

## Brown, Samuel

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**From:** Thompson, Lois D. <lthompson@proskauer.com>  
**Sent:** Wednesday, April 15, 2015 12:07 PM  
**To:** Brown, Samuel  
**Cc:** Juan Rodriguez (jrodriguez@MALDEF.org)  
**Subject:** "GSRR Redline" Meeting/"GSRR 'Committee'" Meeting

Dear Sam,

I write because I understand that you chaired a "GSRR Redline"/ "GSRR 'Committee'" meeting that was held yesterday.

I attach below copies of the email that Sylvia Campoy received on Monday, April 13, informing her of a "GSRR Redline" meeting without any explanation of its purpose or composition other than what she could deduce from the very brief calendar invitation, telling her that it was to occur the very next day, and her response, which as of now remains unanswered.

We would very much appreciate it if you could inform us of the purpose of the meetings, the composition of the referenced "committee", the time frame that the "committee" is expected to serve, and its anticipated work product or result. With that information, Sylvia and we will be able to respond to the invitation in a more informed fashion. We also note that DOJ has expressly stated an interest in being involved in discussions of issues relating to discipline and has offered its expertise to the extent that may be useful to the District. We therefore suggest that to the extent the plaintiffs are being invited to participate in meetings with the District relating to discipline, plaintiff DOJ should be invited as well.

I look forward to hearing back from you.

**Lois D. Thompson**

Partner

[Proskauer](#)

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[lthompson@proskauer.com](mailto:lthompson@proskauer.com)

## GSRR Committee Meeting

[Actions](#)

Butler Jr, Eugene ([Eugene.ButlerJr@tUSD1.org](mailto:Eugene.ButlerJr@tUSD1.org))

[Add to contacts](#)

11:30 AM

To: 'Yopmac1@msn.com', 'Kelly Langford', 'Lorraine Richardson', 'Gloria Copeland'

Show this message...

-

From: **Dominguez, Pamela** ([Pamela.Dominguez@tusd1.org](mailto:Pamela.Dominguez@tusd1.org)) on behalf of **Butler Jr, Eugene** ([Eugene.ButlerJr@tusd1.org](mailto:Eugene.ButlerJr@tusd1.org))

Sent: Mon 4/13/15 11:30 AM

To: 'Yopmac1@msn.com' ([Yopmac1@msn.com](mailto:Yopmac1@msn.com)); 'Kelly Langford' ([kellangfo@aol.com](mailto:kellangfo@aol.com)); 'Lorraine Richardson' ([lhrichardson2000@yahoo.com](mailto:lhrichardson2000@yahoo.com)); 'Gloria Copeland' ([Gloria.c.copeland@hotmail.com](mailto:Gloria.c.copeland@hotmail.com))

[Accept Tentative Decline Calendar](#)

When: Tuesday, April 14, 2015, 3:30PM to 5:00PM

Where: Catalina High School Library

We welcome you to attend our 1<sup>st</sup> GSRR REDLINE meeting. We value your input and look forward to a collaborative meeting.

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From: [yopmac1@msn.com](mailto:yopmac1@msn.com)

To: [eugene.butlerjr@tusd1.org](mailto:eugene.butlerjr@tusd1.org)

CC: [martha.taylor@tusd1.org](mailto:martha.taylor@tusd1.org)

Subject: Inquiries Regarding GSRR Redline Meeting

Date: Mon, 13 Apr 2015 14:05:50 -0600

Mr. Butler:

Today I received your email invitation to the GSRR Redline meeting which is scheduled for tomorrow at 3:30 PM, over which I have a few questions. I was recently invited to attend a meeting pertaining to Advanced Learning Education and learned that I was invited as an "interested community member" (not as a Mendoza Plaintiffs' Representative). In what capacity am I now being invited? If it is as a Mendoza Plaintiffs' Representative, the previous protocol has been for TUSD legal counsel to address such invitations to Mendoza Plaintiffs' legal counsel who are then able to inquire about the purpose and objectives of the meetings, the time span over which the meetings will take place, the level of community/parent involvement at the meeting, along with any other questions.

As a reminder, during recent exchanges over the participation of the Plaintiffs/Plaintiffs' Representatives in TUSD meetings, DOJ expressed their specific interest in attending meetings dealing with student discipline which certainly would include the GSRR. Also, I am also interested in learning the reason for such late notification of the meeting given the obvious difficulty in scheduling with such short notice . Clarification on these points is greatly appreciated.

Thank you for your follow-up in this regard.

Sylvia Campoy

greenspaces  
Please consider the environment before printing this email.

\*\*\*\*\*  
\*\*\*\*\*

This message and its attachments are sent from a law firm and may contain information that is confidential and protected by privilege from disclosure.

If you are not the intended recipient, you are prohibited from printing, copying, forwarding or saving them.

Please delete the message and attachments without printing, copying, forwarding or saving them, and notify the sender immediately.

\*\*\*\*\*  
\*\*\*\*\*

**Brown, Samuel**

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**From:** Sylvia Campoy <yopmac1@msn.com>  
**Sent:** Thursday, April 16, 2015 10:55 AM  
**To:** Brown, Samuel  
**Subject:** RE: 2014-15 GSRR

Thanks for taking the time to give me the run-down on the last three GSRR Redline Meetings. I meant to ask- will you please send me the data that David Scott presented to the group at the first meeting so that I may review the information before Tuesday?

See you on Tuesday.

