an Educational Institution</b>	Expulsion		
<b><u>Dress Code Violations</u></b>	Change Clothes, Notify Parent	Change Clothes, Detention Conference	Up to Three (3) Day Suspension
<b>**Drugs</b> , use, under the influence or distribution on District Property or at a District sponsored event.	Up to Ten (10) Day Suspension	Long Term Suspension Expulsion	Expulsion
<b>**Drugs, possession</b> of drugs or drug paraphernalia on District Property or at a District sponsored event.	Up to Ten (10) Day Suspension	Long Term Suspension Expulsion	Expulsion
<b>Electronic Devices</b> possession use of without school permission	Warning Up to confiscation	Parent Notification up to Confiscation	Confiscation Up to Three (3) Day Suspension
<b><u>Endangerment</u></b>	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension Expulsion
<b>*Extortion</b>	Notify Parent, Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Long Term Suspension
<b>Fighting</b>	Detention, Up to (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<b><u>Forgery/Falsification</u></b>	Notify Parent Conference with Student	Detention	Up to Three (3) Day Suspension
<b>Gambling</b>	Conference, Notify Parent, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<b>*Gang Related Activity</b>	Up to Three (3) Day Suspension, Notify Police	Up to Five (5) Day Suspension, Notify Police	Up to Ten (10) Day Suspension, Notify Police



**Recommended Discipline Actions: Grades K-5**

Infraction	Discipline Action		
	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral
<u>Hate Speech</u>	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>Horseplay:/Roughhousing</u> <u>Minor Aggressive Acts</u>	Conference, Detention	Detention, One (1) Day Suspension	Up to Three (3) Day Suspension
<u>Leaving campus without</u> <u>Authorization</u>	Notify Parent, Detention	Detention, One (1) Day Suspension	Up to Three (3) Day Suspension
<u>Profanity</u>	Conference	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<u>Pornography</u>	Notify Parent, Detention Confiscation	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension Expulsion
<u>Public Display of Affection</u>	Administrative Warning	Conference	Detention, Up to Three (3) Day Suspension
<u>Recklessness</u>	Notify Parent, Detention	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<u>*Robbery</u>	Up to Five (5) Day Suspension Restitution	Up to Ten (10) Day Suspension Restitution	Long Term Suspension Restitution
<u>*Sexual Harassment</u>	Notify Parents, Conference, Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>*Sexual Misconduct</u>	Notify Parent, Conference, Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>**Surreptitious</u> <u>Photographing,</u> <u>Videotaping, or Filming</u>	Notify Parents, Up to Ten (10) Day Suspension, Long Term Suspension	Up to Long Term Suspension, Expulsion	Expulsion
<u>Tardy</u>	Notify Parent, Conference Detention	Notify Parent, Detention, On Campus Reassignment	Detention, On Campus Reassignment
<u>Technology</u> <u>Misuse/Computer</u>	Conference, Loss of Technology Privileges Up to One (1) Day Suspension Restitution	Up to Three (3) Day Suspension, Restitution	Up to Ten (10) Day Suspension, Restitution
<u>*Theft</u>	Notify Parent, Detention, Restitution	Up to Three (3) Day Suspension, Restitution	Up to Ten (10) Day Suspension, Restitution
<u>Threats/Intimidation</u>	Mediation, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<u>**Threatening, Bullying</u> <u>and Intimidating Behavior,</u> <u>Including Hazing or</u> <u>Harassment - to student</u>	Mediation, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>**Threatening, Bullying</u> <u>and Intimidating Behavior-</u> <u>to staff</u>	Detention, Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<u>*Tobacco</u> , use or possession of tobacco-like substance	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<u>Trespassing/Loitering</u>	Notify Parent Detention	Notify Parent On Campus Reassignment	Up to Ten (10) Day Suspension Citation as Appropriate
<u>*Truancy</u>	Notify Parent Detention	Notify Parent On Campus Reassignment	Notify Parent On Campus Reassignment
<u>*Vandalism/Property</u> <u>Destruction</u>	Detention Up to Five (5) Day Suspension Restitution	Up to Ten (10) Day Suspension Restitution	Long Term Suspension Restitution
<u>Verbal Abuse-</u> to student	Notify Parent Detention	Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<u>Verbal Abuse-</u> to staff	Notify Parent, One (1) Day Suspension	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<u>Verbal Provocation</u>	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<u>**Weapon</u> , possession or use of	Up to Ten (10) Day Suspension, Long Term Suspension	Long Term Suspension, Expulsion	Expulsion
<u>Weapon-Simulated</u> , possession of, use of, or threat to use	Notify Parent, Up to Three (3) Day Suspension	Up to Five Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension

**TO NOTE:**  
An underlined infraction indicates that an administrator may choose to use an **ON CAMPUS REASSIGNMENT** as a possible Disciplinary action in lieu of **OFF CAMPUS SUSPENSION**.

A student with **MULTIPLE INFRACTIONS** in different areas may be referred to the Governing Board for Long Term Suspension or Expulsion.

An asterisk (\*) indicates that a police report may be filed.

Two asterisks (\*\*) indicate that a police report shall be filed.

**Recommended Discipline Actions: Grades 6-8**

Infraction	Discipline Action		
	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral
<b>** Alcohol</b> , use, under the influence or distribution of, on District property or at a District sponsored event.	Long Term Suspension	Expulsion	
<b>** Alcohol</b> , possession of alcohol on District Property or at a district sponsored event.	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion	Expulsion
<b>** Arson</b>	Long Term Suspension, Expulsion, Restitution	Expulsion, Restitution	
<b>**Assault Aggravated</b>	Long Term Suspension, Expulsion, Restitution	Expulsion, Restitution	
<b>*Assault-Student</b>	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion	Expulsion	
<b>**Assault- Staff</b>	Long Term Suspension, Expulsion	Expulsion	
<b>**Burglary</b>	Up to Five (5) Day Suspension, Restitution	Up to Ten (10) Days Suspension Restitution	Long Term Suspension, Expulsion, Restitution
<b>Cell Phone Misuse</b>	Conference, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b><u>Cheating or Plagiarism</u></b>	Conference with Student, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<b>Cyber bullying</b>	Mediation, Up to Five (5) Days Suspension	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<b><u>Dangerous Instruments/Devices</u></b> Possession, use of, or threat to	Detention, Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<b>*Death Threat</b>	Up to Ten (10) Day Suspension, Long Term Suspension, May recommend evaluation with Psychologist	Expulsion	
<b>Defamation</b>	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<b><u>Disorderly Conduct</u></b>	Conference; Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>Disrespect/Defiance</b>	Conference; Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>Insubordination</b>	Conference; Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>Disruption</b>	Conference; Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>**Disruption of an Educational Institution</b>	Expulsion		
<b><u>Dress Code Violations</u></b>	Change Clothes, Notify Parent	Change Clothes, Detention, Conference	Up to Three (3) Day Suspension
<b>**Drugs</b> , use, under the influence or distribution on District Property or at a District sponsored event.	Long Term Suspension	Expulsion	
<b>**Drugs, possession</b> of drugs or drug paraphernalia on District Property or at a District sponsored event.	Up to Ten (10) Day Suspension	Long Term Suspension Expulsion	Expulsion
<b><u>Electronic Devices</u></b> possession use of without school permission	Warning, Up to Confiscation	Parent Notification, Up to Confiscation	Up to Three (3) Day Suspension
<b><u>Endangerment</u></b>	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<b>*Extortion</b>	Notify Parent, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Long Term Suspension
<b>Fighting</b>	Up to (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<b><u>Forgery/Falsification</u></b>	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<b>Gambling</b>	Conference, Notify Parent, Detention	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<b>*Gang Related Activity</b>	Up to Three (3) Day Suspension, Notify Police	Up to Five (5) Day Suspension, Notify Police	Up to Ten (10) Day Suspension, Notify Police

