

III. Students

3.11 Equal Opportunity - Education

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to ensure all students have access to equal opportunities to education.

A. The District will remain free of unlawful discrimination and ensure that students are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity of the District on the basis of race, color, national origin, religion, sex, age, or disability.

1. Student's rights to participate in extracurricular activities shall be dependent only upon standards set by the Board including academic, behavioral and ability as set by the Board.

LEGAL REF.:

Arizona Constitution, Act XI, Sec. 6

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Educational Opportunities Act

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

3.12 Equal Opportunity – Complaints

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that students’ constitutional rights and equal access to programs are upheld and that they have an educational environment that is safe and free from discrimination, harassment, intimidation, or bullying.

A. The Superintendent shall establish procedures whereby students with sufficient concern may present a complaint or grievance regarding a violation of their constitutional rights, equal access to programs, discrimination, harassment, intimidation, bullying or personal safety.

B. A complaint/grievance may be raised regarding one (1) or more of the following:

1. Violation of the student's constitutional rights
2. 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
3. Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability
4. Harassment of the student by another person
5. Intimidation by another student
6. Bullying by another student
7. Concern for the student's personal safety

C. 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.

D. The Superintendent shall post a notice of this policy and procedure shall be made a part of the rights and responsibilities section of the student handbook and parent handbook.

E. 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.

F. When District officials have a reasonable belief or an investigation reveals that a reported incident may constitute an unlawful act, law enforcement authorities will be informed.

LEGAL REF.:

A.R.S.

15-341

Last Revision Date: June 25, 2022

3.21 Attendance - Boundaries

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to establish attendance areas within the District.

A. Students will attend school in the attendance areas in which their respective residences are located. Exceptions to this policy may be made for:

1. Open enrollment and open enrollment policy
2. Unsafe school choice options
3. Special placements based on Individualized Educational Programs
4. Disciplinary actions
5. Available curricula/special programs
6. Continued attendance in homeless students' school of origin

LEGAL REF.:

A.R.S.

15-341

15-461

20 U.S.C. 7912, Unsafe School Choice Option

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

Last Revision Date: June 25, 2022

3.22 Attendance – Student Attendance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to enforce laws regarding student attendance.

A. The parent or guardian is charged by law with responsibility for the student's consistent school attendance. The Superintendent shall provide procedures to enforce the laws regarding attendance.

LEGAL REF.:

A.R.S.

15-239

15-346

15-771

15-802

15-804

15-805

15-806

15-807

15-826

15-843

15-872

15-873

15-901

Last Revision Date: June 25, 2022

3.23 Attendance – Compulsory Attendance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to enforce laws regarding compulsory attendance.

A. It is unlawful for any child who is at least six (6) but not yet sixteen (16) years of age to fail to attend school during the hours that school is in session, unless such child is excused pursuant to:

1. A.R.S. 15-802 and verifiable records are kept of the reasons for excuse from the duties prescribed.
2. A.R.S. 15-901 (for children with disabilities).
3. The child being provided instruction at home.
4. The child being accompanied by a parent or a person authorized by a parent.

LEGAL REF.

A.R.S.

15-802

15-803

15-901

Last Revision Date: June 25, 2022

3.24 Attendance – Unsafe School

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Persistently Dangerous School” is a school with recurring violent and/or dangerous crime that continues over time and does not use research based planning and prevention programming to ensure school safety. The State, of Arizona, with a representative sample of local educational agencies, must determine which schools are persistently dangerous.

“Victim of Violent Criminal Offense” is an individual against whom the crime is committed as listed in a police report that is not unfounded or exceptionally cleared, or who is an immediate family member of a crime victim that has been killed or incapacitated.

Policy Objectives: It is the intent of the Board to require that a student attending a persistently dangerous elementary or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of an elementary or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school within the local educational agency, including a public charter school.

A. All students attending a District school that is classified by the State as a persistently dangerous school shall be notified of this label and be offered the opportunity to transfer to any school within the District that is not labeled persistently dangerous and contains the same grade level the student is eligible to attend or a charter school.

B. Any student, while in or on the grounds of a District school the student attends, who is subjected to a violent criminal offense as defined in Arizona law or who is an immediate family member of one who has been killed or incapacitated by such defined violent criminal offense shall be offered the opportunity to transfer to any school within the District that contains the same grade level the student is eligible to attend or a charter school.

C. The number of individuals using the individual transfer option should be reported to the Arizona Department of Education (ADE) each year in the format and form required.

D. Schools are to report violations of rules regarding dangerous weapons in the "Safe and Drug-Free Schools Report," which is an annual requirement for all public schools in Arizona and is due to ADE by June 30 each year.

E. Referrals to law enforcement agencies for criminal offenses should be reported in the annual School Report Card.

LEGAL REF.:

A.R.S.

15-341

13-3726

20 U.S.C. 6301 et seq., Every Student Succeeds Act of 2015

20 U.S.C. 7912, Unsafe School Choice Option

Last Revision Date: June 25, 2022

3.25 Attendance – Withdrawal/Dropout

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to require written parent approval for withdrawals.

A. A withdrawal form shall be presented to the parent or legal guardian of a student who may or must withdraw from school.

1. The withdrawal form shall include space for the reason for withdrawal and the signature of an official of the school from which the student has withdrawn.

B. Reasons for withdrawal may include:

1. Parents or legal guardians moving from the District or to an area served by another school within the District.
2. Parents requesting the withdrawal of students who have passed their sixteenth birthday.
3. Expulsion or long-term suspension by the Board.

C. Upon withdrawal, the student shall check in all books and other District property through the office of the school that was attended.

LEGAL REF.:

A.R.S.

15-827

15-828

15-829

Last Revision Date: June 25, 2022

3.26 Attendance – Absences

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to require regular school attendance of a school aged child as required by state law.

A. Absences shall be excused only for necessary and important reasons such as illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith.

B. In the event of a necessary absence known in advance, the parent is expected to inform the school; if the absence is caused by emergency, such as illness, the parent is expected to telephone the school office.

1. When a student returns to school following any absence, a note of explanation from the parent is required.

C. Students must attend each session of the class for the full period for 90% or more of the class sessions during the semester in order to be considered for credit in the course. (Ten or fewer absences per semester will make the student eligible to be considered for credit.)

D. School-approved activities such as field trips, performing groups, student government, and others will not be considered absences.

E. The Superintendent shall develop procedures to excuse, by appeal process, additional absences and loss of credit caused by extended illness, injury, or extenuating circumstances upon satisfactory verification of absence. Students must provide justification for all absences when submitting an appeal.

F. State law mandates the school record reasons for all student absences. Therefore, when a student is absent, parents must call the school on or before the day of the absence in order to advise the school as to the reason for the absence.

1. When it is impossible to call on the day of the absence, the school should be notified on the morning the student returns.

2. If a parent does not have access to a phone, either at home or at work, a note will be accepted for verification purposes.

G. All absences not verified by parental or administrative authorization will remain unexcused.

H. For absences greater than one (1) day in length, the school should be notified each day of the absence.

Last Revision Date: June 25, 2022

I. 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.

J. No record of a pupil's excuse for religious purposes shall be entered into the official student records maintained by the school.

LEGAL REF.:

A.R.S.

15-346

15-802

15-806

15-807

15-843

15-873

15-902

Last Revision Date: June 25, 2022

3.27 Attendance – Truancy

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “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.

Policy Objectives: It is the intent of the Board to deem A child between the ages of six (6) and sixteen (16) as truant if they fail to attend school during the hours school is in session, unless excused pursuant to ARS 15-802, 15-803, or 15-901.

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

B. Continued violation may lead to discipline of the child and/or referral of the parent to a court of competent jurisdiction.

LEGAL REF.

A.R.S.

8-201

15-802

15-803

15-804

15-805

15-841

15-843

Last Revision Date: June 25, 2022

3.28 Attendance – Religious Classes

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to grant release time for students to attend religion classes under certain conditions, per Arizona Revised Statutes.

A. Students may be granted released time to attend religion classes near the school campus under the following conditions and guidelines:

1. The person who has custody of the student has given written consent.
2. Any religious instruction or exercise takes place at a suitable place away from school property designated by a church or religious denomination or group.

LEGAL REF.:

A.R.S.

15-806

Last Revision Date: June 25, 2022

3.29 Attendance – Chronic Health Conditions

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to provide appropriate educational opportunities for students having a chronic health condition as defined by Arizona Revised Statutes.

A. The District will provide appropriate educational opportunities for any student identified by at least one health professional or registered nurse practitioner who is licensed pursuant to Title 32, chapter 7, 8, 13, 14, 15, 17 or 25 as having a chronic health condition that will affect regular school attendance.

B. Homework will be made available in a timely manner to ensure such students have the opportunity to successfully complete assignments and avoid losing credit because of their absence from school.

1. The assigned teacher(s) shall have the responsibility to provide, in a timely manner, homework for students designated as having chronic health conditions.

C. Students with chronic health conditions shall be provided flexibility in physical education activity requirements so they may participate in the regular physical education program to the extent their health permits.