Sylvia

~~~~~  
"The immediate future is going to be tragic for all of us unless we find a way of making the vast educational resources of this country serve the true purpose of education, truth and justice."  
Anne Sullivan Macy- American Teacher (1866 - 1936) ~The work continues- join in!~

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From: [Samuel.Brown@tusd1.org](mailto:Samuel.Brown@tusd1.org)  
To: [yopmac1@msn.com](mailto:yopmac1@msn.com)  
Subject: 2014-15 GSRR  
Date: Thu, 16 Apr 2015 17:44:00 +0000

**Samuel Emiliano Brown**  
**Tucson Unified School District**  
520.225.6067  
520.226.6058 (fax)  
[samuel.brown@tusd1.org](mailto:samuel.brown@tusd1.org)

**Brown, Samuel**

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**From:** Taylor, Martha  
**Sent:** Thursday, May 28, 2015 11:37 AM  
**To:** Anurima Bhargava; James Eichner; Juan Rodriguez; Lois Thompson; Rubin Salter; Willis D. Hawley; Zoe Savitsky  
**Cc:** Desegregation; Tolleson, Julie; Foster, Richard; RLL  
**Subject:** Revised GSRR  
**Attachments:** 15-16 GSRR draft 2.docx

Dr. Hawley and counsel: Please find attached a revised copy of the GSRR for 2015-16 SY. Although we don't consider any of the revisions substantive, we have done some clarification and reorganization to make the document a bit more user friendly and a bit less wordy. We welcome your feedback and any proposed revisions. Please send us any comments by Friday, June 12 (in red-lined language, if possible).

We look forward to hearing from you.

Thank you.

**Martha G. Taylor MA, JD**

Interim Sr. Director of Desegregation  
Tucson Unified School District  
520-225-6426  
[martha.taylor@tusd1.org](mailto:martha.taylor@tusd1.org)

# 2015 -2016 DRAFT ONLY

Dear Principals,

Please ensure to track any comments and/or changes through “new comments” under the “Review” tab in the 15-16 GSRR handbook (5.6.15) document.



Before exiting the document, please save changes.

Please note: DRAFT 15-16 GSRR Revisions Guide (5.6.15) has been provided to you as a preview of the current comments and/or changes made.

If you have any further questions, please feel free to contact your Leadership Administrator.

Thank you.

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# TUSD

## 2015-16 GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)

Together, students, parents<sup>1</sup>, teachers, staff, and principals share the responsibility in creating and sustaining an environment that enhances student achievement and well being in the Tucson Unified School District. We ask for the support of students and parents to achieve this goal. The Guidelines for Student Rights and Responsibilities (GSRR) addresses:

- The rights and responsibilities of students and parents
- Conduct which may require discipline
- Responsibilities of administrators and teachers to implement discipline, which includes behavioral supports and interventions that promote safety and support student success
- Administrative responsibilities for Due Process

Please read these Guidelines and develop a thorough understanding of the details. By following the Guidelines, you can help our school district become a safer and more supportive environment for the students and staff.

Student discipline is subject to the provisions of Governing Board policies and state and federal laws. Students will be disciplined in accordance with Governing Board Policy JK and its accompanying regulations. Students with disabilities shall be disciplined in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504, and applicable Governing Board Policies and Regulations – JK, Student Discipline; JK-R5, Discipline Of, and Alternative Interim Educational Placements For, Special Education Students; and JK-R6, Discipline, Suspension, Expulsion for 504 Students—as applied to these Guidelines for Student Rights and Responsibilities. Students may also be subject to applicable civil and/or criminal penalties if they violate the law.

These Governing Board Policies and Administrative Regulations are available for review in the principal's office and online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”) Copies of this booklet are available in Spanish on the reverse side of this booklet and can be obtained online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”)

Estos Planes de Acción del Consejo Gobernante, y Reglamentos Administrativos se hacen disponibles para revisión en la oficina del director escolar y en [www.tusd1.org](http://www.tusd1.org). Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en [www.tusd1.org](http://www.tusd1.org).

### **TUSD Governing Board:**

Adelita S. Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks; Cam Juárez; Dr. Mark Stegeman

### **Superintendent:**

Heliodoro Torres (H.T.) Sánchez, Ed.D.

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<sup>1</sup> “Parents” as used throughout this document refers to parents and/or legal guardians  
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**QUICK-GUIDE TO OFFENSES**

Comment [#3]: REVISE ORDER AS NEEDED

| <b>CATEGORY</b>                                            | <b>VIOLATION</b>                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGGRESSION<br>(Page 22)                                    | Verbal Provocation, Recklessness, Minor Aggressive Act, Other Aggression, Disorderly Conduct, Endangerment, Fighting, Assault, Aggravated Assault                                                                                                                                                    |
| ALCOHOL, TOBACCO AND OTHER DRUGS<br>(Page 23-24)           | Inappropriate use of Over the Counter Drugs, Inhalants, Unknown Drug, Substance Represented as of Illicit Drug, Inappropriate use of Prescription Drugs, Illicit Drug, Alcohol Violation, Tobacco Violation, Possession of Drug Paraphernalia                                                        |
| ARSON<br>(Page 24)                                         | Arson of a Structure or Property, Arson of an Occupied Structure                                                                                                                                                                                                                                     |
| ATTENDANCE POLICY VIOLATION<br>(Page 24-25)                | Other Attendance Violations, Tardy, Unexcused Absence, Leaving School Grounds without Permission, Truancy                                                                                                                                                                                            |
| DISHONESTY<br>(Page 25)                                    | Cheating, Forgery, Lying, Plagiarism                                                                                                                                                                                                                                                                 |
| HARASSMENT AND THREAT, INTIMIDATION<br>(Page 25)           | Threat or Intimidation, Bullying, Harassment (nonsexual), Hazing                                                                                                                                                                                                                                     |
| HOMICIDE, KIDNAPPING<br>(Page 26)                          | Homicide, Kidnapping                                                                                                                                                                                                                                                                                 |
| OTHER VIOLATIONS OF SCHOOL POLICIES<br>(Page 26)           | Dress Code Violation, Parking Lot Violation, Public Display of Affection, Other Violation of School Policies and Regulations, Contraband, Disruption, Gambling, Inappropriate Language, Defiance or Disrespect Towards Authority and Non Compliance, Negative Group Affiliation/Illegal Organization |
| SCHOOL THREAT OR INTERFERENCE<br>(Page 27)                 | Fire Alarm Misuse, Other School Threat, Bomb Threat, Chemical or Biological Threat                                                                                                                                                                                                                   |
| SEXUAL OFFENSES<br>(Page 27)                               | Sexual Harassment, Pornography, Sexual Harassment with contact, Indecent Exposure or Public Sexual Indecency, Sexual Assault or Rape, Sexual Abuse or Sexual Conduct with minor, or Child Molestation                                                                                                |
| IMPROPER USE OF TECHNOLOGY<br>(Page 28)                    | Telecommunication Device, Other Technology, Computer, Network Violation                                                                                                                                                                                                                              |
| THEFT<br>(Page 28-29)                                      | Petty Theft, Theft – School Property or Non-School Property, Burglary or Breaking and Entering, Extortion, Robbery, Armed Robbery, Burglary (First Degree)                                                                                                                                           |
| TRESPASSING, VANDALISM OR CRIMINAL DAMAGE<br>(Page 29)     | Trespassing, Graffiti or Tagging, Vandalism of Personal Property, Vandalism of School Property                                                                                                                                                                                                       |
| WEAPONS AND DANGEROUS ITEMS; POSSESSION OF<br>(Page 29-30) | Dangerous Items, Other Weapons, Simulated Firearms, Firearms                                                                                                                                                                                                                                         |

|                           |
|---------------------------|
| <b>SECTION A: PURPOSE</b> |
|---------------------------|

**1. WHAT ARE THE GUIDELINES AND WHY ARE THEY NEEDED?**

TUSD is committed to partnering with students and parents to provide an environment that is safe, supportive, and conducive to learning, and is committed to reduce racial and ethnic disparities in the administration of school discipline. To help promote and maintain that environment, the GSRR:

- Specify the rights and responsibilities of students and parents
- Describe conduct which violates those rights and responsibilities
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development
- Strive to ensure consistent application of disciplinary actions so that students from school to school will receive similar actions for similar violations.
- Assure the rights of students and parents when disciplinary action is taken

~~At different age levels, students have different needs for safety, support, and learning. As students progress through our public schools, it is reasonable to assume that an increase in age and maturity carries with it a greater responsibility for their actions. Differences in age and maturity are recognized in determining the type of disciplinary action to be taken and the appropriate supports and interventions. However, the procedures outlined in the Guidelines apply to all students in Grades K through 12.~~

Disciplinary consequences must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. When considering responses to violations, the District strives to keep students in the classroom whenever practicable. For all but the most severe offenses (Levels 4 and 5 in the "Action Levels" section of this document below), an Exclusionary Consequence ("any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school and out-of-school suspension, placement in an alternative setting or program, and expulsion.") must be limited to instances in which (a) the violation is a level 3, (b) student misbehavior is ongoing and ~~or~~ escalating, and (c) only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate), only after the District has first implemented and documented that non-exclusionary interventions have been attempted. If Exclusionary Consequences are imposed, students will have fair due process that includes an opportunity to appeal (see Policy JK and accompanying regulations). For all offenses, disciplinary consequences must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where practicable, offered an opportunity to continue to participate in the school community.

While prioritizing student, staff, and public safety, the District shall not use Exclusionary Consequences for low-level conduct (Action Levels 1-2 below), shall only involve School Safety and/or law enforcement in high-level student discipline (Action Levels 4-5 below), such as when a student is a danger to self or others (to the extent permitted by law), and shall keep students in the classroom setting whenever practicable as members of the school community. "Involvement" of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.

All district personnel administering discipline to students should be informed if a student is protected as a student with has a disability under either Section 504 or IDEA ~~or~~ if the student is suspected of having a disability and/or is being considered for an evaluation for a disability. There are specific discipline

procedures that must be followed for students who are considered disabled under ~~these~~ federal laws, including determining whether the misbehavior is a manifestation of the student's disability.

## 2. WHEN DO THESE GUIDELINES APPLY?

### During regular school hours

- During regular school hours

- While being transported on the school bus or other school district-sanctioned transportation
- At times and places where the principal or other school official or employee has jurisdiction over students
- During school-sponsored events
- During field trips
- During athletic functions
- When students are going to and from school ("portal to portal")
- During other school-related activities

Additionally, the principal is authorized to begin disciplinary action when a student's misconduct away from school has a detrimental effect on the other students, or on the orderly educational process, because the violation is directly connected to prior violations at school, or threatens to produce further violations at school.

***Students who believe they have experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-6686, or online at [www.tusdl.org/deseg](http://www.tusdl.org/deseg)***

***Parents who believe their student has experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-6686, or online at [www.tusdl.org/deseg](http://www.tusdl.org/deseg)***

|                                                                  |
|------------------------------------------------------------------|
| <b>SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES</b> |
|------------------------------------------------------------------|

TUSD believes that educating a student is a collaborative effort with the student and parent. To support this collaboration we realize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive.** (See Policy JI “Rights and Responsibilities”)

**1. STUDENTS HAVE A RIGHT TO:**

- a. Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- b. Receive high quality instruction that is comprehensible and appropriate to their level of academic and linguistic development.
- c. Be expected to achieve at high levels.
- d. Be taught in ways that are responsive to students’ individual needs, and respond to students’ individual racial, ethnic, linguistic and cultural backgrounds.
- e. Receive appropriate accommodations to meet individual needs. (as supported by documentation)
- f. Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures.
- g. Participate in student activities, including extracurricular activities.
- h. Be treated with respect, and to be treated as a unique individual with differing needs, learning styles and abilities in a manner that encourages and enhances individual self-esteem.
- i. Be treated in a fair and equitable manner by teachers and administrators.
- j. Privacy. (See the “Notification of Privacy Rights of Parents and Students” at page 35)
- k. Due process of law.
- l. Have school rules that are enforced in a consistent, fair and reasonable manner.
- m. Be free to request an interpreter or translator at any step of the disciplinary process.
- n. Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse. A victim has the right to transfer to another school. (See Policy JICL “Dating Abuse”).
- o. Receive fair, equitable, non-discriminatory disciplinary actions that are aligned with the GSRR.
- p. Have teachers and administrators who will follow all District policies related to known allegations of discrimination, harassment, hazing, bullying, and incidents that require mandatory reporting. Such known allegations/incidents must be reported to site administration immediately.
- q. Be treated in a manner that is respectful of and responsive to their cultural traditions.
- r. Administrators who will:
  - model appropriate behavior and expect appropriate behavior from students and teachers
  - hold students and teachers accountable for student learning
  - expect parents to be collaborative partners regarding student achievement
  - work collaboratively with the Department of Student Equity and Intervention
  - host student assemblies (or other appropriate meetings) to communicate positive core values and behavioral expectations, and to explain the GSRR, Positive Behavioral Interventions and Supports (PBIS), and Restorative Practices (RP) in an age-appropriate manner
  - hold informational sessions for parents at least twice per school year at each school, which shall include information regarding GSRR, PBIS, RP, due process and appeal procedures, and guidance for making parent complaints about student discipline
  - make decisions regarding removing students and/or staff for safety reasons
  - discipline students in accordance with the GSRR
  - Consistently and accurately report discipline consequences for students into the database

- s. Full access to opportunities within the educational environment without experiencing discrimination on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background. This includes the availability of all support services which promote the development of student potential. (See Policy AC “Non-Discrimination”, ACA “Sexual Harassment”, and JB “Equal Educational Opportunities and Anti-Harassment”).
- t. Acquire English and such other languages as may be available at the school for students to study.
- u. Access to a classroom environment that encourages the use of English, promotes appreciation of other languages, and respects students’ right to use their native language to facilitate communication and enhance academic achievement.
- v. Access to books and other reading materials for supplementary and recreational use, including materials that may be available in other languages.
- w. Access to non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- x. Receive a copy of [the Guidelines for Student Rights and Responsibilities](#) [this handbook](#) (GSRR).
- y. Have access to quality learning resources, including learning technology.
- z. Have access to their formal student records.
- aa. Have access to school assignments/homework while serving a disciplinary suspension for the duration of the suspension and have options for alternative instructional opportunities for any remaining suspension.

**2. STUDENTS HAVE A RESPONSIBILITY TO:**

- a. Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and to strive for their personal best.
- c. Participate fully in the classroom, curriculum and learning process during the entire class period.
- d. Make positive contributions to an environment that allows fellow students to have equal access to educational opportunities.
- e. Make positive contributions to an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn and to contribute to a safe and orderly environment that is conducive to learning.
- i. Display behavior that does not compromise the safety of other students and/or staff.
- j. Follow discipline guidelines adopted by the school and District.
- k. Protect and take care of the school’s property.
- l. Abide by the governing board policies and regulations.
- m. Assist the school staff in running a safe school, and to help maintain the safety and cleanliness of the school environment.
- n. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook (GSRR).

**3. PARENTS AND GUARDIANS HAVE A RIGHT TO:**

- a. Receive official reports (quarterly or more frequently) of the student’s academic progress, attendance and behavior.
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from teachers about their student’s grades and disciplinary procedures.
- d. Access and review school records pertaining to their student. (see Annual Privacy Notice, pg. 33)
- e. Receive a copy of ~~the Guidelines for Student Rights and Responsibilities~~this handbook (GSRR).
- f. Receive immediately an oral **and** a written notification anytime a student receives in-school suspension, or is sent home for any safety and/or disciplinary reason. (including suspensions)
- g. Request an interpreter or translator at any step of the disciplinary process.
- h. Request a review of all disciplinary actions relating to their student.
- i. Non-instructional (not related to instruction) interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- j. Direct their student’s education, upbringing and moral or religious training.
- k. Make health care decisions for the minor child.
- ~~l. Access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.~~
- ~~m. Consent in writing before:
 
  - a biometric scan (i.e. eye scan) of the minor child is made
  - a record of the minor’s blood or DNA is created, stored or shared genetic testing is conducted on the minor, unless required/authorized by law or court order the state makes a video or voice recording of the minor, unless made during: a court proceeding; a forensic interview in a criminal or child protective services investigation; or for use solely in any of the following: safety demonstrations, including the maintenance of order and discipline; a purpose related to a legitimate academic/extracurricular activity; a purpose related to regular classroom instruction; security or surveillance of buildings or grounds; or, a photo identification card~~
- ~~n. Obtain information about a child protective services investigation involving the parent.~~
- ~~o. Be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for TUSD to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.~~
- ~~p. m. Express appropriately their ideas and perspectives on issues and topics relevant to their child’s education, including school policies and procedures.~~
- ~~q. n. Be treated in a manner that is respectful of and responsive to their cultural traditions.~~

**Comment [#4]:** THIS LANGUAGE CAN BE FOUND IN ARIZONA REVISED STATUTES 1-602 “PARENTS BILL OF RIGHTS”

**4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:**

- a. Communicate and collaborate with teachers to support student achievement.
- b. Attempt to participate and be active at their student’s school.
- c. Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- d. Provide supervision of the student’s health, physical and emotional well being, and assume responsibility for the student’s timely regular attendance.
- e. Promptly provide the school with explanations for student absences or tardiness.
- f. Ensure student compliance with school and district policies and regulations.
- g. Read and ask questions to understand the information in the GSRR.
- h. Reinforce the importance of students’ adherence to values and behaviors described in the GSRR.

## SECTION C: GENERAL INFORMATION

### 1. EQUAL EDUCATIONAL OPPORTUNITIES AND ANTI-HARASSMENT (POLICY JB)

It is the policy of the TUSD to prohibit discriminatory harassment based on real or perceived race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, parental status, status with regard to public assistance, limited proficiency in English, or family, social or cultural background, or any other reason not related to the student's individual capabilities or on the basis of association with others identified by these categories. TUSD shall ~~act to~~ investigate all complaints, ~~formal or informal, verbal or written~~, of discriminatory or other harassment, ~~formal or informal, verbal or written~~, and ~~shall discipline or take other~~ appropriate action against anyone who is found to have violated this policy.

### 2. GOVERNING BOARD POSITION ON GANG BEHAVIOR AND ACTIVITY

The behaviors that have become associated with gang activity or membership, especially violence, intimidation, and disrespect will not be tolerated on or near school property or in activities associated with school. In accordance with this position, any students engaging in gang activities will be disciplined to the fullest extent of TUSD policies, and prosecuted, if applicable, according to local ordinances, and state and federal laws.

**Gang:** An ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member.

**Gang-Related Incident:** An incident is considered gang-related when it involves gang recruitment, gang initiation, fights between rival gangs, or other similar behaviors, but does not include non-threatening behavior such as handshakes, signs, or wearing of particular colors.

~~**Bias-Related and Hate-Related Incidents:** An incident is considered bias-related or hate-related when a reasonable person would conclude that it was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics. Such characteristics include: ancestry or ethnicity, disability, sex, gender, immigration or citizenship status, race, religion or religious practices, or sexual orientation.~~

Comment [#5]: THESE TERMS ARE DEFINED BUT NOT USED IN THE DOCUMENT

### 3. STUDENT ATTENDANCE (POLICY JE)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note or email must address the date/time and reason for the absence.

### 4. DATING ABUSE (POLICY JICL)

Dating abuse is a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's former or present dating partner. Behaviors used may include, but are not limited to, physical abuse, emotional abuse, sexual abuse, and/or threats. TUSD is committed to maintaining a school campus environment that is safe and secure for all students, and dating abuse will not be tolerated. TUSD employees aware of dating abuse shall respond in a manner consistent with District training. Students are encouraged to report all known or suspected instances of dating abuse involving themselves or other students, either verbally or in writing, to a teacher, site administrator, or to the Office of Student Equity (225.6686). The District will investigate all complaints.



## 5. BULLYING, INTIMIDATION AND HARASSMENT (POLICY JICK)

Bullying is a form of harassment. Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted (including cyberbullying), or emotional abuse, or through attacks on the property of another (including verbal taunts, name-calling and put-downs, extortion of money or possessions, or spray-painting derogatory terms on a student's locker or vehicle). Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while en route to or from school, are subject to disciplinary action.

## 6. SCHOOL DRESS CODE (REQUIRED AT EVERY SCHOOL) (POLICY JICA)

The general guide to acceptable school dress is neatness, cleanliness and appropriateness. While the school cannot and does not dictate styles, it is expected that students will abide by the following rules demonstrating appropriateness in dress as though this were their daily place of business.

- Shoes ~~are required to~~ must be worn in school.
- Hats and sunglasses may be worn outside in the sun for an extended period of time for protection from the sun. A principal in collaboration with School Safety may institute stricter requirements at a high school experiencing safety-related issues.
- No bandannas may be worn.
- Dark glasses may not be worn inside buildings unless a documented health problem exists.
- No gang related apparel or items are allowed (e.g., “wearing colors known to be affiliated with a particular gang, or wearing clothing with illustrations of known gang signs or symbols”).
- Students may not wear clothing or accessories in school buildings or on school grounds that are:
  - Hazardous, damaging, or presenting danger to school property or persons including but not limited to: extended belts (belts should fit proper length), choke chains, dog collars, wallet chains or any type of spiked apparel or jewelry;
  - Depicting and/or promoting and/or endorsing illegal or violent activities, illegal drugs, tobacco, or alcohol;
  - Vulgar, obscene, indecent, libelous, or degrading of others on the basis of race, color, religion, ancestry, national origin, sex, gender, sexual orientation or disability; and/or
  - Distracting so as to interfere with the teaching or learning process such as extremely revealing garments including but not limited to short shorts, short skirts, short dresses (must cover buttocks while standing and sitting), tube tops, net tops, swimsuits, strapless tops, spaghetti strap tops, halter tops, muscle shirts, basketball shirts without an accompanying T-shirt, no tights or leggings to be worn as pants, garments with plunging necklines, transparent and see through garments, (midsections must be covered and undergarments shall be completely covered with outer clothing).

**Comment [N6]:** Can we reconsider leggings? It is difficult to find clothing for young ladies that is not a legging or a jegging. We have also found that we have more reports by staff when the student is overweight and wearing leggings. I have been asked by parents to ask the district to review this policy.

Students who violate standards may be asked to do any of the following depending on circumstances:

- Turn inappropriate clothing inside out.
- Change into clothing that may be provided by the school.
- Change into other clothing which has been brought to school.
- Remove the jewelry or other accessory.

\*NOTE ON SCHOOL DRESS CODES: ~~These dress~~ The above-stated guidelines represent minimum standards. Individual schools may adopt additional guidelines, but may not apply exclusionary discipline without first giving the student an opportunity to address the alleged violation. Students wearing inappropriate clothing are given an

opportunity to change clothing or they will be released from school in the company of the parent/guardian. Students who are unable to comply with the dress code may access TUSD's clothing bank (520) 232-7058.

## 7. BUS RULES

**Student Behavior Policy** Proper student behavior contributes to the overall safety and comfort of the ride to and from school. Following driver directions and all ridership rules is paramount to maintain a safe and enjoyable ride for all. Infractions will be dealt with through the District-approved Student Conduct policies which include driver interventions, the student's principal, and other administrators as deemed appropriate. Riding is a privilege; parents and students should discuss and make sure they know the rules:

- Always comply with bus driver's/monitor's directions
- Use classroom voice only (no profanity/loud noises/threats/intimidation)
- Remain seated; keep hands, feet, and head inside bus
- All personal possessions must be under control at all times
- Keep unauthorized materials and substances off bus (animals, glass objects, weapons, illegal substances, or large objects that occupy a seat space)
- No eating or drinking on the bus

As a last resort, violations of these bus rules may result in the loss of bus privileges for a limited time, not to exceed 30 days.

### **Safety Precautions for Students**

- Know the route to and from the bus stop, safety precautions and common courtesies to be maintained en route and at the bus stop
- Know the correct bus route number
- Discuss what to do if the bus is late in the morning or no one is home in the afternoon
- ALWAYS board/depart the bus at the correct stop as known and approved by the parent

## 8. STUDENT USE OF CELL PHONES AND ELECTRONIC DEVICES (POLICY JICJ)

For purposes of this policy, "electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDA's), e-book readers, compact disc players, portable game consoles, cameras, digital scanners, lap top computers, tablet computers and other electronic or battery powered instruments which transmit voice, text, or data from one person to another. Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:

- Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag.
- Such devices shall not be turned on or used during instructional time, except as authorized by the teacher.
- The principal shall establish additional guidelines appropriate to campus needs.
- Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities.

**Reasonable efforts will be taken to secure property that has been confiscated** (i.e. lock the item in a drawer, take the item to the office to be secured in a locked area, etc.); **however, neither the School**

**District nor ~~the School District Staff~~ staff is responsible for loss, damage, or theft of any electronic device including but not limited to cell phones, laptops, tablet computers, portable media player brought to school, even if loss, damage or theft results from the device being confiscated.**

### 9. HAZING (POLICY JICFA)

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a “student” until graduation, transfer, promotion or withdrawal from the District school.

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

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

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

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing. In accord with statute, violations of this policy do not include either of the following:

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

All students, teachers and staff shall take reasonable measures within the scope of their ~~individual~~ authority to prevent violations of this policy. Students and others may report hazing to any ~~professional~~ staff member. ~~Professional staff~~ Staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the Rights and Responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices. Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

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

#### **10. POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS; RESTORATIVE PRACTICES**

Comment [#7]: MOVED TO SECTION E

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices: focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See Section D (8) below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

**SECTION D: KNOW THE ACTIONS**

**ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES**

The Arizona Department of Education has developed a list of violations as well as a list of possible actions a school district may take in response to a violation. TUSD has categorized these possible actions into five levels ~~and then assigned a level to each violation~~ depending on the severity of the violation. In this way, students from school to school will receive similar actions for similar violations. A major consideration in the application of the Guidelines for Student Rights and Responsibilities is to identify the most appropriate disciplinary action necessary to bring about positive student behavior. Actions are not to be considered in isolation but rather as part of the overall goal of creating inclusive and supportive environments for students. For instance, restorative circles should not be isolated events at a campus, but should instead become part of the routine process in addressing behavior. At the elementary level, the age and developmental level of the child may be considered in interpreting the severity of the discipline imposed. Student services personnel, such as counselors, social workers, learning support coordinators, or psychologists, play a vital role in assisting the student in resolving any problems influencing the student’s behavior.

**1. CONDUCT WHICH MUST BE REPORTED TO LAW ENFORCEMENT**

It is important for all staff, students, and parents to understand that, in addition to taking disciplinary action at the school level, certain criminal behavior must be reported to appropriate law enforcement agencies. Principals, assistant principals, or designees **are required to report the following incidents:**

|                                                              |                |                                    |
|--------------------------------------------------------------|----------------|------------------------------------|
| Use or threat to use a deadly weapon or dangerous instrument | Homicide       | Burglary in the first degree       |
| Aggravated Assault resulting in serious physical injury      | Sexual Assault | Arson of an occupied structure     |
| Sexual conduct with a minor under 15 years of age            | Armed Robbery  | Any dangerous crime against minors |
| Possession, use, sale, or attempted sale of illegal drugs    | Kidnapping     | Bomb threats                       |

Additionally, pursuant to A.R.S. § 13-3620, school personnel are required to immediately report any reasonable belief of non-accidental physical injury, neglect, or sexually related offense against a minor.

~~“Physical injury” means the impairment of physical condition, and may include any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare. (See A.R.S. § 13-3623(F)(4))~~

**Comment [#8]:** DEFINED IN THE DEFINITION SECTION

**2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT**

Additionally, principals, assistant principals, or designees **MAY** report to law enforcement agencies other potentially disruptive incidents when necessary to maintain safety. When appropriate, school officials should utilize supports and interventions that provide guidance and structure to the student and help them to improve their behavior without involving law enforcement. An administrator must immediately notify an Assistant Superintendent or Director, and the Department of Student Equity and Intervention, when law enforcement is contacted. Incidents that may be reported to law enforcement when necessary to maintain safety include, but are not limited to, the following:

|                                                                                            |                                |         |           |
|--------------------------------------------------------------------------------------------|--------------------------------|---------|-----------|
| Possession, sale or distribution of dangerous substances, including alcohol or legal drugs |                                |         |           |
| Demonstration by students which is likely to create unsafe conditions                      |                                |         |           |
| Threats                                                                                    | Setting off a false fire alarm | Assault | Vandalism |

### 3. DUE PROCESS

Any student whose conduct may warrant suspension or expulsion will be provided due process. This is a legal safeguard that protects the rights of students and their parents and is constitutionally guaranteed.

Due process steps include:

- Oral or written notice to the student of the charges against the student
- An opportunity to present the student's side of the story in an informal hearing or meeting
- The allowance, for safety considerations, for a student to be removed from the school prior to an informal hearing with that hearing to follow as soon as practical
- Adequate notification and an opportunity for a fair hearing
- That parents will be informed in writing of all suspensions and that they have the right to a conference with the principal
- That if parents are not satisfied with any school official's decision they are entitled to request a review by the school official's immediate supervisor
- Formal due process (including a hearing officer) in long-term suspension and expulsion proceedings
- A right to appeal disciplinary decisions to the Assistant Superintendent, Director, Principal, Assistant Principal or Designee.

### 4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs

**Students with disabilities under Section 504 or IDEA (and students suspected of having a disability) may be disciplined in the same manner as any other student and may be suspended for up to 10 cumulative days of school per school year. If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed.**

**A manifestation determination conference must be held prior to the 11<sup>th</sup> day of suspension**

If the manifestation determination conference concludes that the student's behavior is a manifestation of the student's disability, then no further disciplinary action can be taken. The 504 or IEP team should convene to develop an appropriate behavior plan for the student. If the manifestation determination conference concludes that the student's behavior is not a manifestation of the student's disability, the District may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The District has no obligation to continue to provide educational services to a 504 student during the period of a long-term suspension or expulsion. However, the District must continue to provide educational services for students eligible under IDEA. Please refer to the appropriate Governing Board regulations JKA and JKAB and to the Exceptional Education Handbook for specific procedures

A student with a disability under IDEA may be referred to an Interim Alternative Educational Settings in certain circumstances regarding involving the use or possession of drugs, weapons, or serious bodily injury. Refer to the Exceptional Education Handbook for specific procedures.

**In-School Intervention-**

An alternative to short-term suspension which allows students to continue receiving classroom instruction from content certified teachers in a classroom on campus.

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**5. OUT OF SCHOOL SUSPENSIONS**

\*All suspensions are reviewed by the Department of Student Equity and Intervention.

**Short-Term Suspension** – A principal or principal’s designee may suspend a student from school from one (1) to ten (10) school days due to misconduct, depending on the severity of the misconduct. However, principals must limit exclusionary consequences to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented they types of intervention(s) used in PBIS and/or Restorative Practices, as appropriate. Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.

**Make-up Work (Short-Term Suspension):** If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. Regulation JK-R1, Short Term Suspension states: “The student is allowed access to class assignments and to make up tests upon return to school. Homework must be made available for the parent to pick up at the school office.” Or, when feasible, homework shall be made available online. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

**Long-Term Suspension** – Hearing Officers are used to investigate facts and make determinations regarding an administrator’s recommendation about for a long-term suspension or expulsion. A Hearing Officer may suspend a student from school for up to 180 days. Long-term suspensions of more than 30 days shall not be imposed except for Violations at Level 5. Hearing Officers may take this action only after the site administration has exhausted other disciplinary strategies (see interventions listed under Action Level 1 for examples of appropriate strategies), or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members at appropriate times as part of the continuum of supports and interventions implemented to support student success. Students suspended more than 20 days may have an option to enroll in the “Life Skills” alternative to suspension program. “Life Skills” alternative to suspension program provides an alternative setting for students to continue to receive instruction during the period of suspension.

**Alternative Education Placement-**An alternative to long-term suspensions which allows students to continue receiving classroom instruction from content certified teachers at an alternative campus.

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**Make-up Work (Long-Term Suspension):** If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such class assignments and homework and to have completed assignments returned to the school for grading

and credit. One set of assignments must be completed and returned before another set of assignments can be picked up at the school office. Or, when feasible, homework shall be made available online. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. Homework will be made available by the student's teachers for the remainder of the grading period. However, because of the difficulty in students keeping up with class work through homework alone, without an instruction component, after the end of a grading period, students will receive academic support through a TUSD alternative program such as distance learning. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

#### 6. ABEYANCE CONTRACTS (REGULATION JK-R4)

An administrator may offer to not immediately impose the assigned out-of-school suspension if (1) the administrator believes it is in the best interest of the student and the school community, (2) the student admits to committing the infraction, (3) the student and parent/legal guardian agree to certain conditions, and (4) the student and parent/legal guardian sign a contract, called an abeyance contract. The term of the abeyance contract may not exceed the maximum suspension term for the offense level. If a student violates his/her abeyance contract with a suspendable offense, the student must serve the remaining term of the initial offense plus the suspension for the additional offense. These two suspensions would be served concurrently. (The last days of the first suspension would also be the first days of the additional suspension)

#### 7. POSITIVE BEHAVIOR INTERVENTION SUPPORT (PBIS)

In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary.

#### 8. RESTORATIVE PRACTICES

Restorative Practices actions range from informal to formal. In schools, these actions include:

- *Small impromptu circles:* a few people meet to briefly address and resolve a problem; facilitated by teachers, administrators, and/or learning supports coordinators.
- *Group or classroom circles:* a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.
- *Formal restorative conferences:* address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.



~~• *Teen courts*: are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.~~

Comment [#9]: MOVED TO SECTION E

## 7. APPEALS

Students and parents/guardians have the right to appeal short-term and long-term suspension decisions; however, there is no ~~school-district-based~~ appeal from the Governing Board's final decisions regarding long-term suspension appeals or its expulsion decisions. (See Policy JK and accompanying regulations)

## 8. EXPULSION

Expulsions will only be recommended for Level 5 violations. Expulsion is defined as the permanent withdrawal of the privilege of attending a TUSD school unless the Governing Board reinstates the privilege. A principal may or, in some cases, must request that the Superintendent recommend to the Governing Board the expulsion of a student. This is the most serious disciplinary step available. As part of its decision to expel, the Governing Board may permit the student to apply for readmission through the office of the Assistant Superintendent after any period of time it may set. The Governing Board, or designee, may establish further conditions within the readmission process with which the student must comply prior to their admission to the instructional process. During the term of the expulsion, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

Students with disabilities eligible under IDEA will continue to be offered educational services, although in an alternative setting.

## 9. PRINCIPAL APPLICATION FOR WAIVER OF MANDATORY ACTIONS

For violations requiring Action Level 4 or 5 consequences, the principal has the prerogative to seek the waiver of any portion or all of the mandatory disciplinary action through the appropriate Assistant Superintendent. The principal may seek the waiver and, if granted, the parties directly involved shall be informed of the reasons the waiver was granted.

Waivers may **not** be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.

## SECTION E: RESTORATIVE PRACTICES; POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

### RESTORATIVE PRACTICES

Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices: focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See Section D (8) below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

Restorative Practices actions range from informal to formal. In schools, these actions include:

- Small impromptu circles: a few people meet to briefly address and resolve a problem; facilitated by teachers, counselors, administrators, and/or learning supports coordinators.
- Group or classroom circles: a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.
- Formal restorative conferences: address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.
- Teen courts: are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.

**Comment [AM10]:** At the elementary level Counselors occasionally facilitate these circles.

## POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary.

**Comment [AF11]:** Should we include the use of LSC and Student Success Specialists?

## SECTION F: DEFINITIONS

Selected terms that may otherwise be subject to varying interpretations are defined below:

**Exclusionary Consequence—1:** any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school suspension.

**Exclusionary Consequence—2:** any disciplinary consequence that removes a student from the student's school of attendance, including, but not limited to, out-of-school suspension, placement in an alternative setting or program, and expulsion.

**May:** a choice to act or not, as distinguished from "shall," which requires a specific action.

**Shall:** expressing a command or required action.

**Ongoing and Escalating:** "Ongoing" means the student continues to do the same or similar behavior violate the GSRR, even after the District has tried **and** documented interventions. "Escalating" means the administrator can articulate that the behavior has ~~taken on a different tone~~worsened.

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*Example (Ongoing): Student X verbally provokes a fight between two other students by taunting the students. Receives a Level I action, receives an intervention, and then provokes another fight within weeks.*

*Example (Escalating): Student X verbally provokes a second fight, using language that begins as taunting but escalates to cursing and personal attacks.*

**Physical Injury:** an impairment of physical condition ~~that interferes with a student's ability to receive instruction but does that~~ does not require external medical attention.

**Reckless:** lacking appropriate caution; careless of consequences. A student whose actions put themselves and/or others in harm's way.

**Repeated:** said, done, or occurring again and again (at least twice).

**Serious Physical Injury:** an impairment of physical condition that interferes with a student's ability to receive instruction, **and** is the type of injury that would reasonably require external medical attention.

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**Sustained:** continuing for an extended period or without interruption; prolonged.

**SECTION G: ACTION LEVELS**

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>GUIDANCE</b> | <p>When considering actions, the District strives to implement Restorative Practices and to keep students in their classroom whenever practicable. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student’s misbehavior.</p> <p>Principals may exercise reasonable discretion in deciding which violation occurred.</p> <p>The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Multiple actions may be applied to a single violation. <b>Actions listed in bold are the minimum and mandatory action for that level of violation. For all violations, parent notification and student conference are mandatory.</b></p> <p><del>The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Actions listed in bold are the minimum and mandatory action for that level of violation. Multiple actions may be applied to a single violation. Action Levels are developed with input from students, parents, teachers and community members. For all violations, parent notification and student conference are mandatory.</del></p> <p><del>Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors.</del></p> <p><del>In ambiguous cases, principals have the authority to exercise reasonable discretion in deciding which violation occurred. It will be the policy of TUSD to implement Restorative Practices wherever practicable.</del></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>LEVEL 1</b>  | <ul style="list-style-type: none"> <li>• <b>Parent Notification and Conference Request</b></li> <li>• <b>Student Conference</b></li> <li>• Restorative Circle</li> <li>• Restorative Conference</li> <li>• Confiscation of Contraband</li> <li>• Student Verbal Apology</li> <li>• Student Written Apology</li> <li>• Warning</li> <li>• Referred to Outside Agency</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>• Detention (before/after school; <u>lunch</u>)</li> <li>• Peer Mediation</li> <li>• Privileges Suspended</li> <li>• Restitution</li> <li>• Saturday School</li> <li>• Teen Court</li> <li>• Functional Behavioral Assessment</li> <li>• Behavior Learning Packets</li> <li>• Time Out (<u>not to exceed 30 minutes</u>)</li> <li>• Reflective Essay</li> <li>• Meeting With School Counselor</li> <li>• Community Service (not work detail)</li> </ul> | <ul style="list-style-type: none"> <li>• Reassignment To Different Class</li> <li>• Behavior Contract</li> <li>• Behavior Intervention Group</li> <li>• Threat Assessment</li> <li>• Behavior Intervention Plan</li> <li>• <del>Lunch Detention</del></li> <li>• Monitoring of Selected Problem Behaviors</li> <li>• Other Action (consistent with other Level 1 interventions that are approved by the RPPSC).</li> </ul> <p><i>*Some actions may not be available at all sites</i></p> |
| <b>LEVEL 2</b>  | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• Social Skills Groups and/or Mentoring</li> <li>• In School Suspension (1-3 days) <u>only for repeated violations and</u> only after <u>the site has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate).</u></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