**Recommended Discipline Actions: Grades 6-8**

Infraction	Discipline Action		
	1 <sup>st</sup> Referral	2 <sup>nd</sup> Referral	3 <sup>rd</sup> Referral
<u>Hate Speech</u>	Detention Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>Horseplay:/Roughhousing</u> <u>Minor Aggressive Acts</u>	Conference, Detention	Detention, Three (3) Days Suspension	Up to Five (5) Day Suspension
<u>Leaving campus without</u> <u>Authorization</u>	Notify Parent, Up to Three (3) Days Suspension	Detention, Up to Three (3) Days Suspension	Up to Five (5) Day Suspension
<u>Profanity</u>	Conference, Detention, Up to Three (3) Days Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<u>Pornography</u>	Notify Parent, Detention, Up to Three (3) Days Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension Long Term Suspension, Expulsion
<u>Public Display of Affection</u>	Administrative Warning, Detention	Conference, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<u>Recklessness</u>	Notify Parent, Detention, Up to Three (3) Days Suspension	Detention, Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>*Robbery</u>	Up to Ten (10) Day Suspension, Long Term Suspension, Restitution	Long Term Suspension, Expulsion, Restitution	Expulsion, Restitution
<u>*Sexual Harassment</u>	Notify Parents, Conference, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion
<u>*Sexual Misconduct</u>	Notify Parent, Conference, Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<u>**Surreptitious</u> <u>Photographing,</u> <u>Videotaping, or Filming</u>	Notify Parents, Up to Ten (10) Day Suspension, Long Term Suspension	Up to Long Term Suspension, Expulsion	Expulsion
<u>Tardy</u>	Notify Parent, Detention	Notify Parent, Detention, On Campus Reassignment, Up to Three (3) Day Suspension,	Detention, On Campus Reassignment, Up to Five (5) Day Suspension
<u>Technology</u> <u>Misuse/Computer</u>	Conference, Loss of Technology Privileges, Up to Three (3) Day Suspension Restitution	Up to Five (5) Day Suspension, Restitution	Up to Ten (10) Day Suspension, Long Term Suspension Restitution
<u>*Theft</u>	Up to Three (3) Day Suspension, Restitution	Up to Five (5) Day Suspension, Restitution	Up to Ten (10) Day Suspension, Long Term Suspension, Expulsion, Restitution
<u>Threats/Intimidation</u>	Mediation, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<u>**Threatening, Bullying</u> <u>and Intimidating Behavior,</u> <u>Including Hazing or</u> <u>Harassment - to student</u>	Mediation, Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension, Expulsion
<u>**Threatening, Bullying</u> <u>and Intimidating Behavior-</u> <u>to staff</u>	Up to Ten (10) Day Suspension	Up to Long Term Suspension	Long Term Suspension, Expulsion
<u>*Tobacco</u> , use or possession of tobacco-like substance	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension	Long Term Suspension
<u>Trespassing/Loitering</u>	Up to Three (3) Day Suspension, Citation as Appropriate	Up to Five (5) Day Suspension, Citation as Appropriate	Up to Ten (10) Day Suspension, Citation as Appropriate
<u>*Truancy</u>	Notify Parent, Up to Three (3) Day Suspension	Notify Parent, Up to Five (5) Day Suspension	Notify Parent, Up to Ten (10) Day Suspension
<u>*Vandalism/Property</u> <u>Destruction</u>	Up to Five (5) Day Suspension, Restitution	Up to Ten (10) Day Suspension, Restitution	Long Term Suspension, Expulsion, Restitution
<u>Verbal Abuse-</u> to student	Notify Parent, Detention	Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension
<u>Verbal Abuse-</u> to staff	Notify Parent, Detention, Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension, Expulsion
<u>Verbal Provocation</u>	Up to Three (3) Day Suspension	Up to Five (5) Day Suspension	Up to Ten (10) Day Suspension
<u>**Weapon</u> , possession or use of	Long Term Suspension, Expulsion	Expulsion	
<u>Weapon-Simulated</u> , possession of, use of, or threat to use	Notify Parent, Up to Three (3) Day Suspension	Up to Five Day Suspension	Up to Ten (10) Day Suspension, Long Term Suspension

**TO NOTE:**

An underlined infraction indicates that an administrator may choose to use an **ON CAMPUS REASSIGNMENT** as a possible Disciplinary action in lieu of **OFF CAMPUS SUSPENSION**.

A student with **MULTIPLE INFRACTIONS** in different areas may be referred to the Governing Board for Long Term Suspension or Expulsion.