1. Staff members responsible for physical education activities programs shall develop and implement such guidelines.

D. The Superintendent shall develop procedures for meeting the requirements of this policy.

LEGAL REF.:

A.R.S.

15-346

15-761

15-843

15-902

32-801 et seq.

32-900 et seq.

32-1401 et seq.

32-1501 et seq.

32-1601 et seq.

32-1800 et seq.

32-2501 et seq.

Last Revision Date: June 25, 2022

3.31 Admission – Age Requirements

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to enforce laws regarding compulsory attendance.

A. A child evaluated and recommended for special services for a disability in accord with statute, and who has reached the third (3rd) birthday, may be admitted to preschool.

B. The District may admit a child who is within ninety (90) days of reaching age three (3) years if it is determined to be in the best interest of the individual.

C. Children five (5) years of age prior to September 1 of the current school year may be admitted to kindergarten. If a full-day kindergarten is provided, the parent of a student eligible for full-day kindergarten shall be offered the opportunity to choose either a half-day or a full-day kindergarten program.

D. The District shall provide an academically meaningful half-day kindergarten program in each District school where the half-day student enrollment is sufficient to fill a class with approximately the same number of students as the District-wide kindergarten classroom average.

E. A parent of a kindergarten pupil may choose either half (1/2)-day kindergarten instruction or full-day kindergarten instruction pursuant to A.R.S. 15-703.

F. Children who are six (6) years of age, or deemed six (6) years of age if they reach such age prior to September 1 of the current school year may be admitted to 1st grade.

G. The Superintendent may admit children who have not reached the required age as prescribed above if the children have completed kindergarten, if it is determined to be in the best interest of the children, and such children must reach the required age of six (6) for first grade by January 1 of the current school year.

H. A high school graduate with a recognized diploma may be refused admission.

I. Students between the ages of sixteen (16) and twenty-one (21) years shall be admitted to high school. A student under sixteen (16) years of age who does not hold an eighth-grade certificate of promotion may be admitted to high school if the student meets competency requirements in the adopted standards for promotion of students from the eighth (8th) grade as determined by the State Board of Education in the areas of reading, writing, mathematics, science, and social studies.

LEGAL REF.:

A.R.S.

15-701

15-701.01

15-703

15-766

15-767

15-771

15-821

15-901

15-901.02

Last Revision Date: June 25, 2022

3.32 Admission – Resident Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Residence” is the residence of the person having legal custody of the student, except as provided in A.R.S. §15-823 through A.R.S. §15-825. Residency of the parent/guardian or surrogate may be determined by showing the individual’s presence and intent to remain in the District.

Policy Objectives: It is the intent of the Board that a student who is a resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

A. The following students are residents of the District:

1. A student who is in the legal custody of a natural or adoptive parent or other person to whom custody has been granted by a court order and who resides with the parent or other person in the District.
2. A student who is an emancipated minor and whose place of residence is in the District. When determining whether a minor is emancipated, the Superintendent will consider such factors as whether the student is married, financially independent, and residing away from the family domicile with parental consent.
3. A student who is eighteen (18) years of age or older and whose place of residence is in the District.
4. A student who is homeless, and who attended a school in the District at the time of becoming homeless.
5. A student who resides with a family member living in the District while awaiting the outcome of a legal guardianship or custody proceeding if the family provides written documentary proof in accord with ARS 15-821.
6. A student whose parent is transferred to or is pending transfer to a military installation within this state while on active military duty pursuant to an official military order. The parent shall provide proof of residency in the District to the local education agency within ten (10) days after the arrival date provided on official documentation.

B. The residency of a student, natural or adoptive parent, or other person to whom custody of the student has been granted by court order shall be based upon evidence of the individual's physical presence and intent to remain in the District. Such evidence of residency will be determined by using verifiable documentation per ARS 15-802.

1. The documentation must be provided each time a student enrolls in a school district school in this state and reaffirmed during the annual registration process via the district annual registration form. The documentation supporting Arizona residency should be maintained according to the school's records retention schedule. Proof of residency is not required for homeless students.

C. In general, students will fall into one (1) of two (2) groups:

1. Those whose parent or legal guardian is able to provide documentation bearing his or her name and address.

- a. The parent or legal guardian must complete and sign a form indicating his or her name, the name of the school district and school site in which the student is being enrolled, and provide one (1) of the following documents, which bear the parent or legal guardian's full name and residential address or physical description of the property where the student resides (no P.O. Boxes):
 - i. Valid Arizona driver's license or Arizona identification card
 - ii. Valid Arizona motor vehicle registration
 - iii. Valid Arizona Address Confidentiality Program authorization card. A public school shall accept the substitute address as the address of record and shall verify student enrollment eligibility through the secretary of state. The secretary of state shall facilitate the transfer of student records from one school to another.
 - iv. Property deed
 - v. Mortgage documents
 - vi. Property tax bill
 - vii. Rental agreement or lease (including Section 8 agreement or off-base military housing)
 - viii. Utility bill (water, electric, gas, cable, phone)
 - ix. Bank or credit card statement
 - x. W-2 wage statement
 - xi. Payroll stub
 - xii. Certificate of tribal (506 Form) enrollment or other identification issued by a recognized Indian tribe located in Arizona.
 - xiii. Other documentation from a state, tribal, or federal agency (Social Security Administration, Veterans' Administration, Arizona Department of Economic Security, etc.)
 - xiv. A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card. Temporary on-base billeting facility (for military families)
 - xv. Temporary on-base billeting facility (for military families)

2. Those whose parent/legal parent guardian cannot document his or her own residence because of extenuating circumstances including, but not limited to, the family's household is multi-generational.

- a. The parent or legal guardian must have an affidavit of shared residency form completed indicating his or her name, the name of the school district and school site in which the student is being enrolled, and submit a signed notarized affidavit bearing the name and address of the person who maintains the residence where the student lives attesting to the fact that the student resides at that address, along with a document from the bulleted list above bearing the name and address of the person who maintains the residence.

D. The Superintendent must retain a copy of the attestations or affidavits and copies of any supporting documentation presented for each student (photocopies acceptable) that school officials believe establish validity. Documentation is subject to audit by the Arizona Department of Education. Personally identifiable information other than name and address (SSN, account numbers, etc.) should be redacted from the documentation either by the parent/guardian or the school official prior to filing.

LEGAL REF.:

A.R.S.

15-802

15-816 et seq.

15-821

15-823

15-824

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

42 U.S.C. 11432

Last Revision Date: June 25, 2022

3.33 Admission – Non-Resident Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Non-resident pupil” means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides.

“Residence” is the residence of the person having legal custody of the student, except as provided in A.R.S. §15-823 through A.R.S. §15-825. Residency of the parent/guardian or surrogate may be determined by showing the individual’s presence and intent to remain in the District.

Policy Objectives: It is the intent of the Board that a student who is a non-resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

A. A student shall also be admitted to a school without tuition payment, if:

1. The student is the child of a United States resident who is not a resident of Arizona, if this is in the best interest of the student and the student is placed with a relative per ARS 15-823 and the placement is not to avoid tuition payment
2. The student is a resident of the United States and evidence indicates that because the parents are homeless or the child is abandoned, as defined in ARS 8-201, the child’s physical, mental, moral or emotional health is best served by placement with a person who does not have legal custody of the child and who is a resident within the school district, unless it is determined the placement is solely for the purpose of obtaining an education in this state without payment of tuition. Proof of residency is not required for homeless students.
3. The student presents a certificate of education convenience issued by the county School Superintendent pursuant to ARS 15-825.
4. The student is a child of a nonresident teaching or research faculty member of a community college district or state university or a nonresident graduate or undergraduate student of a community college district or state university whose parent’s presence at the district or university is of international, national, state, or local benefit.

B. The District shall admit the following students, charging tuition as prescribed in statute:

1. The child of an Arizona resident who is not a resident of the District, if the District provides a high school and the student is a resident of an Arizona common school district that is not in a high school district and that does not offer instruction in the student’s grade. Special circumstances may apply in accordance with ARS 15-2041 after three hundred fifty (350) students have been admitted.

2. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.

3. A pupil who is issued a certificate of education convenience to attend school in the School District or adjoining the school district to that in which the pupil is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in ARS 15-825.

C. The District shall admit a pupil who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with ARS 15-824(B)(3).

D. The District may admit nonresident foreign exchange students without payment of tuition, or as it may otherwise prescribe.

E. The District shall not include in its student membership count students who are not Arizona residents. The District is prohibited from obtaining state funding for any student who is not a resident of the state.

LEGAL REF.:

A.R.S.

8-201

15-802

15-816 through 15-816.07

15-821

15-823 through 15-825

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

3.34 Admission – Foreign Exchange Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Non-resident pupil” means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides.

“Residence” is the residence of the person having legal custody of the student, except as provided in A.R.S. §15-823 through A.R.S. §15-825. Residency of the parent/guardian or surrogate may be determined by showing the individual’s presence and intent to remain in the District.