**Comment [#12]:** THIS SECTION WAS REORGANIZED TO HIGHLIGHT CRUCIAL INFORMATION AND TO ALIGN WITH OTHER SECTIONS IN THE HANDBOOK

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LEVEL 3 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Short-Term In School Action and/or Abeyance</b></li> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• In School Suspension or Out Of School Suspension and/or Abeyance (Short Term 1-10 Days) <u>but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices (whichever is appropriate).</u></li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del><br/>                 Department of School Safety <del>may should only</del> be contacted <del>in Appropriate Circumstances during or immediately after an incident to protect student, staff, or visitor safety, or to prevent a situation from escalating. Administrators should</del> <u>may</u> contact School Safety rather than Law Enforcement where feasible.</p> |
| LEVEL 4 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-30 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del><br/>                 Removal By Hearing Officer For Likely Injury To Self Or Others<br/>                 Removal By Student's IEP Team To An Interim Alternative Education Setting</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| LEVEL 5 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-180 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> <li>• Expulsion</li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

DRAFT

IMPORTANT INFORMATION

1. All parent conferences will be made in a timely manner. Parents may participate in a conference via phone or another accessible mode of communication. Students will not be disciplined further merely because their parent cannot participate in a conference.
2. A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation.
3. Attempted violations may require Actions. Administrators will determine the appropriate level of Action to take for an attempted violation. The Action will generally be at a level less than that of the actual violation.
4. Administrators may apply an action that is one level higher than that listed, but only after receiving written approval from the Assistant Superintendent or Director from Elementary or Secondary Leadership. The Assistant Superintendent or Director will not permit a single type of behavior to be elevated more than one level, regardless of the frequency of occurrence. The Department of Student Equity and Intervention will review whether the teachers and/or administrators have attempted to effectively implement interventions to address any underlying or unresolved issues.
5. Two Level 2 violations (“Improper Use of Technology-Telecommunication Device” and “Other Technology”) may be elevated to a Level 3 violation but cannot result in out of school suspension. One Level 3 violation (“Improper Use of Technology, Computer”) may be elevated to a Level 4 violation but cannot result in a long-term suspension.
6. For suspensions, Administrators must communicate with the Department of Student Equity and Intervention immediately. The Department of Student Equity and Intervention will review all suspensions.
7. When determining the appropriate level of action to take, administrators shall may consider a student’s claim of self defense, defense of others or defense of property.
8. When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5<sup>th</sup> Grade) may consider all violations, *with the exception of possession of firearms or any incidence of threat to an educational institution*, at one level lower than that of the actual violation.
9. Administrators may not withdraw a student’s open enrollment or magnet status during the school year as a consequence for a discipline violation.
10. Students will not receive any suspension for attendance violations.
11. Law Enforcement Officers, including School Resource Officers, School Safety Officers, and other law enforcement and security personnel shall not be involved in low-level student discipline. Low level offenses are levels 1, 2 and 3. An administrator must immediately notify an Assistant Superintendent or Director and the Department of Student Equity and Intervention when law enforcement is contacted. Law Enforcement may be contacted in cases of vandalism where the District is seeking restitution for damage to school property. “Involvement” of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.

Comment [AF13]: Is the director involved at this point?

**SECTION H: VIOLATIONS**

The Arizona Department of Education has identified the following violations:

| <b>AGGRESSION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <i>Action Level</i> |
| <p><b>Verbal Provocation (verbal or nonverbal)</b><br/>Use of language or gestures that <b>may incite</b> another person or other people to fight.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>1</b>            |
| <p><b>Recklessness</b><br/>Unintentional, careless behavior that <b>may pose</b> a safety or health risk for yourself or for others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>1</b>            |
| <p><b>Minor Aggressive Act</b><br/>Student engages in intentional, <b>non-serious but inappropriate physical contact</b> such as, but not limited to: <u>hitting, poking, pulling, pushing, tripping, running in the building, hallways, or corridors, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile behaviors conduct.</u><br/>Student engages in non-serious but inappropriate physical contact. <b>Examples:</b> hitting, poking, pulling, tripping, or pushing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>            |
| <p><b>Other Aggression</b><br/>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, intentional, <b>serious and inappropriate physical contact</b> including, but not limited to, any example listed under "Minor Aggressive Act" that may result in a serious physical injury.<br/>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact. <b>Examples:</b> hitting, poking, pulling, tripping, or pushing that may result in serious injury.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>3</b>            |
| <p><b>Disorderly Conduct</b><br/>Engaging in any one of the following acts where there is clear evidence the student <b>intended to disturb, or knew that he or she disturbed,</b> the peace or quiet of a school, neighborhood, family or person:</p> <ol style="list-style-type: none"> <li>1. Engaging in violent or seriously disruptive behavior.</li> <li>2. Using abusive or offensive language or gestures to any person present in a manner <b>likely to provoke</b> immediate physical retaliation by such person.</li> <li>3. Making any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</li> <li>4. Refusing to obey a lawful order to disperse issued to maintain public safety.</li> <li>5. Recording/distributing fights on any social media outlet.</li> </ol> <p>A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:</p> <ol style="list-style-type: none"> <li>1. Engages in violent or seriously disruptive behavior.</li> <li>2. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person.</li> <li>3. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</li> <li>4. Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904)</li> <li>5. Recording/distributing fights on any social media outlet.</li> </ol> <p>*see pg. 6 "portal-to-portal"</p> | <b>3</b>            |
| <p><b>Endangerment</b><br/>Student <b>recklessly puts</b> them self or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: <u>rock throwing, skateboarding on campus, etc.</u><br/>A person commits endangerment by endangering <b>themselves or</b> another person with a substantial risk of imminent death or physical injury. (see A.R.S. § 13-1201)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>3</b>            |
| <p><b>Fighting</b><br/><b>Mutual participation</b> in <u>any form of physical altercation or aggression.</u><br/><u>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>3</b>            |
| <p><b>Assault</b><br/>A person commits assault by: (1) Intentionally, knowingly or recklessly causing any physical injury to another person; or (2) Intentionally placing another person in reasonable apprehension of imminent physical injury; or (3) Knowingly touching another person with the intent to injure, insult or provoke such person. (see A.R.S. § 13-1203)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>4</b>            |

Guidelines for Student Rights and Responsibilities, approved [DATE, 2015](#) (accompanies Policy JK)

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| <p>A person commits assault by intentionally, knowingly, or recklessly causing physical injury to another person; knowingly touching another person with the intent to injure, insult or provoke such person; or by threatening to use a deadly weapon or dangerous instrument or a simulated deadly weapon; directly threatening to kill an individual. (see A.R.S. §13-1203)<br/> <b>Examples:</b> Restraining, barricading (e.g. blocking a door so another student cannot get out of a room).<br/> <b>Only if the administrator forms a reasonable belief that a student has suffered a non-accidental physical injury is a report to law enforcement mandatory.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                             |
| <p><b>Aggravated Assault</b><br/> A person commits aggravated assault if the person commits assault as defined above under any of the following circumstances: (1) If the person causes serious physical injury to another, (2) If the person uses a deadly weapon or dangerous instrument, (3) If the person commits the assault after entering the private home of another with the intent to commit the assault, (4) If the person is eighteen years of age or older and commits the assault upon a child the age of fifteen years or under, (5) If the person commits the assault knowing or having reason to know that the victim is a peace officer, or a person summoned and directed by the officer while engaged in the execution of any official duties, (6) If the person commits the assault knowing or having reason to know the victim is a teacher or other person employed by any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, or any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties, or any teacher engaged in any authorized and organized classroom activity held on other than school grounds; (7) If the person commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired. (see A.R.S. § 13-1204)</p> <p>A person commits aggravated assault if the person:</p> <ol style="list-style-type: none"> <li>1. Causes serious physical injury to another.</li> <li>2. Uses a deadly weapon or dangerous instrument.</li> <li>3. Commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part.</li> <li>4. Commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.</li> <li>5. Commits assault and the person is in violation of an order of protection.</li> <li>6. Commits the assault knowing or having reason to know that the victim is any of the following: law enforcement officer, prosecutor, firefighter, EMT/Paramedic engaged in official duties, teacher or any school employee on school grounds, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes, teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds. (see A.R.S. § 13-1204)</li> </ol> | <p><b>5</b><br/> <b>Mandatory report</b><br/> <b>to law enforcement</b></p> |

| <b>OTHER VIOLATIONS OF SCHOOL POLICIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Action Level</i> |
| <b>Dress Code Violation</b><br>Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>1</b>            |
| <b>Parking Lot Violation</b><br>Student displays inappropriate behaviors involving a motor vehicle including, but not limited to, unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, and/or littering.<br><br><del>Examples: unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, or littering.</del> | <b>1</b>            |
| <b>Public Display of Affection</b><br>Inappropriate displays of affection, (i.e. kissing)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>1</b>            |
| <b>Other Violation of School Policies and Regulations</b><br>Other violations of written school, or district-wide, policy or regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>1</b>            |
| <b>Language (verbal or nonverbal), Inappropriate</b><br><br>Student delivers verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>1.2</b>          |
| <b>Contraband</b><br>Items stated in school policy as prohibited because they may disrupt the learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>2</b>            |
| <b>Combustible</b><br>Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>2</b>            |
| <b>Disruption</b><br>Student engages in <del>sustained</del> behavior causing an substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out-of-seat behavior.<br><br>Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior.                                                                                                                                                                            | <b>2</b>            |
| <b>Gambling</b><br>To play games of chance for money or to bet a sum of money.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>2</b>            |
| <b>Language, Inappropriate</b><br>Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>2</b>            |
| <b>Defiance or Disrespect Towards Authority and Non Compliance</b><br>Student engages in <del>repeated</del> behavior including, but not limited to, refusal to follow directions, talking back, or swearing at a staff member, or delivers socially rude interactions.                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>2</b>            |
| <b>Negative Group Affiliation / Illegal Organization</b><br>Clubs, fraternities, sororities, <del>a</del> Anti-social organizations, secret societies, criminal street gangs, and other sets of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.                                                                                             | <b>3</b>            |

| <b>ALCOHOL, TOBACCO AND OTHER DRUG VIOLATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                                            |
| <b>Drug Violation:</b> Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Includes over-the-counter medications if abused by the student. |                     |                                            |
| <b>Possession:</b> knowing exercise of dominion or control over an item. <b>Use:</b> the act of using or being under the influence.                                                                                                                                                                                                                                                                                                                  |                     |                                            |
| <b>Sale:</b> to transfer or exchange an item to another person for anything of value or advantage, present or prospective.                                                                                                                                                                                                                                                                                                                           |                     |                                            |
| <b>Share:</b> to allow another person to use or enjoy something that one possesses.                                                                                                                                                                                                                                                                                                                                                                  |                     |                                            |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <i>Action Level</i> |                                            |
| <b>Over the Counter Drugs, Inappropriate use of</b><br>Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                  |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3                   |                                            |
| <b>Inhalants</b><br>Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation<br>This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                        |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Unknown Drug</b> (if a drug is identified, after an investigation, a different violation may be identified)                                                                                                                                                                                                                                                                                                                                       |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Substance Represented as an Illicit Drug</b><br>A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                             |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Prescription Drugs, Inappropriate use of</b><br>Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                  |                     | <b>Mandatory report to law enforcement</b> |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Illicit Drug</b><br>Illicit drugs include dangerous drugs, narcotic drugs, marijuana, and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc.                                                                                                                                                                                                     |                     | <b>Mandatory report to law enforcement</b> |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Alcohol Violation</b><br>The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                  |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Tobacco Violation</b><br>The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches and hookah sticks), at school-sponsored events and on school-sponsored transportation. (see A.R.S. §36-798.03).                                                                                                                         |                     |                                            |

Guidelines for Student Rights and Responsibilities, approved [DATE, 2015](#) (accompanies Policy JK)

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |          |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Share</b>      | <b>3</b> |
| <b>Possession of Drug Paraphernalia</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |          |
| Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. (see A.R.S. § 13-3415) |                   |          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Share</b>      | <b>3</b> |

| <b>ARSON</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                       |
| <b>Structure:</b> a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |
| <b>Occupied structure:</b> any structure in which one or more persons is, or is likely to be present, or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.                                                                                                                                                                                                                                                  |                                                                       |
| <b>Property:</b> anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).                                                                                                                                                                                                                                                                                                                                                             |                                                                       |
| <b>Damage:</b> as used here, means a tangible or visible impairment to a surface.                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                       |
| <b>Reckless Burning:</b> recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property. (see A.R.S. § 13-1702).                                                                                                                                                                                                                                                                                                                                                   |                                                                       |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Action Level</i>                                                   |
| <b>Arson of a Structure or Property</b><br>A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. (see A.R.S. § 13-1703)<br><br><i>NOTE: Burning one's own property is not arson, with the exception of burning one's own property with the knowledge that it will ignite another's property or a structure. Burning one's own property may, where appropriate, be considered reckless burning.</i> | <b>4</b>                                                              |
| <b>Arson of an Occupied Structure</b><br>A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. (see A.R.S. § 13-1704)                                                                                                                                                                                                                                                                                  | <b>5</b><br><b>Mandatory report to law enforcement and Fire Dept.</b> |
| <i>NOTE: Administrators may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100, at Level 3. Please see the definition of Reckless Burning above.</i>                                                                                                                                                                                                                                                              |                                                                       |

| <b>ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)</b>                                                                                                                                                                                                                                                                                                 |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                               | <i>Action Level</i> |
| <b>Other Attendance Violations</b><br><b>Examples:</b> leaving school, without signing out in the main office; leaving school at lunch, without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school, but not attending classes. | <b>1</b>            |
| <b>Tardy</b><br>Arriving at school or class after the scheduled start time.                                                                                                                                                                                                                                                                                                    | <b>1</b>            |
| <b>Unexcused Absence</b><br>When a student is not in attendance <b>for an entire day</b> and does not have an acceptable excuse.                                                                                                                                                                                                                                               | <b>1</b>            |
| <b>Leaving School Grounds without Permission</b><br>Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.                                                                                                                                                                          | <b>1</b>            |
| <b>Truancy</b><br>When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.                                                                                                                                                                                                                                                | <b>1</b>            |

| <b>DISHONESTY</b>                                                                                                                                                                                                                                                   |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Cheating</b><br>To intentionally share with another, or take from another, intellectual property for the purpose of deceit or fraud, or to take or steal intellectual property from another with or without their knowledge and present it as the student's own. | <b>2</b>            |

|                                                                                                                            |   |
|----------------------------------------------------------------------------------------------------------------------------|---|
| <b>Forgery</b><br>Falsely and fraudulently making or altering a document, including hall passes and parent signatures.     | 2 |
| <b>Lying</b><br>To make an untrue statement with intent to deceive or to create a false or misleading impression.          | 2 |
| <b>Plagiarism</b><br>To steal and pass off the ideas or words of another as one's own, including material obtained online. | 2 |

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| <b>HARASSMENT AND THREAT, INTIMIDATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <i>Action Level</i> |
| <p><b>Threat or Intimidation</b><br/>When a person indicates, by words or conduct, the intent to cause physical injury or serious damage to a person or their property, or intentionally places another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occurs online or through a telecommunication device. (see A.R.S. § 13-1202).</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>3</b>            |
| <p><b>Bullying</b><br/>Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, social networking-such as, but not limited to "Twitter"); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).</p>                                                                                                                                                                                                                                                                           | <b>3</b>            |
| <p><b>Harassment, nonsexual</b><br/>A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person:</p> <ol style="list-style-type: none"> <li>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses.</li> <li>2. Repeatedly commits an act or acts that harass another person.</li> <li>3. Surveils or causes another person to surveil a person for no legitimate purpose.</li> <li>4. On more than one occasion makes a false report to a law enforcement, credit or social service agency. (see A.R.S. § 13-2921)</li> <li>5. Stalking-Following another person in or about a public place for no legitimate purpose after being asked to desist.</li> </ol> <p><i>NOTE: Bullying and Sexual Harassment are types of Harassment. Indicate Harassment, nonsexual if the violation is not specifically Bullying or Sexual Harassment, or if the specific type of harassment is not known.</i></p>    | <b>3</b>            |
| <p><b>Hazing</b><br/>"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:</p> <ol style="list-style-type: none"> <li>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. ("Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school.).</li> <li>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. (see A.R.S. § 15-2301)</li> </ol> <p>*Administrators <b>may</b> treat incidents of hazing at a Level 4 as appropriate to the situation, and in conjunction with the Department of Student Equity and Intervention</p> | <b>3</b>            |

| <b>HOMICIDE; KIDNAPPING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Action Level</i>                                            |
| <p><b>Homicide</b><br/>Includes first degree murder, second degree murder, manslaughter or negligent homicide, and intentionally or recklessly causing the death of another person. (see A.R.S. § 13, Chapter 11)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |
| <p><b>Kidnapping</b><br/> <u>A. A person commits kidnapping by knowingly restraining another person with the intent to: (1) Hold the victim for ransom, as a shield or hostage; or (2) Hold the victim for involuntary servitude; or (3) Infract death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or (4) Place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person; or (5) Interfere with the performance of a governmental or political function; or (6) Seize or exercise control over any airplane, train, bus, ship or other vehicle.</u><br/> <u>B. Kidnapping is a class 2 felony unless the victim is released voluntarily by the defendant without physical injury in a safe place prior to arrest and prior to accomplishing any of the further enumerated offenses in subsection A of this section in which case it is a class 4 felony. If the victim is released pursuant to an agreement with the state and without any physical injury, it is a class 3 felony. If the victim is under fifteen years of age kidnapping is a class 2 felony punishable pursuant to section 13-604.01. The sentence for kidnapping of a victim under fifteen years of age shall run consecutively to any other sentence imposed on the defendant and to any undischarged term of imprisonment of the defendant. (see A.R.S. § 13-1304)</u><br/>                     Knowingly restraining another person with the intent to hold the victim for ransom, as a shield or hostage; or hold the victim for involuntary servitude; or inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person. (see A.R.S. § 13-1304)</p> | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |

| <b>SCHOOL THREAT OR INTERFERENCE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                      |
| Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:<br>1. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.<br>2. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.<br>3. Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.<br>4. Refusing to obey a lawful order to leave the property of an educational institution.<br>NOTE: "interference with or disruption of" includes only those acts that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation or suspension is not required). |                                                      |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <i>Action Level</i>                                  |
| <p><b>Fire Alarm Misuse</b><br/>Intentionally ringing fire alarm when there is no fire.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>4</b></p>                                      |
| <p><b>Other School Threat</b><br/>An incident, not coded in the School Threat category, which involves threatening an educational institution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Bomb Threat</b><br/>Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.<br/>Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Chemical or Biological Threat</b><br/>Threatening to cause harm using dangerous chemicals or biological agents.<br/>Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Other School Threat</b><br/>The incident cannot be coded in one of the above categories but did involve a school threat.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |

| <b>SEXUAL OFFENSES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <i>Action Level</i>                                    |
| <p><b>Harassment, Sexual</b><br/>Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices), or physical conduct of a sexual nature.</p>                                      | <b>3</b>                                               |
| <p><b>Pornography</b><br/>Pornography is the sexually explicit and obscene depiction of persons, in words or images.<br/><b>Examples:</b> viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value.</p> | <b>3</b>                                               |
| <p><b>Harassment, Sexual with contact</b><br/>Sexual harassment that includes physical contact.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>4</b>                                               |
| <p><b>Indecent Exposure or Public Sexual Indecency</b><br/>A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts.<br/><b>Examples:</b> public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse, or oral sex.</p>                                                                                                                                                                           | <b>4</b>                                               |
| <p><b>Sexual Assault or Rape</b><br/>A violation of A.R.S. § 13-1406 Sexual assault</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>5</b><br><b>Mandatory report to law enforcement</b> |
| <p><b>Sexual Abuse or Sexual Conduct with minor, or Child Molestation</b><br/>A violation of A.R.S. § 13-1404 Sexual abuse, § 13-1405 Sexual conduct with a minor, or § 13-1410 Child Molestation.</p>                                                                                                                                                                                                                                                                                                                                                                      | <b>5</b><br><b>Mandatory report to law enforcement</b> |



| <b>TECHNOLOGY, IMPROPER USE OF</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <i>Action Level</i> |
| <p><b>Telecommunication Device</b><br/> <u>Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:</u><br/> <u>(1) Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag. (2) Such devices shall not be turned on or used during instructional time, except as authorized by the teacher. (3) The principal shall establish additional guidelines appropriate to campus needs. (4) Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities. (see Policy JICJ)</u></p> <p><b>Examples:</b> use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose</p> | 2                   |
| <p><b>Other Technology</b><br/> <b>Examples:</b> Gaming systems, iPods, iPads, Tablets, tec.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2                   |
| <p><b>Computer</b><br/> <b>Examples:</b> use of school computers for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of an administrator, vandalism of computers or computer equipment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3                   |
| <p><b>Network Violation</b><br/> <b>Examples:</b> use of computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.</p>                                                                                                                                                                                                                                                                                                                                                            | 3                   |

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| <b>THEFT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <i>Action Level</i>                                    |
| <b>Petty Theft</b><br>Thefts for cash, or property, valued under \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>2</b>                                               |
| <b>Theft – School Property or Non-School Property</b><br>A person commits theft if, without lawful authority, the person knowingly:<br>b. Controls property of another with the intent to deprive the other person of such property; or<br>c. Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant’s possession for a limited, authorized term or use; or<br>d. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or<br>e. Comes into control of lost, mislaid or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person’s own or another’s use without reasonable efforts to notify the true owner; or<br>f. Controls property of another knowing or having reason to know that the property was stolen; or<br>g. Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another’s services to the person’s own or another’s benefit without authority to do so. (see A.R.S. § 13-1802) | <b>3</b>                                               |
| <b>Burglary or Breaking and Entering</b><br>Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard or a nonresidential structure or in a fenced commercial property with the intent to commit any theft or any felony therein. (see A.R.S. § 13-1506 - § 13-1507)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>4</b>                                               |
| <b>Extortion</b><br>A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:<br>1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.<br>2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection.<br>3. Cause damage to property.<br>4. Engage in other conduct constituting an offense.<br>5. Accuse anyone of a crime or bring criminal charges against anyone.<br>6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person’s credit or business.<br>7. Take or withhold action as a public servant or cause a public servant to take or withhold action.<br>8. Cause anyone to part with any property. (see A.R.S. § 13-1804)                                                                                                                                                                                                                                                                                                                                                         | <b>4</b>                                               |
| <b>Robbery</b><br>A person commits robbery if in the course of taking any property of another from his person or immediate presence and against his will; such person threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property. (see A.R.S. § 13-1902)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>4</b>                                               |
| <b>Armed Robbery</b><br>A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice: (1) Is armed with a deadly weapon or a simulated deadly weapon; or (2) Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. § 13-1904)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>5</b><br><b>Mandatory report to law enforcement</b> |
| <b>Burglary (First Degree)</b><br>A person commits burglary in the first degree if such person or an accomplice enters or remains unlawfully in or on a residential structure or yard or a nonresidential structure or in a fenced commercial with the intent to commit any theft or any felony therein (see A.R.S. § 13-1506 and 13-1507) and knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. (see A.R.S. § 13-1508)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>5</b><br><b>Mandatory report to law enforcement</b> |

| <b>TRESPASSING; VANDALISM OR CRIMINAL DAMAGE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                     |
| <p><b>Criminal damage:</b> Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Administrators may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.</p> <p><b>Examples:</b> Substantial destruction of copy machines, school vehicles, student vehicles, or certain technology, science, or computer equipment.</p> |                     |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <i>Action Level</i> |
| <p><b>Trespassing</b><br/>To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.</p>                                                                                                                            | <b>2</b>            |
| <p><b>Graffiti or Tagging</b><br/>Writing on walls; drawings or words that are painted or sprayed on walls and/ or other surfaces that can be easily removed with soap or cleaner.</p>                                                                                                                                                                                                                                                                                                                                                                    | <b>2</b>            |
| <p><b>Vandalism of Personal property</b><br/>Willful destruction or defacement of personal property.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>3</b>            |
| <p><b>Vandalism of School Property</b><br/>Willful destruction or defacement of school property.<br/><b>Examples:</b> Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles.</p>                                                                                                                                                                                                                                                                                                       | <b>3</b>            |

DRAFT

| <b>WEAPONS AND DANGEROUS ITEMS (POSSESSION OF)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Action Level</i>                                                                        |
| <p><b>Dangerous Items</b><br/>                     Knife with a blade length of less than 2.5 inches, air soft gun, b.b.gun, laser pointer, letter opener, mace/pepper spray, paintball gun, pellet gun, razor blade/box cutter, simulated knife, taser or stun gun, tear gas, firecrackers, smoke and stink bombs, gas, lighter fluid, and other dangerous items (anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury).</p> <p><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>3</b>                                                                                   |
| <p><b>Other Weapons</b><br/> <b>Examples:</b> Billy club, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus.<br/> <b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>4</b>                                                                                   |
| <p><b>Simulated Firearm</b><br/>                     Possession of a simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm.</p> <p><b>If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>3</b>                                                                                   |
| <p><b>Firearms</b><br/> <a href="#">Except as provided in subsection B, an un-emancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the un-emancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian. (see A.R.S. §13-3111(A))</a></p> <p><b>"Firearm"</b> means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. (see A.R.S. § 13-3101)</p> <p><b>"Other Firearms"</b> <del>Firearms other than handguns, rifles or shotguns including:—As defined for the Gun-Free Schools Act (GESA)—includes—any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;</del> the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas: Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. (see 18 U.S.C. 921)</p> <p><i>NOTE: This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, and pellet guns)</i></p> | <b>5</b><br><b>Expulsion required by law</b><br><b>Mandatory report to law enforcement</b> |

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Guidelines for Student Rights and Responsibilities, approved [DATE, 2015](#) (accompanies Policy JK)

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**TUSD ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age, or who attend an institution of postsecondary education) certain rights regarding the student’s education records. These rights are:

**(1) The right to inspect and review the student’s education records within 45 days from the day TUSD receives a request.**

The parent(s) and/or eligible student may inspect and review student’s education records, and TUSD policies and regulations governing use of those records, by making an appointment with the student’s school principal. A copy of state and federal statutes and regulations concerning student records is available for reasonable inspection in the Office of the Superintendent or designee, 1010 E. 10th Street, Tucson, Arizona. A list of the types of records maintained, and an explanation of any record, will be provided by appropriate TUSD personnel upon request.

Federal law assumes that both parents are equally entitled to review their child’s records. If there is a custody order in place that prohibits the provision of this information to one parent, please provide TUSD with a copy of the custody order, signed by a judge.

**(2) The right to request the amendment of the student’s education records that the parent(s) and/or eligible students believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.**

Such a request must be in writing to the student’s school principal, must clearly identify the part of the record they want changed, and must specify why it should be changed. If TUSD, decides not to amend the record as requested by the parent(s) and/or eligible student, TUSD will notify the parent(s) and/or eligible student of the decision, and the parent(s) and/or eligible student may further request a hearing regarding the request for amendment, as provided by federal and state statutes, rules and regulations.

**(3) The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests. A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, schools will disclose education records, without consent, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

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

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:

The Family Policy Compliance Office  
U.S. Dep’t of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202  
(202) 260-3887

Directory Information

FERPA requires that TUSD, with certain exceptions, obtain a parent’s/guardian’s written consent prior to the disclosure of personally identifiable information from your child’s education records. However, TUSD may disclose appropriately designated “directory information” without written consent, unless you have advised TUSD to the contrary in accordance with TUSD procedures (see Administrative Regulation 5130). The primary purpose of directory information is to allow TUSD to include this type of information from your child’s education records in certain school publications, such as:

- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets showing weight/height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want TUSD to disclose directory information from your child’s education records without your prior written consent, you must notify TUSD on TUSD Form 274, prior to October 1st. TUSD has designated the following information as directory information:

Name, address, parent or guardian telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees (diplomas) and awards received, the most recent previous educational agency or institution attended by the student, personally identifiable photographs, videotapes, films and other visual media, personally identifiable interviews, either audio only or audio and visual, and other similar information.

Under federal law, this information is considered directory information and does not require the written consent of a parent/eligible student to release. If you object to the release of directory information you must notify the principal or designee of the school, in writing, on TUSD Form 274, prior to October 1st. If Form 274 is not received by October 1st, it will be assumed that there is no objection to releasing such information. This procedure shall be done annually. Pursuant to federal law, upon request, TUSD may disclose education records without prior parental/eligible student consent, to officials of another school district in which a student seeks or intends to enroll. For further information, contact the Principal’s Office at the school where the student(s) attend in TUSD.

**TUSD ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

These include the right to:

**(1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Dep’t of Education (ED) –**

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

**(2) Receive notice and an opportunity to opt a student out of –**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

**(3) Inspect, upon request and before administration or use –**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 yrs old, or an emancipated minor under State law.

TUSD will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

TUSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. TUSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 2020



*YOUR SCHOOL IS A*  
***SAFE-T-ZONE***

***IF YOU SEE IT***

- |                   |                       |
|-------------------|-----------------------|
| ↪ <i>DRUGS</i>    | ↪ <i>VIOLENCE</i>     |
| ↪ <i>FIGHTS</i>   | ↪ <i>WEAPONS</i>      |
| ↪ <i>GANGS</i>    | ↪ <i>NON-STUDENTS</i> |
| ↪ <i>ASSAULTS</i> | ↪ <i>GRAFFITI</i>     |
| ↪ <i>TRUANCY</i>  | ↪ <i>THREATS</i>      |

**REPORT IT!**  
**CONFIDENTIALITY GUARANTEED**

**TELL A SCHOOL OFFICIAL OR CALL**

***TUSD SAFETY MESSAGE LINE***  
***584-7680***

- MESSAGES CHECKED HOURLY DURING SCHOOL -  
- DAILY ON NON-SCHOOL DAYS -

**DISCRIMINATION STATEMENT:** Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, , creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background in admission or access to, or treatment or employment in, its educational programs or activities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD's EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444, or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado 80204. See Board Policies AC "Non-Discrimination," and ACA "Sexual Harassment" for more information.

**Brown, Samuel**

---

**From:** Eichner, James (CRT) <James.Eichner@usdoj.gov>  
**Sent:** Friday, June 12, 2015 8:51 AM  
**To:** Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** payton.j@charter.net; Eichner, James (CRT)  
**Subject:** RE: Comments on GSRR Revision  
**Attachments:** DOJ Comments and Suggestions on the GSRR Revision.fin.docx

Attached are DOJ's comments and suggestions.

Jim

James A. Eichner  
Trial Attorney  
U.S. Department of Justice, Civil Rights Division  
Educational Opportunities Section  
950 Pennsylvania Ave., N.W., PHB 4300  
Washington, DC 20530  
Ph: (202) 514-0462 | Fx: (202) 514-8337

---

**From:** Willis D. Hawley [<mailto:wdh@umd.edu>]  
**Sent:** Friday, June 12, 2015 10:10 AM  
**To:** 'RLL'; 'Desegregation'; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT); Eichner, James (CRT)  
**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net)  
**Subject:** Comments on GSRR Revision

**Attached are my comments. I apologize for not following instructions but the only version I have that has all of the tracking is a PDF. But my comments are not extensive.**

Willis D. Hawley  
Professor of Education and Public Policy  
University of Maryland  
Senior Advisor  
Southern Poverty Law Center



|                                                                                                                   |                            |
|-------------------------------------------------------------------------------------------------------------------|----------------------------|
| <b>Subject:</b> United States' Comments and Suggestions on the Guidelines for Student Rights and Responsibilities | <b>Date:</b> June 12, 2015 |
|-------------------------------------------------------------------------------------------------------------------|----------------------------|

1. The current Guidelines for Student Rights and Responsibilities (“GSSR”) does not properly limit In-School Suspension (“ISS”) to cases where it would serve as an alternative to Out of School Suspension (see page 24-25 of the redline). Instead, the GSSR allows ISS to be used in cases where the alternative would be to keep the student in the classroom and apply another intervention or consequence. To remedy this misuse of ISS, the GSSR should eliminate ISS as a potential response to a level 2 infraction and only allow ISS in response to a level 3 (or higher) infraction.
2. We suggest that the definition of restorative practices in the draft GSSR (page 21 of the redline) be replaced with the definition from the USP. That definition, from § (VII)(B)(1)(a), reads: “Restorative Practices[ is] a framework to give those affected by conflict the tools and principles needed to resolve problems and build relationships. Restorative Practices focus upon the emotional and social disturbance created by conflict and provide a process for holding students accountable for their actions while building a supportive school environment.”
3. The District’s use of abeyance contracts is a powerful and productive alternative to exclusionary discipline. However, the language discussing the use of abeyance contracts (page 19 of the redline) is vague (*e.g.*, abeyance contracts may be used if “the administrator believes it is in the best interest of the student and the school community”) and could be strengthened to better encourage the use of such contracts. For example, the GSSR could require that students be offered abeyance contracts unless there are particular circumstances that would make it inappropriate (for example, the suspension is too short for an abeyance contract to make sense or a student has repeatedly failed to honor past abeyance contracts). However, the fact that an administrator believes a student may violate the abeyance contract should not prevent offering the student the opportunity to try to live up to its terms.
4. Several times, the Purpose Section of the document (page 6 in the redline) states that the District strives to keep students in the classroom whenever “practicable.” We suggest changing “practicable” to “possible.” Practicable could be read as suggesting that logistical challenges or other minor difficulties justify excluding students from the classroom. Using the word “possible” makes it clear that students should be kept in the classroom whenever that result can be accomplished without sacrificing student safety or a similarly important objective, even if that requires some effort on the part of District staff.

5. The paragraph on harassment (page 11 of the redline) begins: “It is the policy of the TUSD to prohibit discriminatory harassment based on real or perceived race, color, religion/religious beliefs . . .” The term of art used in federal law and guidance on harassment is “actual or perceived,” so we suggest that “real” be changed to “actual.”
6. The paragraph on gang behavior (page 11 of the redline) states: “The behaviors that have become associated with gang activity or membership, especially violence, intimidation, and disrespect will not be tolerated . . .” Disrespect should be deleted from this paragraph because it suggests that disrespect is a serious and essentially criminal offense, a characterization at odds with the GSRR’s appropriate treatment of disrespect as a low-level misbehavior.
7. We suggest removing bandanas from the list of prohibited clothing (page 12 of the redline). We assume this prohibition exists to address the use of bandanas as gang related apparel. However, gang-related apparel is already separately prohibited in the dress code. Therefore listing bandanas by itself is either redundant or overly broad, and if overbroad, is more likely to be selectively enforced in a discriminatory manner.