An asterisk (\*) indicates that a police report may be filed.

Two asterisks (\*\*) indicate that a police report shall be filed.

FOR THE OFFENSES OF: **\*\*Rape, Sexual Abuse, Kidnap, Homicide, and Armed Robbery** the Discipline Action will be up to Long Term Suspension or Expulsion.

## EXPLANATIONS OF CONSEQUENCES

**Informal Conference:** An informal conference between an administrator and a student.

**Administrative Warning:** A formal conference and warning from the school official to the student.

**Parent Contact:** The parent is notified by phone or in writing of student conduct.

**Detention:** The student will be detained either before school, at recess, at lunch or after school. The student will be under the supervision of a school employee. Transportation will not be provided for those students on detention. Parents will be given prior notification in advance of the detention.

**In-school Suspension/On campus Reassignment:** At the discretion of the building-level administrator; students may be assigned this consequence for various infractions. Students will remain in a classroom or specified location working on school assignments, while supervised by a staff member.

**Alternatives to Suspension:** Students meeting requirements under Policy JKD may participate in an alternative to suspension program at the determination of the Superintendent or designee.

### **Suspension:**

The following is an outline of the policies concerning student suspension. Policy JKD and A.R.S. 15-843 provides the legal basis for all student disciplinary actions, including suspension, both short term (STS) and long term (LTS). Copies of these documents will be made available upon request. The procedures described below are for regular education students. For those students who qualify for Special Education, additional guidelines apply. Those guidelines are provided to parents as a part of the Individual Educational Program (IEP) process.

Students may be removed from contact with other students as a temporary measure. The authority to suspend a student for up to ten days rests with the Superintendent, but may be delegated to other administrators. If a danger to students or staff members is present, the Principal may immediately remove the student from school, with prior contact with the parents. Each suspension shall be reported to the Governing Board, within five days, by the person imposing it. In all cases, except summary suspension where a clear and present danger is evident, the student shall remain in school until applicable due process procedures are instituted. In no instance shall students be released early from school unless parents have been notified.

### **Short Term Suspension:**

**Step 1:** The student will receive notice, written or oral, for the reason for suspension and the evidence school authorities have of the alleged misconduct. After having received notice, the student will be asked for an explanation of the situation. The authorized District personnel shall make reasonable efforts to verify facts and statements prior to making a judgment.

**Step 2:** Provided that a written record of the action taken is kept on file, authorized District personnel may:

- Suspend the student up to ten (10) days.
- Choose other disciplinary alternatives.
- Exonerate the student.
- Suspend the student for ten days pending a recommendation that the student be given Long-term suspension or expulsion or both.

When suspension is involved:

A parent must be notified before the student is allowed to leave the campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents. A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended), and reasons for the suspension and to request a meeting to solicit their help.

No appeal from a short-term suspension is available.

### **Long Term Suspension:**

**Step 3:** If the infraction is one that could result in a suspension of over ten (10) days, steps 1 and 2 will be implemented plus a formal hearing will be arranged and conducted by a hearing officer or by the Superintendent.

**Step 4:** A formal letter from school officials to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult witness present) at least five (5) working days prior to the preliminary hearing. A copy of this letter will remain on file and the letter should contain the following information:

- The charges and the rule or regulation violated.
- The extent of the punishment to be considered.
- The date, time and place of the formal hearing.
- A designation of the District's witnesses.
- That the student may present witnesses.
- That the student may be represented by counsel.
- If a hearing officer has been designated, the name of the hearing officer.

**Step 5:** A formal hearing will be held, during which the student will be informed of the following:

- Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony or such session or from recording such session at the parent's or legal guardian's expense.
- The student is entitled to a statement of the charges and the rule or regulation violated.
- The student may be represented by counsel, without prejudice.
- The student may present witnesses.
- The student or counsel may cross-examine witnesses presented by the District.
- The burden of proof of the offense lies with the District.
- Either the hearing must be recorded or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to record the hearing at their own expense.
- The District has the right to cross-examine witnesses and may be represented by an attorney.