Policy Objectives: It is the intent of the Board that a student who is a non-resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

A. A student shall also be admitted to a school without tuition payment, if:

1. The student is the child of a United States resident who is not a resident of Arizona, if this is in the best interest of the student and the student is placed with a relative per ARS 15-823 and the placement is not to avoid tuition payment
2. The student is a resident of the United States and evidence indicates that because the parents are homeless or the child is abandoned, as defined in ARS 8-201, the child’s physical, mental, moral or emotional health is best served by placement with a person who does not have legal custody of the child and who is a resident within the school district, unless it is determined the placement is solely for the purpose of obtaining an education in this state without payment of tuition. Proof of residency is not required for homeless students.
3. The student presents a certificate of education convenience issued by the county School Superintendent pursuant to ARS 15-825.
4. The student is a child of a nonresident teaching or research faculty member of a community college district or state university or a nonresident graduate or undergraduate student of a community college district or state university whose parent’s presence at the district or university is of international, national, state, or local benefit.

B. The District shall admit the following students, charging tuition as prescribed in statute:

1. The child of an Arizona resident who is not a resident of the District, if the District provides a high school and the student is a resident of an Arizona common school district that is not in a high school district and that does not offer instruction in the student’s grade. Special circumstances may apply in accordance with ARS 15-2041 after three hundred fifty (350) students have been admitted.

2. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.

3. A pupil who is issued a certificate of education convenience to attend school in the School District or adjoining the school district to that in which the pupil is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in ARS 15-825.

C. The District shall admit a pupil who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with ARS 15-824(B)(3).

D. The District may admit nonresident foreign exchange students without payment of tuition, or as it may otherwise prescribe.

E. The District shall not include in its student membership count students who are not Arizona residents. The District is prohibited from obtaining state funding for any student who is not a resident of the state.

LEGAL REF.:

A.R.S.

8-201

15-802

15-816 through 15-816.07

15-821

15-823 through 15-825

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

3.35 Admission – Transfer Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that academic credit for students who transfer from private or public schools shall be determined on a uniform and consistent basis.

A. Academic credit for placement in elementary school subjects and grades shall be based upon teacher recommendations and previous grade level assignments subject to the determination that the student can meet the standards adopted by the State Board of Education for the grade level assignment.

B. Each student who enrolls and requests the transfer of academic credits shall be provided with a list specifying the courses for which credit has been accepted as core credit and those for which credit has been accepted as elective by the District.

C. When transfer credit is not accepted as a core credit within ten (10) school days, the student may request to take an examination on the course subject matter designed and evaluated by a teacher in the receiving school who is certificated in and teaches the subject matter of the course for which the credit was requested.

1. Upon receiving a satisfactory score as determined by the teacher, course credit will be awarded as core credit.

2. All core credit courses must meet the standards adopted by the State Board of Education where such standards exist.

- a. Where standards have not been adopted by the State Board of Education, core credit courses must meet the standards established for the school to which the student has requested a transfer of credit.

D. The District welcomes students who were previously enrolled in a school outside of the District and wish to transfer to a District secondary school.

E. The District may evaluate the transcripts of transfer students for the assignment of credit pursuant to ARS 15-701.01.

F. Credits earned by a student in ninth (9th) grade or higher at a non-District school, with the exception of credits earned for religious study courses, will be accepted by the District secondary school as elective credits for graduation purposes under the following standards designed to ensure a course credit reflects the student's proficiency in the subject matter of the course.

1. The secondary school that issued the credit is fully accredited (excluding special programs) by accrediting agencies as determined by the Superintendent.

2. The post-secondary school is an accredited Arizona college or university.

3. The student has demonstrated competency in the subject matter of the course by an examination administered by the District.

LEGAL REF.:

A.R.S.

15-189.03

15-701.01

15-745

15-808

A.A.C.

R7-2-302.02

Last Revision Date: June 25, 2022

3.36 Admission – Homeless Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Homeless students” means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory students who qualify as homeless because the children are living in circumstances described above.

“School of origin” means the school the student attended when permanently housed or the school in which the student was last enrolled including preschool.

“Unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.

Policy Objectives: It is the intent of the Board to comply with Arizona state law, the Arizona Administrative Code, and the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended by the Every Student Succeeds Act (ESSA) of 2015, and should be read as consistent with those documents.

A. The Superintendent shall not fail to designate an appropriate staff person of authority as liaison for homeless students who will carry out duties as assigned.

B. In determining the best interest of the homeless student, the school shall:

1. To the extent feasible, keep a homeless student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian.
2. Provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, if the homeless student is sent to a school other than the school of origin or a school requested by the parent or guardian.
3. In the case of an unaccompanied youth, the liaison for homeless students shall assist in placement or enrollment decisions, considering the views of such unaccompanied youth, and providing notice to such student of the right to appeal.
4. Enrollment preference may be given to children who are in foster care.

LEGAL REF.:

A.R.S.

15-816 through 15-816.07

15-821

15-823 through 15-825

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) or 2015

Last Revision Date: June 25, 2022

3.37 Admission – Open Enrollment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Resident transfer student” means a student who resides in the District and who is enrolled in or seeking enrollment in a school that is within the school district but outside the attendance area of the student's residence.

“Nonresident student” means a student who resides outside of the District but within the state and who is seeking enrollment in school(s) in the District.

Policy Objectives: It is the intent of the Board to offer open-enrollment program as set forth in ARS 15-816 and ARS 15-816.01 et seq. and that this open enrollment policy be placed on the District website and made available in English and Spanish to the public on request.

A. No tuition shall be charged for open enrollment, except as authorized by applicable provisions of A.R.S. 15-764, 15-797, 15-823, 15-824, and 15-825.

B. The district shall update on each school's website the school's capacity and whether the school is currently accepting open enrollment students, by grade level, at least once every twelve (12) weeks unless there are no changes to report for the individual school.

1.If a school has any other separate capacity by specialized program, the information required pursuant to this subsection shall also be posted by specialized program.

C. District schools shall accept pupils throughout the school year as capacity allows. Pupils who are denied access due to capacity shall be informed that they are on a wait list and of the details regarding the process prescribed in ARS 15-816.01(E).

1.Pupils shall be selected as seats become available.

D. The District shall enroll at any time any resident pupil who applies for enrollment to the school district.

E. The District shall give enrollment preference to and reserve capacity for all of the following:

1. Resident pupils
2. Pupils returning to the school from the prior year
3. Siblings of pupils already enrolled

F. The District may give enrollment preference to children who:

1. Are in foster care
2. Meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (P.L. 100-77; 101 Stat. 482; 42 United States Code Section 11434a)
3. Attend a school that is closing

G. If a school remains open as part of a boundary change and capacity is available, students assigned to a new attendance area may stay enrolled in their current school.

H. If excess capacity at a school, as determined by the Board, is insufficient to enroll all pupils who submit a timely request, the Superintendent shall select pupils through an equitable selection process such as a lottery (but not limited to a lottery), except that preference shall be given to the siblings of a pupil selected through an equitable selection process such as a lottery.

I. Except as provided in A.R.S. 15-816.01, a school that is operated by a school district may not limit admission based on any of the following:

1. Ethnicity or race
2. National origin
3. Sex
4. Income level
5. Disability
6. Proficiency in the English language
7. Athletic ability

J. Resident transfer students and nonresident students may apply for enrollment in schools within this District, subject to the procedures that follow.

K. The Superintendent shall develop an open enrollment application process and place this process on the District website or make it available to the public on request.

L. The Superintendent shall determine if nonresident students and resident transfer students will be admitted in accordance with the following criteria:

1. The school in which the student seeks to enroll has the capacity to serve the student without adversely impacting the educational opportunities for resident students attending their resident school.
2. The student's prior status in the educational and/or juvenile court system results in the student being ineligible for open enrollment due to the student being expelled from another educational institution or is in the process of being expelled from another educational institution.

M. The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils.

N. If the Board has determined there is excess capacity to enroll additional pupils, such pupils shall be from the pool of resident transfer students who were not enrolled in the school the previous year followed by the pool of nonresident students who were not enrolled in the school the previous year.

O. The Superintendent shall develop procedures to address the processing of applications when a school is at capacity under the admission criteria listed above.

P. The open enrollment status of each resident transfer student and nonresident student currently enrolled within a District school will be reviewed annually. The District will determine whether resident transfer students or nonresident students may continue in an open enrolled status based upon the admission criteria listed above. The District may deny continued open enrollment status for the following school year.

Q. The District shall notify the emancipated student, parent, or legal guardian in writing whether the applicant has been approved, or placed on a waiting list pending the availability of capacity. If notified of approval under the open enrollment policy, the emancipated student or parent/legal guardian must contact the school and complete an enrollment packet for that school within ten (10) business days after receiving notification. If the enrollment packet is not completed by the tenth business day after receiving notification, the open enrollment may automatically be withdrawn by the school. If the student's application is rejected, the reason for the rejection shall be stated in the notification.

R. The Superintendent shall develop procedures regarding the transportation of students admitted through open enrollment as required by law or as permitted by the District in its discretion.