8. Vandalism is included as conduct that may be reported to law enforcement (page 16 of the redline). However, in the introductory paragraph to this section, the only justification given for reporting conduct to law enforcement is the need to “maintain safety.” Since it is difficult to see how reporting vandalism to law enforcement is necessary to maintain safety, we suggest that vandalism either be removed from the list of offenses that may lead to a law enforcement referral or that the District explain its inclusion on some other basis.
9. We suggest that the added definition of “In-School Intervention” (page 18 of the redline) have its own header so it is not part of the section about due process for students with disabilities. Also, we want to confirm that “In-School Intervention” in that section is the same thing as In-School Suspension in the action levels chart (page 24 of the redline). If so, we suggest choosing one term.
10. In the section on PBIS (page 21 of the redline 21), the District should add or cross-reference the Level 1 interventions (page 24 of the redline) to the list of Tiered interventions, and should remove interest-based clubs from the list, as that is not an intervention.

**Brown, Samuel**

---

**From:** Juan Rodriguez <jrodriguez@MALDEF.org>  
**Sent:** Friday, June 12, 2015 12:07 PM  
**To:** Taylor, Martha; 'Eichner, James (CRT)'; Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** payton.j@charter.net  
**Subject:** RE: Comments on GSRR Revision

Dear Martha,

Mendoza Plaintiffs write to supplement their comments on the revised GSRR submitted earlier today. Mendoza Plaintiffs are aware that hearings on student appeals of suspensions typically do not take place until about the 9<sup>th</sup> day after students have been suspended. USP Sections VI, A and B both emphasize the importance of limiting exclusionary consequences imposed on students. Mendoza Plaintiffs could not find a Governing Board-approved regulation describing any time-limitation within which appeals hearings must take place after suspension or after a hearing is requested. They are very concerned that students who must wait almost two weeks for an appeals hearing are subject to the very type of exclusionary consequences the USP was trying to limit. Mendoza Plaintiffs therefore request that the District directly address this issue by doing whatever is necessary, which we believe should include the appropriate revisions to District regulations (an approach contemplated in USP Section VI, B, 2, b), to ensure that any disciplinary appeals hearings take place within three days after students or parents request them.

In addition, USP Section VI, B, 2, b contemplates revisions, including to TUSD regulations, to provide “language-accessible proceeding[s].” Mendoza Plaintiffs understand that for hearings in which a Spanish-language interpreter is needed, typically any available individual with any amount of Spanish-language proficiency takes on the role of interpreter, regardless of whether the individual is in fact qualified to provide interpreter services. Mendoza Plaintiffs believe that this approach materially affects students’ rights to a fair hearing, and therefore request that the District also make any revisions necessary to require that only qualified interpreters be used at the hearings for which those services are needed.

Thanks,

**Juan Rodriguez** | Staff Attorney

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---

**From:** Taylor, Martha [mailto:Martha.Taylor@tusd1.org]  
**Sent:** Friday, June 12, 2015 10:38 AM  
**To:** Juan Rodriguez; 'Eichner, James (CRT)'; Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)

Cc: payton.j@charter.net  
Subject: RE: Comments on GSRR Revision

Thanks, Juan.

---

**From:** Juan Rodriguez [<mailto:jrodriguez@MALDEF.org>]  
**Sent:** Friday, June 12, 2015 9:47 AM  
**To:** Taylor, Martha; 'Eichner, James (CRT)'; Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net)  
**Subject:** RE: Comments on GSRR Revision

Please find attached Mendoza Plaintiffs' comments on the revised GSRR.

**Juan Rodriguez** | Staff Attorney

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**From:** Taylor, Martha [<mailto:Martha.Taylor@tusd1.org>]  
**Sent:** Friday, June 12, 2015 8:58 AM  
**To:** 'Eichner, James (CRT)'; Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; Juan Rodriguez; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net)  
**Subject:** RE: Comments on GSRR Revision

Thank you.

---

**From:** Eichner, James (CRT) [<mailto:James.Eichner@usdoj.gov>]  
**Sent:** Friday, June 12, 2015 8:51 AM  
**To:** Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net); Eichner, James (CRT)  
**Subject:** RE: Comments on GSRR Revision

Attached are DOJ's comments and suggestions.

Jim

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Trial Attorney  
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Ph: (202) 514-0462 | Fx: (202) 514-8337

---

**From:** Willis D. Hawley [<mailto:wdh@umd.edu>]

**Sent:** Friday, June 12, 2015 10:10 AM

**To:** 'RLL'; 'Desegregation'; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT); Eichner, James (CRT)

**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net)

**Subject:** Comments on GSRR Revision

**Attached are my comments. I apologize for not following instructions but the only version I have that has all of the tracking is a PDF. But my comments are not extensive.**

Willis D. Hawley  
Professor of Education and Public Policy  
University of Maryland  
Senior Advisor  
Southern Poverty Law Center

## Brown, Samuel

---

**From:** Juan Rodriguez <jrodriguez@MALDEF.org>  
**Sent:** Friday, June 12, 2015 9:47 AM  
**To:** Taylor, Martha; 'Eichner, James (CRT)'; Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** payton.j@charter.net  
**Subject:** RE: Comments on GSRR Revision  
**Attachments:** Mendoza Plaintiffs Comments on Revised GSRR 6 12 15.pdf

Please find attached Mendoza Plaintiffs' comments on the revised GSRR.

**Juan Rodriguez** | Staff Attorney

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**From:** Taylor, Martha [<mailto:Martha.Taylor@tusd1.org>]  
**Sent:** Friday, June 12, 2015 8:58 AM  
**To:** 'Eichner, James (CRT)'; Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; Juan Rodriguez; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net)  
**Subject:** RE: Comments on GSRR Revision

Thank you.

---

**From:** Eichner, James (CRT) [<mailto:James.Eichner@usdoj.gov>]  
**Sent:** Friday, June 12, 2015 8:51 AM  
**To:** Willis D. Hawley; 'RLL'; Desegregation; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT)  
**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net); Eichner, James (CRT)  
**Subject:** RE: Comments on GSRR Revision

Attached are DOJ's comments and suggestions.

Jim

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U.S. Department of Justice, Civil Rights Division  
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---

**From:** Willis D. Hawley [<mailto:wdh@umd.edu>]

**Sent:** Friday, June 12, 2015 10:10 AM

**To:** 'RLL'; 'Desegregation'; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); Savitsky, Zoe (CRT); Eichner, James (CRT)

**Cc:** [payton.j@charter.net](mailto:payton.j@charter.net)

**Subject:** Comments on GSRR Revision

**Attached are my comments. I apologize for not following instructions but the only version I have that has all of the tracking is a PDF. But my comments are not extensive.**

Willis D. Hawley  
Professor of Education and Public Policy  
University of Maryland  
Senior Advisor  
Southern Poverty Law Center

Mendoza Plaintiffs' Comments on the Revised Guidelines for Student Rights and Responsibilities

June 12, 2015

On May 28, 2015, the District provided the plaintiffs and Special Master with its revised GSRR for the 2015-16 school year. On June 11, 2015, the District additionally provided a Revision Guide to Draft 2 of the 2015-16 GSRR ("Revision Guide") regarding the GSRR provided on May 28.

As an initial matter, Mendoza Plaintiffs note that the first page of the revised GSRR is titled "2015-16 Draft Only" and makes reference to principals' ability to provide "comments and/or changes" to the draft. Additionally, there are some comments and questions in the margin of the document. (For example, on page 22 where there is a question about whether LSCs and Student Support Specialists should be included.) Mendoza Plaintiffs therefore ask whether they should expect additional substantive changes to the GSRR beyond those in the May 28 GSRR, or that may result from the plaintiffs' and/or Special Master's comments on that GSRR?

On page 18 of the revised GSRR, the "In-School Intervention" ("ISI") and "Alternative Education Placement" ("AEP") programs are defined. However, the GSRR does not detail whether the ISI program will be available to all students subject to a short-term suspension, or, similarly, whether the AEP program will be available to all students subject to a long-term suspension. Nor are there any guidelines to suggest circumstances in which these alternatives to suspension would be available. Mendoza Plaintiffs understand from the District's June 1, 2015 email regarding the 2015-16 USP budget, that there will be a limited roll-out of the ISI program for the 2015-16 year. Yet, as written, the GSRR may lead parents to believe the alternative is available to all students facing a short-term suspension. In addition, given that the District is seeking to remedy existing disproportionality in the administration of disciplinary consequences, it is important that clear guidelines for when these alternatives are available be outlined to avoid the potential result of the alternatives to suspension becoming disproportionately available to students of a particular race/ethnicity, which could exacerbate rather than remedy existing disproportionality issues. Mendoza Plaintiffs therefore request that the GSRR be revised to provide clarity in this regard.

On pages 6, 24 and 25 of the GSRR, the District indicates that exclusionary consequences can be applied "only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate)." The District's Revision Guide indicates that the reason for these additions is to "[a]lign[] inconsistencies with the rest of the document and with the USP." To more closely align the GSRR with the USP, Mendoza Plaintiffs request that the language of "(whichever is appropriate)" be revised to read "as appropriate," as is included in USP Section VI, B, 2, a., (i) language. Such a revision would reflect that application of both

PBIS and Restorative Practices may be appropriate and should therefore be applied, as was contemplated in the USP.

Mendoza Plaintiffs are confused by the District's indication that it removed language on page ten, relating to Arizona's "Parents' Bill of Rights," to "[r]educe unnecessary or redundant language." (Revision Guide at 1.) Mendoza Plaintiffs think that the District would want to continue to inform parents of these rights, particularly as the very purpose of the GSRR is to outline student and parent/guardian rights and responsibilities. In addition, many parents would presumably not be aware of these rights if they are not included in the GSRR, and there is no other reference to these rights in the GSRR. Thus, Mendoza Plaintiffs do not believe that removal of language reduces "unnecessary" or "redundant" language. Mendoza Plaintiffs note that they additionally do not understand the language removal in light of the fact that a number of rights still included on page ten (including, but not limited to, rights "j," "k," and "l" as revised) are also found in Arizona's "Parents' Bill of Rights."

USP Section VI, B, 2, a, (1) requires that "exclusionary consequences [be limited] to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices..." Mendoza Plaintiffs appreciate that the District has added this language to descriptions of short-term suspensions that correspond to action levels two and three on pages 24 and 25, respectively, to "[a]lign[] inconsistencies with the rest of the document and with the USP." (Revision Guide at 2.) However, this language was not added to descriptions of long-term suspensions under action levels four and five on page 25. Mendoza Plaintiffs thus request that this USP-required language also be added to the long-term suspensions on page 25 to make the GSRR internally consistent and consistent with the USP.

In its Revision Guide, the District indicates that with regard to student infractions and corresponding action levels, it "[c]hanged 'Inappropriate Language (verbal or nonverbal)' from a '2' to a '1' (a parallel change was adding 'swearing at a staff member' to 'Defiance' – a level '2')." While these are revisions with which Mendoza Plaintiffs agree, it does not appear that these revisions were successfully made to the GSRR as they appear to have been deleted from page 29. Mendoza Plaintiffs thus request that the District revisit those revisions to ensure that they are included in the GSRR.

On page 18 of the GSRR, with regard to long-term suspensions, the District removed language that required that conferences among parents, students, and appropriate TUSD staff take place as part of "the continuum of supports and interventions implemented to support student success," which is part of the District's Restorative Practices and PBIS strategy under the USP to "develop[] a continuum of graduated and appropriate consequence" USP Section VI, B, a., ii. Notably, identical language was not removed from the short-term suspension section on the same page. Notwithstanding the discrepancy, Mendoza Plaintiffs understand from the description of consequences applicable to the various action levels (on pages 24 and 25), that these conferences are required for both long-term and short-term suspensions. Thus, to keep

the GSRR consistent, Mendoza Plaintiffs request that the language be added back to the long-term section on page 18.

**Brown, Samuel**

---

**From:** Willis D. Hawley <wdh@umd.edu>  
**Sent:** Friday, June 12, 2015 7:10 AM  
**To:** 'RLL'; Desegregation; Rubin Salter, Jr.; 'Juan Rodriguez'; 'Lois Thompson'; Bhargava, Anurima (CRT); 'Zoe Savitsky'; 'James Eichner'  
**Cc:** payton.j@charter.net  
**Subject:** Comments on GSRR Revision  
**Attachments:** USP GSRR Comment 6-12.docx

Attached are my comments. I apologize for not following instructions but the only version I have that has all of the tracking is a PDF. But my comments are not extensive.

Willis D. Hawley  
Professor of Education and Public Policy  
University of Maryland  
Senior Advisor  
Southern Poverty Law Center

**Brown, Samuel**

---

**From:** Rubin Salter, Jr. <rsjr3@aol.com>  
**Sent:** Thursday, June 18, 2015 3:38 PM  
**To:** Taylor, Martha  
**Cc:** rsjr3@aol.com; wdh@umd.edu; Brown, Samuel; Tolleson, Julie; lthompson@proskauer.com; jrodriguez@maldef.org; anurima.bhargava@usdoj.gov; james.eichner@usdoj.gov; zoe.savitsky@usdoj.gov; tusd@rllaz.com; Desegregation; wbrammer@rllaz.com; pvictory@rllaz.com; gloria.c.copeland@hotmail.com; kellangfo@aol.com; lhrichardson2000@yahoo.com  
**Subject:** Fisher Comments re: Revised GSRR  
**Attachments:** Desegregation Ombudsman.doc; Fisher Plaintiffs Incident Report Form.doc; Fisher Representatives Comments on the Revised Guidelines for Student Rights and Responsibilities.doc

Dear Ms. Taylor:

Attached please find Fisher Plaintiffs' concerns regarding the Revised GSRR, a proposed specific incident form report, and the Fisher Plaintiffs' definition of "ombudsman."

-----  
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Suite 903  
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Fisher Representatives Comments on the Revised Guidelines for Student Rights and Responsibilities  
June 16, 2015

On May 28, 2015, the District submitted a revised GSRR for the 2015-2016 school year. The following items are of concern to the Fisher Representatives.

On page 7 under the section about when the guidelines apply, there is a sentence that says the principal is authorized to begin disciplinary action outside of school is intrusive and general with no specific guidelines about when the principal is just in applying discipline outside of the school. This can lead to abuse of authority.

On page 10, under Parent Rights, the District has eliminated items l, m, p. These should be left in.

On page 12 the description of bullying needs to be clarified so that the word "repeatedly" is delineated.

On page 14, it says that the district is not responsible for confiscated items. This encourages adults to be careless when handling students' property and should be deleted.

On page 16 the definition of aggravated assault needs clarification. The examples of when this situation exists is not specific particularly the statement about someone being incapable of defending himself. Without specific guidelines this will lead to abuse.

On page 17 the GSRR should read that a manifestation hearing must be held prior to a long term suspension hearing.

On page 18 it removes the statement that a "parent conference must take parent schedules into consideration. This should be left in.

Also on page 18 the GSRR talks about In School Suspension (ISS). When this is to be used needs to be spelled out. For example, is ISS utilized after PBIS and Restorative Practices have not be successful or can it be used immediately for certain offenses, I e Level 3 offenses.

On page 19, the District should clearly explain when abeyance contracts may be utilized and who is entitled to them and for what offenses.

On page 20 the appeal process for long term suspensions needs to be better explained.

On page 25 the GSRR talks about police contact for Level 3 offenses, but Level 3 offenses do not warrant contacting the police.

On page 28 under aggravated assault the District needs to define “serious physical injury”. Also the sentence about administration going into students’ homes needs to be removed. The administrators cannot be given carte blanche to roam their students’ neighborhoods looking for infractions.

On page 29, remove defiance of authority.

On page 30, the section concerning “substance represented as an illicit drug” should be deleted or changed to level 3.

The Fisher Representatives also recommend that the GSRR call for a Parent Ombudsman who parents can contact to assist them in dealing with discipline. We recommend that five of these positions be funded – two for high schools, two for middle schools and one for elementary. The positions should report to the external auditor that the District is required to employ. A description of this position, along with a referral form is attached.



## **District's Response to Special Master and Plaintiff Feedback to the Draft Revised GSRR Shared on May 28, 2015**

On May 28, 2015, the District shared its Draft Revised GSRR with the Special Master and Plaintiffs, and requested feedback by June 12, 2015. The District received comments, suggestions, and feedback from the Special Master, the Department of Justice (DOJ), and the Mendoza Plaintiffs ("Parties"). District leadership reviewed the feedback and identified 33 recommendations, of which the District accepted 21 of the 33. Below, the District provides responsive explanations to inquiries and recommendations that were not accepted.

The Draft Revised GSRR, along with your feedback, will be presented to the Governing Board for study on June 23, 2015, so the Governing Board is aware of the feedback and recommendations provided by the Parties. After receiving additional feedback from the Governing Board on June 23, 2015, District leadership will present the Final Revised GSRR to the Governing Board for adoption in July 2015.

### **COMMENTS AND FEEDBACK FROM SPECIAL MASTER HAWLEY**

1. I have always been puzzled by the district's treatment of PBS and restorative practices alternatives, something that happens throughout this document. All schools should be involved in PBIS and restorative practice is a much narrower strategy for dealing with particular issues. All schools successfully implemented PBIS, there would be less need for restorative practices. A simple fix in the short run would be to eliminate the phrase "whichever is appropriate".

#### **Response: Accepted**

2. P.12. I agree with the principles concerned about vague definition of leggings. Seems like "tights" takes care of this problem.

#### **Response: Accepted**

3. P.15. It seems appropriate to specify guidelines for providing information. These guidelines will accelerate in terms of days. One suggestion is that steps (bullets) 1-2-3 would be 24 hours for 4-5 might be 48 hours and longer for the others. These timelines could ensure accountability and focus on a quick resolution and minimizing the loss of instructional time.

#### **Response: Not accepted, Regulation JK-R2 provides the appropriate timelines for providing information.**

4. P.18. The removed language regarding setting the conference times seems to say that parents schedules do not now need to be taken into account. I hope that is not the intent.

#### **Response: This is not the District's intent.**

5. P.21. This might be phrased more flexibly with respect to would facilitate circles. For example,... facilitated by district staff including teachers.....

**Response: Accepted**

6. P.22 I would not list LSCs or student success specialists.

**Response: Accepted**

7. P. 25. The change here with respect to contacting law enforcement seems to give greater discretion school principals to do so for level III issues. This is not desirable.

**Response: Accepted – the language related to School Safety/Law Enforcement does not only apply to Level III, so the District moved that language out of the Level 3 section and added it to bullet 11 in the guidance section. The first sentence of bullet 11 contains language directly from USP section IV(B)(2)(A)(iv).**

8. P. 25 The effort to reduce redundancy with respect to the conditions for out of school suspension might be reconsidered. It seems important to emphasize that out of school suspension as a last resort strategy offenses below level four.

**Response: The District emphasized this point by removing the prior reference to Page 17 and inserting the actual language from Page 17 directly into this section.**

9. P.26. Condition five is fine with me. A close reading suggests that only three violations can be elevated. I'm not sure that that's the district intent I appreciate the effort to policy with the agreed-upon arrangements with respect to suspension.

**Response: This is not the District's intent.**

10. P. 27. Re minor aggressive acts "corridors" should be deleted and under endangerment there is a grammatical error with respect to tense.

**Response: Accepted**

11. pp. 27-28 It seems that the definition here could be clearer if it was presented in terms of bullets.

**Response: Not accepted.**

12. P. 29 I believe that the explanation for the change in levels is incorrect. The first change is from one to a 2 not from a 2 to a 1. Why is name-calling now to level offense?

**Response: This was not changed from last year, this has been and remains a Level 2 offense. There was a suggestion to change it to a Level 1, but it was then changed back to a Level 2 after further discussion.**

13. The policy on use of cell phones would make using a cell phone at recess or before school level 2 offense this seems a bit much.

**Response: Not accepted, the language refers to “instructional time” as being the time when cell phones are not appropriate – this would not include recess or before school.**

14. There is a great deal of text eliminated with respect to serious offenses but no explanation.

**Response: The District communicated with the Arizona Department of Education about the listing of violations and learned that certain violations (i.e. Homicide, Kidnapping) are not often included in student handbooks and such was not required. The GSRR Committee discussed and proposed removal of these violations from the handbook.**

### **COMMENTS AND FEEDBACK FROM THE DOJ**

15. The current Guidelines for Student Rights and Responsibilities (“GSSR”) does not properly limit In-School Suspension (“ISS”) to cases where it would serve as an alternative to Out of School Suspension (see page 24-25 of the redline). Instead, the GSSR allows ISS to be used in cases where the alternative would be to keep the student in the classroom and apply another intervention or consequence. To remedy this misuse of ISS, the GSSR should eliminate ISS as a potential response to a level 2 infraction and only allow ISS in response to a level 3 (or higher) infraction.

**Response: Not accepted. The language for ISS under Level 2 was revised to match the language for ISS under Level 3.**

16. We suggest that the definition of restorative practices in the draft GSSR (page 21 of the redline) be replaced with the definition from the USP. That definition, from § (VII)(B)(1)(a), reads: “Restorative Practices[ is] a framework to give those affected by conflict the tools and principles needed to resolve problems and build relationships. Restorative Practices focus upon the emotional and social disturbance created by conflict and provide a process for holding students accountable for their actions while building a supportive school environment.”

**Response: Accepted**

17. The District’s use of abeyance contracts is a powerful and productive alternative to exclusionary discipline. However, the language discussing the use of abeyance contracts (page 19 of the redline) is vague (*e.g.*, abeyance contracts may be used if “the administrator believes it is in the best interest of the student and the school community”) and could be strengthened to better encourage the use of such contracts. For example, the GSSR could require that students be offered abeyance contracts unless there are particular circumstances that would make it inappropriate (for example, the suspension is too short for an abeyance contract to make sense or a student has repeatedly failed to

honor past abeyance contracts). However, the fact that an administrator believes a student may violate the abeyance contract should not prevent offering the student the opportunity to try to live up to its terms.

**Response: Accepted**

18. Several times, the Purpose Section of the document (page 6 in the redline) states that the District strives to keep students in the classroom whenever “practicable.” We suggest changing “practicable” to “possible.” Practicable could be read as suggesting that logistical challenges or other minor difficulties justify excluding students from the classroom. Using the word “possible” makes it clear that students should be kept in the classroom whenever that result can be accomplished without sacrificing student safety or a similarly important objective, even if that requires some effort on the part of District staff.

**Response: Accepted**

19. The paragraph on harassment (page 11 of the redline) begins: “It is the policy of the TUSD to prohibit discriminatory harassment based on real or perceived race, color, religion/religious beliefs . . .” The term of art used in federal law and guidance on harassment is “actual or perceived,” so we suggest that “real” be changed to “actual.”

**Response: Accepted**

20. The paragraph on gang behavior (page 11 of the redline) states: “The behaviors that have become associated with gang activity or membership, especially violence, intimidation, and disrespect will not be tolerated . . .” Disrespect should be deleted from this paragraph because it suggests that disrespect is a serious and essentially criminal offense, a characterization at odds with the GSRR’s appropriate treatment of disrespect as a low-level misbehavior.

**Response: Accepted**

21. We suggest removing bandanas from the list of prohibited clothing (page 12 of the redline). We assume this prohibition exists to address the use of bandanas as gang related apparel. However, gang-related apparel is already separately prohibited in the dress code. Therefore listing bandanas by itself is either redundant or overly broad, and if overbroad, is more likely to be selectively enforced in a discriminatory manner.

**Response: Accepted**

22. Vandalism is included as conduct that may be reported to law enforcement (page 16 of the redline). However, in the introductory paragraph to this section, the only justification given for reporting conduct to law enforcement is the need to “maintain safety.” Since it is difficult to see how reporting vandalism to law enforcement is necessary to maintain safety, we suggest that vandalism either be removed from the list of offenses that may

lead to a law enforcement referral or that the District explain its inclusion on some other basis.

**Response: Accepted, added “or seek restitution” after “maintain safety.”**

23. We suggest that the added definition of “In-School Intervention” (page 18 of the redline) have its own header so it is not part of the section about due process for students with disabilities. Also, we want to confirm that “In-School Intervention” in that section is the same thing as In-School Suspension in the action levels chart (page 24 of the redline). If so, we suggest choosing one term.

**Response: Not accepted. Throughout the document the District revised all references to ISS from “In-School Suspension” to “In-School Suspension/Intervention.” ISS is used primarily at the Elementary and K8 School levels; ISI is being expanded at secondary schools (Middle and High Schools). In ISI, students will continue receiving classroom instruction, while this may be the case in some ISS settings it is not the norm.**

24. In the section on PBIS (page 21 of the redline 21), the District should add or cross-reference the Level 1 interventions (page 24 of the redline) to the list of Tiered interventions, and should remove interest-based clubs from the list, as that is not an intervention.

**Response: Accepted**

#### **COMMENTS AND FEEDBACK FROM THE MENDOZA PLAINTIFFS**

25. As an initial matter, Mendoza Plaintiffs note that the first page of the revised GSRR is titled “2015-16 Draft Only” and makes reference to principals’ ability to provide “comments and/or changes” to the draft. Additionally, there are some comments and questions in the margin of the document. (For example, on page 22 where there is a question about whether LSCs and Student Support Specialists should be included.) Mendoza Plaintiffs therefore ask whether they should expect additional substantive changes to the GSRR beyond those in the May 28 GSRR, or that may result from the plaintiffs’ and/or Special Master’s comments on that GSRR?

**Response: No.**

26. On page 18 of the revised GSRR, the “In-School Intervention” (“ISI”) and “Alternative Education Placement” (“AEP”) programs are defined. However, the GSRR does not detail whether the ISI program will be available to all students subject to a short-term suspension, or, similarly, whether the AEP program will be available to all students subject to a long-term suspension. Nor are there any guidelines to suggest circumstances in which these alternatives to suspension would be available. Mendoza Plaintiffs understand from the District’s June 1, 2015 email regarding the 2015-16 USP budget,

that there will be a limited roll-out of the ISI program for the 2015-16 year. Yet, as written, the GSRR may lead parents to believe the alternative is available to all students facing a short-term suspension. In addition, given that the District is seeking to remedy existing disproportionality in the administration of disciplinary consequences, it is important that clear guidelines for when these alternatives are available be outlined to avoid the potential result of the alternatives to suspension becoming disproportionately available to students of a particular race/ethnicity, which could exacerbate rather than remedy existing disproportionality issues. Mendoza Plaintiffs therefore request that the GSRR be revised to provide clarity in this regard.

**Response: Not accepted, but the District added “where available” to the definition of ISI, rather than the proposed list of schools where it is available.**

27. On pages 6, 24 and 25 of the GSRR, the District indicates that exclusionary consequences can be applied “only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate).” The District’s Revision Guide indicates that the reason for these additions is to “[a]lign[] inconsistencies with the rest of the document and with the USP.” To more closely align the GSRR with the USP, Mendoza Plaintiffs request that the language of “(whichever is appropriate)” be revised to read “as appropriate,” as is included in USP Section VI, B, 2, a., (i) language. Such a revision would reflect that application of both PBIS and Restorative Practices may be appropriate and should therefore be applied, as was contemplated in the USP.

**Response: Not accepted, this was removed per the Special Master’s comment (see Comment and Response #1 above).**

28. Mendoza Plaintiffs are confused by the District’s indication that it removed language on page ten, relating to Arizona’s “Parents’ Bill of Rights,” to “[r]educe unnecessary or redundant language.” (Revision Guide at 1.) Mendoza Plaintiffs think that the District would want to continue to inform parents of these rights, particularly as the very purpose of the GSRR is to outline student and parent/guardian rights and responsibilities. In addition, many parents would presumably not be aware of these rights if they are not included in the GSRR, and there is no other reference to these rights in the GSRR. Thus, Mendoza Plaintiffs do not believe that removal of language reduces “unnecessary” or “redundant” language. Mendoza Plaintiffs note that they additionally do not understand the language removal in light of the fact that a number of rights still included on page ten (including, but not limited to, rights “j,” “k,” and “l” as revised) are also found in Arizona’s “Parents’ Bill of Rights.”

**Response: Not accepted. The District removed the language that was not relevant to the educational setting.**

29. USP Section VI, B, 2, a, (1) requires that “exclusionary consequences [be limited] to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented the types of intervention(s) used in PBIS and/or

Restorative Practices...” Mendoza Plaintiffs appreciate that the District has added this language to descriptions of short-term suspensions that correspond to action levels two and three on pages 24 and 25, respectively, to “[a]lign[] inconsistencies with the rest of the document and with the USP.” (Revision Guide at 2.) However, this language was not added to descriptions of long-term suspensions under action levels four and five on page 25. Mendoza Plaintiffs thus request that this USP-required language also be added to the long-term suspensions on page 25 to make the GSRR internally consistent and consistent with the USP.

**Response: Not accepted. This is the same language that existed in the 2014-15 GSRR. Some Level 4 and 5 violations mandate exclusionary discipline.**

30. In its Revision Guide, the District indicates that with regard to student infractions and corresponding action levels, it “[c]hanged ‘Inappropriate Language (verbal or nonverbal)’ from a ‘2’ to a ‘1’ (a parallel change was adding ‘swearing at a staff member’ to ‘Defiance’ – a level ‘2’).” While these are revisions with which Mendoza Plaintiffs agree, it does not appear that these revisions were successfully made to the GSRR as they appear to have been deleted from page 29. Mendoza Plaintiffs thus request that the District revisit those revisions to ensure that they are included in the GSRR.

**Response: Not accepted. This violation will remain a Level 2 as it was in the 2014-15 GSRR.**

31. On page 18 of the GSRR, with regard to long-term suspensions, the District removed language that required that conferences among parents, students, and appropriate TUSD staff take place as part of “the continuum of supports and interventions implemented to support student success,” which is part of the District’s Restorative Practices and PBIS strategy under the USP to “develop[] a continuum of graduated and appropriate consequence” USP Section VI, B, a., ii. Notably, identical language was not removed from the short-term suspension section on the same page. Notwithstanding the discrepancy, Mendoza Plaintiffs understand from the description of consequences applicable to the various action levels (on pages 24 and 25), that these conferences are required for both long-term and short-term suspensions. Thus, to keep the GSRR consistent, Mendoza Plaintiffs request that the language be added back to the long-term section on page 18.

**Response: Accepted. The District moved the sentence describing conferences above both sections so it is clear that it applies to both short-term and long-term suspensions.**

32. Mendoza Plaintiffs write to supplement their comments on the revised GSRR submitted earlier today. Mendoza Plaintiffs are aware that hearings on student appeals of suspensions typically do not take place until about the 9<sup>th</sup> day after students have been suspended. USP Sections VI, A and B both emphasize the importance of limiting exclusionary consequences imposed on students. Mendoza Plaintiffs could not find a Governing Board-approved regulation describing any time-limitation within which appeals hearings must take place after suspension or after a hearing is requested. They

are very concerned that students who must wait almost two weeks for an appeals hearing are subject to the very type of exclusionary consequences the USP was trying to limit. Mendoza Plaintiffs therefore request that the District directly address this issue by doing whatever is necessary, which we believe should include the appropriate revisions to District regulations (an approach contemplated in USP Section VI, B, 2, b), to ensure that any disciplinary appeals hearings take place within three days after students or parents request them.

**Response: Not accepted, the District works diligently to schedule hearings with families according to *their* schedule and availability – which is not always within three days of the request for a hearing. Further, parents and advocates often need more than three days to prepare for a hearing.**

33. In addition, USP Section VI, B, 2, b contemplates revisions, including to TUSD regulations, to provide “language-accessible proceeding[s].” Mendoza Plaintiffs understand that for hearings in which a Spanish-language interpreter is needed, typically any available individual with any amount of Spanish-language proficiency takes on the role of interpreter, regardless of whether the individual is in fact qualified to provide interpreter services. Mendoza Plaintiffs believe that this approach materially affects students’ rights to a fair hearing, and therefore request that the District also make any revisions necessary to require that only qualified interpreters be used at the hearings for which those services are needed.

**Response: It is the District’s practice to use qualified interpreters at long-term suspension hearings and expulsion hearings.**



DRAFT FINAL REVISED GSRR 2015-16 AS PROVIDED TO THE SPECIAL MASTER AND PLAINTIFFS

DRAFT

# TUSD

## 2015-16 GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)

Together, students, parents<sup>1</sup>, teachers, staff, and principals share the responsibility in creating and sustaining an environment that enhances student achievement and well being in the Tucson Unified School District. We ask for the support of students and parents to achieve this goal. The Guidelines for Student Rights and Responsibilities (GSRR) addresses:

- The rights and responsibilities of students and parents
- Conduct which may require discipline
- Responsibilities of administrators and teachers to implement discipline, which includes behavioral supports and interventions that promote safety and support student success
- Administrative responsibilities for Due Process

Please read these Guidelines and develop a thorough understanding of the details. By following the Guidelines, you can help our school district become a safer and more supportive environment for the students and staff.

Student discipline is subject to the provisions of Governing Board policies and state and federal laws. Students will be disciplined in accordance with Governing Board Policy JK and its accompanying regulations. Students with disabilities shall be disciplined in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504, and applicable Governing Board Policies and Regulations – JK, Student Discipline; JK-R5, Discipline Of, and Alternative Interim Educational Placements For, Special Education Students; and JK-R6, Discipline, Suspension, Expulsion for 504 Students—as applied to these Guidelines for Student Rights and Responsibilities. Students may also be subject to applicable civil and/or criminal penalties if they violate the law.

These Governing Board Policies and Administrative Regulations are available for review in the principal's office and online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”) Copies of this booklet are available in Spanish on the reverse side of this booklet and can be obtained online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”)

Estos Planes de Acción del Consejo Gobernante, y Reglamentos Administrativos se hacen disponibles para revisión en la oficina del director escolar y en [www.tusd1.org](http://www.tusd1.org). Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en [www.tusd1.org](http://www.tusd1.org).

### **TUSD Governing Board:**

Adelita S. Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks; Cam Juárez; Dr. Mark Stegeman

### **Superintendent:**

Heliodoro Torres (H.T.) Sánchez, Ed.D.

<sup>1</sup> “Parents” as used throughout this document refers to parents and/or legal guardians  
Guidelines for Student Rights and Responsibilities, approved [DATE, 2015](#) (accompanies Policy JK)

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**QUICK-GUIDE TO OFFENSES**

Comment [#3]: REVISE ORDER AS NEEDED

| <b>CATEGORY</b>                                            | <b>VIOLATION</b>                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGGRESSION<br>(Page 22)                                    | Verbal Provocation, Recklessness, Minor Aggressive Act, Other Aggression, Disorderly Conduct, Endangerment, Fighting, Assault, Aggravated Assault                                                                                                                                                    |
| ALCOHOL, TOBACCO AND OTHER DRUGS<br>(Page 23-24)           | Inappropriate use of Over the Counter Drugs, Inhalants, Unknown Drug, Substance Represented as of Illicit Drug, Inappropriate use of Prescription Drugs, Illicit Drug, Alcohol Violation, Tobacco Violation, Possession of Drug Paraphernalia                                                        |
| ARSON<br>(Page 24)                                         | Arson of a Structure or Property, Arson of an Occupied Structure                                                                                                                                                                                                                                     |
| ATTENDANCE POLICY VIOLATION<br>(Page 24-25)                | Other Attendance Violations, Tardy, Unexcused Absence, Leaving School Grounds without Permission, Truancy                                                                                                                                                                                            |
| DISHONESTY<br>(Page 25)                                    | Cheating, Forgery, Lying, Plagiarism                                                                                                                                                                                                                                                                 |
| HARASSMENT AND THREAT, INTIMIDATION<br>(Page 25)           | Threat or Intimidation, Bullying, Harassment (nonsexual), Hazing                                                                                                                                                                                                                                     |
| HOMICIDE, KIDNAPPING<br>(Page 26)                          | Homicide, Kidnapping                                                                                                                                                                                                                                                                                 |
| OTHER VIOLATIONS OF SCHOOL POLICIES<br>(Page 26)           | Dress Code Violation, Parking Lot Violation, Public Display of Affection, Other Violation of School Policies and Regulations, Contraband, Disruption, Gambling, Inappropriate Language, Defiance or Disrespect Towards Authority and Non Compliance, Negative Group Affiliation/Illegal Organization |
| SCHOOL THREAT OR INTERFERENCE<br>(Page 27)                 | Fire Alarm Misuse, Other School Threat, Bomb Threat, Chemical or Biological Threat                                                                                                                                                                                                                   |
| SEXUAL OFFENSES<br>(Page 27)                               | Sexual Harassment, Pornography, Sexual Harassment with contact, Indecent Exposure or Public Sexual Indecency, Sexual Assault or Rape, Sexual Abuse or Sexual Conduct with minor, or Child Molestation                                                                                                |
| IMPROPER USE OF TECHNOLOGY<br>(Page 28)                    | Telecommunication Device, Other Technology, Computer, Network Violation                                                                                                                                                                                                                              |
| THEFT<br>(Page 28-29)                                      | Petty Theft, Theft – School Property or Non-School Property, Burglary or Breaking and Entering, Extortion, Robbery, Armed Robbery, Burglary (First Degree)                                                                                                                                           |
| TRESPASSING, VANDALISM OR CRIMINAL DAMAGE<br>(Page 29)     | Trespassing, Graffiti or Tagging, Vandalism of Personal Property, Vandalism of School Property                                                                                                                                                                                                       |
| WEAPONS AND DANGEROUS ITEMS; POSSESSION OF<br>(Page 29-30) | Dangerous Items, Other Weapons, Simulated Firearms, Firearms                                                                                                                                                                                                                                         |

## SECTION A: PURPOSE

### 1. WHAT ARE THE GUIDELINES AND WHY ARE THEY NEEDED?

TUSD is committed to partnering with students and parents to provide an environment that is safe, supportive, and conducive to learning, and is committed to reduce racial and ethnic disparities in the administration of school discipline. To help promote and maintain that environment, the GSRR:

- Specify the rights and responsibilities of students and parents
- Describe conduct which violates those rights and responsibilities
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development
- Strive to ensure consistent application of disciplinary actions so that students from school to school will receive similar actions for similar violations.
- Assure the rights of students and parents when disciplinary action is taken

~~At different age levels, students have different needs for safety, support, and learning. As students progress through our public schools, it is reasonable to assume that an increase in age and maturity carries with it a greater responsibility for their actions. Differences in age and maturity are recognized in determining the type of disciplinary action to be taken and the appropriate supports and interventions. However, the procedures outlined in the Guidelines apply to all students in Grades K through 12.~~

Disciplinary consequences must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. When considering responses to violations, the District strives to keep students in the classroom whenever possible. For all but the most severe offenses (Levels 4 and 5 in the "Action Levels" section of this document below), an Exclusionary Consequence ("any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school and out-of-school suspension, placement in an alternative setting or program, and expulsion.") must be limited to instances in which (a) the violation is a level 3, (b) student misbehavior is ongoing and ~~or~~ escalating, and (c) only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices, (whichever is appropriate), only after the District has first implemented and documented that non-exclusionary interventions have been attempted. If Exclusionary Consequences are imposed, students will have fair due process that includes an opportunity to appeal (see Policy JK and accompanying regulations). For all offenses, disciplinary consequences must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where possible, offered an opportunity to continue to participate in the school community.

While prioritizing student, staff, and public safety, the District shall not use Exclusionary Consequences for low-level conduct (Action Levels 1-2 below), shall only involve School Safety and/or law enforcement in high-level student discipline (Action Levels 4-5 below), such as when a student is a danger to self or others (to the extent permitted by law), and shall keep students in the classroom setting whenever possible as members of the school community. ~~"Involvement" of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.~~

All district personnel administering discipline to students should be informed if a student ~~is protected as a student with~~ has a disability under either Section 504 or IDEA ~~or~~ if the student is suspected of having ~~a disability and/or~~ is being considered for an evaluation for ~~a~~ disability. There are specific discipline

procedures that must be followed for students who are considered disabled under ~~these~~ federal laws, including determining whether the misbehavior is a manifestation of the student's disability.

## 2. WHEN DO THESE GUIDELINES APPLY?

### During regular school hours

- During regular school hours
  - While being transported on the school bus or other school district-sanctioned transportation
  - At times and places where the principal or other school official or employee has jurisdiction over students
  - During school-sponsored events
  - During field trips
  - During athletic functions
  - When students are going to and from school ("portal to portal")
  - During other school-related activities

Additionally, the principal is authorized to begin disciplinary action when a student's misconduct away from school has a detrimental effect on the other students, or on the orderly educational process, because the violation is directly connected to prior violations at school, or threatens to produce further violations at school.

***Students who believe they have experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-4316, or online at [www.tusdl.org/deseg](http://www.tusdl.org/deseg)***

***Parents who believe their student has experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-4316, or online at [www.tusdl.org/deseg](http://www.tusdl.org/deseg)***

|                                                                  |
|------------------------------------------------------------------|
| <b>SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES</b> |
|------------------------------------------------------------------|

TUSD believes that educating a student is a collaborative effort with the student and parent. To support this collaboration we realize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive.** (See Policy JI “Rights and Responsibilities”)

**1. STUDENTS HAVE A RIGHT TO:**

- a. Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- b. Receive high quality instruction that is comprehensible and appropriate to their level of academic and linguistic development.
- c. Be expected to achieve at high levels.
- d. Be taught in ways that are responsive to students’ individual needs, and respond to students’ individual racial, ethnic, linguistic and cultural backgrounds.
- e. Receive appropriate accommodations to meet individual needs. (as supported by documentation)
- f. Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures.
- g. Participate in student activities, including extracurricular activities.
- h. Be treated with respect, and to be treated as a unique individual with differing needs, learning styles and abilities in a manner that encourages and enhances individual self-esteem.
- i. Be treated in a fair and equitable manner by teachers and administrators.
- j. Privacy. (See the “Notification of Privacy Rights of Parents and Students” at page 35)
- k. Due process of law.
- l. Have school rules that are enforced in a consistent, fair and reasonable manner.
- m. Be free to request an interpreter or translator at any step of the disciplinary process.
- n. Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse. A victim has the right to transfer to another school. (See Policy JICL “Dating Abuse”).
- o. Receive fair, equitable, non-discriminatory disciplinary actions that are aligned with the GSRR.
- p. Have teachers and administrators who will follow all District policies related to known allegations of discrimination, harassment, hazing, bullying, and incidents that require mandatory reporting. Such known allegations/incidents must be reported to site administration immediately.
- q. Be treated in a manner that is respectful of and responsive to their cultural traditions.
- r. Administrators who will:
  - model appropriate behavior and expect appropriate behavior from students and teachers
  - hold students and teachers accountable for student learning
  - expect parents to be collaborative partners regarding student achievement
  - work collaboratively with Student Equity.
  - host student assemblies (or other appropriate meetings) to communicate positive core values and behavioral expectations, and to explain the GSRR, Positive Behavioral Interventions and Supports (PBIS), and Restorative Practices (RP) in an age-appropriate manner
  - hold informational sessions for parents at least twice per school year at each school, which shall include information regarding GSRR, PBIS, RP, due process and appeal procedures, and guidance for making parent complaints about student discipline
  - make decisions regarding removing students and/or staff for safety reasons
  - discipline students in accordance with the GSRR