**Step 6:** Decision and appeal procedure, if applicable, upon the conclusion of the hearing will be as follows:

- Upon the conclusion of a hearing, by a Hearing Officer in which a decision of long-term suspension is made; the decision may be appealed to the Board. To arrange such an appeal, the parent(s) of the suspended student or the student must deliver to the Superintendent a letter directed to the Board within five (5) days after receiving written notice of the long-term suspension. The letter must describe in detail any objections to the hearing or the decision rendered.
- The appeal to the board will be on the record of the hearing held by the Hearing Officer. If the Board determines that the student was not afforded due-process rights or that this policy was not followed in all substantive respects; the student shall be given another hearing. If the board determines that the punishment was not reasonable, it may modify the punishment.
- The decision of the Board is final.

**Early Readmission Procedures:** The Superintendent may, under some circumstances, authorize early readmission of a student suspended for more than ten days. Students will only be considered for readmission after completion of the major portion of the suspension, usually one day more than half of the suspension, with consideration for the grading period. The conditions of readmittance that must be met are described in Policy JKD, which is available upon request.

**Expulsion:** A recommendation to expel shall be through the Principal and forwarded to the Superintendent. The authority to expel rests only with the Board. All expulsions requested shall have supporting data indicating the required due process provided at the time of recommendation.

**Regular Education Students:** Expulsion is the permanent exclusion of a student from school and school activities, unless the Governing Board reinstates the student's privileges to attend school.

**Step 1:** Each recommendation for expulsion shall be delivered to the Superintendent. Recommendations for expulsion may be made before, in conjunction with, or after a long-term suspension hearing, if one is to be held.

**Step 2:** If the Superintendent concurs with the recommendation, the Superintendent may assign the matter to a hearing officer, who shall hear the evidence and make a recommendation to the Superintendent and the Governing Board.

**Step 3:** The expulsion hearing should be scheduled so that it may be resolved, if reasonably possible, during the period of any suspension.

**Step 4:** A letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand at least five (5) working days prior to the formal hearing. A copy of this letter will remain on file, and the letter should contain:

- A statement of the charges and the rule or regulation violated.
- The extent of the punishment to be considered.
- The date, time, and place of the formal hearing.
- That the student may present witnesses.
- That the student may be represented by counsel.
- If a hearing officer has been appointed, the name of the hearing officer.
- Copies of this policy.

**Step 5:** If a preliminary hearing is held before a hearing officer, the hearing will be conducted in private with the attendance of only the hearing officer, administrative representatives, student, parent(s), counsel for the parties, and witnesses necessary to the proceedings, unless the parent(s), guardian(s), or emancipated student requests in writing that the hearing be open to public attendance. If the expulsion hearing is held before the Governing Board, the Board will conduct the hearing in executive session with the attendance of only administrative representatives, student, parent(s), counsel for the parties, and witnesses necessary to the proceedings, unless the parent(s), guardian(s), or emancipated student requests in writing that the hearing be open to public attendance.

**Step 6:** Upon conclusion of a preliminary hearing conducted by a hearing officer the decision may be appealed to the Board at the time the Board considers the recommendation. A formal letter to the responsible parent or guardian will be mailed with return receipt requested or delivered by hand indicating the recommendation that will be made to the Board. A copy of this letter will remain on file, and the letter should set forth the time and place of the Board meeting at which the recommendation will be made.

**Step 7:** The Board will consider the recommendation of the hearing officer in executive session with the attendance of only the Hearing Officer, administrative representatives, the student, the parent(s), and witnesses necessary to the proceedings, unless the parent(s), guardian(s), or emancipated student requests in writing that the hearing be open to public attendance. The student or the student's parent(s) may be given time to speak to the Board. New evidence that could not have been presented at the hearing before the Hearing Officer with reasonable diligence may be presented at the Board's discretion.

**Step 8:** The Board may accept the hearing officer's recommendation or reject the recommendation and impose a different disciplinary action including assignment to an alternative educational program. The Board may grant a new hearing, take the matter under advisement, or take any further action deemed necessary. If the Board decides to expel the student, the expulsion shall become effective the day after the Board's decision. The decision of the Board is final.