S. As provided by ARS 15-816.07, the District and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

LEGAL REF.:

A.R.S.

8-371

15-341

15-764

15-797

15-816 et seq.

15-823

15-824

15-825

15-841

15-922

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

3.38 Admission – Revocation of Open Enrollment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to offer open-enrollment program as set forth in ARS 15-816 and ARS 15-816.01 et seq. and that this open enrollment policy be placed on the District website and made available in English and Spanish to the public on request.

A. Both resident and non-resident open enrollment students must comply with District and school rules. Failure to comply with school rules is a breach of agreement and a cause for open enrollment revocation.

B. Open enrollment status may be reviewed by the principal for continuation periodically based upon the following areas:

1. Academic: for high school, a student must be on track to graduate with his or her cohort within four (4) years
2. Discipline: excessive disciplinary/behavioral infractions or student's failure to comply with the Code of Conduct, demonstrating a pattern of behavior that interferes with academic progress
3. Attendance: excessive absences or tardies that interfere with academic progress.

C. Open enrolled students may be required to sign attendance and/or behavior contracts.

D. Before revocation for breach of agreement, a hearing with the student, parent/guardian and other appropriate persons will be conducted.

E. An approved open enrollment may be revoked at any time if it is determined the provided information has been falsified or if information has been omitted from the application.

LEGAL REF.:

A.R.S.

8-371

15-341

15-764

15-797

15-816 et seq.

15-823

15-824

15-825

15-841

15-922

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

3.39 Admission – Grade Placement

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to place students with the priority on academic achievement continuation and success.

A. Students who apply for admission to grades two (2) through twelve (12) on the basis of prior schooling outside the District will be placed initially at the appropriate grade level as determined by the enrolling school.

1. The student may be assessed for further placement consideration once enrolled.
2. The Superintendent will develop procedures for parental involvement in placement decisions.

B. Assignment of a student to classes (classroom or subjects) shall be made based upon the student's grade-level assignment, completion of any prerequisites, student achievement, and any classroom limitations or class-size guidelines, in that order.

C. A student who enrolls in a kindergarten program or grades one (1) through twelve (12) after receiving instruction in a home school program shall be tested using State Board standards in order to determine the appropriate grade level for educational placement of the student.

LEGAL REF.:

A.R.S.

15-342

15-745

Last Revision Date: June 25, 2022

3.41 Conduct – Student Rights

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to establish reasonable rules and regulations for the conduct of students of the District without depriving any student of equal treatment and equal access to the educational program, due process, and free expression and association.

A. Students shall have the responsibility to respect for the rights of others, obedience to properly constituted school authority, and compliance with the rules and regulations of this District.

B. Students who have reached the age of eighteen (18) years possess the full rights of adults and may authorize school matters previously handled by their parents.

C. The Superintendent shall develop procedures consistent with law and Board policy to ensure student rights under varying conditions are properly described.

LEGAL REF.:

A.R.S.

15-341

15-841

15-842

15-843

15-844

Last Revision Date: June 25, 2022

3.42 Conduct – Student Conduct

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Student” means any person who is enrolled in an educational program provided by or approved by the District and carried on in premises owned or controlled by the District.

Policy Objectives: It is the intent of the Board that students properly conduct themselves in school, traveling to and from school, at school functions, or affecting the school order.

A. The Superintendent shall establish procedures for governing the conduct of students in school, traveling to and from school, at school functions, or affecting the school order.

B. Students are expected to comply with all rules and procedures adopted by the Board, and to comply with any order given by a member of the faculty or staff relating to school activities.

C. Students shall not engage in improper behavior, including but not limited to the following:

1. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative or disciplinary functions, or any activity sponsored or approved by the Board.
2. Threatening an educational institution by interference with or disruption of the school per ARS 13-2911 and 15-841.
3. Physical abuse of or threat of harm to any person on District owned or controlled property or at District sponsored or supervised functions.
4. Damage or threat of damage to property of the District, regardless of the location, or to property of a member of the community or a visitor to the school, when such property is located on District controlled premises.
5. Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
6. Unlawful use, possession, distribution, or sale of tobacco, alcohol, or drugs or other illegal contraband on District property or at school-sponsored functions.
7. Conduct or speech that violates commonly accepted standards of the District and that, under the circumstances, has no redeeming social value.
8. Failure to comply with the lawful directions of District officials or any other law enforcement officers acting in performance of their duties, and failure to identify themselves to such officials or officers when lawfully requested to do so.
9. Knowingly committing a violation of District rules and procedures. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and procedures shall be sufficient proof that the violation was done knowingly.
10. Engaging in any conduct constituting a breach of any federal, state, or city law or duly adopted policy of the Board.
11. Carrying or possessing a weapon on school grounds.

D. Any student who violates these policies and procedures may be subject to discipline up to expulsion, in addition to other civil and criminal prosecution. These punishments may be in addition to any customary discipline the District presently dispenses.

E. Local law enforcement shall be notified by the Superintendent regarding any suspected crime against a person or property that is a serious offense as defined in ARS 13-706, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury to employees, students or others on school property.

LEGAL REF.:

A.R.S.

13-105

13-2911

15-341

15-507

15-521

15-841

15-842

15-843

Last Revision Date: June 25, 2022

3.43 Conduct – Student Dress

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to not interfere with the right of students and their parents to make decisions regarding their appearance except when their choices affect the educational program of the schools or the health and safety of others.

A. The Superintendent shall develop requirements for student dress.

LEGAL REF.:

A.R.S.

13-105

15-110

15-341

Last Revision Date: June 25, 2022

3.44 Conduct – Damage to District Property

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that students take pride in and care of District property.

- A. No student shall damage or deface District property.
- B. Teachers and students should be observant at all times to prevent damage or destruction of District property. Any marking or marring of District property should be reported to the office at once.
- C. Students may be subject to discipline for willful damage or destruction of District property.
- D. If any minors engage in conduct that results in damage to District property, the District may institute formal charges for the purpose of having the court order the minors, or their parents, to make full or partial restitution to the District in accordance with law.

LEGAL REF.:

A.R.S.

12-661

15-727

15-842

Last Revision Date: June 25, 2022

3.45 Conduct – Freedom of Expression

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that the District not infringe on students' inalienable rights to develop, believe, and follow personal viewpoints and beliefs to the extent their viewpoints and beliefs do not infringe upon nor denigrate the same rights of others.

A. The District shall not discriminate against students or parents on the basis of a religious viewpoint or religious expression.

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

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

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

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

F. The District does retain its rights to:

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

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

1. Submitted to the school principal a written complaint containing specific facts of the alleged violation.

- a. The Superintendent shall investigate the complaint and provide a written response within fifteen (15) days of receiving the complaint describing any action taken by the principal to resolve the complaint.
- b. If the Superintendent's actions do not resolve the complaint, the student or the student's parent shall:
 - i. Submit a written complaint containing specific facts of the alleged violation to the Board.
 - 1. The Superintendent shall provide a written response within twenty-five (25) days of receiving the complaint describing any action taken by the Superintendent or other designated administrator to resolve the complaint.

LEGAL REF.:

A.R.S.

13-105

15-110

15-341

15-720

15-841

15-843

15-844

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

Last Revision Date: June 25, 2022

3.46 Conduct – Gang Activities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that the District adopt a zero-tolerance policy with respect to gang activities.

A. 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 or affiliation with such a group is prohibited.

B. 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 students or others is prohibited.

C. Any student wearing, carrying, or displaying gang paraphernalia and/or exhibiting behavior or gestures that symbolize gang membership, or causing and/or participating in activities that intimidate or adversely affect the educational activities of another student, or the orderly operation of the schools, shall be subject to disciplinary action, including, but not limited to suspension and expulsion.

D. The Superintendent shall develop procedures to address gang activity.

LEGAL REF.:

A.R.S.

12-661

13-105

13-1202

13-2911

15-341

15-342

15-507

15-521

15-841

15-842

15-843

A.A.C.

R7-2-401

R7-2-405

A.G.O.
178-103
178-218
180-055
184-036

Last Revision Date: June 25, 2022

3.47 Conduct - Hazing

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: "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:

1. 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.
2. 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 other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

"Student" means any person who is enrolled, has been promoted or accepted for enrollment or intends to enroll at or be promoted in the District within the next twelve calendar months. A person who meets the definition of a student for purposes of this policy shall continue to be defined as a student until the person graduates, transfers, is promoted or withdraws from the District.

Policy Objectives: It is the intent of the Board that there 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.

- A. Hazing is strictly prohibited.
- B. Solicitation to engage in hazing is strictly prohibited.
- C. Aiding and abetting another person who is engaged in hazing is strictly prohibited.
- D. It is not a defense to a violation of this hazing prevention policy if the hazing victim consented to or acquiesced in the hazing activity.
- E. All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this hazing policy.
- F. Students and others may report hazing to any professional staff member.
- G. Staff members must report the incident to Superintendent, in writing, with details as may have been provided.

1. 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.
2. 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.
3. 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 accord with statutory requirements and be reported to a law enforcement agency.