  - Consistently and accurately report discipline consequences for students into the database



- s. Full access to opportunities within the educational environment without experiencing discrimination on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background. This includes the availability of all support services which promote the development of student potential. (See Policy AC “Non-Discrimination”, ACA “Sexual Harassment”, and JB “Equal Educational Opportunities and Anti-Harassment”).
- t. Acquire English and such other languages as may be available at the school for students to study.
- u. Access to a classroom environment that encourages the use of English, promotes appreciation of other languages, and respects students’ right to use their native language to facilitate communication and enhance academic achievement.
- v. Access to books and other reading materials for supplementary and recreational use, including materials that may be available in other languages.
- w. Access to non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- x. Receive a copy of [the Guidelines for Student Rights and Responsibilities](#) [this handbook](#) (GSRR).
- y. Have access to quality learning resources, including learning technology.
- z. Have access to their formal student records.
- aa. Have access to school assignments/homework while serving a disciplinary suspension for the duration of the suspension and have options for alternative instructional opportunities for any remaining suspension.

## 2. STUDENTS HAVE A RESPONSIBILITY TO:

- a. Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and to strive for their personal best.
- c. Participate fully in the classroom, curriculum and learning process during the entire class period.
- d. Make positive contributions to an environment that allows fellow students to have equal access to educational opportunities.
- e. Make positive contributions to an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn and to contribute to a safe and orderly environment that is conducive to learning.
- i. Display behavior that does not compromise the safety of other students and/or staff.
- j. Follow discipline guidelines adopted by the school and District.
- k. Protect and take care of the school’s property.
- l. Abide by the governing board policies and regulations.
- m. Assist the school staff in running a safe school, and to help maintain the safety and cleanliness of the school environment.
- n. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook (GSRR).

**3. PARENTS AND GUARDIANS HAVE A RIGHT TO:**

- a. Receive official reports (quarterly or more frequently) of the student's academic progress, attendance and behavior.
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from teachers about their student's grades and disciplinary procedures.
- d. Access and review school records pertaining to their student. (see Annual Privacy Notice, pg. 33)
- e. Receive a copy of ~~the Guidelines for Student Rights and Responsibilities~~this handbook (GSRR).
- f. Receive immediately an oral **and** a written notification anytime a student receives in-school suspension, or is sent home for any safety and/or disciplinary reason. (including suspensions)
- g. Request an interpreter or translator at any step of the disciplinary process.
- h. Request a review of all disciplinary actions relating to their student.
- i. Non-instructional (not related to instruction) interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- j. Direct their student's education, upbringing and moral or religious training.
- k. Make health care decisions for the minor child.
- ~~l. Access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.~~
- ~~m. Consent in writing before:
 
  - a biometric scan (i.e. eye scan) of the minor child is made
  - a record of the minor's blood or DNA is created, stored or shared genetic testing is conducted on the minor, unless required/authorized by law or court order the state makes a video or voice recording of the minor, unless made during: a court proceeding; a forensic interview in a criminal or child protective services investigation; or for use solely in any of the following: safety demonstrations, including the maintenance of order and discipline; a purpose related to a legitimate academic/extracurricular activity; a purpose related to regular classroom instruction; security or surveillance of buildings or grounds; or, a photo identification card~~
- ~~n. Obtain information about a child protective services investigation involving the parent.~~
- ~~o. l.~~ Be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for TUSD to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.
- ~~p. m.~~ Express appropriately their ideas and perspectives on issues and topics relevant to their child's education, including school policies and procedures.
- ~~q. n.~~ Be treated in a manner that is respectful of and responsive to their cultural traditions.

**Comment [#4]:** THIS LANGUAGE CAN BE FOUND IN ARIZONA REVISED STATUTES 1-602 "PARENTS BILL OF RIGHTS"

**4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:**

- a. Communicate and collaborate with teachers to support student achievement.
- b. Attempt to participate and be active at their student's school.
- c. Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- d. Provide supervision of the student's health, physical and emotional well being, and assume responsibility for the student's timely regular attendance.
- e. Promptly provide the school with explanations for student absences or tardiness.
- f. Ensure student compliance with school and district policies and regulations.
- g. Read and ask questions to understand the information in the GSRR.
- h. Reinforce the importance of students' adherence to values and behaviors described in the GSRR.

## SECTION C: GENERAL INFORMATION

### 1. EQUAL EDUCATIONAL OPPORTUNITIES AND ANTI-HARASSMENT (POLICY JB)

It is the policy of the TUSD to prohibit discriminatory harassment based on ~~real-actual~~ or perceived race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, parental status, status with regard to public assistance, limited proficiency in English, or family, social or cultural background, or any other reason not related to the student's individual capabilities or on the basis of association with others identified by these categories. TUSD shall ~~act to~~ investigate all complaints, ~~formal or informal, verbal or written~~, of discriminatory or other harassment, ~~formal or informal, verbal or written~~, and ~~shall discipline or take other~~ appropriate action against anyone who is found to have violated this policy.

### 2. GOVERNING BOARD POSITION ON GANG BEHAVIOR AND ACTIVITY

The behaviors that have become associated with gang activity or membership, especially violence ~~and~~ intimidation, ~~and disrespect~~ will not be tolerated on or near school property or in activities associated with school. In accordance with this position, any students engaging in gang activities will be disciplined to the fullest extent of TUSD policies, and prosecuted, if applicable, according to local ordinances, and state and federal laws.

**Gang:** An ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member.

**Gang-Related Incident:** An incident is considered gang-related when it involves gang recruitment, gang initiation, fights between rival gangs, or other similar behaviors, but does not include non-threatening behavior such as handshakes, signs, or wearing of particular colors.

~~**Bias-Related and Hate-Related Incidents:** An incident is considered bias-related or hate-related when a reasonable person would conclude that it was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics. Such characteristics include: ancestry or ethnicity, disability, sex, gender, immigration or citizenship status, race, religion or religious practices, or sexual orientation.~~

Comment [#5]: THESE TERMS ARE DEFINED BUT NOT USED IN THE DOCUMENT

### 3. STUDENT ATTENDANCE (POLICY JE)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note or email must address the date/time and reason for the absence.

### 4. DATING ABUSE (POLICY JICL)

Dating abuse is a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's former or present dating partner. Behaviors used may include, but are not limited to, physical abuse, emotional abuse, sexual abuse, and/or threats. TUSD is committed to maintaining a school campus environment that is safe and secure for all students, and dating abuse will not be tolerated. TUSD employees aware of dating abuse shall respond in a manner consistent with District training. Students are encouraged to report all known or suspected instances of dating abuse involving themselves or other students, either verbally or in writing, to a teacher, site administrator, Student Equity (225.4316). The District will investigate all complaints.

## 5. BULLYING, INTIMIDATION AND HARASSMENT (POLICY JICK)

Bullying is a form of harassment. Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted (including cyberbullying), or emotional abuse, or through attacks on the property of another (including verbal taunts, name-calling and put-downs, extortion of money or possessions, or spray-painting derogatory terms on a student's locker or vehicle). Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while en route to or from school, are subject to disciplinary action.

## 6. SCHOOL DRESS CODE (REQUIRED AT EVERY SCHOOL) (POLICY JICA)

The general guide to acceptable school dress is neatness, cleanliness and appropriateness. While the school cannot and does not dictate styles, it is expected that students will abide by the following rules demonstrating appropriateness in dress as though this were their daily place of business.

- Shoes ~~are required to~~ must be worn in school.
- Hats and sunglasses may be worn outside in the sun for an extended period of time for protection from the sun. A principal in collaboration with School Safety may institute stricter requirements at a high school experiencing safety-related issues.
- ~~No bandannas may be worn.~~
- Dark glasses may not be worn inside buildings unless a documented health problem exists.
- No gang related apparel or items are allowed (e.g., "wearing colors known to be affiliated with a particular gang, or wearing clothing with illustrations of known gang signs or symbols").
- Students may not wear clothing or accessories in school buildings or on school grounds that are:
  - Hazardous, damaging, or presenting danger to school property or persons including but not limited to: extended belts (belts should fit proper length), choke chains, dog collars, wallet chains or any type of spiked apparel or jewelry;
  - Depicting and/or promoting and/or endorsing illegal or violent activities, illegal drugs, tobacco, or alcohol;
  - Vulgar, obscene, indecent, libelous, or degrading of others on the basis of race, color, religion, ancestry, national origin, sex, gender, sexual orientation or disability; and/or
  - Distracting so as to interfere with the teaching or learning process such as extremely revealing garments including but not limited to short shorts, short skirts, short dresses (must cover buttocks while standing and sitting), tube tops, net tops, swimsuits, strapless tops, spaghetti strap tops, halter tops, muscle shirts, basketball shirts without an accompanying T-shirt, no tights ~~or leggings~~ to be worn as pants, garments with plunging necklines, transparent and see through garments, (midsections must be covered and undergarments shall be completely covered with outer clothing).

**Comment [N6]:** Can we reconsider leggings? It is difficult to find clothing for young ladies that is not a legging or a jegging. We have also found that we have more reports by staff when the student is overweight and wearing leggings. I have been asked by parents to ask the district to review this policy.

Students who violate standards may be asked to do any of the following depending on circumstances:

- Turn inappropriate clothing inside out.
- Change into clothing that may be provided by the school.
- Change into other clothing which has been brought to school.
- Remove the jewelry or other accessory.

\*NOTE ON SCHOOL DRESS CODES: ~~These dress~~ The above-stated guidelines represent minimum standards. Individual schools may adopt additional guidelines, but may not apply exclusionary discipline without first giving the student an opportunity to address the alleged violation. Students wearing inappropriate clothing are given an opportunity to change clothing or they will be released from school in the company of the parent/guardian. Students who are unable to comply with the dress code may access TUSD's clothing bank (520) 232-7058.

## 7. BUS RULES

**Student Behavior Policy** Proper student behavior contributes to the overall safety and comfort of the ride to and from school. Following driver directions and all ridership rules is paramount to maintain a safe and enjoyable ride for all. Infractions will be dealt with through the District-approved Student Conduct policies which include driver interventions, the student's principal, and other administrators as deemed appropriate. Riding is a privilege; parents and students should discuss and make sure they know the rules:

- Always comply with bus driver's/monitor's directions
- Use classroom voice only (no profanity/loud noises/threats/intimidation)
- Remain seated; keep hands, feet, and head inside bus
- All personal possessions must be under control at all times
- Keep unauthorized materials and substances off bus (animals, glass objects, weapons, illegal substances, or large objects that occupy a seat space)
- No eating or drinking on the bus

As a last resort, violations of these bus rules may result in the loss of bus privileges for a limited time, not to exceed 30 days.

### **Safety Precautions for Students**

- Know the route to and from the bus stop, safety precautions and common courtesies to be maintained en route and at the bus stop
- Know the correct bus route number
- Discuss what to do if the bus is late in the morning or no one is home in the afternoon
- ALWAYS board/depart the bus at the correct stop as known and approved by the parent

## 8. STUDENT USE OF CELL PHONES AND ELECTRONIC DEVICES (POLICY JICJ)

For purposes of this policy, "electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDA's), e-book readers, compact disc players, portable game consoles, cameras, digital scanners, lap top computers, tablet computers and other electronic or battery powered instruments which transmit voice, text, or data from one person to another. Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:

- Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag.
- Such devices shall not be turned on or used during instructional time, except as authorized by the teacher.
- The principal shall establish additional guidelines appropriate to campus needs.
- Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities.

**Reasonable efforts will be taken to secure property that has been confiscated** (i.e. lock the item in a drawer, take the item to the office to be secured in a locked area, etc.); **however, neither the School District nor the School District Staff staff is responsible for loss, damage, or theft of any electronic device including but not limited to cell phones, laptops, tablet computers, portable media player brought to school, even if loss, damage or theft results from the device being confiscated.**

## 9. HAZING (POLICY JICFA)

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a “student” until graduation, transfer, promotion or withdrawal from the District school.

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

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

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

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing. In accord with statute, violations of this policy do not include either of the following:

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

All students, teachers and staff shall take reasonable measures within the scope of their [individual](#) authority to prevent violations of this policy. Students and others may report hazing to any [professional](#) staff member. [Professional staff](#) [Staff](#) members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the Rights and Responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices. Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

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

**10. POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS; RESTORATIVE PRACTICES**

Comment [#7]: MOVED TO SECTION E

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See Section D (8) below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

**SECTION D: KNOW THE ACTIONS**

**ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES**

The Arizona Department of Education has developed a list of violations as well as a list of possible actions a school district may take in response to a violation. TUSD has categorized these possible actions into five levels ~~and then assigned a level to each violation~~ depending on the severity of the violation. In this way, students from school to school will receive similar actions for similar violations. A major consideration in the application of the Guidelines for Student Rights and Responsibilities is to identify the most appropriate disciplinary action necessary to bring about positive student behavior. Actions are not to be considered in isolation but rather as part of the overall goal of creating inclusive and supportive environments for students. For instance, restorative circles should not be isolated events at a campus, but should instead become part of the routine process in addressing behavior. At the elementary level, the age and developmental level of the child may be considered in interpreting the severity of the discipline imposed. Student services personnel, such as counselors, social workers, learning support coordinators, or psychologists, play a vital role in assisting the student in resolving any problems influencing the student’s behavior.

**1. CONDUCT WHICH MUST BE REPORTED TO LAW ENFORCEMENT**

~~It is important for all staff, students, and parents to understand that, in~~ In addition to ~~taking~~ disciplinary action at the school level, certain criminal behavior must be reported to appropriate law enforcement agencies. Principals, assistant principals, or designees **are required to report the following incidents:**

|                                                              |                |                                    |
|--------------------------------------------------------------|----------------|------------------------------------|
| Use or threat to use a deadly weapon or dangerous instrument | Homicide       | Burglary in the first degree       |
| Aggravated Assault resulting in serious physical injury      | Sexual Assault | Arson of an occupied structure     |
| Sexual conduct with a minor under 15 years of age            | Armed Robbery  | Any dangerous crime against minors |
| Possession, use, sale, or attempted sale of illegal drugs    | Kidnapping     | Bomb threats                       |

Additionally, pursuant to A.R.S. § 13-3620, school personnel are required to immediately report any reasonable belief of non-accidental physical injury, neglect, or sexually related offense against a minor.

~~“Physical injury” means the impairment of physical condition, and may include any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare. (See A.R.S. § 13-3623(F)(4))~~

**Comment [#8]:** DEFINED IN THE DEFINITION SECTION

**2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT**

Additionally, principals, assistant principals, or designees **MAY** report to law enforcement agencies other potentially disruptive incidents when necessary to maintain safety or seek restitution. When appropriate, school officials should utilize supports and interventions that provide guidance and structure to the student and help them to improve their behavior without involving law enforcement. An administrator must immediately notify an Assistant Superintendent or Director, and Student Equity, when law enforcement is contacted. Incidents that may be reported to law enforcement when necessary to maintain safety include, but are not limited to, the following:

|                                                                                            |                                |         |           |
|--------------------------------------------------------------------------------------------|--------------------------------|---------|-----------|
| Possession, sale or distribution of dangerous substances, including alcohol or legal drugs |                                |         |           |
| Demonstration by students which is likely to create unsafe conditions                      |                                |         |           |
| Threats                                                                                    | Setting off a false fire alarm | Assault | Vandalism |



### 3. DUE PROCESS

Any student whose conduct may warrant suspension or expulsion will be provided due process. This is a legal safeguard that protects the rights of students and their parents and is constitutionally guaranteed.

Due process steps include:

- Oral or written notice to the student of the charges against the student
- An opportunity to present the student's side of the story in an informal hearing or meeting
- The allowance, for safety considerations, for a student to be removed from the school prior to an informal hearing with that hearing to follow as soon as practical
- Adequate notification and an opportunity for a fair hearing
- That parents will be informed in writing of all suspensions and that they have the right to a conference with the principal
- That if parents are not satisfied with any school official's decision they are entitled to request a review by the school official's immediate supervisor
- Formal due process (including a hearing officer) in long-term suspension and expulsion proceedings
- A right to appeal disciplinary decisions to the Assistant Superintendent, Director, Principal, Assistant Principal or Designee.

### 4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs

**Students with disabilities under Section 504 or IDEA (and students suspected of having a disability) may be disciplined in the same manner as any other student and may be suspended for up to 10 cumulative days of school per school year. If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed.**

**A manifestation determination conference must be held prior to the 11<sup>th</sup> day of suspension**

If the manifestation determination conference concludes that the student's behavior is a manifestation of the student's disability, then no further disciplinary action can be taken. The 504 or IEP team should convene to develop an appropriate behavior plan for the student. If the manifestation determination conference concludes that the student's behavior is not a manifestation of the student's disability, the District may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The District has no obligation to continue to provide educational services to a 504 student during the period of a long-term suspension or expulsion. However, the District must continue to provide educational services for students eligible under IDEA. Please refer to the appropriate Governing Board regulations JKA and JKAB and to the Exceptional Education Handbook for specific procedures

A student with a disability under IDEA may be referred to an Interim Alternative Educational Settings in ~~certain~~ circumstances regarding involving the use or possession of drugs, weapons, or serious bodily injury. Refer to the Exceptional Education Handbook for specific procedures.

**In-School Intervention-**

An alternative to short-term suspension which allows students to continue receiving classroom instruction from content certified teachers in a classroom on campus, where available.

Comment [TM9]: Add definition of ISI and ISS; add "where available"

**In-School Suspension**-In-school suspension is run by a highly qualified teacher. The students will continue their core curriculum. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

**5. OUT OF SCHOOL SUSPENSIONS**

~~\*All suspensions are reviewed by the Department of Student Equity and Intervention. Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

Comment [TM10]: See p.26 paragraph 6

**Short-Term Suspension** – A principal or principal’s designee may suspend a student from school from one (1) to ten (10) school days due to misconduct, depending on the severity of the misconduct. However, principals must limit exclusionary consequences to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented they types of intervention(s) used in PBIS and/or Restorative Practices, as appropriate. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

**Make-up Work (Short-Term Suspension):** If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. Regulation JK-R1, Short Term Suspension states: “The student is allowed access to class assignments and to make up tests upon return to school. Homework must be made available for the parent to pick up at the school office.” Or, when feasible, homework shall be made available online. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

**Long-Term Suspension** – Hearing Officers are used to investigate facts and make determinations regarding ~~an administrator’s~~ recommendation ~~about~~for a long-term suspension or expulsion. A Hearing Officer may suspend a student from school for up to 180 days. Long-term suspensions of more than 30 days shall not be imposed except for Violations at Level 5. Hearing Officers may take this action only after the site administration has exhausted other disciplinary strategies (see interventions listed under Action Level 1 for examples of appropriate strategies), or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members at appropriate times as part of the continuum of supports and interventions implemented to support student success.~~ Students suspended more than 20 days may have an option to enroll in the “Life Skills” alternative to suspension program. “Life Skills” alternative to suspension program provides an alternative setting for students to continue to receive instruction during the period of suspension.

**Alternative Education Placement**-An alternative to long-term suspensions which allows students to continu receiving classroom instruction from content certified teachers at an alternative campus.

Guidelines for Student Rights and Responsibilities, approved DATE, 2015 (accompanies Policy JK)

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Make-up Work (Long-Term Suspension): If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such class assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up at the school office. Or, when feasible, homework shall be made available online. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. Homework will be made available by the student's teachers for the remainder of the grading period. However, because of the difficulty in students keeping up with class work through homework alone, without an instruction component, after the end of a grading period, students will receive academic support through a TUSD alternative program such as distance learning. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

#### 6. ABEYANCE CONTRACTS (REGULATION JK-R4)

An administrator should offer an abeyance contract unless there are particular circumstances that would make it inappropriate. Under an abeyance contract, an administrator may offer to ~~would~~ not immediately impose the assigned ~~out-of-school suspension~~ disciplinary action if ~~(1) the administrator believes it is in the best interest of the student and the school community,~~ (12) the student admits to committing the infraction, ~~(23) the student and parent/legal guardian agree to certain conditions, and~~ (34) the student and parent/legal guardian sign a contract, called an abeyance contract. The term of the abeyance contract may not exceed the maximum suspension term for the offense level. If a student violates his/her abeyance contract with a suspendable offense, the student must serve the remaining term of the initial offense plus the suspension for the additional offense. These two suspensions would be served concurrently. (The last days of the first suspension would also be the first days of the additional suspension)

#### 7. POSITIVE BEHAVIOR INTERVENTION SUPPORT (PBIS)

~~In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary.~~

#### 8. RESTORATIVE PRACTICES

~~Restorative Practices actions range from informal to formal. In schools, these actions include:~~

- ~~• Small impromptu circles: a few people meet to briefly address and resolve a problem; facilitated by teachers, administrators, and/or learning supports coordinators.~~

- ~~Group or classroom circles: a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.~~
- ~~Formal restorative conferences: address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.~~
- ~~Teen courts: are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.~~

Comment [#11]: MOVED TO SECTION E

## 7. APPEALS

Students and parents/guardians have the right to appeal short-term and long-term suspension decisions; however, there is no ~~school-district-based~~ appeal from the Governing Board's final decisions regarding long-term suspension appeals or its expulsion decisions. (See Policy JK and accompanying regulations)

## 8. EXPULSION

Expulsions will only be recommended for Level 5 violations. Expulsion is defined as the permanent withdrawal of the privilege of attending a TUSD school unless the Governing Board reinstates the privilege. A principal may or, in some cases, must request that the Superintendent recommend to the Governing Board the expulsion of a student. This is the most serious disciplinary step available. As part of its decision to expel, the Governing Board may permit the student to apply for readmission through the office of the Assistant Superintendent after any period of time it may set. The Governing Board, or designee, may establish further conditions within the readmission process with which the student must comply prior to their admission to the instructional process. During the term of the expulsion, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

Students with disabilities eligible under IDEA will continue to be offered educational services, although in an alternative setting.

## 9. PRINCIPAL APPLICATION FOR WAIVER OF MANDATORY ACTIONS

For violations requiring Action Level 4 or 5 consequences, the principal has the prerogative to seek the waiver of any portion or all of the mandatory disciplinary action through the appropriate Assistant Superintendent. The principal may seek the waiver and, if granted, the parties directly involved shall be informed of the reasons the waiver was granted.

Waivers may **not** be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.

## SECTION E: RESTORATIVE PRACTICES; POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

### RESTORATIVE PRACTICES

~~Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.~~

~~Restorative Practices is a framework to give those affected by conflict the tools and principles needed to resolve problems and build relationships. Restorative Practices focus upon the emotional and social disturbance created by conflict and provides a process for holding students accountable for their actions while building a supportive school environment.~~

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See ~~Section D (8)~~ below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

Restorative Practices actions range from informal to formal. In schools, these actions include:

- *Small impromptu circles:* a few people meet to briefly address and resolve a problem; ~~facilitated~~ by district staff including teachers, counselors, administrators, and/or learning supports coordinators.
- *Group or classroom circles:* a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by district staff including teachers, administrators, and/or learning supports coordinators.
- *Formal restorative conferences:* address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.
- *Teen courts:* are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.

**Comment [AM12]:** At the elementary level Counselors occasionally facilitate these circles.

## POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, ~~interest-based clubs~~, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary. [See “Level 1” on page 24 below for a list of interventions.](#)

**Comment [AF13]:** Should we include the use of LSC and Student Success Specialists?

## SECTION F: DEFINITIONS

Selected terms that may otherwise be subject to varying interpretations are defined below:

~~Exclusionary Consequence—1: any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school suspension.~~

~~Exclusionary Consequence—2: any disciplinary consequence that removes a student from the student's school of attendance, including, but not limited to, out-of-school suspension, placement in an alternative setting or program, and expulsion.~~

May: a choice to act or not, as distinguished from "shall," which requires a specific action.

Shall: expressing a command or required action.

Ongoing and Escalating: "Ongoing" means the student continues to do the same or similar behavior violate the GSRR, even after the District has tried **and** documented interventions. "Escalating" means the administrator can articulate that the behavior has ~~taken on a different tone~~worsened.

*Example (Ongoing): Student X verbally provokes a fight between two other students by taunting the students. Receives a Level I action, receives an intervention, and then provokes another fight within weeks.*

*Example (Escalating): Student X verbally provokes a second fight, using language that begins as taunting but escalates to cursing and personal attacks.*

Physical Injury: an impairment of physical condition that interferes with a student's ability to receive instruction but does that does not require external medical attention.

Reckless: lacking appropriate caution; careless of consequences. A student whose actions put themselves and/or others in harm's way.

Repeated: said, done, or occurring again and again (at least twice).

Serious Physical Injury: an impairment of physical condition that interferes with a student's ability to receive instruction, **and** is the type of injury that would reasonably require external medical attention.

Sustained: continuing for an extended period or without interruption; prolonged.

**SECTION G: ACTION LEVELS**

**GUIDANCE**

When considering actions, the District strives to implement Restorative Practices and to keep students in their classroom whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student’s misbehavior.

Principals may exercise reasonable discretion in deciding which violation occurred.

The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Multiple actions may be applied to a single violation. **Actions listed in bold are the minimum and mandatory action for that level of violation. For all violations, parent notification and student conference are mandatory.**

~~The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Actions listed in bold are the minimum and mandatory action for that level of violation. Multiple actions may be applied to a single violation. Action Levels are developed with input from students, parents, teachers and community members. For all violations, parent notification and student conference are mandatory.~~

~~Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors.~~

~~In ambiguous cases, principals have the authority to exercise reasonable discretion in deciding which violation occurred. It will be the policy of TUSD to implement Restorative Practices wherever practicable.~~

**Comment [#14]:** THIS SECTION WAS REORGANIZED TO HIGHLIGHT CRUCIAL INFORMATION AND TO ALIGN WITH OTHER SECTIONS IN THE HANDBOOK

|                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>LEVEL 1</b> | <ul style="list-style-type: none"> <li>• <b>Parent Notification and Conference Request</b></li> <li>• <b>Student Conference</b></li> <li>• Restorative Circle</li> <li>• Restorative Conference</li> <li>• Confiscation of Contraband</li> <li>• Student Verbal Apology</li> <li>• Student Written Apology</li> <li>• Warning</li> <li>• Referred to Outside Agency</li> </ul>                                                                                                                                                                                                                                                                                                            | <ul style="list-style-type: none"> <li>• Detention (before/after school; <u>lunch</u>)</li> <li>• Peer Mediation</li> <li>• Privileges Suspended</li> <li>• Restitution</li> <li>• Saturday School</li> <li>• Teen Court</li> <li>• Functional Behavioral Assessment</li> <li>• Behavior Learning Packets</li> <li>• <b>Time Out (not to exceed 30 minutes)</b></li> <li>• Reflective Essay</li> <li>• Meeting With School Counselor</li> <li>• Community Service (not work detail)</li> </ul> | <ul style="list-style-type: none"> <li>• Reassignment To Different Class</li> <li>• Behavior Contract</li> <li>• Behavior Intervention Group</li> <li>• Threat Assessment</li> <li>• Behavior Intervention Plan</li> <li>• <del>Lunch Detention</del></li> <li>• Monitoring of Selected Problem Behaviors</li> <li>• Other Action (consistent with other Level 1 interventions that are approved by the RPPSC).</li> </ul> <p><i>*Some actions may not be available at all sites</i></p> |
| <b>LEVEL 2</b> | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• Social Skills Groups and/or Mentoring</li> <li>• In School Suspension/Intervention (1-3 days) <u>only for repeated violations and only after the site has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate); but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices.</u></li> </ul> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |



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| LEVEL 3 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Short-Term In School Action and/or Abeyance</b></li> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• In School Suspension/Intervention or Out Of School Suspension and/or Abeyance (Short Term 1-10 Days) <u>but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices (whichever is appropriate).</u></li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17<br/>Department of School Safety may should only be contacted in Appropriate Circumstances during or immediately after an incident to protect student, staff, or visitor safety, or to prevent a situation from escalating. Administrators should may contact School Safety rather than Law Enforcement where feasible.</del></p> |
| LEVEL 4 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-30 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17<br/>Removal By Hearing Officer For Likely Injury To Self Or Others<br/>Removal By Student's IEP Team To An Interim Alternative Education Setting</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| LEVEL 5 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-180 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> <li>• Expulsion</li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |

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- IMPORTANT INFORMATION
1. All parent conferences will be made in a timely manner. Parents may participate in a conference via phone or another accessible mode of communication. Students will not be disciplined further merely because their parent cannot participate in a conference.
  2. A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation.
  3. Attempted violations may require Actions. Administrators will determine the appropriate level of Action to take for an attempted violation. The Action will generally be at a level less than - that of the actual violation.
  4. Administrators may apply an action that is one level higher than that listed, but only after receiving written approval from the Assistant Superintendent or Director from Elementary or Secondary Leadership. The Assistant Superintendent or Director will not permit a single type of behavior to be elevated more than one level, regardless of the frequency of occurrence. The Department of Student Equity and Intervention will review whether the teachers and/or administrators have attempted to effectively implement interventions to address any underlying or unresolved issues.
  5. Two Level 2 violations (“Improper Use of Technology, Telecommunication Device” and “Other Technology”) may be elevated to a Level 3 violation but cannot result in out of school suspension. One Level 3 violation (“Improper Use of Technology, Computer”) may be elevated to a Level 4 violation but cannot result in a long-term suspension.
  6. For suspensions, Administrators must communicate with Student Equity immediately. Student Equity will review all suspensions.
  7. When determining the appropriate level of action to take, administrators ~~shall~~ may consider a student’s claim of self defense, defense of others or defense of property.
  8. When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5<sup>th</sup> Grade) may consider all violations, *with the exception of possession of firearms or any incidence of threat to an educational institution*, at one level lower than that of the actual violation.
  9. Administrators may not withdraw a student’s open enrollment or magnet status during the school year as a consequence for a discipline violation.
  10. Students will not receive any suspension for attendance violations.
  11. Law Enforcement Officers, including School Resource Officers, School Safety Officers, and other law enforcement and security personnel shall not be involved in low-level student discipline. Low level offenses are levels 1, 2 and 3. **This in no way prohibits contacting School Safety during or immediately after an incident to protect student, staff, or visitor safety.** An administrator must immediately notify an Assistant Superintendent or Director and Student Equity when law enforcement is contacted. Law Enforcement may be contacted in cases of vandalism where the District is seeking restitution for damage to school property. “Involvement” of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.

Comment [AF15]: Is the director involved at this point?

## SECTION H: VIOLATIONS

The Arizona Department of Education has identified the following violations:

| <b>AGGRESSION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <i>Action Level</i> |
| <p><b>Verbal Provocation (verbal or nonverbal)</b><br/>Use of language or gestures that <b>may incite</b> another person or other people to fight.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>1</b>            |
| <p><b>Recklessness</b><br/>Unintentional, careless behavior that <b>may pose</b> a safety or health risk for yourself or for others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>1</b>            |
| <p><b>Minor Aggressive Act</b><br/><del>Student engages in intentional, non-serious but inappropriate physical contact such as, but not limited to: hitting, poking, pulling, pushing, tripping, running in the building, hallways, or corridors, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile behaviors/conduct.</del><br/><del>Student engages in non-serious but inappropriate physical contact. Examples: hitting, poking, pulling, tripping, or pushing.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>2</b>            |
| <p><b>Other Aggression</b><br/><del>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, intentional, serious and inappropriate physical contact including, but not limited to, any example listed under "Minor Aggressive Act" that may result in a serious physical injury.</del><br/><del>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact. Examples: hitting, poking, pulling, tripping, or pushing that may result in serious injury.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>3</b>            |
| <p><b>Disorderly Conduct</b><br/><del>Engaging in any one of the following acts where there is clear evidence the student intended to disturb, or knew that he or she disturbed, the peace or quiet of a school, neighborhood, family or person:</del></p> <ol style="list-style-type: none"> <li><del>1. Engaging in violent or seriously disruptive behavior.</del></li> <li><del>2. Using abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person.</del></li> <li><del>3. Making any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</del></li> <li><del>4. Refusing to obey a lawful order to disperse issued to maintain public safety.</del></li> <li><del>5. Recording/distributing fights on any social media outlet.</del></li> </ol> <p><del>A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:</del></p> <ol style="list-style-type: none"> <li><del>1. Engages in violent or seriously disruptive behavior.</del></li> <li><del>2. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person.</del></li> <li><del>3. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</del></li> <li><del>4. Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904)</del></li> <li><del>5. Recording/distributing fights on any social media outlet.</del></li> </ol> <p><del>*see fig. 6 "portal-to-portal"</del></p> | <b>3</b>            |
| <p><b>Endangerment</b><br/><del>Students recklessly puts them-selvesf or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: rock throwing, skateboarding on campus, etc.</del></p> <p><del>A person commits endangerment by endangering themselves or another person with a substantial risk of imminent death or physical injury. (see A.R.S. § 13-1201)</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>3</b>            |
| <p><b>Fighting</b><br/><del>Mutual participation in any form of physical altercation or aggression.</del></p> <p><del>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>3</b>            |
| <p><b>Assault</b><br/><del>A person commits assault by: (1) Intentionally, knowingly or recklessly causing any physical injury to another person; or (2) Intentionally placing another person in reasonable apprehension of imminent physical injury; or (3) Knowingly touching another person with the intent to injure, insult or provoke such person. (see A.R.S. § 13-1203)</del></p> <p><del>A person commits assault by intentionally, knowingly, or recklessly causing physical injury to another person; knowingly touching another person with the intent to injure, insult or provoke such person, or by threatening</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>4</b>            |

Guidelines for Student Rights and Responsibilities, approved DATE, 2015 (accompanies Policy JK)

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| <p>to use a deadly weapon or dangerous instrument or a simulated deadly weapon, directly threatening to kill an individual. (see A.R.S. §13-1203)<br/> <b>Examples:</b> Restraining, barricading (e.g. blocking a door so another student cannot get out of a room).<br/> <b>Only if the administrator forms a reasonable belief that a student has suffered a non-accidental physical injury is a report to law enforcement mandatory.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                 |
| <p><b>Aggravated Assault</b><br/> <u>A person commits aggravated assault if the person commits assault as defined above under any of the following circumstances:</u><br/>                 (1) If the person causes serious physical injury to another, (2) If the person uses a deadly weapon or dangerous instrument, (3) If the person commits the assault after entering the private home of another with the intent to commit the assault, (4) If the person is eighteen years of age or older and commits the assault upon a child the age of fifteen years or under, (5) If the person commits the assault knowing or having reason to know that the victim is a peace officer, or a person summoned and directed by the officer while engaged in the execution of any official duties, (6) If the person commits the assault knowing or having reason to know the victim is a teacher or other person employed by any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, or any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties, or any teacher engaged in any authorized and organized classroom activity held on other than school grounds, (7) If the person commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired. (see A.R.S. § 13-1204)<br/> <u>A person commits aggravated assault if the person:</u><br/>                 1. Causes serious physical injury to another.<br/>                 2. Uses a deadly weapon or dangerous instrument.<br/>                 3. Commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part.<br/>                 4. Commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.<br/>                 5. Commits assault and the person is in violation of an order of protection.<br/>                 6. Commits the assault knowing or having reason to know that the victim is any of the following: law enforcement officer, prosecutor, firefighter, EMT/Paramedic engaged in official duties, teacher or any school employee on school grounds, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes, teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds. (see A.R.S. § 13-1204)</p> | <p style="text-align: center;"><b>5<br/>Mandatory<br/>report<br/>to law<br/>enforcement</b></p> |

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| <b>OTHER VIOLATIONS OF SCHOOL POLICIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                      |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Action Level</i>  |
| <b>Dress Code Violation</b><br>Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>1</b>             |
| <b>Parking Lot Violation</b><br><u>Student displays inappropriate behaviors involving a motor vehicle including, but not limited to, unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, and/or littering.</u><br><u>Examples: unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, or littering.</u> | <b>1</b>             |
| <b>Public Display of Affection</b><br>Inappropriate displays of affection, (i.e. kissing)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>1</b>             |
| <b>Other Violation of School Policies and Regulations</b><br>Other violations of written school, or district-wide, policy or regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>1</b>             |
| <b>Language (verbal or nonverbal), Inappropriate</b><br><u>Student delivers verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>1<del>2</del></b> |
| <b>Contraband</b><br>Items stated in school policy as prohibited because they may disrupt the learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>2</b>             |
| <b>Combustible</b><br>Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>             |
| <b>Disruption</b><br><u>Student engages in <del>sustained</del> behavior causing an substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out-of-seat behavior.</u><br><u>Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior.</u>                                                                                                                                                                 | <b>2</b>             |
| <b>Gambling</b><br>To play games of chance for money or to bet a sum of money.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>2</b>             |
| <b>Language, Inappropriate</b><br><u>Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>             |
| <b>Defiance or Disrespect Towards Authority and Non Compliance</b><br>Student engages in <u>repeated behavior including, but not limited to, refusal to follow directions or, talking back, or swearing at a staff member, or delivers socially rude interactions.</u>                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>2</b>             |
| <b>Negative Group Affiliation / Illegal Organization</b><br><u>Clubs, fraternities, sororities, anti-social organizations, secret societies, criminal street gangs, and other sets of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.</u>                                                                                                  | <b>3</b>             |

| <b>ALCOHOL, TOBACCO AND OTHER DRUG VIOLATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                                            |
| <b>Drug Violation:</b> Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Includes over-the-counter medications if abused by the student. |                     |                                            |
| <b>Possession:</b> knowing exercise of dominion or control over an item. <b>Use:</b> the act of using or being under the influence.                                                                                                                                                                                                                                                                                                                  |                     |                                            |
| <b>Sale:</b> to transfer or exchange an item to another person for anything of value or advantage, present or prospective.                                                                                                                                                                                                                                                                                                                           |                     |                                            |
| <b>Share:</b> to allow another person to use or enjoy something that one possesses.                                                                                                                                                                                                                                                                                                                                                                  |                     |                                            |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <i>Action Level</i> |                                            |
| <b>Over the Counter Drugs, Inappropriate use of</b><br>Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                  |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3                   |                                            |