**Special Education Students:** A student qualified under the Individuals with Disabilities Education Act (IDEA) as revised in 1997 may not be expelled from school, but in compliance with federal law and regulation, may be given a change in placement. The Individualized Education Program Team generally determines a change in placement of an IDEA qualified student. During any change in placement, the school must provide services to the extent necessary to enable the student to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's Individualized Education Programs.

A student with a disability qualified under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973 and not qualified under the Individuals with Disabilities Education Act of 1997, may be suspended or expelled from school and education services may be ceased, if non-disabled students in similar circumstances do not continue to receive education services.

**Readmittance Procedure:** A student expelled from the District may request re-admittance by making a written application to the Governing Board. Readmission is at the discretion of the Board. A full explanation of this procedure is described in Policy JKE, which is available upon request.

## **STUDENT CONCERNS, COMPLAINTS AND GRIEVANCES**

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,
- Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability,
- Harassment of the student by another person, or
- Concern for the student's personal safety

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 the 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 professional 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.

The Superintendent shall determine any questions concerning whether the complaint/grievance falls within this policy.

The only students that may initiate the complaint process are middle or high school students. A parent or guardian may initiate the complaint process on behalf of an elementary school student.

A complaint/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.

Retaliatory or intimidating acts against any student who has made a complaint under this 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.

### **ANNUAL NOTIFICATION TO PARENTS REGARDING CONFIDENTIALITY OF STUDENT**

Confidentiality of education records is a right of public school students and their parents. This right is provided for by two federal laws, the Individuals with Disabilities Education Act (IDEA), and the Family Educational Rights and Privacy Act (FERPA). Under these laws, "education records" means those records that are (1) directly related to a student; and (2) maintained by an educational agency or institution or by a party acting for the agency institution. Of course, education records are maintained on every child enrolled in a public school. The types of information gathered and maintained includes, but is not limited to: the student's and parent's names, address and telephone number; the student's date and place of birth, date of enrollment in school, records from previous schools attended, attendance record, subjects taken, grades, school activities, assessment results, number of credits earned, Immunization records, disciplinary records, if any, correspondence from parents, and child find and other screening results, including hearing and vision screening results.

In addition, for children with disabilities, education records could include, among other things, evaluation and testing materials, medical and health information, each annual Individualized Education Program (IEP), notices to parents, notes regarding IEP meetings, parental consent documents, information provided by parents, progress reports, assessment results, materials related to disciplinary actions, and mediation agreements.

The information is gathered from a number of sources including the student's parents and staff of the school of attendance. Also, with parental permission, information may be gathered from additional sources including doctors and other health care providers.

This information is collected to assure proper identification of a student and the student's parents and the maintenance of accurate records of the student's progress and activities in school. For children with disabilities, additional information is collected in order to assure the child is identified, evaluated, and provided a Free Appropriate Public Education in accordance with state and federal special education laws.

Each agency participating under Part B of IDEA must assure that at all stages of gathering, storing, retaining and disclosing education records to third parties that it complies with the federal confidentiality laws. In addition, the destruction of any education records of a child with a disability must be in accordance with IDEA regulatory requirements.

The federal Family Policy Compliance Office of the U.S. Department of Education has provided the following notice of parent's rights under FERPA. In accordance with IDEA, the rights of the parents regarding education records are transferred to the student at age 18.

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 records. They are:

1) The right to inspect and review the student's education records within 45 days of the day the school receives a request for access.

Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

2) The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading.

Parents or eligible students may ask a school district to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3) 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 the school board; a person or company with whom the school has contracted to perform a special task (such as 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.

Upon request, a school may disclose education records, without consent, to officials of another school district in which the students seeks or intends to enroll, if the school states in its annual notification of FERPA rights that it forwards records on request.

4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by a school to comply with the requirements of FERPA.

The name and address of the office that administers FERPA is:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue S. W.  
Washington, D.C. 20202-4605  
202-260-3887 Voice  
1-800-877-8339 TDD

A school may designate information in education records as "directory information" and may disclose it without parent consent. The law defines "directory information" as follows:

The student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended by the student. Notice of these rights is available, upon request, on audiotape, in Braille, and in languages other than English. You may contact the Arizona Department of Education at 602-542-3111.