H. The Superintendent shall conspicuously post this notice in each school building, the student handbook, and the parents handbook.

I. The Superintendent shall develop procedures for enforcing this policy.

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

LEGAL REF.:

A.R.S.

15-341

15-2301

Last Revision Date: June 25, 2022

3.48 Conduct – Tobacco, Drugs, Alcohol

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Non-medical” means a purpose other than the prevention, treatment, or cure of an illness or disabling condition”, consistent with accepted practices of the medical profession.

“Drugs” includes, but is not limited to:

- All dangerous controlled substances prohibited by law.
- All alcoholic beverages.
- Any prescription or over-the-counter drug, except those for which permission to use in school has been granted pursuant to Board policy.
- Hallucinogenic substances.
- Inhalants
- Synthetic, counterfeit or imitation drugs
- A compound or substance, regardless of its contents, compound or substance, that produces in the user an experience, effect and/or display of effects that mimic the experience, effect and/or display of effects produced by substances controlled or prohibited by law, or that is represented as producing in the user such experiences or effects.

Policy Objectives: It is the intent of the Board that disciplinary penalties for the possession or use of tobacco or similar products (including any inhaled tobacco substitute), drugs and alcohol may include, but are not limited to, suspension or expulsion.

A. The possession or use of tobacco products, tobacco substitutes, electronic cigarettes, other chemical inhalation devices, or vapor products, or non-medical drugs, synthetic drugs, counterfeit drugs, imitation drugs or alcohol is prohibited in the following locations:

1. School grounds
2. School buildings
3. School parking lots
4. School playing fields
5. School buses and other District vehicles
6. Off-campus school-sponsored events

B. The Superintendent shall establish procedures necessary to implement this policy.

C. Disciplinary penalties for the possession or use of tobacco or similar products, (including any inhaled tobacco substitute), drugs or alcohol may include, but are not limited to, suspension or expulsion.

D. The conditions which follow are applicable to a District student who holds an identification as a medical marijuana cardholder issued by the Arizona Department of Health Services for the medical use of marijuana as set out in the Arizona Revised Statutes.

1. The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana cardholder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.
2. A student medical marijuana cardholder shall not possess or engage in the use of marijuana on District property, in a District vehicle, or at a District sponsored event.
3. A student medical marijuana cardholder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all District students.
4. If District officials have a reasonable belief a student may be under the influence, in possession of or distributing medical marijuana in a manner not authorized by the medical marijuana statutes, law enforcement authorities will be informed,
5. Any student who violates the above may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to other civil and criminal prosecution.

E. Under the provisions of ARS 36-798.03, a person who violates the prohibition is guilty of committing a petty offense.

LEGAL REF.:

A.R.S.

4-101

4-241

4-244

13-3401 through 13-3461

13-3622

15-341

15-345

36-2801 et seq., Arizona Medical Marijuana Act

36-798.03

20 U.S.C. 6083

Last Revision Date: June 25, 2022

3.49 Conduct – Weapons

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: "Public right-of-way," A.R.S. 13-2911(k)(5) means any highway, street, road, thoroughfare, path, alley or other right-of-way that is publicly accessible and that is established and maintained by this state or a political subdivision of this state. Public right-of-way does not include property of an educational institution.

Policy Objectives: It is the intent of the Board that no student shall carry or possess a weapon or simulated weapon on District property.

A. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

B. Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter a school administrator.

1. A school administrator who observes or receives a report of a student possessing a weapon on school premises shall immediately take appropriate safety and disciplinary actions in accordance with District policies and shall immediately report a violation of this policy to a peace officer, pursuant to ARS 15-515, if the weapon is a deadly weapon or the student is a minor in possession of a firearm.

C. A student who violates this policy by carrying or possessing a firearm shall be placed in an alternative education program for a period of not less than one (1) year, suspended for a period of not less than one (1) year, or expelled and not be readmitted within a one-year period, if ever.

1. The Board, in its sole discretion, may modify the one-year duration of such disciplinary action on a case-by-case basis.

D. A student who violates this policy by any means other than carrying or possessing a firearm shall be subject to disciplinary action, including but not limited to expulsion. Disciplinary action against a student with one (1) or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

E. The Board of an educational institution may not adopt or enforce any policy or rules that prohibits the lawful possession or carrying of a deadly weapon on a public right-of-way by a person or on or within a person's means of transportation.

LEGAL REF.:

A.R.S.

13-2911

13-3102

13-3111

15-341

15-342

15-515

15-713

15-714

15-714.01

15-841

15-843

20 U.S.C. 7151 et seq., The Gun-Free School Act of 1990

Last Revision Date: June 25, 2022

3.51 Discipline – Interviews, Searches and Arrests

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that safety of students and staff is paramount. Therefore students may be interviewed, detained, searched and/or arrested in accordance with Arizona Revised Statutes.

A. School officials may question students regarding matters incident to school without limitation.

1. The parent will be contacted if a student interviewed is then subject to discipline for a serious offense.
2. A student may decline at any time to be interviewed by the School Resource Officer (SRO) or another peace officer.

B. If a child protective services worker or peace officer enters the campus requesting to interview a student attending the school, the school administrator shall be notified. Access to interview shall be granted when the child to be interviewed is the subject of or is the sibling of or is living with the child who is the subject of an abuse or abandonment investigation.

1. The personnel of the District shall cooperate with the investigating child protective services worker or peace officer.
2. The child protective services worker or peace officer shall be requested to establish proper identification and complete and sign a "Form for Signature of Interviewing Officer."
3. Six (6) hours following the relinquishment of custody by the school, school personnel may respond to inquiries about the temporary custody of the child and may, if considered necessary, call the parent.

C. 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 or abandonment, the school administrator shall be notified.

1. If the officer directs that parents are not to be contacted because the interview is related to criminal activity of the parent(s)/guardian, the school official shall comply with the request.
2. Unless these circumstances exist the parent will be contacted and will be asked if they wish the student to be interviewed.
3. 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.
4. Where an attempt was made and the parent(s) could not be reached or did not consent within the school day of the request, the peace officer will then be requested to contact the parent(s) and make arrangements to question the student at another time and place.

D. When a peace officer is present on the campus to interview students at the request of school authorities due to concerns for the safety of the students in the school population, parent contact shall only be made if a student is taken into custody or following the determination that the student may be subject to discipline for a serious offense.

1. The SRO, present at the request of the school for the continued maintenance of safety and order, may interview students as necessary regarding school related issues as determined by school officials and 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.

E. Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property.

1. All such reports shall be documented and communicated to the Superintendent who shall be responsible for reporting to local law enforcement. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy 10.66 as required in A.R.S. 15-341(A)(36).

F. The Superintendent is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described above, subject to the requirements of federal law.

G. 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.

1. Disrobing of a student is overly intrusive for purposes of most student searches and is improper without express written concurrence from District counsel.

H. 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.

I. 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, complete, and sign a form for signature of an arresting officer or interviewing officer.

1. The school staff shall cooperate with the officer in locating the child within the school.

2. School officials may respond to parental inquiries about the arrest or may, if necessary, explain the relinquishment of custody by the school and the location of the student, if known, upon contact by the parent.

LEGAL REF.:

A.R.S.

1-215

8-303

8-304

8-802

8-821

LEGAL REF.:

A.R.S.

8-823

13-3881

13-3883

15-153

15-341

15-342

A.C.O.

104-003

177-211

182-094

188-062

191-035

Last Revision Date: June 25, 2022

3.52 Discipline – Corporal Punishment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that corporal punishment is not allowed.

A. The District does not allow corporal punishment.

B. Reasonable force is not the equivalent of corporal punishment. Any administrator, teacher, or other school employee may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain discipline.

C. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on District premises.

D. The threat or use of physical force is not justified in response to verbal provocation alone, nor when the degree of physical force used exceeds that necessary to avoid injury to persons or to preserve property at risk.

LEGAL REF.:

A.R.S.

15-843

Last Revision Date: June 25, 2022

3.52 Discipline – Corporal Punishment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Suspension” means the temporary withdrawal of the privilege of attending a school for a specific period of time. Any suspension must be for good cause and reported to the Board within five working days of imposition.

“Expulsion” means the permanent withdrawal of the privilege of attending all schools in the District unless the Board reinstates the privilege. Only the Board has authority to expel a student.

Policy Objectives: It is the intent of the Board that the Superintendent develop suspension and expulsion procedures for both regular and special education students that maximize student safety and result in minimized disruption to the educational environment.

- A. A student may be removed from contact with other students as a temporary measure.
- B. The building administrator has the authority to impose a short suspension (ten school-days or less) following appropriate due-process. Members of the superintendency have the authority to impose a long suspension (11 school-days or more) following appropriate due-process.
- C. The Superintendent will develop procedures, in accordance with Arizona State law, for the suspension of students, including appeal of a long suspension to the Board.
- D. The Superintendent will develop procedures, in accordance with Arizona State law for the expulsion of students, including appeal to the Board.
 - 1. The student may not return to school pending Board action.
 - 2. The decision of the Board is final and binding. If an expulsion is imposed, it will take effect after the Board considers the hearing officer's recommendation and determines that expulsion is the appropriate disciplinary action.
- E. The Superintendent will develop procedures for readmission after expulsion by the District Board or another district/school or the juvenile justice system.
- F. The Superintendent will develop modify the above expulsion procedures for the expulsion of special education students, as modified by Federal and State special education law.
- G. The Superintendent will post all suspension and expulsions procedures in the parent and student handbook.