| <b>Inhalants</b><br>Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation. This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                          |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Unknown Drug</b> (if a drug is identified, after an investigation, a different violation may be identified)                                                                                                                                                                                                                                                                                                                                       |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Substance Represented as an Illicit Drug</b><br>A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                             |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Prescription Drugs, Inappropriate use of</b><br>Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                  |                     | <b>Mandatory report to law enforcement</b> |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Illicit Drug</b><br>Illicit drugs include dangerous drugs, narcotic drugs, marijuana, and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc.                                                                                                                                                                                                     |                     | <b>Mandatory report to law enforcement</b> |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Alcohol Violation</b><br>The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                  |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Tobacco Violation</b><br>The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches and hookah sticks), at school-sponsored events and on school-sponsored transportation. (see A.R.S. §36-798.03).                                                                                                                         |                     |                                            |

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                   |          |
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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Share</b>      | <b>3</b> |
| <b>Possession of Drug Paraphernalia</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |          |
| Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. (see A.R.S. § 13-3415) |                   |          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Share</b>      | <b>3</b> |

| <b>ARSON</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                       |
| <b>Structure:</b> a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |
| <b>Occupied structure:</b> any structure in which one or more persons is, or is likely to be present, or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.                                                                                                                                                                                                                                                  |                                                                       |
| <b>Property:</b> anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).                                                                                                                                                                                                                                                                                                                                                             |                                                                       |
| <b>Damage:</b> as used here, means a tangible or visible impairment to a surface.                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                       |
| <b>Reckless Burning:</b> recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property. (see A.R.S. § 13-1702).                                                                                                                                                                                                                                                                                                                                                   |                                                                       |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Action Level</i>                                                   |
| <b>Arson of a Structure or Property</b><br>A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. (see A.R.S. § 13-1703)<br><br><i>NOTE: Burning one's own property is not arson, with the exception of burning one's own property with the knowledge that it will ignite another's property or a structure. Burning one's own property may, where appropriate, be considered reckless burning.</i> | <b>4</b>                                                              |
| <b>Arson of an Occupied Structure</b><br>A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. (see A.R.S. § 13-1704)                                                                                                                                                                                                                                                                                  | <b>5</b><br><b>Mandatory report to law enforcement and Fire Dept.</b> |
| <i>NOTE: Administrators may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100, at Level 3. Please see the definition of Reckless Burning above.</i>                                                                                                                                                                                                                                                              |                                                                       |

| <b>ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)</b>                                                                                                                                                                                                                                                                                                 |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                               | <i>Action Level</i> |
| <b>Other Attendance Violations</b><br><b>Examples:</b> leaving school, without signing out in the main office; leaving school at lunch, without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school, but not attending classes. | <b>1</b>            |
| <b>Tardy</b><br>Arriving at school or class after the scheduled start time.                                                                                                                                                                                                                                                                                                    | <b>1</b>            |
| <b>Unexcused Absence</b><br>When a student is not in attendance <b>for an entire day</b> and does not have an acceptable excuse.                                                                                                                                                                                                                                               | <b>1</b>            |
| <b>Leaving School Grounds without Permission</b><br>Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.                                                                                                                                                                          | <b>1</b>            |
| <b>Truancy</b><br>When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.                                                                                                                                                                                                                                                | <b>1</b>            |

| <b>DISHONESTY</b>                                                                                                                                                                                                                                                   |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Cheating</b><br>To intentionally share with another, or take from another, intellectual property for the purpose of deceit or fraud, or to take or steal intellectual property from another with or without their knowledge and present it as the student's own. | 2                   |
| <b>Forgery</b><br>Falsely and fraudulently making or altering a document, including hall passes and parent signatures.                                                                                                                                              | 2                   |
| <b>Lying</b><br>To make an untrue statement with intent to deceive or to create a false or misleading impression.                                                                                                                                                   | 2                   |
| <b>Plagiarism</b><br>To steal and pass off the ideas or words of another as one's own, including material obtained online.                                                                                                                                          | 2                   |

| <b>HARASSMENT AND THREAT, INTIMIDATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Threat or Intimidation</b><br>When a person indicates, by words or conduct, the intent to cause physical injury or serious damage to a person or their property, or intentionally places another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occurs online or through a telecommunication device. (see A.R.S. § 13-1202).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                   |
| <b>Bullying</b><br>Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, social networking-such as, but not limited to "Twitter"); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).                                                                                                                                                                                                                                                                        | 3                   |
| <b>Harassment, nonsexual</b><br>A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person: <ol style="list-style-type: none"> <li>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses.</li> <li>2. Repeatedly commits an act or acts that harass another person.</li> <li>3. Surveils or causes another person to surveil a person for no legitimate purpose.</li> <li>4. On more than one occasion makes a false report to a law enforcement, credit or social service agency. (see A.R.S. § 13-2921)</li> <li>5. Stalking-Following another person in or about a public place for no legitimate purpose after being asked to desist.</li> </ol> <p><i>NOTE: Bullying and Sexual Harassment are types of Harassment. Indicate Harassment, nonsexual if the violation is not specifically Bullying or Sexual Harassment, or if the specific type of harassment is not known.</i></p> | 3                   |
| <b>Hazing</b><br>"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: <ol style="list-style-type: none"> <li>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. ("Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school.)</li> <li>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. (see A.R.S. § 15-2301)</li> </ol> <p>*Administrators <u>may</u> treat incidents of hazing at a Level 4 as appropriate to the situation, and in conjunction with Student Equity.</p>                                 | 3                   |



| <b>HOMICIDE; KIDNAPPING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Action Level</i>                                            |
| <p><b>Homicide</b><br/>Includes first degree murder, second degree murder, manslaughter or negligent homicide, and intentionally or recklessly causing the death of another person. (see A.R.S. § 13, Chapter 11)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |
| <p><b>Kidnapping</b><br/> <u>A. A person commits kidnapping by knowingly restraining another person with the intent to: (1) Hold the victim for ransom, as a shield or hostage; or (2) Hold the victim for involuntary servitude; or (3) Infilct death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or (4) Place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person; or (5) Interfere with the performance of a governmental or political function; or (6) Seize or exercise control over any airplane, train, bus, ship or other vehicle.</u><br/> <u>B. Kidnapping is a class 2 felony unless the victim is released voluntarily by the defendant without physical injury in a safe place prior to arrest and prior to accomplishing any of the further enumerated offenses in subsection A of this section in which case it is a class 4 felony. If the victim is released pursuant to an agreement with the state and without any physical injury, it is a class 3 felony. If the victim is under fifteen years of age kidnapping is a class 2 felony punishable pursuant to section 13-604.01. The sentence for kidnapping of a victim under fifteen years of age shall run consecutively to any other sentence imposed on the defendant and to any undischarged term of imprisonment of the defendant. (see A.R.S. § 13-1304)</u><br/>                     Knowingly restraining another person with the intent to hold the victim for ransom, as a shield or hostage; or hold the victim for involuntary servitude; or inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person. (see A.R.S. § 13-1304)</p> | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |

| <b>SCHOOL THREAT OR INTERFERENCE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                      |
| Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:<br>1. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.<br>2. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.<br>3. Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.<br>4. Refusing to obey a lawful order to leave the property of an educational institution.<br>NOTE: "interference with or disruption of" includes only those acts that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation or suspension is not required). |                                                      |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <i>Action Level</i>                                  |
| <p><b>Fire Alarm Misuse</b><br/>Intentionally ringing fire alarm when there is no fire.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>4</b></p>                                      |
| <p><b>Other School Threat</b><br/>An incident, not coded in the School Threat category, which involves threatening an educational institution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Bomb Threat</b><br/>Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.<br/>Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Chemical or Biological Threat</b><br/>Threatening to cause harm using dangerous chemicals or biological agents.<br/>Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Other School Threat</b><br/>The incident cannot be coded in one of the above categories but did involve a school threat.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |

| <b>SEXUAL OFFENSES</b>                                                                                                                            |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                  | <i>Action Level</i> |
| <p><b>Harassment, Sexual</b><br/>Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic,</p> | <p><b>3</b></p>     |

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| written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices), or physical conduct of a sexual nature.                                                                                                                                                                               |                                                        |
| <b>Pornography</b><br>Pornography is the sexually explicit and obscene depiction of persons, in words or images.<br><b>Examples:</b> viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value. | <b>3</b>                                               |
| <b>Harassment, Sexual with contact</b><br>Sexual harassment that includes physical contact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>4</b>                                               |
| <b>Indecent Exposure or Public Sexual Indecency</b><br>A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts.<br><b>Examples:</b> public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse, or oral sex.                                                                                                                                                                           | <b>4</b>                                               |
| <b>Sexual Assault or Rape</b><br>A violation of A.R.S. § 13-1406 Sexual assault                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>5</b><br><b>Mandatory report to law enforcement</b> |
| <b>Sexual Abuse or Sexual Conduct with minor, or Child Molestation</b><br>A violation of A.R.S. § 13-1404 Sexual abuse, § 13-1405 Sexual conduct with a minor, or § 13-1410 Child Molestation.                                                                                                                                                                                                                                                                                                                                                                     | <b>5</b><br><b>Mandatory report to law enforcement</b> |

| <b>TECHNOLOGY, IMPROPER USE OF</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Action Level</i> |
| <b>Telecommunication Device</b><br><u>Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:</u><br><u>(1) Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag; (2) Such devices shall not be turned on or used during instructional time, except as authorized by the teacher; (3) The principal shall establish additional guidelines appropriate to campus needs; (4) Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities. (see Policy JICJ)</u><br><b>Examples:</b> use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose | <b>2</b>            |
| <b>Other Technology</b><br><b>Examples:</b> Gaming systems, iPods, iPads, Tablets, etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>            |
| <b>Computer</b><br><b>Examples:</b> use of school computers for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of an administrator, vandalism of computers or computer equipment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>3</b>            |
| <b>Network Violation</b><br><b>Examples:</b> use of computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.                                                                                                                                                                                                                                                                                                                                                      | <b>3</b>            |

| <b>THEFT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <i>Action Level</i>                                    |
| <b>Petty Theft</b><br>Thefts for cash, or property, valued under \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>2</b>                                               |
| <b>Theft – School Property or Non-School Property</b><br>A person commits theft if, without lawful authority, the person knowingly:<br>b. Controls property of another with the intent to deprive the other person of such property; or<br>c. Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant’s possession for a limited, authorized term or use; or<br>d. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or<br>e. Comes into control of lost, mislaid or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person’s own or another’s use without reasonable efforts to notify the true owner; or<br>f. Controls property of another knowing or having reason to know that the property was stolen; or<br>g. Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another’s services to the person’s own or another’s benefit without authority to do so. (see A.R.S. § 13-1802) | <b>3</b>                                               |
| <b>Burglary or Breaking and Entering</b><br>Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard or a nonresidential structure or in a fenced commercial property with the intent to commit any theft or any felony therein. (see A.R.S. § 13-1506 - § 13-1507)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>4</b>                                               |
| <b>Extortion</b><br>A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:<br>1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.<br>2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection.<br>3. Cause damage to property.<br>4. Engage in other conduct constituting an offense.<br>5. Accuse anyone of a crime or bring criminal charges against anyone.<br>6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person’s credit or business.<br>7. Take or withhold action as a public servant or cause a public servant to take or withhold action.<br>8. Cause anyone to part with any property. (see A.R.S. § 13-1804)                                                                                                                                                                                                                                                                                                                                                         | <b>4</b>                                               |
| <b>Robbery</b><br>A person commits robbery if in the course of taking any property of another from his person or immediate presence and against his will; such person threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property. (see A.R.S. § 13-1902)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>4</b>                                               |
| <b>Armed Robbery</b><br>A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice: (1) Is armed with a deadly weapon or a simulated deadly weapon; or (2) Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. § 13-1904)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>5</b><br><b>Mandatory report to law enforcement</b> |
| <b>Burglary (First Degree)</b><br>A person commits burglary in the first degree if such person or an accomplice enters or remains unlawfully in or on a residential structure or yard or a nonresidential structure or in a fenced commercial with the intent to commit any theft or any felony therein (see A.R.S. § 13-1506 and 13-1507) and knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. (see A.R.S. § 13-1508)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>5</b><br><b>Mandatory report to law enforcement</b> |

| <b>TRESPASSING; VANDALISM OR CRIMINAL DAMAGE</b>                                                                                                                                                                                                                                                                                                                                       |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                     |                     |
| <b>Criminal damage:</b> Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Administrators may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4. |                     |
| <b>Examples:</b> Substantial destruction of copy machines, school vehicles, student vehicles, or certain technology, science, or computer equipment.                                                                                                                                                                                                                                   |                     |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                       | <i>Action Level</i> |
| <b>Trespassing</b><br>To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized                                                                                                                                            | <b>2</b>            |

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| persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.                                                                 |          |
| <b>Graffiti or Tagging</b><br>Writing on walls; drawings or words that are painted or sprayed on walls and/ or other surfaces that can be easily removed with soap or cleaner.                                                             | <b>2</b> |
| <b>Vandalism of Personal property</b><br>Willful destruction or defacement of personal property.                                                                                                                                           | <b>3</b> |
| <b>Vandalism of School Property</b><br>Willful destruction or defacement of school property.<br><b>Examples:</b> Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles. | <b>3</b> |

| <b>WEAPONS AND DANGEROUS ITEMS (POSSESSION OF)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <i>Action Level</i>                                                                        |
| <p><b>Dangerous Items</b><br/>Knife with a blade length of less than 2.5 inches, air soft gun, b.b.gun, laser pointer, letter opener, mace/pepper spray, paintball gun, pellet gun, razor blade/box cutter, simulated knife, taser or stun gun, tear gas, firecrackers, smoke and stink bombs, gas, lighter fluid, and other dangerous items (anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury).</p> <p><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b></p> | <b>3</b>                                                                                   |
| <p><b>Other Weapons</b><br/><b>Examples:</b> Billy club, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus.</p> <p><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b></p>                                                                                                                                                                                                                                                                                                                                                                          | <b>4</b>                                                                                   |
| <p><b>Simulated Firearm</b><br/>Possession of a simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm.</p> <p><b>If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>3</b>                                                                                   |
| <p><b>Firearms</b><br/><u>Except as provided in subsection B, an un-emancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the un-emancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian. (see A.R.S. §13-311(A))</u></p>                   | <b>5</b><br><b>Expulsion required by law</b><br><b>Mandatory report to law enforcement</b> |
| <p><b>"Firearm"</b> means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                            |

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| <p>expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. (see A.R.S. § 13-3101)</p> <p><del>“Other Firearms” – Firearms other than handguns, rifles or shotguns including – As defined for the Gun-Free Schools Act (GFSA) – includes – any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;</del> the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas; Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. (see 18 U.S.C. 921)</p> <p><i>NOTE: This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, and pellet guns)</i></p> |  |
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**TUSD ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age, or who attend an institution of postsecondary education) certain rights regarding the student’s education records. These rights are:

**(1) The right to inspect and review the student’s education records within 45 days from the day TUSD receives a request.**

The parent(s) and/or eligible student may inspect and review student’s education records, and TUSD policies and regulations governing use of those records, by making an appointment with the student’s school principal. A copy of state and federal statutes and regulations concerning student records is available for reasonable inspection in the Office of the Superintendent or designee, 1010 E. 10th Street, Tucson, Arizona. A list of the types of records maintained, and an explanation of any record, will be provided by appropriate TUSD personnel upon request.

Federal law assumes that both parents are equally entitled to review their child’s records. If there is a custody order in place that prohibits the provision of this information to one parent, please provide TUSD with a copy of the custody order, signed by a judge.

**(2) The right to request the amendment of the student’s education records that the parent(s) and/or eligible students believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.**

Such a request must be in writing to the student’s school principal, must clearly identify the part of the record they want changed, and must specify why it should be changed. If TUSD, decides not to amend the record as requested by the parent(s) and/or eligible student, TUSD will notify the parent(s) and/or eligible student of the decision, and the parent(s) and/or eligible student may further request a hearing regarding the request for amendment, as provided by federal and state statutes, rules and regulations.

**(3) The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests. A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, schools will disclose education records, without consent, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

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

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:

The Family Policy Compliance Office  
 U.S. Dep’t of Education  
 400 Maryland Avenue, SW  
 Washington, D.C. 20202  
 (202) 260-3887

Directory Information

FERPA requires that TUSD, with certain exceptions, obtain a parent’s/guardian’s written consent prior to the disclosure of personally identifiable information from your child’s education records. However, TUSD may disclose appropriately designated “directory information” without written consent, unless you have advised TUSD to the contrary in accordance with TUSD procedures (see Administrative Regulation 5130). The primary purpose of directory information is to allow TUSD to include this type of information from your child’s education records in certain school publications, such as:

- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets showing weight/height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want TUSD to disclose directory information from your child’s education records without your prior written consent, you must notify TUSD on TUSD Form 274, prior to October 1st. TUSD has designated the following information as directory information:

Name, address, parent or guardian telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees (diplomas) and awards received, the most recent previous educational agency or institution attended by the student, personally identifiable photographs, videotapes, films and other visual media, personally identifiable interviews, either audio only or audio and visual, and other similar information.

Under federal law, this information is considered directory information and does not require the written consent of a parent/eligible student to release. If you object to the release of directory information you must notify the principal or designee of the school, in writing, on TUSD Form 274, prior to October 1st. If Form 274 is not received by October 1st, it will be assumed that there is no objection to releasing such information. This procedure shall be done annually. Pursuant to federal law, upon request, TUSD may disclose education records without prior parental/eligible student consent, to officials of another school district in which a student seeks or intends to enroll. For further information, contact the Principal’s Office at the school where the student(s) attend in TUSD.



**TUSD ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

These include the right to:

**(1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Dep’t of Education (ED) –**

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

**(2) Receive notice and an opportunity to opt a student out of –**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

**(3) Inspect, upon request and before administration or use –**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 yrs old, or an emancipated minor under State law.

TUSD will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

TUSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. TUSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 2020

*YOUR SCHOOL IS A*  
***SAFE-T-ZONE***

***IF YOU SEE IT***

- |                   |                       |
|-------------------|-----------------------|
| ↪ <i>DRUGS</i>    | ↪ <i>VIOLENCE</i>     |
| ↪ <i>FIGHTS</i>   | ↪ <i>WEAPONS</i>      |
| ↪ <i>GANGS</i>    | ↪ <i>NON-STUDENTS</i> |
| ↪ <i>ASSAULTS</i> | ↪ <i>GRAFFITI</i>     |
| ↪ <i>TRUANCY</i>  | ↪ <i>THREATS</i>      |

**REPORT IT!**  
**CONFIDENTIALITY GUARANTEED**

**TELL A SCHOOL OFFICIAL OR CALL**

***TUSD SAFETY MESSAGE LINE***  
***584-7680***

- MESSAGES CHECKED HOURLY DURING SCHOOL -  
- DAILY ON NON-SCHOOL DAYS -

**DISCRIMINATION STATEMENT:** Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, , creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background in admission or access to, or treatment or employment in, its educational programs or activities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD's EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444, or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado 80204. See Board Policies AC "Non-Discrimination," and ACA "Sexual Harassment" for more information.

**Brown, Samuel**

---

**From:** Taylor, Martha  
**Sent:** Thursday, June 18, 2015 5:34 PM  
**To:** Anurima Bhargava; James Eichner; Juan Rodriguez; Lois Thompson; Rubin Salter; Willis D. Hawley; Zoe Savitsky  
**Cc:** Desegregation; Tolleson, Julie; Foster, Richard; Butler Jr, Eugene; Vega, Adrian  
**Subject:** Revised GSRR  
**Attachments:** 20150618 GSRR Final Revised.docx; 20150618 GSRR Comments Final Response.docx

Dr. Hawley and counsel: Attached please find the revised GSRR in which we incorporated many of the comments from Dr. Hawley, the DOJ and the Mendoza Plaintiffs that were received on or prior to June 12 as requested. Also find attached our response to your comments. Thank you for your close reading of this document and your thoughtful responses.

Martha

DRAFT FINAL REVISED GSRR 2015-16 AS PROVIDED TO THE SPECIAL MASTER AND PLAINTIFFS

DRAFT



**2015-16 GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)**

Together, students, parents<sup>1</sup>, teachers, staff, and principals share the responsibility in creating and sustaining an environment that enhances student achievement and well being in the Tucson Unified School District. We ask for the support of students and parents to achieve this goal. The Guidelines for Student Rights and Responsibilities (GSRR) addresses:

- The rights and responsibilities of students and parents
- Conduct which may require discipline
- Responsibilities of administrators and teachers to implement discipline, which includes behavioral supports and interventions that promote safety and support student success
- Administrative responsibilities for Due Process

Please read these Guidelines and develop a thorough understanding of the details. By following the Guidelines, you can help our school district become a safer and more supportive environment for the students and staff.

Student discipline is subject to the provisions of Governing Board policies and state and federal laws. Students will be disciplined in accordance with Governing Board Policy JK and its accompanying regulations. Students with disabilities shall be disciplined in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504, and applicable Governing Board Policies and Regulations – JK, Student Discipline; JK-R5, Discipline Of, and Alternative Interim Educational Placements For, Special Education Students; and JK-R6, Discipline, Suspension, Expulsion for 504 Students—as applied to these Guidelines for Student Rights and Responsibilities. Students may also be subject to applicable civil and/or criminal penalties if they violate the law.

These Governing Board Policies and Administrative Regulations are available for review in the principal's office and online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”) Copies of this booklet are available in Spanish on the reverse side of this booklet and can be obtained online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”)

Estos Planes de Acción del Consejo Gobernante, y Reglamentos Administrativos se hacen disponibles para revisión en la oficina del director escolar y en [www.tusd1.org](http://www.tusd1.org). Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en [www.tusd1.org](http://www.tusd1.org).

**TUSD Governing Board:**

Adelita S. Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks; Cam Juárez; Dr. Mark Stegeman

**Superintendent:**

Heliodoro Torres (H.T.) Sánchez, Ed.D.

<sup>1</sup> “Parents” as used throughout this document refers to parents and/or legal guardians  
Guidelines for Student Rights and Responsibilities, approved [DATE, 2015](#) (accompanies Policy JK)

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**QUICK-GUIDE TO OFFENSES**

Comment [#3]: REVISE ORDER AS NEEDED

| <b>CATEGORY</b>                                            | <b>VIOLATION</b>                                                                                                                                                                                                                                                                                     |
|------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGGRESSION<br>(Page 22)                                    | Verbal Provocation, Recklessness, Minor Aggressive Act, Other Aggression, Disorderly Conduct, Endangerment, Fighting, Assault, Aggravated Assault                                                                                                                                                    |
| ALCOHOL, TOBACCO AND OTHER DRUGS<br>(Page 23-24)           | Inappropriate use of Over the Counter Drugs, Inhalants, Unknown Drug, Substance Represented as of Illicit Drug, Inappropriate use of Prescription Drugs, Illicit Drug, Alcohol Violation, Tobacco Violation, Possession of Drug Paraphernalia                                                        |
| ARSON<br>(Page 24)                                         | Arson of a Structure or Property, Arson of an Occupied Structure                                                                                                                                                                                                                                     |
| ATTENDANCE POLICY VIOLATION<br>(Page 24-25)                | Other Attendance Violations, Tardy, Unexcused Absence, Leaving School Grounds without Permission, Truancy                                                                                                                                                                                            |
| DISHONESTY<br>(Page 25)                                    | Cheating, Forgery, Lying, Plagiarism                                                                                                                                                                                                                                                                 |
| HARASSMENT AND THREAT, INTIMIDATION<br>(Page 25)           | Threat or Intimidation, Bullying, Harassment (nonsexual), Hazing                                                                                                                                                                                                                                     |
| HOMICIDE, KIDNAPPING<br>(Page 26)                          | Homicide, Kidnapping                                                                                                                                                                                                                                                                                 |
| OTHER VIOLATIONS OF SCHOOL POLICIES<br>(Page 26)           | Dress Code Violation, Parking Lot Violation, Public Display of Affection, Other Violation of School Policies and Regulations, Contraband, Disruption, Gambling, Inappropriate Language, Defiance or Disrespect Towards Authority and Non Compliance, Negative Group Affiliation/Illegal Organization |
| SCHOOL THREAT OR INTERFERENCE<br>(Page 27)                 | Fire Alarm Misuse, Other School Threat, Bomb Threat, Chemical or Biological Threat                                                                                                                                                                                                                   |
| SEXUAL OFFENSES<br>(Page 27)                               | Sexual Harassment, Pornography, Sexual Harassment with contact, Indecent Exposure or Public Sexual Indecency, Sexual Assault or Rape, Sexual Abuse or Sexual Conduct with minor, or Child Molestation                                                                                                |
| IMPROPER USE OF TECHNOLOGY<br>(Page 28)                    | Telecommunication Device, Other Technology, Computer, Network Violation                                                                                                                                                                                                                              |
| THEFT<br>(Page 28-29)                                      | Petty Theft, Theft – School Property or Non-School Property, Burglary or Breaking and Entering, Extortion, Robbery, Armed Robbery, Burglary (First Degree)                                                                                                                                           |
| TRESPASSING, VANDALISM OR CRIMINAL DAMAGE<br>(Page 29)     | Trespassing, Graffiti or Tagging, Vandalism of Personal Property, Vandalism of School Property                                                                                                                                                                                                       |
| WEAPONS AND DANGEROUS ITEMS; POSSESSION OF<br>(Page 29-30) | Dangerous Items, Other Weapons, Simulated Firearms, Firearms                                                                                                                                                                                                                                         |



## SECTION A: PURPOSE

### 1. WHAT ARE THE GUIDELINES AND WHY ARE THEY NEEDED?

TUSD is committed to partnering with students and parents to provide an environment that is safe, supportive, and conducive to learning, and is committed to reduce racial and ethnic disparities in the administration of school discipline. To help promote and maintain that environment, the GSRR:

- Specify the rights and responsibilities of students and parents
- Describe conduct which violates those rights and responsibilities
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development
- Strive to ensure consistent application of disciplinary actions so that students from school to school will receive similar actions for similar violations.
- Assure the rights of students and parents when disciplinary action is taken

~~At different age levels, students have different needs for safety, support, and learning. As students progress through our public schools, it is reasonable to assume that an increase in age and maturity carries with it a greater responsibility for their actions. Differences in age and maturity are recognized in determining the type of disciplinary action to be taken and the appropriate supports and interventions. However, the procedures outlined in the Guidelines apply to all students in Grades K through 12.~~

Disciplinary consequences must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. When considering responses to violations, the District strives to keep students in the classroom whenever possible. For all but the most severe offenses (Levels 4 and 5 in the "Action Levels" section of this document below), an Exclusionary Consequence ("any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school and out-of-school suspension, placement in an alternative setting or program, and expulsion.") must be limited to instances in which (a) the violation is a level 3, (b) student misbehavior is ongoing and ~~or~~ escalating, and (c) only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices, (whichever is appropriate), only after the District has first implemented and documented that non-exclusionary interventions have been attempted. If Exclusionary Consequences are imposed, students will have fair due process that includes an opportunity to appeal (see Policy JK and accompanying regulations). For all offenses, disciplinary consequences must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where possible, offered an opportunity to continue to participate in the school community.

While prioritizing student, staff, and public safety, the District shall not use Exclusionary Consequences for low-level conduct (Action Levels 1-2 below), shall only involve School Safety and/or law enforcement in high-level student discipline (Action Levels 4-5 below), such as when a student is a danger to self or others (to the extent permitted by law), and shall keep students in the classroom setting whenever possible as members of the school community. ~~"Involvement" of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.~~

All district personnel administering discipline to students should be informed if a student ~~is protected as a student with~~ has a disability under either Section 504 or IDEA ~~or if the student is suspected of having a disability and/or~~ is being considered for an evaluation for ~~a~~ disability. There are specific discipline

procedures that must be followed for students who are considered disabled under ~~these~~ federal laws, including determining whether the misbehavior is a manifestation of the student's disability.

## 2. WHEN DO THESE GUIDELINES APPLY?

### During regular school hours

- During regular school hours

- While being transported on the school bus or other school district-sanctioned transportation
- At times and places where the principal or other school official or employee has jurisdiction over students
- During school-sponsored events
- During field trips
- During athletic functions
- When students are going to and from school ("portal to portal")
- During other school-related activities

Additionally, the principal is authorized to begin disciplinary action when a student's misconduct away from school has a detrimental effect on the other students, or on the orderly educational process, because the violation is directly connected to prior violations at school, or threatens to produce further violations at school.

***Students who believe they have experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-4316, or online at [www.tusdl.org/deseg](http://www.tusdl.org/deseg)***

***Parents who believe their student has experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-4316, or online at [www.tusdl.org/deseg](http://www.tusdl.org/deseg)***

|                                                                  |
|------------------------------------------------------------------|
| <b>SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES</b> |
|------------------------------------------------------------------|

TUSD believes that educating a student is a collaborative effort with the student and parent. To support this collaboration we realize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive.** (See Policy JI “Rights and Responsibilities”)

**1. STUDENTS HAVE A RIGHT TO:**

- a. Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- b. Receive high quality instruction that is comprehensible and appropriate to their level of academic and linguistic development.
- c. Be expected to achieve at high levels.
- d. Be taught in ways that are responsive to students’ individual needs, and respond to students’ individual racial, ethnic, linguistic and cultural backgrounds.
- e. Receive appropriate accommodations to meet individual needs. (as supported by documentation)
- f. Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures.
- g. Participate in student activities, including extracurricular activities.
- h. Be treated with respect, and to be treated as a unique individual with differing needs, learning styles and abilities in a manner that encourages and enhances individual self-esteem.
- i. Be treated in a fair and equitable manner by teachers and administrators.
- j. Privacy. (See the “Notification of Privacy Rights of Parents and Students” at page 35)
- k. Due process of law.
- l. Have school rules that are enforced in a consistent, fair and reasonable manner.
- m. Be free to request an interpreter or translator at any step of the disciplinary process.
- n. Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse. A victim has the right to transfer to another school. (See Policy JICL “Dating Abuse”).
- o. Receive fair, equitable, non-discriminatory disciplinary actions that are aligned with the GSRR.
- p. Have teachers and administrators who will follow all District policies related to known allegations of discrimination, harassment, hazing, bullying, and incidents that require mandatory reporting. Such known allegations/incidents must be reported to site administration immediately.
- q. Be treated in a manner that is respectful of and responsive to their cultural traditions.
- r. Administrators who will:
  - model appropriate behavior and expect appropriate behavior from students and teachers
  - hold students and teachers accountable for student learning
  - expect parents to be collaborative partners regarding student achievement
  - work collaboratively with Student Equity.
  - host student assemblies (or other appropriate meetings) to communicate positive core values and behavioral expectations, and to explain the GSRR, Positive Behavioral Interventions and Supports (PBIS), and Restorative Practices (RP) in an age-appropriate manner
  - hold informational sessions for parents at least twice per school year at each school, which shall include information regarding GSRR, PBIS, RP, due process and appeal procedures, and guidance for making parent complaints about student discipline
  - make decisions regarding removing students and/or staff for safety reasons
  - discipline students in accordance with the GSRR
  - Consistently and accurately report discipline consequences for students into the database

- s. Full access to opportunities within the educational environment without experiencing discrimination on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background. This includes the availability of all support services which promote the development of student potential. (See Policy AC “Non-Discrimination”, ACA “Sexual Harassment”, and JB “Equal Educational Opportunities and Anti-Harassment”).
- t. Acquire English and such other languages as may be available at the school for students to study.
- u. Access to a classroom environment that encourages the use of English, promotes appreciation of other languages, and respects students’ right to use their native language to facilitate communication and enhance academic achievement.
- v. Access to books and other reading materials for supplementary and recreational use, including materials that may be available in other languages.
- w. Access to non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- x. Receive a copy of [the Guidelines for Student Rights and Responsibilities](#) [this handbook](#) (GSRR).
- y. Have access to quality learning resources, including learning technology.
- z. Have access to their formal student records.
- aa. Have access to school assignments/homework while serving a disciplinary suspension for the duration of the suspension and have options for alternative instructional opportunities for any remaining suspension.

**2. STUDENTS HAVE A RESPONSIBILITY TO:**

- a. Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and to strive for their personal best.
- c. Participate fully in the classroom, curriculum and learning process during the entire class period.
- d. Make positive contributions to an environment that allows fellow students to have equal access to educational opportunities.
- e. Make positive contributions to an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn and to contribute to a safe and orderly environment that is conducive to learning.
- i. Display behavior that does not compromise the safety of other students and/or staff.
- j. Follow discipline guidelines adopted by the school and District.
- k. Protect and take care of the school’s property.
- l. Abide by the governing board policies and regulations.
- m. Assist the school staff in running a safe school, and to help maintain the safety and cleanliness of the school environment.
- n. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook (GSRR).

**3. PARENTS AND GUARDIANS HAVE A RIGHT TO:**

- a. Receive official reports (quarterly or more frequently) of the student's academic progress, attendance and behavior.
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from teachers about their student's grades and disciplinary procedures.
- d. Access and review school records pertaining to their student. (see Annual Privacy Notice, pg. 33)
- e. Receive a copy of ~~the Guidelines for Student Rights and Responsibilities~~this handbook (GSRR).
- f. Receive immediately an oral **and** a written notification anytime a student receives in-school suspension, or is sent home for any safety and/or disciplinary reason. (including suspensions)
- g. Request an interpreter or translator at any step of the disciplinary process.
- h. Request a review of all disciplinary actions relating to their student.
- i. Non-instructional (not related to instruction) interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- j. Direct their student's education, upbringing and moral or religious training.
- k. Make health care decisions for the minor child.
- ~~l. Access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.~~
- ~~m. Consent in writing before:
 
  - a biometric scan (i.e. eye scan) of the minor child is made
  - a record of the minor's blood or DNA is created, stored or shared genetic testing is conducted on the minor, unless required/authorized by law or court order the state makes a video or voice recording of the minor, unless made during: a court proceeding; a forensic interview in a criminal or child protective services investigation; or for use solely in any of the following: safety demonstrations, including the maintenance of order and discipline; a purpose related to a legitimate academic/extracurricular activity; a purpose related to regular classroom instruction; security or surveillance of buildings or grounds; or, a photo identification card~~