**YUMA EDUCATIONAL CONSORTIUM TRANSPORTATION CENTER**

**BUS RULES**

- 1) Obey the bus driver
- 2) The bus driver may assign seats
- 3) Be courteous
- 4) Do not use profanity
- 5) Do not eat or drink on the bus other than water; keep bus clean
- 6) Violence is prohibited
- 7) Remain seated
- 8) Do not smoke
- 9) Keep your hands and head inside the bus
- 10) For your own safety, do not distract the driver through misbehavior

1. Parents are responsible for getting students to and from designated bus stops safely.
2. Students are to ride to and from school from their assigned bus stop location only.
3. Students should be at their assigned bus stops no later than 5 minutes prior to the scheduled arrival time of the school bus.
4. Students in grades Pre-K and K must be taken to the designated stop and picked up from the designated stop by a parent/guardian. If a guardian or other responsible party is to escort the student, the school must have previous authorization in writing. Any student not met at the stop will be returned to the school. Repeated failures to meet the student could result in the loss of transportation privileges.
5. Items that interfere with a safe ride for the students and bus driver are banned from the bus. These items include any article that would block the bus aisle or could become loose in an accident. Banned articles include but are not limited to: glass items, sprays, balloons, band instruments that do not fit on a student's lap, sports equipment and unsecured skateboards. Only articles that can be controlled by student and placed on student's lap without interfering with other students sitting on the seat, blocking the aisle or emergency exits will be permitted.

**TRANSPORTATION DISCIPLINE INFRACTIONS AND ACTIONS**

The transportation of students to and from school is a privilege and the safe transportation of students is the standard for everyone to expect. In order to provide safe and efficient transportation, students must adhere to the rules of conduct. Bus drivers are in charge of the bus and all passengers. The rules of riding the bus and at bus stops, with the exception of students requiring "Special Needs" transportation services, are included in other related student management policies. Listed below are the violations and penalties identified with student transportation management.

**Level I Violations:**

- Failure to obey instructions of bus driver.
- Failure to remain properly seated.
- Use of profane or offensive language or gestures.
- Use of tobacco products
- Creating a loud noise
- Disruption, or disrupting other persons
- Throwing or shooting any object in or outside the bus
- Disorderly Conduct
- Possession of an unauthorized item
- Placing anything outside the bus while the bus is in motion.
- Placing anything outside the bus while the bus is in motion. school assistance in correcting the students' unacceptable behavior.

**Penalties:**

**1st Offense:**

Student is warned and a copy of the misconduct report is forwarded to the student's respective school. Staff will contact the parent/guardian to request assistance in correcting the students' unacceptable behavior.

**2nd Offense:**

Student is warned and copy of the misconduct report is forwarded to the student's respective school. Staff will contact the parent/guardian to request assistance in correcting the students' unacceptable behavior.

**3rd Offense:**

Student is warned and a copy of the misconduct report is forwarded to the student's respective school. The student will lose bus privileges for 3 to 5 days. Staff will notify the parents by phone and by registered mail. Parents will be responsible for their student's transportation during this time

**4th Offense:**

Student is warned and a copy of the misconduct report is forwarded to the student's respective school. The student will lose bus privileges for 10 days. Staff will notify the parents by phone and by registered mail. Parents will be responsible for their student's transportation during this time

**Level I** conduct violations beyond a fourth incident will result in the loss of transportation privileges for a period of no less than 10 days and up to the revocation of bus privileges.

**Level II Violations**

- Fighting /Assault
- Possession of a Weapon
- Possession of Illegal Drugs or Alcohol
- Vandalism
- Threat
- Any action or actions that threaten the safety of others.

**Any Offense:**

Immediate loss of transportation privileges for a period of no less than 10 days and up to the remainder of the school year. If for any reason an administrator, law enforcement personnel, or transportation staff has to pull a student off a bus due to unacceptable behavior, the student will be suspended for 5 school days for a minor infraction and 10 school days for a more serious infraction. If a student is removed from the bus, the parents will be responsible for picking the student up either at the school or at transportation. Parents will be responsible for transporting the student while the student is suspended.

**These violations may also have additional consequences with local law enforcement and/or at the school.**

**For any questions regarding bus discipline matters please contact the transportation consortium at 502-8840**