LEGAL REF.:**A.R.S.**

13-3401

13-3411

15-342

15-766

15-767

15-841

15-842

15-843

A.A.C.

R7-2-401

R7-2-405

A.G.O.

I78-103

I78-218

I80-055

I84-036

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 7151 et seq., The Gun-Free School Act of 1990

29 U.S.C. 794 Rehabilitation Act of 1973, (Section 504)

Last Revision Date: June 25, 2022

3.54 Discipline – Bullying, Harassment and Intimidation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Bullying” means when a student is exposed repeatedly and over time to negative actions (physical, emotional or social) on the part of one or more other students.

“Cyber bullying” means 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” means the 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 orientation, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

“Intimidation” means the 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.

Policy Objectives: It is the intent of the Board that bullying, harassment, or intimidation 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 be prohibited.

A. Disciplinary action may result for bullying, harassment, or intimidation which occurs outside of the school and the school day when such bullying, harassment, or intimidation results in a substantial physical, mental, or emotional negative effect on the victim 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.

B. 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.

C. The Superintendent shall develop procedures related to this policy, including procedures designed to protect the health and safety of students who are physically harmed as the result of bullying, harassment or intimidation and post in the student and parent handbook.

D. The Superintendent shall ensure all staff are trained on this policy and related procedures.

E. Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion.

LEGAL REF.:

A.R.S.

13-1202

13-1203

13-1204

13-2321

13-2916

13-2921

13-3506.01

15-341

A.A.C.

R7-2-1308

Last Revision Date: June 25, 2022

3.55 Discipline – Restraint and Seclusion

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: "Restraint" means any method or device that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

- Methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.
- The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to a safe location.
- The brief holding of a student by one adult for the purpose of calming or comforting the student.
- Physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

"Seclusion" means the involuntary confinement of a student alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or individualized education program that involves the student's separation from a larger group for purposes of calming.

Policy Objectives: It is the intent of the Board that restraint and seclusion not be used as disciplinary consequences.

- A. Restraint or seclusion techniques on any student if both of the following apply:
 - 1. The student's behavior presents an imminent danger of bodily harm to the student or others.
 - 2. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.
- B. If a restraint or seclusion technique is used on a student:
 - 1. School personnel shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
 - 2. The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger to the student or others.
 - 3. The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon trained personnel.
 - 4. The restraint technique employed may not impede the student's ability to breathe.
 - 5. The restraint technique may not be out of proportion to the student's age or physical condition.

C. The Superintendent shall establish procedures, including all statutory requirements for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual student.

D. School resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

E. The Board is not prohibited from adopting policies which include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others and defense of property per ARS. 15-843.

LEGAL REF.:

A.R.S.

13-403 et seq.

13-2911

15-105

15-341

15-342

15-841

15-842

15-843

15-844

Last Revision Date: June 25, 2022

3.56 Discipline – Fines

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to hold students accountable for loss or damage to District property.

A. Students will be responsible and accountable for loss of or damage to school property, including textbooks and library books.

1. The Superintendent shall establish procedures through which students may be held responsible and accountable for loss of or damage to school property, including textbooks and library books.

LEGAL REF.:

A.R.S.

15-116

15-342

15-719

15-724

15-727

15-728

15-729

43-1088

43-1089

43-1089.01

43-1089.03

Last Revision Date: June 25, 2022

3.61 Activities – Clubs Grades 7 and Above

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that student meetings may be held in the school(s) of the District that offer instruction in grades seven (7) and eight (8) or above under a "limited open forum" if requested by a pupil in grade seven (7) or above.

A. The Superintendent shall establish procedures under "limited open forum" in compliance with Arizona Revised Statutes.

1. Under the provisions of Title VIII, the Equal Access Act, Section 901 et seq., the District shall offer to students a fair opportunity to conduct meetings using school facilities whereupon:
 - a. Such meetings are voluntary and student initiated
 - b. There is no sponsorship of such meetings by the District, District employees or governmental entities, or employees of governmental entities
 - c. District employees present at religious meetings will be present only in a non-participatory capacity
 - d. Such meetings shall not materially and substantially interfere with the orderly conduct of the educational activities of the District
 - e. Non-school persons shall not be permitted to direct, conduct, control, or regularly attend such student group meetings
2. Neither the District, any employee, agent of the District, nor of any State or federal governmental entity shall be permitted to:
 - a. Influence the form or content of any prayer or other religious activity connected with student meetings
 - b. Require any person to participate in prayer or other religious activity
 - c. Expend public funds beyond the incidental cost of providing the space for such student-initiated meetings
 - d. Compel any employee of the District to attend a school meeting that is contrary to the beliefs of the employee
 - e. Sanction meetings that are otherwise unlawful
 - f. Limit the rights of groups of students to avail themselves under the provisions of this policy to a specified numerical size
 - g. Abridge either Arizona or U.S. constitutional rights of any employee, official, or student of the District

B. Nothing in this policy shall be construed to limit the authority of the school or its agents or employees to maintain order and discipline on school premises, to protect the well-being of students and employees, and to assure that attendance of students at such meetings is voluntary.

C. Parents shall be notified that such meetings will be occurring, prior to the meeting.

LEGAL REF.:

A.R.S.

15-720

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

Last Revision Date: June 25, 2022

3.62 Activities – Finances

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to comply with Arizona Revised Statutes with respect to Student Activity finances and funds.

A. The Superintendent shall develop procedures whereby all persons having any duties relating to student activity funds are advised of the requirements and responsibilities.

1. All such persons shall be held strictly accountable for the manner in which these procedures are followed.

B. The Superintendent shall establish procedures to ensure that an accurate, detailed record of all revenues and expenditures of the student activities fund is kept.

1. Copies of the record shall be presented to the Board not less than once during each calendar month.

C. Fund-raising activities by students District property or elsewhere as representatives of the school will be permitted only for pre-approved fundraising activities and when connected with specific school activities.

1. The Superintendent shall not fail to develop procedures for the approval of fundraising activities.

D. The proceeds of all fund-raising activities shall be deposited in the Student Activity Fund, and funds from such activities shall be used only as specified in the Uniform System of Financial Records.

E. The Superintendent shall establish and maintain a "Student Activity Fund" as defined in ARS 15-1121 through ARS 15-1124.

LEGAL REF.:

A.R.S.

15-1121 et seq.

Last Revision Date: June 25, 2022

3.63 Activities – Contests

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that student participation in contests be limited to the educational needs and interests of students.

A. Student participation in contests shall be limited to activities and events that relate to the educational needs and interests of students and do not promote private or commercial interests.

B. The Superintendent shall establish procedures related to contests.

LEGAL REF.:

A.R.S.

15-1241

A.A.C.

R7-2-313

Last Revision Date: June 25, 2022

3.64 Activities – Government

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that student government represents the students in the school.

A. Student government is expected to be "of the students, by the students, for the students," representing the students in the school in communications with the administration and in the organization of student activities.

B. Members of student councils are to be elected democratically. The rights and responsibilities of the council should be clearly set forth by each school.

C. Each student council must have a faculty advisor.

LEGAL REF.:

A.R.S.

15-341

Last Revision Date: June 25, 2022

3.65 Activities – Interscholastic Sports

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that District sports programs are always conducted with the best interests of the participants.

- A. District participation in interscholastic athletics shall be subject to approval by the Board.
 - 1. This shall include approval of membership in any leagues, associations, or conferences, and of any new agreements with other schools for a series of games or events.
- B. The following rules shall be observed for participation by individual students:
 - 1. For each type of sport in which the student engages, the parents or guardian must give written consent.
 - 2. The student must be determined by a physician to be physically fit for the sport.
- C. The Superintendent shall set up other rules for participation, such as those governing academic standing, in accordance with policies of the District and pertinent regulations and recommendations of the state interscholastic athletic association.
- D. The Superintendent shall prescribe and enforce policies and procedures relating to the health and safety of all pupils participating in District-sponsored practice sessions or games or other interscholastic athletic activities.

LEGAL REF.:

A.R.S.

15-341

15-802.01

A.A.C.

R7-2-808

A.G.O.

186-095

Last Revision Date: June 25, 2022

3.66 Activities – Extracurricular Eligibility

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that all interscholastic activities in grades seven (7) through twelve (12) that are [1] of a competitive nature and involve more than one (1) school where a championship, winner, or rating is determined and [2] endeavors for which no credit is earned in meeting graduation or promotion requirements that are of a continuous and ongoing nature, organized, planned, or sponsored by the District, consistent with District policy, shall be conducted under the provisions of this policy.