- ~~n. Obtain information about a child protective services investigation involving the parent.~~
- ~~o. Be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for TUSD to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.~~
- ~~p. m. Express appropriately their ideas and perspectives on issues and topics relevant to their child's education, including school policies and procedures.~~
- ~~q. n. Be treated in a manner that is respectful of and responsive to their cultural traditions.~~

**Comment [#4]:** THIS LANGUAGE CAN BE FOUND IN ARIZONA REVISED STATUTES 1-602 "PARENTS BILL OF RIGHTS"

**4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:**

- a. Communicate and collaborate with teachers to support student achievement.
- b. Attempt to participate and be active at their student's school.
- c. Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- d. Provide supervision of the student's health, physical and emotional well being, and assume responsibility for the student's timely regular attendance.
- e. Promptly provide the school with explanations for student absences or tardiness.
- f. Ensure student compliance with school and district policies and regulations.
- g. Read and ask questions to understand the information in the GSRR.
- h. Reinforce the importance of students' adherence to values and behaviors described in the GSRR.

## SECTION C: GENERAL INFORMATION

### 1. EQUAL EDUCATIONAL OPPORTUNITIES AND ANTI-HARASSMENT (POLICY JB)

It is the policy of the TUSD to prohibit discriminatory harassment based on ~~real-actual~~ or perceived race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, parental status, status with regard to public assistance, limited proficiency in English, or family, social or cultural background, or any other reason not related to the student's individual capabilities or on the basis of association with others identified by these categories. TUSD shall ~~act to~~ investigate all complaints, ~~formal or informal, verbal or written~~, of discriminatory or other harassment, ~~formal or informal, verbal or written~~, and ~~teshall discipline or take other~~ appropriate action against anyone who is found to have violated this policy.

### 2. GOVERNING BOARD POSITION ON GANG BEHAVIOR AND ACTIVITY

The behaviors that have become associated with gang activity or membership, especially violence ~~and~~ intimidation, ~~and disrespect~~ will not be tolerated on or near school property or in activities associated with school. In accordance with this position, any students engaging in gang activities will be disciplined to the fullest extent of TUSD policies, and prosecuted, if applicable, according to local ordinances, and state and federal laws.

**Gang:** An ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member.

**Gang-Related Incident:** An incident is considered gang-related when it involves gang recruitment, gang initiation, fights between rival gangs, or other similar behaviors, but does not include non-threatening behavior such as handshakes, signs, or wearing of particular colors.

~~**Bias-Related and Hate-Related Incidents:** An incident is considered bias-related or hate-related when a reasonable person would conclude that it was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics. Such characteristics include: ancestry or ethnicity, disability, sex, gender, immigration or citizenship status, race, religion or religious practices, or sexual orientation.~~

Comment [#5]: THESE TERMS ARE DEFINED BUT NOT USED IN THE DOCUMENT

### 3. STUDENT ATTENDANCE (POLICY JE)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note or email must address the date/time and reason for the absence.

### 4. DATING ABUSE (POLICY JICL)

Dating abuse is a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's former or present dating partner. Behaviors used may include, but are not limited to, physical abuse, emotional abuse, sexual abuse, and/or threats. TUSD is committed to maintaining a school campus environment that is safe and secure for all students, and dating abuse will not be tolerated. TUSD employees aware of dating abuse shall respond in a manner consistent with District training. Students are encouraged to report all known or suspected instances of dating abuse involving themselves or other students, either verbally or in writing, to a teacher, site administrator, Student Equity (225.4316). The District will investigate all complaints.

## 5. BULLYING, INTIMIDATION AND HARASSMENT (POLICY JICK)

Bullying is a form of harassment. Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted (including cyberbullying), or emotional abuse, or through attacks on the property of another (including verbal taunts, name-calling and put-downs, extortion of money or possessions, or spray-painting derogatory terms on a student's locker or vehicle). Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while en route to or from school, are subject to disciplinary action.

## 6. SCHOOL DRESS CODE (REQUIRED AT EVERY SCHOOL) (POLICY JICA)

The general guide to acceptable school dress is neatness, cleanliness and appropriateness. While the school cannot and does not dictate styles, it is expected that students will abide by the following rules demonstrating appropriateness in dress as though this were their daily place of business.

- Shoes ~~are required to~~ must be worn in school.
- Hats and sunglasses may be worn outside in the sun for an extended period of time for protection from the sun. A principal in collaboration with School Safety may institute stricter requirements at a high school experiencing safety-related issues.
- ~~No bandannas may be worn.~~
- Dark glasses may not be worn inside buildings unless a documented health problem exists.
- No gang related apparel or items are allowed (e.g., "wearing colors known to be affiliated with a particular gang, or wearing clothing with illustrations of known gang signs or symbols").
- Students may not wear clothing or accessories in school buildings or on school grounds that are:
  - Hazardous, damaging, or presenting danger to school property or persons including but not limited to: extended belts (belts should fit proper length), choke chains, dog collars, wallet chains or any type of spiked apparel or jewelry;
  - Depicting and/or promoting and/or endorsing illegal or violent activities, illegal drugs, tobacco, or alcohol;
  - Vulgar, obscene, indecent, libelous, or degrading of others on the basis of race, color, religion, ancestry, national origin, sex, gender, sexual orientation or disability; and/or
  - Distracting so as to interfere with the teaching or learning process such as extremely revealing garments including but not limited to short shorts, short skirts, short dresses (must cover buttocks while standing and sitting), tube tops, net tops, swimsuits, strapless tops, spaghetti strap tops, halter tops, muscle shirts, basketball shirts without an accompanying T-shirt, no tights ~~or leggings~~ to be worn as pants, garments with plunging necklines, transparent and see through garments, (midsections must be covered and undergarments shall be completely covered with outer clothing).

**Comment [N6]:** Can we reconsider leggings? It is difficult to find clothing for young ladies that is not a legging or a jegging. We have also found that we have more reports by staff when the student is overweight and wearing leggings. I have been asked by parents to ask the district to review this policy.

Students who violate standards may be asked to do any of the following depending on circumstances:

- Turn inappropriate clothing inside out.
- Change into clothing that may be provided by the school.
- Change into other clothing which has been brought to school.
- Remove the jewelry or other accessory.

\*NOTE ON SCHOOL DRESS CODES: ~~These dress~~ The above-stated guidelines represent minimum standards. Individual schools may adopt additional guidelines, but may not apply exclusionary discipline without first giving the student an opportunity to address the alleged violation. Students wearing inappropriate clothing are given an opportunity to change clothing or they will be released from school in the company of the parent/guardian. Students who are unable to comply with the dress code may access TUSD's clothing bank (520) 232-7058.

## 7. BUS RULES

**Student Behavior Policy** Proper student behavior contributes to the overall safety and comfort of the ride to and from school. Following driver directions and all ridership rules is paramount to maintain a safe and enjoyable ride for all. Infractions will be dealt with through the District-approved Student Conduct policies which include driver interventions, the student's principal, and other administrators as deemed appropriate. Riding is a privilege; parents and students should discuss and make sure they know the rules:

- Always comply with bus driver's/monitor's directions
- Use classroom voice only (no profanity/loud noises/threats/intimidation)
- Remain seated; keep hands, feet, and head inside bus
- All personal possessions must be under control at all times
- Keep unauthorized materials and substances off bus (animals, glass objects, weapons, illegal substances, or large objects that occupy a seat space)
- No eating or drinking on the bus

As a last resort, violations of these bus rules may result in the loss of bus privileges for a limited time, not to exceed 30 days.

### **Safety Precautions for Students**

- Know the route to and from the bus stop, safety precautions and common courtesies to be maintained en route and at the bus stop
- Know the correct bus route number
- Discuss what to do if the bus is late in the morning or no one is home in the afternoon
- ALWAYS board/depart the bus at the correct stop as known and approved by the parent

## 8. STUDENT USE OF CELL PHONES AND ELECTRONIC DEVICES (POLICY JICJ)

For purposes of this policy, "electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDA's), e-book readers, compact disc players, portable game consoles, cameras, digital scanners, lap top computers, tablet computers and other electronic or battery powered instruments which transmit voice, text, or data from one person to another. Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:

- Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag.
- Such devices shall not be turned on or used during instructional time, except as authorized by the teacher.
- The principal shall establish additional guidelines appropriate to campus needs.
- Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities.

**Reasonable efforts will be taken to secure property that has been confiscated** (i.e. lock the item in a drawer, take the item to the office to be secured in a locked area, etc.); **however, neither the School District nor the School District Staff staff is responsible for loss, damage, or theft of any electronic device including but not limited to cell phones, laptops, tablet computers, portable media player brought to school, even if loss, damage or theft results from the device being confiscated.**



## 9. HAZING (POLICY JICFA)

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a “student” until graduation, transfer, promotion or withdrawal from the District school.

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

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

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

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing. In accord with statute, violations of this policy do not include either of the following:

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

All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this policy. Students and others may report hazing to any professional staff member. Professional staff Staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the Rights and Responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices. Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

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

**10. POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS; RESTORATIVE PRACTICES**

Comment [#7]: MOVED TO SECTION E

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices: focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See Section D (8) below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

**SECTION D: KNOW THE ACTIONS**

**ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES**

The Arizona Department of Education has developed a list of violations as well as a list of possible actions a school district may take in response to a violation. TUSD has categorized these possible actions into five levels ~~and then assigned a level to each violation~~ depending on the severity of the violation. In this way, students from school to school will receive similar actions for similar violations. A major consideration in the application of the Guidelines for Student Rights and Responsibilities is to identify the most appropriate disciplinary action necessary to bring about positive student behavior. Actions are not to be considered in isolation but rather as part of the overall goal of creating inclusive and supportive environments for students. For instance, restorative circles should not be isolated events at a campus, but should instead become part of the routine process in addressing behavior. At the elementary level, the age and developmental level of the child may be considered in interpreting the severity of the discipline imposed. Student services personnel, such as counselors, social workers, learning support coordinators, or psychologists, play a vital role in assisting the student in resolving any problems influencing the student’s behavior.

**1. CONDUCT WHICH MUST BE REPORTED TO LAW ENFORCEMENT**

~~It is important for all staff, students, and parents to understand that, in~~ In addition to ~~taking~~ disciplinary action at the school level, certain criminal behavior must be reported to appropriate law enforcement agencies. Principals, assistant principals, or designees **are required to report the following incidents:**

|                                                              |                |                                    |
|--------------------------------------------------------------|----------------|------------------------------------|
| Use or threat to use a deadly weapon or dangerous instrument | Homicide       | Burglary in the first degree       |
| Aggravated Assault resulting in serious physical injury      | Sexual Assault | Arson of an occupied structure     |
| Sexual conduct with a minor under 15 years of age            | Armed Robbery  | Any dangerous crime against minors |
| Possession, use, sale, or attempted sale of illegal drugs    | Kidnapping     | Bomb threats                       |

Additionally, pursuant to A.R.S. § 13-3620, school personnel are required to immediately report any reasonable belief of non-accidental physical injury, neglect, or sexually related offense against a minor. ~~“Physical injury” means the impairment of physical condition, and may include any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare. (See A.R.S. § 13-3623(F)(4))~~

**Comment [#8]:** DEFINED IN THE DEFINITION SECTION

**2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT**

Additionally, principals, assistant principals, or designees **MAY** report to law enforcement agencies other potentially disruptive incidents when necessary to maintain safety or seek restitution. When appropriate, school officials should utilize supports and interventions that provide guidance and structure to the student and help them to improve their behavior without involving law enforcement. An administrator must immediately notify an Assistant Superintendent or Director, and Student Equity, when law enforcement is contacted. Incidents that may be reported to law enforcement when necessary to maintain safety include, but are not limited to, the following:

|                                                                                            |                                |         |           |
|--------------------------------------------------------------------------------------------|--------------------------------|---------|-----------|
| Possession, sale or distribution of dangerous substances, including alcohol or legal drugs |                                |         |           |
| Demonstration by students which is likely to create unsafe conditions                      |                                |         |           |
| Threats                                                                                    | Setting off a false fire alarm | Assault | Vandalism |

### 3. DUE PROCESS

Any student whose conduct may warrant suspension or expulsion will be provided due process. This is a legal safeguard that protects the rights of students and their parents and is constitutionally guaranteed.

Due process steps include:

- Oral or written notice to the student of the charges against the student
- An opportunity to present the student's side of the story in an informal hearing or meeting
- The allowance, for safety considerations, for a student to be removed from the school prior to an informal hearing with that hearing to follow as soon as practical
- Adequate notification and an opportunity for a fair hearing
- That parents will be informed in writing of all suspensions and that they have the right to a conference with the principal
- That if parents are not satisfied with any school official's decision they are entitled to request a review by the school official's immediate supervisor
- Formal due process (including a hearing officer) in long-term suspension and expulsion proceedings
- A right to appeal disciplinary decisions to the Assistant Superintendent, Director, Principal, Assistant Principal or Designee.

### 4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs

**Students with disabilities under Section 504 or IDEA (and students suspected of having a disability) may be disciplined in the same manner as any other student and may be suspended for up to 10 cumulative days of school per school year. If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed.**

**A manifestation determination conference must be held prior to the 11<sup>th</sup> day of suspension**

If the manifestation determination conference concludes that the student's behavior is a manifestation of the student's disability, then no further disciplinary action can be taken. The 504 or IEP team should convene to develop an appropriate behavior plan for the student. If the manifestation determination conference concludes that the student's behavior is not a manifestation of the student's disability, the District may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The District has no obligation to continue to provide educational services to a 504 student during the period of a long-term suspension or expulsion. However, the District must continue to provide educational services for students eligible under IDEA. Please refer to the appropriate Governing Board regulations JKA and JKAB and to the Exceptional Education Handbook for specific procedures

A student with a disability under IDEA may be referred to an Interim Alternative Educational Settings in ~~certain~~ circumstances regarding involving the use or possession of drugs, weapons, or serious bodily injury. Refer to the Exceptional Education Handbook for specific procedures.

**In-School Intervention-**

An alternative to short-term suspension which allows students to continue receiving classroom instruction from content certified teachers in a classroom on campus, where available.

Comment [TM9]: Add definition of ISI and ISS; add "where available"

**In-School Suspension**-In-school suspension is run by a highly qualified teacher. The students will continue their core curriculum. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

**5. OUT OF SCHOOL SUSPENSIONS**

~~\*All suspensions are reviewed by the Department of Student Equity and Intervention. Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

Comment [TM10]: See p.26 paragraph 6

**Short-Term Suspension** – A principal or principal’s designee may suspend a student from school from one (1) to ten (10) school days due to misconduct, depending on the severity of the misconduct. However, principals must limit exclusionary consequences to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented they types of intervention(s) used in PBIS and/or Restorative Practices, as appropriate. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

**Make-up Work (Short-Term Suspension):** If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. Regulation JK-R1, Short Term Suspension states: “The student is allowed access to class assignments and to make up tests upon return to school. Homework must be made available for the parent to pick up at the school office.” Or, when feasible, homework shall be made available online. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

**Long-Term Suspension** – Hearing Officers are used to investigate facts and make determinations regarding ~~an administrator’s~~ recommendation ~~about~~for a long-term suspension or expulsion. A Hearing Officer may suspend a student from school for up to 180 days. Long-term suspensions of more than 30 days shall not be imposed except for Violations at Level 5. Hearing Officers may take this action only after the site administration has exhausted other disciplinary strategies (see interventions listed under Action Level 1 for examples of appropriate strategies), or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members at appropriate times as part of the continuum of supports and interventions implemented to support student success.~~ Students suspended more than 20 days may have an option to enroll in the “Life Skills” alternative to suspension program. “Life Skills” alternative to suspension program provides an alternative setting for students to continue to receive instruction during the period of suspension.

**Alternative Education Placement**-An alternative to long-term suspensions which allows students to continu receiving classroom instruction from content certified teachers at an alternative campus.

Guidelines for Student Rights and Responsibilities, approved DATE, 2015 (accompanies Policy JK)

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Make-up Work (Long-Term Suspension): If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such class assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up at the school office. Or, when feasible, homework shall be made available online. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. Homework will be made available by the student's teachers for the remainder of the grading period. However, because of the difficulty in students keeping up with class work through homework alone, without an instruction component, after the end of a grading period, students will receive academic support through a TUSD alternative program such as distance learning. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

#### **6. ABEYANCE CONTRACTS (REGULATION JK-R4)**

An administrator should offer an abeyance contract unless there are particular circumstances that would make it inappropriate. Under an abeyance contract, an administrator may offer to ~~would~~ not immediately impose the assigned ~~out-of-school suspension~~ disciplinary action if ~~(1) the administrator believes it is in the best interest of the student and the school community,~~ (12) the student admits to committing the infraction, ~~(23) the student and parent/legal guardian agree to certain conditions, and~~ (34) the student and parent/legal guardian sign a contract, called an abeyance contract. The term of the abeyance contract may not exceed the maximum suspension term for the offense level. If a student violates his/her abeyance contract with a suspendable offense, the student must serve the remaining term of the initial offense plus the suspension for the additional offense. These two suspensions would be served concurrently. (The last days of the first suspension would also be the first days of the additional suspension)

#### **7. POSITIVE BEHAVIOR INTERVENTION SUPPORT (PBIS)**

~~In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary.~~

#### **8. RESTORATIVE PRACTICES**

~~Restorative Practices actions range from informal to formal. In schools, these actions include:~~

- ~~• Small impromptu circles: a few people meet to briefly address and resolve a problem; facilitated by teachers, administrators, and/or learning supports coordinators.~~

- ~~Group or classroom circles: a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.~~
- ~~Formal restorative conferences: address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.~~
- ~~Teen courts: are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.~~

Comment [#11]: MOVED TO SECTION E

## 7. APPEALS

Students and parents/guardians have the right to appeal short-term and long-term suspension decisions; however, there is no ~~school-district-based~~ appeal from the Governing Board's final decisions regarding long-term suspension appeals or its expulsion decisions. (See Policy JK and accompanying regulations)

## 8. EXPULSION

Expulsions will only be recommended for Level 5 violations. Expulsion is defined as the permanent withdrawal of the privilege of attending a TUSD school unless the Governing Board reinstates the privilege. A principal may or, in some cases, must request that the Superintendent recommend to the Governing Board the expulsion of a student. This is the most serious disciplinary step available. As part of its decision to expel, the Governing Board may permit the student to apply for readmission through the office of the Assistant Superintendent after any period of time it may set. The Governing Board, or designee, may establish further conditions within the readmission process with which the student must comply prior to their admission to the instructional process. During the term of the expulsion, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

Students with disabilities eligible under IDEA will continue to be offered educational services, although in an alternative setting.

## 9. PRINCIPAL APPLICATION FOR WAIVER OF MANDATORY ACTIONS

For violations requiring Action Level 4 or 5 consequences, the principal has the prerogative to seek the waiver of any portion or all of the mandatory disciplinary action through the appropriate Assistant Superintendent. The principal may seek the waiver and, if granted, the parties directly involved shall be informed of the reasons the waiver was granted.

Waivers may **not** be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.

## SECTION E: RESTORATIVE PRACTICES; POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

### RESTORATIVE PRACTICES

~~Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.~~

~~Restorative Practices is a framework to give those affected by conflict the tools and principles needed to resolve problems and build relationships. Restorative Practices focus upon the emotional and social disturbance created by conflict and provides a process for holding students accountable for their actions while building a supportive school environment.~~

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See ~~Section D (8)~~ below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

Restorative Practices actions range from informal to formal. In schools, these actions include:

- *Small impromptu circles:* a few people meet to briefly address and resolve a problem; ~~facilitated~~ by district staff including teachers, counselors, administrators, and/or learning supports coordinators.
- *Group or classroom circles:* a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by district staff including teachers, administrators, and/or learning supports coordinators.
- *Formal restorative conferences:* address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.
- *Teen courts:* are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.

**Comment [AM12]:** At the elementary level Counselors occasionally facilitate these circles.



## POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, ~~interest-based clubs~~, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary. [See “Level 1” on page 24 below for a list of interventions.](#)

**Comment [AF13]:** Should we include the use of LSC and Student Success Specialists?

## SECTION F: DEFINITIONS

Selected terms that may otherwise be subject to varying interpretations are defined below:

~~Exclusionary Consequence – 1: any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school suspension.~~

~~Exclusionary Consequence – 2: any disciplinary consequence that removes a student from the student's school of attendance, including, but not limited to, out-of-school suspension, placement in an alternative setting or program, and expulsion.~~

May: a choice to act or not, as distinguished from "shall," which requires a specific action.

Shall: expressing a command or required action.

Ongoing and Escalating: "Ongoing" means the student continues to do the same or similar behavior violate the GSRR, even after the District has tried **and** documented interventions. "Escalating" means the administrator can articulate that the behavior has ~~taken on a different tone~~worsened.

Example (Ongoing): Student X verbally provokes a fight between two other students by taunting the students. Receives a Level I action, receives an intervention, and then provokes another fight ~~within weeks.~~

Example (Escalating): Student X verbally provokes a second fight, using language that begins as taunting but escalates to cursing and personal attacks.

Physical Injury: an impairment of physical condition ~~that interferes with a student's ability to receive instruction but does that~~ does not require external medical attention.

Reckless: lacking appropriate caution; careless of consequences. A student whose actions put themselves and/or others in harm's way.

Repeated: said, done, or occurring again and again (at least twice).

Serious Physical Injury: an impairment of physical condition that interferes with a student's ability to receive instruction, **and** is the type of injury that would reasonably require external medical attention.

Sustained: continuing for an extended period or without interruption; prolonged.

**SECTION G: ACTION LEVELS**

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|-----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>GUIDANCE</b> | <p>When considering actions, the District strives to implement Restorative Practices and to keep students in their classroom whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student’s misbehavior.</p> <p>Principals may exercise reasonable discretion in deciding which violation occurred.</p> <p>The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Multiple actions may be applied to a single violation. <b>Actions listed in bold are the minimum and mandatory action for that level of violation. For all violations, parent notification and student conference are mandatory.</b></p> <p><del>The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Actions listed in bold are the minimum and mandatory action for that level of violation. Multiple actions may be applied to a single violation. Action Levels are developed with input from students, parents, teachers and community members. For all violations, parent notification and student conference are mandatory.</del></p> <p><del>Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors.</del></p> <p><del>In ambiguous cases, principals have the authority to exercise reasonable discretion in deciding which violation occurred. It will be the policy of TUSD to implement Restorative Practices wherever practicable.</del></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>LEVEL 1</b>  | <ul style="list-style-type: none"> <li>• <b>Parent Notification and Conference Request</b></li> <li>• <b>Student Conference</b></li> <li>• Restorative Circle</li> <li>• Restorative Conference</li> <li>• Confiscation of Contraband</li> <li>• Student Verbal Apology</li> <li>• Student Written Apology</li> <li>• Warning</li> <li>• Referred to Outside Agency</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <ul style="list-style-type: none"> <li>• Detention (before/after school; <u>lunch</u>)</li> <li>• Peer Mediation</li> <li>• Privileges Suspended</li> <li>• Restitution</li> <li>• Saturday School</li> <li>• Teen Court</li> <li>• Functional Behavioral Assessment</li> <li>• Behavior Learning Packets</li> <li>• <b>Time Out (not to exceed 30 minutes)</b></li> <li>• Reflective Essay</li> <li>• Meeting With School Counselor</li> <li>• Community Service (not work detail)</li> </ul> | <ul style="list-style-type: none"> <li>• Reassignment To Different Class</li> <li>• Behavior Contract</li> <li>• Behavior Intervention Group</li> <li>• Threat Assessment</li> <li>• Behavior Intervention Plan</li> <li>• <del>Lunch Detention</del></li> <li>• Monitoring of Selected Problem Behaviors</li> <li>• Other Action (consistent with other Level 1 interventions that are approved by the RPPSC).</li> </ul> <p><i>*Some actions may not be available at all sites</i></p> |
| <b>LEVEL 2</b>  | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• Social Skills Groups and/or Mentoring</li> <li>• In School Suspension/Intervention (1-3 days) <u>only for repeated violations and only after the site has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate); but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices.</u></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

**Comment [#14]:** THIS SECTION WAS REORGANIZED TO HIGHLIGHT CRUCIAL INFORMATION AND TO ALIGN WITH OTHER SECTIONS IN THE HANDBOOK

|         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| LEVEL 3 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Short-Term In School Action and/or Abeyance</b></li> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• In School Suspension/Intervention or Out Of School Suspension and/or Abeyance (Short Term 1-10 Days) <u>but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices (whichever is appropriate).</u></li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del><br/>                 Department of School Safety may <del>should only be contacted in Appropriate Circumstances during or immediately after an incident to protect student, staff, or visitor safety, or to prevent a situation from escalating. Administrators should may contact School Safety rather than Law Enforcement where feasible.</del></p> |
| LEVEL 4 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-30 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del><br/>                 Removal By Hearing Officer For Likely Injury To Self Or Others<br/>                 Removal By Student's IEP Team To An Interim Alternative Education Setting</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| LEVEL 5 | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-180 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> <li>• Expulsion</li> </ul> <p><del>*OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

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- IMPORTANT INFORMATION
1. All parent conferences will be made in a timely manner. Parents may participate in a conference via phone or another accessible mode of communication. Students will not be disciplined further merely because their parent cannot participate in a conference.
  2. A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation.
  3. Attempted violations may require Actions. Administrators will determine the appropriate level of Action to take for an attempted violation. The Action will generally be at a level less than - that of the actual violation.
  4. Administrators may apply an action that is one level higher than that listed, but only after receiving written approval from the Assistant Superintendent or Director from Elementary or Secondary Leadership. The Assistant Superintendent or Director will not permit a single type of behavior to be elevated more than one level, regardless of the frequency of occurrence. The Department of Student Equity and Intervention will review whether the teachers and/or administrators have attempted to effectively implement interventions to address any underlying or unresolved issues.
  5. Two Level 2 violations (“Improper Use of Technology, Telecommunication Device” and “Other Technology”) may be elevated to a Level 3 violation but cannot result in out of school suspension. One Level 3 violation (“Improper Use of Technology, Computer”) may be elevated to a Level 4 violation but cannot result in a long-term suspension.
  6. For suspensions, Administrators must communicate with Student Equity immediately. Student Equity will review all suspensions.
  7. When determining the appropriate level of action to take, administrators ~~shall~~ may consider a student’s claim of self defense, defense of others or defense of property.
  8. When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5<sup>th</sup> Grade) may consider all violations, *with the exception of possession of firearms or any incidence of threat to an educational institution*, at one level lower than that of the actual violation.
  9. Administrators may not withdraw a student’s open enrollment or magnet status during the school year as a consequence for a discipline violation.
  10. Students will not receive any suspension for attendance violations.
  11. Law Enforcement Officers, including School Resource Officers, School Safety Officers, and other law enforcement and security personnel shall not be involved in low-level student discipline. Low level offenses are levels 1, 2 and 3. **This in no way prohibits contacting School Safety during or immediately after an incident to protect student, staff, or visitor safety.** An administrator must immediately notify an Assistant Superintendent or Director and Student Equity when law enforcement is contacted. Law Enforcement may be contacted in cases of vandalism where the District is seeking restitution for damage to school property. “Involvement” of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.

Comment [AF15]: Is the director involved at this point?

## SECTION H: VIOLATIONS

The Arizona Department of Education has identified the following violations:

| <b>AGGRESSION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
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| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <i>Action Level</i> |
| <p><b>Verbal Provocation (verbal or nonverbal)</b><br/>Use of language or gestures that <b>may incite</b> another person or other people to fight.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>1</b>            |
| <p><b>Recklessness</b><br/>Unintentional, careless behavior that <b>may pose</b> a safety or health risk for yourself or for others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>1</b>            |
| <p><b>Minor Aggressive Act</b><br/><del>Student engages in intentional, non-serious but inappropriate physical contact such as, but not limited to: hitting, poking, pulling, pushing, tripping, running in the building, hallways, or corridors, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile behaviors/conduct.</del><br/><del>Student engages in non-serious but inappropriate physical contact. Examples: hitting, poking, pulling, tripping, or pushing.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>2</b>            |
| <p><b>Other Aggression</b><br/><del>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, intentional, serious and inappropriate physical contact including, but not limited to, any example listed under "Minor Aggressive Act" that may result in a serious physical injury.</del><br/><del>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact. Examples: hitting, poking, pulling, tripping, or pushing that may result in serious injury.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>3</b>            |
| <p><b>Disorderly Conduct</b><br/><del>Engaging in any one of the following acts where there is clear evidence the student intended to disturb, or knew that he or she disturbed, the peace or quiet of a school, neighborhood, family or person:</del></p> <ol style="list-style-type: none"> <li><del>1. Engaging in violent or seriously disruptive behavior.</del></li> <li><del>2. Using abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person.</del></li> <li><del>3. Making any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</del></li> <li><del>4. Refusing to obey a lawful order to disperse issued to maintain public safety.</del></li> <li><del>5. Recording/distributing fights on any social media outlet.</del></li> </ol> <p><del>A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:</del></p> <ol style="list-style-type: none"> <li><del>1. Engages in violent or seriously disruptive behavior.</del></li> <li><del>2. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person.</del></li> <li><del>3. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</del></li> <li><del>4. Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904)</del></li> <li><del>5. Recording/distributing fights on any social media outlet.</del></li> </ol> <p><del>*see fig. 6 "portal-to-portal"</del></p> | <b>3</b>            |
| <p><b>Endangerment</b><br/><del>Students recklessly puts them-selvesf or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: rock throwing, skateboarding on campus, etc.</del></p> <p><del>A person commits endangerment by endangering themselves or another person with a substantial risk of imminent death or physical injury. (see A.R.S. § 13-1201)</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>3</b>            |
| <p><b>Fighting</b><br/><del>Mutual participation in any form of physical altercation or aggression.</del></p> <p><del>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>3</b>            |
| <p><b>Assault</b><br/><del>A person commits assault by: (1) Intentionally, knowingly or recklessly causing any physical injury to another person; or (2) Intentionally placing another person in reasonable apprehension of imminent physical injury; or (3) Knowingly touching another person with the intent to injure, insult or provoke such person. (see A.R.S. § 13-1203)</del></p> <p><del>A person commits assault by intentionally, knowingly, or recklessly causing physical injury to another person; knowingly touching another person with the intent to injure, insult or provoke such person, or by threatening</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>4</b>            |

Guidelines for Student Rights and Responsibilities, approved DATE, 2015 (accompanies Policy JK)

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| <p>to use a deadly weapon or dangerous instrument or a simulated deadly weapon, directly threatening to kill an individual. (see A.R.S. §13-1203)<br/> <b>Examples:</b> Restraining, barricading (e.g. blocking a door so another student cannot get out of a room).<br/> <b>Only if the administrator forms a reasonable belief that a student has suffered a non-accidental physical injury is a report to law enforcement mandatory.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                 |
| <p><b>Aggravated Assault</b><br/> A person commits aggravated assault if the person commits assault as defined above under any of the following circumstances: (1) If the person causes serious physical injury to another, (2) If the person uses a deadly weapon or dangerous instrument, (3) If the person commits the assault after entering the private home of another with the intent to commit the assault, (4) If the person is eighteen years of age or older and commits the assault upon a child the age of fifteen years or under, (5) If the person commits the assault knowing or having reason to know that the victim is a peace officer, or a person summoned and directed by the officer while engaged in the execution of any official duties, (6) If the person commits the assault knowing or having reason to know the victim is a teacher or other person employed by any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, or any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties, or any teacher engaged in any authorized and organized classroom activity held on other than school grounds, (7) If the person commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired. (see A.R.S. § 13-1204)<br/> A person commits aggravated assault if the person:<br/> 1. Causes serious physical injury to another.<br/> 2. Uses a deadly weapon or dangerous instrument.<br/> 3. Commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part.<br/> 4. Commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.<br/> 5. Commits assault and the person is in violation of an order of protection.<br/> 6. Commits the assault knowing or having reason to know that the victim is any of the following: law enforcement officer, prosecutor, firefighter, EMT/Paramedic engaged in official duties, teacher or any school employee on school grounds, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes, teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds. (see A.R.S. § 13-1204)</p> | <p style="text-align: center;"><b>5<br/>Mandatory<br/>report<br/>to law<br/>enforcement</b></p> |

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| <b>OTHER VIOLATIONS OF SCHOOL POLICIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Action Level</i> |
| <b>Dress Code Violation</b><br>Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>1</b>            |
| <b>Parking Lot Violation</b><br><u>Student displays inappropriate behaviors involving a motor vehicle including, but not limited to, unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, and/or littering.</u><br><u>Examples: unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, or littering.</u> | <b>1</b>            |
| <b>Public Display of Affection</b><br>Inappropriate displays of affection, (i.e. kissing)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>1</b>            |
| <b>Other Violation of School Policies and Regulations</b><br>Other violations of written school, or district-wide, policy or regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>1</b>            |
| <b>Language (verbal or nonverbal), Inappropriate</b><br><u>Student delivers verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>1.2</b>          |
| <b>Contraband</b><br>Items stated in school policy as prohibited because they may disrupt the learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>2</b>            |
| <b>Combustible</b><br>Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>            |
| <b>Disruption</b><br><u>Student engages in sustained behavior causing an substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out-of-seat behavior.</u><br><u>Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of seat behavior.</u>                                                                                                                                                                            | <b>2</b>            |
| <b>Gambling</b><br>To play games of chance for money or to bet a sum of money.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>2</b>            |
| <b>Language, Inappropriate</b><br><u>Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way.</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>            |
| <b>Defiance or Disrespect Towards Authority and Non Compliance</b><br>Student engages in <u>repeated behavior including, but not limited to, refusal to follow directions or, talking back, or swearing at a staff member, or delivers socially rude interactions.</u>                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>2</b>            |
| <b>Negative Group Affiliation / Illegal Organization</b><br><u>Clubs, fraternities, sororities, anti-social organizations, secret societies, criminal street gangs, and other sets of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.</u>                                                                                                  | <b>3</b>            |



| <b>ALCOHOL, TOBACCO AND OTHER DRUG VIOLATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                    |                     |                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                     |                                            |
| <b>Drug Violation:</b> Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Includes over-the-counter medications if abused by the student. |                     |                                            |
| <b>Possession:</b> knowing exercise of dominion or control over an item. <b>Use:</b> the act of using or being under the influence.                                                                                                                                                                                                                                                                                                                  |                     |                                            |
| <b>Sale:</b> to transfer or exchange an item to another person for anything of value or advantage, present or prospective.                                                                                                                                                                                                                                                                                                                           |                     |                                            |
| <b>Share:</b> to allow another person to use or enjoy something that one possesses.                                                                                                                                                                                                                                                                                                                                                                  |                     |                                            |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <i>Action Level</i> |                                            |
| <b>Over the Counter Drugs, Inappropriate use of</b><br>Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                  |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3                   |                                            |
| <b>Inhalants</b><br>Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation<br>This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                        |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Unknown Drug</b> (if a drug is identified, after an investigation, a different violation may be identified)                                                                                                                                                                                                                                                                                                                                       |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Substance Represented as an Illicit Drug</b><br>A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                             |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Prescription Drugs, Inappropriate use of</b><br>Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                  |                     | <b>Mandatory report to law enforcement</b> |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Illicit Drug</b><br>Illicit drugs include dangerous drugs, narcotic drugs, marijuana, and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc.                                                                                                                                                                                                     |                     | <b>Mandatory report to law enforcement</b> |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Alcohol Violation</b><br>The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                  |                     |                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                   |                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                   |                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                   |                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                   |                                            |
| <b>Tobacco Violation</b><br>The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches and hookah sticks), at school-sponsored events and on school-sponsored transportation. (see A.R.S. §36-798.03).                                                                                                                         |                     |                                            |

Guidelines for Student Rights and Responsibilities, approved [DATE, 2015](#) (accompanies Policy JK)

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Share</b>      | <b>3</b> |
| <b>Possession of Drug Paraphernalia</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                   |          |
| Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. (see A.R.S. § 13-3415) |                   |          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Share</b>      | <b>3</b> |

| <b>ARSON</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                       |
| <b>Structure:</b> a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |
| <b>Occupied structure:</b> any structure in which one or more persons is, or is likely to be present, or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.                                                                                                                                                                                                                                                  |                                                                       |
| <b>Property:</b> anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).                                                                                                                                                                                                                                                                                                                                                             |                                                                       |
| <b>Damage:</b> as used here, means a tangible or visible impairment to a surface.                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                       |
| <b>Reckless Burning:</b> recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property. (see A.R.S. § 13-1702).                                                                                                                                                                                                                                                                                                                                                   |                                                                       |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Action Level</i>                                                   |