A. Students who, upon having their work checked on a cumulative basis at the end of each two (2) -week period, show they are not working to capacity and have one (1) or more failing grades will be removed from any athletic teams or extracurricular activities. After improving their respective grades such that they are passing on a cumulative basis, they shall be reinstated to the teams or extracurricular activities until a subsequent check is performed unless ineligible for some reason other than academic performance.

B. The eligibility criterion for extracurricular participation shall be a passing grade in all classes in which the student is enrolled, and the student shall maintain progress toward promotion or graduation.

C. The Superintendent shall notify students and parents of these requirements and for establishing procedures in accordance with this policy.

D. Students whose behavior presents a problem or jeopardizes school discipline may be ineligible for participation in extracurricular activities until such time as their behavior warrants reinstatement.

E. The same general standards shall apply for special education students except that such eligibility shall be determined on a case-by-case basis in relationship to the respective students' individual education programs.

F. The Superintendent shall notify students and parents of these requirements and for establishing procedures in accordance with this policy.

LEGAL REF.:

A.R.S.

15-347

15-705

15-802.01

A.A.C.

R7-2-808

Last Revision Date: June 25, 2022

3.71 Health – Wellness

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: "Recess," as defined in statute, means a period of time during the regular school day, including time during a scheduled lunch period, during which a pupil is able to engage in physical activity or social interaction with other pupils.

Policy Objectives: It is the intent of the Board to promote healthy students by supporting wellness, good nutrition, and physical activity as part of the total learning environment.

A. Guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law.

B. Ensure all foods made available on each school campus during the school day will comply with the current United States Department of Agriculture (USDA) Dietary Guidelines for Americans and the Arizona Department of Education (ADE) Nutrition Standards.

C. Provide students with a school environment that is safe, clean, comfortable, and allows adequate time and space for consumption of meals.

D. The Superintendent shall provide at least two (2) recess periods during the school day for pupils in kindergarten programs and grades one (1) through three (3). From and after August 1, 2019, the District shall provide at least two (2) recess periods during the school day for pupils in kindergarten programs and grades one (1) through five (5).

1. A school that offers a half-day kindergarten program is required to provide at least one (1) recess period during the school day for pupils in that kindergarten program.
2. The District is not required to extend the school day to meet this recess requirement.
3. This recess requirement does not apply to middle schools, junior high schools, high schools, Arizona online instruction or schools in which the lowest grade of instruction offered is grade five (5).

E. The Superintendent shall develop procedures to implement this policy.

LEGAL REF.:

A.R.S.

15-118

15-159

15-242

42 U. S. C. 1751 et seq. (National School Lunch Act)

42 U. S. C. 1771 et seq. (Child Nutrition Act)

Last Revision Date: June 25, 2022

3.72 Health – Insurance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: The Board may provide or make available a student health benefits insurance program for the District. .

A. If the Board provides or makes available a student health benefits insurance program for the District, the program will be conducted at no expense to the District.

B. The District shall develop procedures to provide to parents or guardian's information on student health benefits insurance if such insurance is available.

LEGAL REF.:

A.R.S.

15-384

A.G.O.

186-095

Last Revision Date: June 25, 2022

3.73 Health – Immunizations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to follow federal and state law with respect to student immunization requirements.

A. Subject to the exemptions as provided by law, immunization against diphtheria, tetanus, pertussis, poliomyelitis, rubeola (measles), mumps, rubella (German measles), hepatitis B, haemophilus influenzae b (Hib), and varicella, meningococcal and Hepatitis A for a child one (1) through five (5) years of age in a day care program in Maricopa County is required for attendance of a student in District schools/programs.

B. A student's immunization record must be submitted prior to attendance, although a student may be conditionally enrolled provided that necessary immunizations have been initiated and a schedule has been established for completion of the required immunizations.

C. A student shall not be allowed to attend school without submitting documentary proof of compliance to the school administrator unless the student is exempted from immunization.

D. A student who fails to comply with the immunization schedule shall be suspended from school attendance until documentary proof of compliance is provided to the school administrator, except that a homeless student shall not be suspended from attendance until the fifth (5th) calendar day after enrollment.

E. Any student with serologic confirmation of the presence of specific antibodies against a vaccine-preventable disease shall not be subject to immunization against that disease as a condition for attending school.

F. As stipulated in A.R.S. 15-342.05, the District may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

G. Parents' permission must be secured, in writing, before a student may participate in such immunization projects.

LEGAL REF.:

A.R.S.

15-342.05

15-871

15-872

15-873

15-874

LEGAL REF.:

A.A.C.

R9-6-203

R9-6-313

R9-6-350

R9-6-353

R9-6-356

R9-6-365

R9-6-368

R9-6-372

R9-6-388

R9-6-701 through 707

Last Revision Date: June 25, 2022

3.74 Health – Infectious Diseases

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to follow federal and state law with respect to infectious and communicable diseases.

A. Any student with, or recovering from, a communicable disease will not be permitted in school until the period of contagion is passed or until a physician recommends a return, in accordance with ARS 36-621 et seq., appropriate regulations of the State Department of Health Services, and policies of the County Health Department.

B. Parents will be requested to provide a history of the communicable diseases for each student, and such records will be kept and maintained by the District.

C. A student suffering from a communicable disease shall be excluded from school to protect the student's own welfare and also to protect other students from illness. Early recognition of a communicable disease is of prime importance. The administrator or county health director shall make the decision for exclusion and readmission.

D. Students with pediculosis (lice infestation) shall be excluded from school until treated with a pediculocide. The Superintendent shall develop procedures to guide the school in addressing student attendance as it relates to lice infestation.

LEGAL REF.:

A.R.S.

15-871

15-872

36-621

A.A.C.

R9-6-202 et seq.

R9-6-301

R9-6-342

R9-6-355

Last Revision Date: June 25, 2022

3.75 Health – AIDS and Immunodeficiency Viruses

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to follow federal and state law with respect to AIDS and immunodeficiency viruses.

A. Students ill with HIV virus or acquired immune deficiency syndrome (AIDS) have a right to receive a public education.

1. Infected students shall receive a public education
2. Information shall be provided for parents, faculty and staff members, and other concerned persons concerning the actual and potential dangers of transmission of the disease
3. Decisions concerning the educational placement of infected students shall be determined upon the best medical knowledge available and on a case-by-case basis
4. Restrictions may be placed upon a student as required by the Department of Health Services' regulations, advice of the County Health Department, and advice of a physician selected by the District.
5. Rights of privacy of each infected student shall be a primary consideration.

B. Decision(s) regarding the type of educational setting for the student who is infected with HIV virus shall be based upon the behavior, neurologic development, and physical and mental condition of the student. Recommendations will be made upon consultation with public health personnel, school officials, the student's physician and parents, and, at the discretion of the District, a physician selected by the District.

LEGAL REF.:

A.R.S.

15-871

15-872

A.A.C.

R9-6-331

R9-6-702 et seq.

Last Revision Date: June 25, 2022

3.76 Health – Medicine

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to cooperate with parents and family physicians in dispensing medicine, subject to the requirements of this policy.

A. Under certain circumstances, when it is necessary for a student to take medicine during school hours, the District will cooperate with the family physician and the parents if the following requirements are met:

1. There must be a written order from the physician stating the name of the medicine, the dosage, and the time it is to be given.
2. There must be written permission from the parent to allow the school or the student to administer the medicine. Appropriate forms are available from the school office.
3. The medicine must come to the school office in the prescription container or, if it is over-the-counter medication, in the original container with all warnings and directions intact.

B. In the case of a minor student, administration of medication shall only occur on the written request or authorization of a parent or legal guardian, except for an emergency administration pursuant to A.R.S. 15-157 (epinephrine) or A.R.S. 15-158 (Inhalers) or A.R.S. 15-341, subsection A, paragraph 43, (naloxone hydrochloride/any other opioid antagonist).

C. The Superintendent shall prescribe and enforce procedures for the emergency administration of auto-injectable epinephrine by a trained employee of the School District pursuant to section A.R.S. 15-157 and subsequent to the adoption of rules by the State board of Education pertaining to annual training in the administration of auto-injectable epinephrine, recognition of anaphylactic shock symptoms and the procedures to follow when anaphylactic shock occurs and the requirements of A.R.S. 15-203(A)(40).

D. The District reserves the right, in accordance with procedures established by the District, to circumscribe or disallow the use or administration of any medication on school premises if the threat of abuse or misuse of the medicine may pose a risk of harm to a member or members of the student population.

E. The Board directs the Superintendent to prescribe and enforce regulations and procedures for the emergency administration of naloxone hydrochloride or any other opioid antagonist approved by the United States Food and Drug Administration by an employee of a school district pursuant to Section 36-2267.

LEGAL REF.:

A.R.S.

15-157

15-341

15-344

15-344.01

32-1601

32-1901

Last Revision Date: June 25, 2022

3.76 Health – Vision Screening

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to provide vision screening services.

A. The Superintendent shall establish procedures to provide vision screening as follows:

1. Upon initial entry to school and not more than two (2) additional grade levels as prescribed by the Department of Health Services by rule.
2. To students who are being considered for special education services and have not been screened in the last year.
3. To students for whom a teacher has requested a screening and who have not been screened in the last year.
4. To students who are not reading at grade level by the third (3rd) grade pursuant to the state assessment required in A.R.S. 15-741.

B. The Board shall provide annual data submissions that complies with student privacy laws.

C. A student is not required to submit to any vision screening if a parent or guardian of the student objects and submits a statement of the objection to the school for any reason including that the student received a comprehensive eye and vision examination in the last year or if the student has a current diagnosis of permanent vision loss.

LEGAL REF.:

A.R.S.

36-899.10

Last Revision Date: June 25, 2022

3.78 Health – Psychological Services

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definitions: “Parent” means the parent or legal guardian of a minor child.

Policy Objectives: It is the intent of the Board that parental consent must be explicitly given prior to the District procuring, soliciting or arranging for the mental health screening of a minor child, except in the case of an emergency to prevent serious injury or save a life of a minor child.

A. Except as otherwise provided by law or a court order, the Superintendent shall ensure that the District nor its employees or vendors shall procure, solicit, arrange, or perform any mental health screening for a minor child without explicit oral or written consent.

1. This does not apply when an emergency exists that requires a person to perform mental health screening or provide mental health treatment to prevent serious injury to or save the life of a minor child.
2. Violations are a class 1 misdemeanor.

LEGAL REF.:

A.R.S.

36-2272

Last Revision Date: June 25, 2022

3.81 Safety – Supervision

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that students are to be supervised at all times.

A. Teachers will be responsible for their classes at all times.

B. Students are not to be sent on errands from the school premises.

C. Teachers have the authority to prohibit the use of and/or to confiscate any article that is a hazard to a student or that may damage school property.

D. Every student, teacher, and visitor shall wear appropriate protective eyewear while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to items as listed in A.R.S. §15-151.

E. No student will be removed from the school grounds, from any school building, or from any school function during school hours except by a person authorized to do so by the student's parent or by a person who has legal custody of the student, except as A.R.S. §8-303, §8-304, and §8-802 shall apply. Before a student is removed, the person seeking to remove the student must present, to the satisfaction of the Superintendent or her/his designee, evidence of proper authority to remove the student. If any police or court official requests the dismissal of a student during school hours, parents should be notified as soon as possible.

F. For purposes of the Arizona Medical Marijuana Act, no person may be denied custody of or visitation or parenting time with a minor, and there is no presumption of neglect or child endangerment for conduct allowed under the Act, unless the person's behavior creates and unreasonable danger to the safety of the minor as established by clear and convincing evidence.

G. The Superintendent shall develop procedures regarding student release requirements.

LEGAL REF.:

A.R.S.

8-303

8-304

8-802

13-1302

15-151

15-341

Last Revision Date: June 25, 2022

3.82 Safety – Sex Offender Notification

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to create and maintain a safe environment for the District's students and staff members.

A. The Superintendent shall communicate information received from the local law enforcement agency regarding adult and juvenile registered sex offenders present in the District and to notify appropriate personnel as required by ARS 8-350.

LEGAL REF.:

A.R.S.

8-208

8-321

8-350

8-371

13-1405

13-1406

13-1410

13-1417

13-3821

13-3825

13-3826

20 U.S.C. 1232g(b)(7)

42 U.S.C. 14071(d)

Last Revision Date: June 25, 2022

3.83 Safety – Child Abuse

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that District employees immediately report suspected child abuse, in compliance with federal and state law.

A. Any school personnel or any other person who has responsibility for the care or treatment of a minor and who reasonably believes a minor is or has been the victim of physical injury, child abuse, a reportable offense, or neglect that appears to have been inflicted upon the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature or who reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under ARS 36-2281 shall immediately report or cause reports to be made of such information to a peace officer or to the Division of Child Safety and Family Services, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only.

B. This reporting obligation may not be delegated.

C. All emergency situations where a child faces an immediate risk of abuse or neglect that could result in serious harm must be reported by calling 911 or local law enforcement.

D. Any employee or Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of A.R.S. §13-3620 shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

E. The Superintendent shall develop procedures for reporting child abuse, in accordance with law.

LEGAL REF.:

A.R.S.

8-201

13-1404 et seq.

13-1410

13-3019

13-3212

13-3506

13-3506.01

13-3552

LEGAL REF.:

13-3553

13-3608

13-3619

13-3620

13-3623

15-160.01

15-514

46-451

46-454

Last Revision Date: June 25, 2022

3.84 Safety – Automobiles

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to comply with federal and state law regarding search and seizure of student property.

A. The Superintendent shall establish procedures for registration, parking, and use of motorized vehicles and for searches for and seizures of illegal material contained therein.

LEGAL REF.:

A.R.S.

15-341

28-4836

Last Revision Date: June 25, 2022

3.91 Records – Privacy

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that this policy and related procedures be implemented immediately. Copies of the policy and procedures will be available for parent and eligible student review in the District office and on the District website.

A.Student records will be prepared in a manner consistent with State and federal laws, the requirements of the Arizona Uniform System of Financial Records and those of the Arizona Department of Libraries, Archives and Public Records.

B.The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA), the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT), and the Every Student Succeeds Act of 2015 in the establishment, maintenance, correction, and disposition of student records.

C.The Superintendent shall establish procedures for such compliance, including informing parents, students, and the public of the contents.

D.If a parent or eligible student believes that the District is violating the FERPA, that person has a right to file a complaint with the U.S. Department of Education. The address is:

The Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605
Telephone number: (202) 260-3887

E.The right to inspect and review education records and the release of or access to such records, other information, or instructional materials will be consistent with federal law in the Family Educational Rights and Privacy Act, Title 20, United States Code, Sections 1232g and 1232h, the USA PATRIOT ACT, NCLB, and with federal regulations issued pursuant to such act.

F.Within the first three (3) weeks of each school year, the District will publish in a District communication a notice to parents and eligible students of their rights under the FERPA and this policy. This notice will also be provided to each parent of new students enrolling after school begins.

C. If the School District permits the release of directory information relating to pupils, the information shall be released on or before October 31 of each year. The District shall develop procedures to communicate to students and their parents in a timely manner information relating to access to the Arizona Department of Education form which is designed to allow pupils to request that directory information not be released pursuant to the elementary and Secondary Education Act as reauthorized by the Every Student Succeeds Act of 2015.

LEGAL REF.:

A.R.S.

15-141

15-142

15-828

15-829

25-403.06

44-1373

10 U.S.C. 503

20 U.S.C. 1232

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 6301 et seq. Every Student Succeeds Act of 2015

20 U.S.C. 7908

34 C.F.R. 300

Last Revision Date: June 25, 2022

3.92 Records – Transfer

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board to comply with federal and state law regarding student records transfer requests.

A. The Superintendent shall develop procedures that comply with federal and Arizona law related to the request for, and the response to such request for, records of students who transfer into or out of the schools of the District from or to another school.

LEGAL REF.:

A.R.S.

15-141

15-828

15-829

41-1354

20 U.S.C. 1232

Last Revision Date: June 25, 2022

3.93 Records – Surveys

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Policy Objectives: It is the intent of the Board that student surveys will be prepared, administered, and retained consistent with state and federal laws and that parents will be notified of all student surveys, with an option to opt out, prior to the survey.

A. The Superintendent shall comply with all statutes pertaining to surveys including the requirement that notwithstanding any other law, the District shall obtain written informed consent from the parent of a student before administering any survey including, but not limited to:

1. Surveys retained for longer than one (1) year
2. Surveys that solicits personal information about the student including, but not limited to any of the information listed in ARS 15-117.

B. Third-party surveys require Board approval prior to the survey being conducted.

LEGAL REF.:

A.R.S.

15-101

15-102

15-104

15-117

15-141

15-142

15-249

15-741

20 U.S.C. 1232g, the Family Educational Rights and Privacy Act

20 U.S.C. 1232h, the Protection of Pupil Rights Amendment

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 7908

34 C.F.R. 98

34 C.F.R. 300

Last Revision Date: June 25, 2022

3.94 Records – Biometric Data Collection

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

Definition: "Collect biometric information" means the noninvasive electronic measurement and evaluation of any physical characteristics that are attributable to a single person, including fingerprint characteristics, eye characteristics, hand characteristics, vocal characteristics, facial characteristics and any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty.

Policy Objectives: It is the intent of the Board that student biometric information will NOT be collected without the express written consent of the parent.

A. The Superintendent shall not collect biometric information from a student without express written permission from the parent before the information is collected.

B. At least sixty days before the District intends to ask parents for written permission to collect biometric data, the Superintendent shall present the request for approval to and by the Board in a public meeting.

C. At least thirty days before the District intends to collect biometric information, the District shall provide written notice to the parents and guardians of the students of the intent to collect biometric information. The notice shall include a statement in eighteen point bold-faced capital letters that the parent or guardian must give written permission to collect biometric information from the pupil before the school may collect biometric information.

LEGAL REF.:

A.R.S.

15-109

Last Revision Date: June 25, 2022