| <b>Arson of a Structure or Property</b><br>A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. (see A.R.S. § 13-1703)<br><br><i>NOTE: Burning one's own property is not arson, with the exception of burning one's own property with the knowledge that it will ignite another's property or a structure. Burning one's own property may, where appropriate, be considered reckless burning.</i> | <b>4</b>                                                              |
| <b>Arson of an Occupied Structure</b><br>A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. (see A.R.S. § 13-1704)                                                                                                                                                                                                                                                                                  | <b>5</b><br><b>Mandatory report to law enforcement and Fire Dept.</b> |
| <i>NOTE: Administrators may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100, at Level 3. Please see the definition of Reckless Burning above.</i>                                                                                                                                                                                                                                                              |                                                                       |

| <b>ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)</b>                                                                                                                                                                                                                                                                                                 |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                               | <i>Action Level</i> |
| <b>Other Attendance Violations</b><br><b>Examples:</b> leaving school, without signing out in the main office; leaving school at lunch, without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school, but not attending classes. | <b>1</b>            |
| <b>Tardy</b><br>Arriving at school or class after the scheduled start time.                                                                                                                                                                                                                                                                                                    | <b>1</b>            |
| <b>Unexcused Absence</b><br>When a student is not in attendance <b>for an entire day</b> and does not have an acceptable excuse.                                                                                                                                                                                                                                               | <b>1</b>            |
| <b>Leaving School Grounds without Permission</b><br>Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.                                                                                                                                                                          | <b>1</b>            |
| <b>Truancy</b><br>When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.                                                                                                                                                                                                                                                | <b>1</b>            |

| <b>DISHONESTY</b>                                                                                                                                                                                                                                                   |                     |
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| <i>Violation</i>                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Cheating</b><br>To intentionally share with another, or take from another, intellectual property for the purpose of deceit or fraud, or to take or steal intellectual property from another with or without their knowledge and present it as the student's own. | 2                   |
| <b>Forgery</b><br>Falsely and fraudulently making or altering a document, including hall passes and parent signatures.                                                                                                                                              | 2                   |
| <b>Lying</b><br>To make an untrue statement with intent to deceive or to create a false or misleading impression.                                                                                                                                                   | 2                   |
| <b>Plagiarism</b><br>To steal and pass off the ideas or words of another as one's own, including material obtained online.                                                                                                                                          | 2                   |

| <b>HARASSMENT AND THREAT, INTIMIDATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Threat or Intimidation</b><br>When a person indicates, by words or conduct, the intent to cause physical injury or serious damage to a person or their property, or intentionally places another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occurs online or through a telecommunication device. (see A.R.S. § 13-1202).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                   |
| <b>Bullying</b><br>Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, social networking-such as, but not limited to "Twitter"); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).                                                                                                                                                                                                                                                                        | 3                   |
| <b>Harassment, nonsexual</b><br>A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person: <ol style="list-style-type: none"> <li>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses.</li> <li>2. Repeatedly commits an act or acts that harass another person.</li> <li>3. Surveils or causes another person to surveil a person for no legitimate purpose.</li> <li>4. On more than one occasion makes a false report to a law enforcement, credit or social service agency. (see A.R.S. § 13-2921)</li> <li>5. Stalking-Following another person in or about a public place for no legitimate purpose after being asked to desist.</li> </ol> <p><i>NOTE: Bullying and Sexual Harassment are types of Harassment. Indicate Harassment, nonsexual if the violation is not specifically Bullying or Sexual Harassment, or if the specific type of harassment is not known.</i></p> | 3                   |
| <b>Hazing</b><br>"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: <ol style="list-style-type: none"> <li>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. ("Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school.)</li> <li>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. (see A.R.S. § 15-2301)</li> </ol> <p>*Administrators <u>may</u> treat incidents of hazing at a Level 4 as appropriate to the situation, and in conjunction with Student Equity.</p>                                 | 3                   |

| <b>HOMICIDE; KIDNAPPING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Action Level</i>                                            |
| <p><b>Homicide</b><br/>Includes first degree murder, second degree murder, manslaughter or negligent homicide, and intentionally or recklessly causing the death of another person. (see A.R.S. § 13, Chapter 11)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |
| <p><b>Kidnapping</b><br/> <u>A. A person commits kidnapping by knowingly restraining another person with the intent to: (1) Hold the victim for ransom, as a shield or hostage; or (2) Hold the victim for involuntary servitude; or (3) Infract death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or (4) Place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person; or (5) Interfere with the performance of a governmental or political function; or (6) Seize or exercise control over any airplane, train, bus, ship or other vehicle.</u><br/> <u>B. Kidnapping is a class 2 felony unless the victim is released voluntarily by the defendant without physical injury in a safe place prior to arrest and prior to accomplishing any of the further enumerated offenses in subsection A of this section in which case it is a class 4 felony. If the victim is released pursuant to an agreement with the state and without any physical injury, it is a class 3 felony. If the victim is under fifteen years of age kidnapping is a class 2 felony punishable pursuant to section 13-604.01. The sentence for kidnapping of a victim under fifteen years of age shall run consecutively to any other sentence imposed on the defendant and to any undischarged term of imprisonment of the defendant. (see A.R.S. § 13-1304)</u><br/>                     Knowingly restraining another person with the intent to hold the victim for ransom, as a shield or hostage; or hold the victim for involuntary servitude; or inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person. (see A.R.S. § 13-1304)</p> | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |

| <b>SCHOOL THREAT OR INTERFERENCE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                      |
| Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:<br>1. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.<br>2. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.<br>3. Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.<br>4. Refusing to obey a lawful order to leave the property of an educational institution.<br>NOTE: "interference with or disruption of" includes only those acts that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation or suspension is not required). |                                                      |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <i>Action Level</i>                                  |
| <p><b>Fire Alarm Misuse</b><br/>Intentionally ringing fire alarm when there is no fire.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <p><b>4</b></p>                                      |
| <p><b>Other School Threat</b><br/>An incident, not coded in the School Threat category, which involves threatening an educational institution.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Bomb Threat</b><br/>Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.<br/>Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Chemical or Biological Threat</b><br/>Threatening to cause harm using dangerous chemicals or biological agents.<br/>Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Other School Threat</b><br/>The incident cannot be coded in one of the above categories but did involve a school threat.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <p><b>5</b><br/><b>Expulsion required by law</b></p> |

| <b>SEXUAL OFFENSES</b>                                                                                                                            |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                  | <i>Action Level</i> |
| <p><b>Harassment, Sexual</b><br/>Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic,</p> | <p><b>3</b></p>     |

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| written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices), or physical conduct of a sexual nature.                                                                                                                                                                               |                                                        |
| <b>Pornography</b><br>Pornography is the sexually explicit and obscene depiction of persons, in words or images.<br><b>Examples:</b> viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value. | <b>3</b>                                               |
| <b>Harassment, Sexual with contact</b><br>Sexual harassment that includes physical contact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>4</b>                                               |
| <b>Indecent Exposure or Public Sexual Indecency</b><br>A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts.<br><b>Examples:</b> public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse, or oral sex.                                                                                                                                                                           | <b>4</b>                                               |
| <b>Sexual Assault or Rape</b><br>A violation of A.R.S. § 13-1406 Sexual assault                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>5</b><br><b>Mandatory report to law enforcement</b> |
| <b>Sexual Abuse or Sexual Conduct with minor, or Child Molestation</b><br>A violation of A.R.S. § 13-1404 Sexual abuse, § 13-1405 Sexual conduct with a minor, or § 13-1410 Child Molestation.                                                                                                                                                                                                                                                                                                                                                                     | <b>5</b><br><b>Mandatory report to law enforcement</b> |

| <b>TECHNOLOGY, IMPROPER USE OF</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <i>Action Level</i> |
| <b>Telecommunication Device</b><br><u>Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:</u><br><u>(1) Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag; (2) Such devices shall not be turned on or used during instructional time, except as authorized by the teacher; (3) The principal shall establish additional guidelines appropriate to campus needs; (4) Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities. (see Policy JICJ)</u><br><b>Examples:</b> use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose | <b>2</b>            |
| <b>Other Technology</b><br><b>Examples:</b> Gaming systems, iPods, iPads, Tablets, etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>2</b>            |
| <b>Computer</b><br><b>Examples:</b> use of school computers for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of an administrator, vandalism of computers or computer equipment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>3</b>            |
| <b>Network Violation</b><br><b>Examples:</b> use of computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.                                                                                                                                                                                                                                                                                                                                                      | <b>3</b>            |

| <b>THEFT</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <i>Action Level</i>                                    |
| <b>Petty Theft</b><br>Thefts for cash, or property, valued under \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>2</b>                                               |
| <b>Theft – School Property or Non-School Property</b><br>A person commits theft if, without lawful authority, the person knowingly: <ol style="list-style-type: none"> <li>Controls property of another with the intent to deprive the other person of such property; or</li> <li>Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant’s possession for a limited, authorized term or use; or</li> <li>Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or</li> <li>Comes into control of lost, mislaid or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person’s own or another’s use without reasonable efforts to notify the true owner; or</li> <li>Controls property of another knowing or having reason to know that the property was stolen; or</li> <li>Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another’s services to the person’s own or another’s benefit without authority to do so. (see A.R.S. § 13-1802)</li> </ol> | <b>3</b>                                               |
| <b>Burglary or Breaking and Entering</b><br>Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard or a nonresidential structure or in a fenced commercial property with the intent to commit any theft or any felony therein. (see A.R.S. § 13-1506 - § 13-1507)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>4</b>                                               |
| <b>Extortion</b><br>A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following: <ol style="list-style-type: none"> <li>Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.</li> <li>Cause physical injury to anyone except as provided in paragraph 1 of this subsection.</li> <li>Cause damage to property.</li> <li>Engage in other conduct constituting an offense.</li> <li>Accuse anyone of a crime or bring criminal charges against anyone.</li> <li>Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person’s credit or business.</li> <li>Take or withhold action as a public servant or cause a public servant to take or withhold action.</li> <li>Cause anyone to part with any property. (see A.R.S. § 13-1804)</li> </ol>                                                                                                                                                                                                                                                                                                                                                   | <b>4</b>                                               |
| <b>Robbery</b><br>A person commits robbery if in the course of taking any property of another from his person or immediate presence and against his will; such person threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property. (see A.R.S. § 13-1902)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>4</b>                                               |
| <b>Armed Robbery</b><br>A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice: (1) Is armed with a deadly weapon or a simulated deadly weapon; or (2) Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. § 13-1904)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>5</b><br><b>Mandatory report to law enforcement</b> |
| <b>Burglary (First Degree)</b><br>A person commits burglary in the first degree if such person or an accomplice enters or remains unlawfully in or on a residential structure or yard or a nonresidential structure or in a fenced commercial with the intent to commit any theft or any felony therein (see A.R.S. § 13-1506 and 13-1507) and knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. (see A.R.S. § 13-1508)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>5</b><br><b>Mandatory report to law enforcement</b> |

| <b>TRESPASSING; VANDALISM OR CRIMINAL DAMAGE</b>                                                                                                                                                                                                                                                                                                                                       |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                     |                     |
| <b>Criminal damage:</b> Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Administrators may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4. |                     |
| <b>Examples:</b> Substantial destruction of copy machines, school vehicles, student vehicles, or certain technology, science, or computer equipment.                                                                                                                                                                                                                                   |                     |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                       | <i>Action Level</i> |
| <b>Trespassing</b><br>To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized                                                                                                                                            | <b>2</b>            |

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|                                                                                                                                                                                                                                            |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.                                                                 |          |
| <b>Graffiti or Tagging</b><br>Writing on walls; drawings or words that are painted or sprayed on walls and/ or other surfaces that can be easily removed with soap or cleaner.                                                             | <b>2</b> |
| <b>Vandalism of Personal property</b><br>Willful destruction or defacement of personal property.                                                                                                                                           | <b>3</b> |
| <b>Vandalism of School Property</b><br>Willful destruction or defacement of school property.<br><b>Examples:</b> Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles. | <b>3</b> |

| <b>WEAPONS AND DANGEROUS ITEMS (POSSESSION OF)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <i>Action Level</i>                                                                        |
| <p><b>Dangerous Items</b><br/>Knife with a blade length of less than 2.5 inches, air soft gun, b.b.gun, laser pointer, letter opener, mace/pepper spray, paintball gun, pellet gun, razor blade/box cutter, simulated knife, taser or stun gun, tear gas, firecrackers, smoke and stink bombs, gas, lighter fluid, and other dangerous items (anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury).</p> <p><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b></p> | <b>3</b>                                                                                   |
| <p><b>Other Weapons</b><br/><b>Examples:</b> Billy club, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus.</p> <p><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b></p>                                                                                                                                                                                                                                                                                                                                                                          | <b>4</b>                                                                                   |
| <p><b>Simulated Firearm</b><br/>Possession of a simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm.</p> <p><b>If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>3</b>                                                                                   |
| <p><b>Firearms</b><br/><u>Except as provided in subsection B, an un-emancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the un-emancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian. (see A.R.S. §13-311(A))</u></p>                   | <b>5</b><br><b>Expulsion required by law</b><br><b>Mandatory report to law enforcement</b> |
| <p><b>"Firearm"</b> means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                            |

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expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. (see A.R.S. § 13-3101)

~~“Other Firearms” – Firearms other than handguns, rifles or shotguns including – As defined for the Gun-Free Schools Act (GFSA) – includes – any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;~~ the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas; Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. (see 18 U.S.C. 921)

*NOTE: This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, and pellet guns)*

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**TUSD ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS**

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age, or who attend an institution of postsecondary education) certain rights regarding the student’s education records. These rights are:

**(1) The right to inspect and review the student’s education records within 45 days from the day TUSD receives a request.**

The parent(s) and/or eligible student may inspect and review student’s education records, and TUSD policies and regulations governing use of those records, by making an appointment with the student’s school principal. A copy of state and federal statutes and regulations concerning student records is available for reasonable inspection in the Office of the Superintendent or designee, 1010 E. 10th Street, Tucson, Arizona. A list of the types of records maintained, and an explanation of any record, will be provided by appropriate TUSD personnel upon request.

Federal law assumes that both parents are equally entitled to review their child’s records. If there is a custody order in place that prohibits the provision of this information to one parent, please provide TUSD with a copy of the custody order, signed by a judge.

**(2) The right to request the amendment of the student’s education records that the parent(s) and/or eligible students believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.**

Such a request must be in writing to the student’s school principal, must clearly identify the part of the record they want changed, and must specify why it should be changed. If TUSD, decides not to amend the record as requested by the parent(s) and/or eligible student, TUSD will notify the parent(s) and/or eligible student of the decision, and the parent(s) and/or eligible student may further request a hearing regarding the request for amendment, as provided by federal and state statutes, rules and regulations.

**(3) The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests. A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, schools will disclose education records, without consent, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

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

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:

The Family Policy Compliance Office  
U.S. Dep’t of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202  
(202) 260-3887

Directory Information

FERPA requires that TUSD, with certain exceptions, obtain a parent’s/guardian’s written consent prior to the disclosure of personally identifiable information from your child’s education records. However, TUSD may disclose appropriately designated “directory information” without written consent, unless you have advised TUSD to the contrary in accordance with TUSD procedures (see Administrative Regulation 5130). The primary purpose of directory information is to allow TUSD to include this type of information from your child’s education records in certain school publications, such as:

- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets showing weight/height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want TUSD to disclose directory information from your child’s education records without your prior written consent, you must notify TUSD on TUSD Form 274, prior to October 1st. TUSD has designated the following information as directory information:

Name, address, parent or guardian telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees (diplomas) and awards received, the most recent previous educational agency or institution attended by the student, personally identifiable photographs, videotapes, films and other visual media, personally identifiable interviews, either audio only or audio and visual, and other similar information.

Under federal law, this information is considered directory information and does not require the written consent of a parent/eligible student to release. If you object to the release of directory information you must notify the principal or designee of the school, in writing, on TUSD Form 274, prior to October 1st. If Form 274 is not received by October 1st, it will be assumed that there is no objection to releasing such information. This procedure shall be done annually. Pursuant to federal law, upon request, TUSD may disclose education records without prior parental/eligible student consent, to officials of another school district in which a student seeks or intends to enroll. For further information, contact the Principal’s Office at the school where the student(s) attend in TUSD.

**TUSD ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

These include the right to:

**(1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Dep’t of Education (ED) –**

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

**(2) Receive notice and an opportunity to opt a student out of –**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

**(3) Inspect, upon request and before administration or use –**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 yrs old, or an emancipated minor under State law.

TUSD will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

TUSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. TUSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 2020

*YOUR SCHOOL IS A*  
***SAFE-T-ZONE***

***IF YOU SEE IT***

- |                   |                       |
|-------------------|-----------------------|
| ↪ <i>DRUGS</i>    | ↪ <i>VIOLENCE</i>     |
| ↪ <i>FIGHTS</i>   | ↪ <i>WEAPONS</i>      |
| ↪ <i>GANGS</i>    | ↪ <i>NON-STUDENTS</i> |
| ↪ <i>ASSAULTS</i> | ↪ <i>GRAFFITI</i>     |
| ↪ <i>TRUANCY</i>  | ↪ <i>THREATS</i>      |

**REPORT IT!**  
**CONFIDENTIALITY GUARANTEED**

**TELL A SCHOOL OFFICIAL OR CALL**

***TUSD SAFETY MESSAGE LINE***  
***584-7680***

- MESSAGES CHECKED HOURLY DURING SCHOOL -  
- DAILY ON NON-SCHOOL DAYS -

**DISCRIMINATION STATEMENT:** Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, , creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background in admission or access to, or treatment or employment in, its educational programs or activities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD's EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444, or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado 80204. See Board Policies AC "Non-Discrimination," and ACA "Sexual Harassment" for more information.

## **District's Response to Special Master and Plaintiff Feedback to the Draft Revised GSRR Shared on May 28, 2015**

On May 28, 2015, the District shared its Draft Revised GSRR with the Special Master and Plaintiffs, and requested feedback by June 12, 2015. The District received comments, suggestions, and feedback from the Special Master, the Department of Justice (DOJ), and the Mendoza Plaintiffs ("Parties"). District leadership reviewed the feedback and identified 33 recommendations, of which the District accepted 21 of the 33. Below, the District provides responsive explanations to inquiries and recommendations that were not accepted.

The Draft Revised GSRR, along with your feedback, will be presented to the Governing Board for study on June 23, 2015, so the Governing Board is aware of the feedback and recommendations provided by the Parties. After receiving additional feedback from the Governing Board on June 23, 2015, District leadership will present the Final Revised GSRR to the Governing Board for adoption in July 2015.

### **COMMENTS AND FEEDBACK FROM SPECIAL MASTER HAWLEY**

1. I have always been puzzled by the district's treatment of PBS and restorative practices alternatives, something that happens throughout this document. All schools should be involved in PBIS and restorative practice is a much narrower strategy for dealing with particular issues. All schools successfully implemented PBIS, there would be less need for restorative practices. A simple fix in the short run would be to eliminate the phrase "whichever is appropriate".

#### **Response: Accepted**

2. P.12. I agree with the principles concerned about vague definition of leggings. Seems like "tights" takes care of this problem.

#### **Response: Accepted**

3. P.15. It seems appropriate to specify guidelines for providing information. These guidelines will accelerate in terms of days. One suggestion is that steps (bullets) 1-2-3 would be 24 hours for 4-5 might be 48 hours and longer for the others. These timelines could ensure accountability and focus on a quick resolution and minimizing the loss of instructional time.

#### **Response: Not accepted, Regulation JK-R2 provides the appropriate timelines for providing information.**

4. P.18. The removed language regarding setting the conference times seems to say that parents schedules do not now need to be taken into account. I hope that is not the intent.

#### **Response: This is not the District's intent.**

5. P.21. This might be phrased more flexibly with respect to would facilitate circles. For example,... facilitated by district staff including teachers.....

**Response: Accepted**

6. P.22 I would not list LSCs or student success specialists.

**Response: Accepted**

7. P. 25. The change here with respect to contacting law enforcement seems to give greater discretion school principals to do so for level III issues. This is not desirable.

**Response: Accepted – the language related to School Safety/Law Enforcement does not only apply to Level III, so the District moved that language out of the Level 3 section and added it to bullet 11 in the guidance section. The first sentence of bullet 11 contains language directly from USP section IV(B)(2)(A)(iv).**

8. P. 25 The effort to reduce redundancy with respect to the conditions for out of school suspension might be reconsidered. It seems important to emphasize that out of school suspension as a last resort strategy offenses below level four.

**Response: The District emphasized this point by removing the prior reference to Page 17 and inserting the actual language from Page 17 directly into this section.**

9. P.26. Condition five is fine with me. A close reading suggests that only three violations can be elevated. I'm not sure that that's the district intent I appreciate the effort to policy with the agreed-upon arrangements with respect to suspension.

**Response: This is not the District's intent.**

10. P. 27. Re minor aggressive acts "corridors" should be deleted and under endangerment there is a grammatical error with respect to tense.

**Response: Accepted**

11. pp. 27-28 It seems that the definition here could be clearer if it was presented in terms of bullets.

**Response: Not accepted.**

12. P. 29 I believe that the explanation for the change in levels is incorrect. The first change is from one to a 2 not from a 2 to a 1. Why is name-calling now to level offense?

**Response: This was not changed from last year, this has been and remains a Level 2 offense. There was a suggestion to change it to a Level 1, but it was then changed back to a Level 2 after further discussion.**

13. The policy on use of cell phones would make using a cell phone at recess or before school level 2 offense this seems a bit much.

**Response: Not accepted, the language refers to “instructional time” as being the time when cell phones are not appropriate – this would not include recess or before school.**

14. There is a great deal of text eliminated with respect to serious offenses but no explanation.

**Response: The District communicated with the Arizona Department of Education about the listing of violations and learned that certain violations (i.e. Homicide, Kidnapping) are not often included in student handbooks and such was not required. The GSRR Committee discussed and proposed removal of these violations from the handbook.**

### **COMMENTS AND FEEDBACK FROM THE DOJ**

15. The current Guidelines for Student Rights and Responsibilities (“GSSR”) does not properly limit In-School Suspension (“ISS”) to cases where it would serve as an alternative to Out of School Suspension (see page 24-25 of the redline). Instead, the GSSR allows ISS to be used in cases where the alternative would be to keep the student in the classroom and apply another intervention or consequence. To remedy this misuse of ISS, the GSSR should eliminate ISS as a potential response to a level 2 infraction and only allow ISS in response to a level 3 (or higher) infraction.

**Response: Not accepted. The language for ISS under Level 2 was revised to match the language for ISS under Level 3.**

16. We suggest that the definition of restorative practices in the draft GSSR (page 21 of the redline) be replaced with the definition from the USP. That definition, from § (VII)(B)(1)(a), reads: “Restorative Practices[ is] a framework to give those affected by conflict the tools and principles needed to resolve problems and build relationships. Restorative Practices focus upon the emotional and social disturbance created by conflict and provide a process for holding students accountable for their actions while building a supportive school environment.”

**Response: Accepted**

17. The District’s use of abeyance contracts is a powerful and productive alternative to exclusionary discipline. However, the language discussing the use of abeyance contracts (page 19 of the redline) is vague (*e.g.*, abeyance contracts may be used if “the administrator believes it is in the best interest of the student and the school community”) and could be strengthened to better encourage the use of such contracts. For example, the GSSR could require that students be offered abeyance contracts unless there are particular circumstances that would make it inappropriate (for example, the suspension is too short for an abeyance contract to make sense or a student has repeatedly failed to



honor past abeyance contracts). However, the fact that an administrator believes a student may violate the abeyance contract should not prevent offering the student the opportunity to try to live up to its terms.

**Response: Accepted**

18. Several times, the Purpose Section of the document (page 6 in the redline) states that the District strives to keep students in the classroom whenever “practicable.” We suggest changing “practicable” to “possible.” Practicable could be read as suggesting that logistical challenges or other minor difficulties justify excluding students from the classroom. Using the word “possible” makes it clear that students should be kept in the classroom whenever that result can be accomplished without sacrificing student safety or a similarly important objective, even if that requires some effort on the part of District staff.

**Response: Accepted**

19. The paragraph on harassment (page 11 of the redline) begins: “It is the policy of the TUSD to prohibit discriminatory harassment based on real or perceived race, color, religion/religious beliefs . . .” The term of art used in federal law and guidance on harassment is “actual or perceived,” so we suggest that “real” be changed to “actual.”

**Response: Accepted**

20. The paragraph on gang behavior (page 11 of the redline) states: “The behaviors that have become associated with gang activity or membership, especially violence, intimidation, and disrespect will not be tolerated . . .” Disrespect should be deleted from this paragraph because it suggests that disrespect is a serious and essentially criminal offense, a characterization at odds with the GSRR’s appropriate treatment of disrespect as a low-level misbehavior.

**Response: Accepted**

21. We suggest removing bandanas from the list of prohibited clothing (page 12 of the redline). We assume this prohibition exists to address the use of bandanas as gang related apparel. However, gang-related apparel is already separately prohibited in the dress code. Therefore listing bandanas by itself is either redundant or overly broad, and if overbroad, is more likely to be selectively enforced in a discriminatory manner.

**Response: Accepted**

22. Vandalism is included as conduct that may be reported to law enforcement (page 16 of the redline). However, in the introductory paragraph to this section, the only justification given for reporting conduct to law enforcement is the need to “maintain safety.” Since it is difficult to see how reporting vandalism to law enforcement is necessary to maintain safety, we suggest that vandalism either be removed from the list of offenses that may

lead to a law enforcement referral or that the District explain its inclusion on some other basis.

**Response: Accepted, added “or seek restitution” after “maintain safety.”**

23. We suggest that the added definition of “In-School Intervention” (page 18 of the redline) have its own header so it is not part of the section about due process for students with disabilities. Also, we want to confirm that “In-School Intervention” in that section is the same thing as In-School Suspension in the action levels chart (page 24 of the redline). If so, we suggest choosing one term.

**Response: Not accepted. Throughout the document the District revised all references to ISS from “In-School Suspension” to “In-School Suspension/Intervention.” ISS is used primarily at the Elementary and K8 School levels; ISI is being expanded at secondary schools (Middle and High Schools). In ISI, students will continue receiving classroom instruction, while this may be the case in some ISS settings it is not the norm.**

24. In the section on PBIS (page 21 of the redline 21), the District should add or cross-reference the Level 1 interventions (page 24 of the redline) to the list of Tiered interventions, and should remove interest-based clubs from the list, as that is not an intervention.

**Response: Accepted**

#### **COMMENTS AND FEEDBACK FROM THE MENDOZA PLAINTIFFS**

25. As an initial matter, Mendoza Plaintiffs note that the first page of the revised GSRR is titled “2015-16 Draft Only” and makes reference to principals’ ability to provide “comments and/or changes” to the draft. Additionally, there are some comments and questions in the margin of the document. (For example, on page 22 where there is a question about whether LSCs and Student Support Specialists should be included.) Mendoza Plaintiffs therefore ask whether they should expect additional substantive changes to the GSRR beyond those in the May 28 GSRR, or that may result from the plaintiffs’ and/or Special Master’s comments on that GSRR?

**Response: No.**

26. On page 18 of the revised GSRR, the “In-School Intervention” (“ISI”) and “Alternative Education Placement” (“AEP”) programs are defined. However, the GSRR does not detail whether the ISI program will be available to all students subject to a short-term suspension, or, similarly, whether the AEP program will be available to all students subject to a long-term suspension. Nor are there any guidelines to suggest circumstances in which these alternatives to suspension would be available. Mendoza Plaintiffs understand from the District’s June 1, 2015 email regarding the 2015-16 USP budget,

that there will be a limited roll-out of the ISI program for the 2015-16 year. Yet, as written, the GSRR may lead parents to believe the alternative is available to all students facing a short-term suspension. In addition, given that the District is seeking to remedy existing disproportionality in the administration of disciplinary consequences, it is important that clear guidelines for when these alternatives are available be outlined to avoid the potential result of the alternatives to suspension becoming disproportionately available to students of a particular race/ethnicity, which could exacerbate rather than remedy existing disproportionality issues. Mendoza Plaintiffs therefore request that the GSRR be revised to provide clarity in this regard.

**Response: Not accepted, but the District added “where available” to the definition of ISI, rather than the proposed list of schools where it is available.**

27. On pages 6, 24 and 25 of the GSRR, the District indicates that exclusionary consequences can be applied “only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate).” The District’s Revision Guide indicates that the reason for these additions is to “[a]lign[] inconsistencies with the rest of the document and with the USP.” To more closely align the GSRR with the USP, Mendoza Plaintiffs request that the language of “(whichever is appropriate)” be revised to read “as appropriate,” as is included in USP Section VI, B, 2, a., (i) language. Such a revision would reflect that application of both PBIS and Restorative Practices may be appropriate and should therefore be applied, as was contemplated in the USP.

**Response: Not accepted, this was removed per the Special Master’s comment (see Comment and Response #1 above).**

28. Mendoza Plaintiffs are confused by the District’s indication that it removed language on page ten, relating to Arizona’s “Parents’ Bill of Rights,” to “[r]educe unnecessary or redundant language.” (Revision Guide at 1.) Mendoza Plaintiffs think that the District would want to continue to inform parents of these rights, particularly as the very purpose of the GSRR is to outline student and parent/guardian rights and responsibilities. In addition, many parents would presumably not be aware of these rights if they are not included in the GSRR, and there is no other reference to these rights in the GSRR. Thus, Mendoza Plaintiffs do not believe that removal of language reduces “unnecessary” or “redundant” language. Mendoza Plaintiffs note that they additionally do not understand the language removal in light of the fact that a number of rights still included on page ten (including, but not limited to, rights “j,” “k,” and “l” as revised) are also found in Arizona’s “Parents’ Bill of Rights.”

**Response: Not accepted. The District removed the language that was not relevant to the educational setting.**

29. USP Section VI, B, 2, a, (1) requires that “exclusionary consequences [be limited] to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented the types of intervention(s) used in PBIS and/or

Restorative Practices...” Mendoza Plaintiffs appreciate that the District has added this language to descriptions of short-term suspensions that correspond to action levels two and three on pages 24 and 25, respectively, to “[a]lign[] inconsistencies with the rest of the document and with the USP.” (Revision Guide at 2.) However, this language was not added to descriptions of long-term suspensions under action levels four and five on page 25. Mendoza Plaintiffs thus request that this USP-required language also be added to the long-term suspensions on page 25 to make the GSRR internally consistent and consistent with the USP.

**Response: Not accepted. This is the same language that existed in the 2014-15 GSRR. Some Level 4 and 5 violations mandate exclusionary discipline.**

30. In its Revision Guide, the District indicates that with regard to student infractions and corresponding action levels, it “[c]hanged ‘Inappropriate Language (verbal or nonverbal)’ from a ‘2’ to a ‘1’ (a parallel change was adding ‘swearing at a staff member’ to ‘Defiance’ – a level ‘2’).” While these are revisions with which Mendoza Plaintiffs agree, it does not appear that these revisions were successfully made to the GSRR as they appear to have been deleted from page 29. Mendoza Plaintiffs thus request that the District revisit those revisions to ensure that they are included in the GSRR.

**Response: Not accepted. This violation will remain a Level 2 as it was in the 2014-15 GSRR.**

31. On page 18 of the GSRR, with regard to long-term suspensions, the District removed language that required that conferences among parents, students, and appropriate TUSD staff take place as part of “the continuum of supports and interventions implemented to support student success,” which is part of the District’s Restorative Practices and PBIS strategy under the USP to “develop[] a continuum of graduated and appropriate consequence” USP Section VI, B, a., ii. Notably, identical language was not removed from the short-term suspension section on the same page. Notwithstanding the discrepancy, Mendoza Plaintiffs understand from the description of consequences applicable to the various action levels (on pages 24 and 25), that these conferences are required for both long-term and short-term suspensions. Thus, to keep the GSRR consistent, Mendoza Plaintiffs request that the language be added back to the long-term section on page 18.

**Response: Accepted. The District moved the sentence describing conferences above both sections so it is clear that it applies to both short-term and long-term suspensions.**

32. Mendoza Plaintiffs write to supplement their comments on the revised GSRR submitted earlier today. Mendoza Plaintiffs are aware that hearings on student appeals of suspensions typically do not take place until about the 9<sup>th</sup> day after students have been suspended. USP Sections VI, A and B both emphasize the importance of limiting exclusionary consequences imposed on students. Mendoza Plaintiffs could not find a Governing Board-approved regulation describing any time-limitation within which appeals hearings must take place after suspension or after a hearing is requested. They

are very concerned that students who must wait almost two weeks for an appeals hearing are subject to the very type of exclusionary consequences the USP was trying to limit. Mendoza Plaintiffs therefore request that the District directly address this issue by doing whatever is necessary, which we believe should include the appropriate revisions to District regulations (an approach contemplated in USP Section VI, B, 2, b), to ensure that any disciplinary appeals hearings take place within three days after students or parents request them.

**Response: Not accepted, the District works diligently to schedule hearings with families according to *their* schedule and availability – which is not always within three days of the request for a hearing. Further, parents and advocates often need more than three days to prepare for a hearing.**

33. In addition, USP Section VI, B, 2, b contemplates revisions, including to TUSD regulations, to provide “language-accessible proceeding[s].” Mendoza Plaintiffs understand that for hearings in which a Spanish-language interpreter is needed, typically any available individual with any amount of Spanish-language proficiency takes on the role of interpreter, regardless of whether the individual is in fact qualified to provide interpreter services. Mendoza Plaintiffs believe that this approach materially affects students’ rights to a fair hearing, and therefore request that the District also make any revisions necessary to require that only qualified interpreters be used at the hearings for which those services are needed.

**Response: It is the District’s practice to use qualified interpreters at long-term suspension hearings and expulsion hearings.**

**Brown, Samuel**

---

**From:** Taylor, Martha  
**Sent:** Friday, June 19, 2015 9:37 AM  
**To:** 'Willis D. Hawley'  
**Cc:** Desegregation; Tolleson, Julie  
**Subject:** FW: Fisher Comments re: Revised GSRR  
**Attachments:** Desegregation Ombudsman.doc; Fisher Plaintiffs Incident Report Form.doc; Fisher Representatives Comments on the Revised Guidelines for Student Rights and Responsibilities.doc

Bill – Another topic I want to talk about this afternoon is this communication from Rubin. It came in yesterday afternoon as I was preparing to send out the revised GSRR and our response to all comments that had been submitted to us on-time (June 12), including comments from you, DOJ and the Mendoza plaintiffs. It was a time-intensive process to meet, revise, review comments, write responses, and check for accuracy. The Fisher comments came in six days late and literally as I was putting the finishing touches on the documents to be sent out, which I did at 5:34 p.m. (I had two telephone calls in the intervening time). Our timeline is now that it will go the Governing Board for study on Tuesday, June 23, along with feedback from you and the plaintiffs. It will then be presented for adoption on July 14.

We think a response to the Fisher's comments is not reasonable at this time. We do not have the time to repeat the review process again and meet our timeline. Hopefully, we can talk about this at 2.

Thanks.

**From:** Rubin Salter, Jr. [<mailto:rsjr3@aol.com>]  
**Sent:** Thursday, June 18, 2015 3:38 PM  
**To:** Taylor, Martha  
**Cc:** [rsjr3@aol.com](mailto:rsjr3@aol.com); [wdh@umd.edu](mailto:wdh@umd.edu); Brown, Samuel; Tolleson, Julie; [lthompson@proskauer.com](mailto:lthompson@proskauer.com); [jrodriguez@maldef.org](mailto:jrodriguez@maldef.org); [anurima.bhargava@usdoj.gov](mailto:anurima.bhargava@usdoj.gov); [james.eichner@usdoj.gov](mailto:james.eichner@usdoj.gov); [zoe.savitsky@usdoj.gov](mailto:zoe.savitsky@usdoj.gov); [tusd@rllaz.com](mailto:tusd@rllaz.com); Desegregation; [wbrammer@rllaz.com](mailto:wbrammer@rllaz.com); [pvictory@rllaz.com](mailto:pvictory@rllaz.com); [gloria.c.copeland@hotmail.com](mailto:gloria.c.copeland@hotmail.com); [kellangfo@aol.com](mailto:kellangfo@aol.com); [lhrichardson2000@yahoo.com](mailto:lhrichardson2000@yahoo.com)  
**Subject:** Fisher Comments re: Revised GSRR

Dear Ms. Taylor:

Attached please find Fisher Plaintiffs' concerns regarding the Revised GSRR, a proposed specific incident form report, and the Fisher Plaintiffs' definition of "ombudsman."

-----  
Rubin Salter, Jr.  
Attorney  
The Law Office of Rubin Salter, Jr.  
177 N. Church Avenue  
Suite 903  
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(520) 623-5706  
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**Brown, Samuel**

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**From:** Eichner, James (CRT) <James.Eichner@usdoj.gov>  
**Sent:** Tuesday, June 23, 2015 1:21 PM  
**To:** Tolleson, Julie; Brown, Samuel  
**Cc:** Savitsky, Zoe (CRT); Eichner, James (CRT)  
**Subject:** GSSR response follow up

**Importance:** High

Hi Julie and Sam,

In the same spirit as our collaborative conversations in Tucson recently, we wanted to check in separately about some of the District's responses to the proposed changes to the GSRR.

First, it was our understanding that the District agreed during our June 4 meeting to remove ISS as a consequence for Level 2s. We talked through the reasoning for the recommendation – namely, that ISS is an appropriate consequence only for behaviors that could reasonably merit OSS, but for which the District instead chooses to assign ISS. Because there are many Level 2s for which OSS would never be appropriate, we thought it made more sense to simply remove ISS as a consequence for Level 2 rather than go through and try to move those Level 2s to Level 1 (which would be another approach). As Dr. Sanchez was in this meeting and we understood him to have agreed to the change, we are confused as to why the recommendation was rejected. It would be great to get a sense of how this process went, particularly as we get into what we hope will be a fruitful longer-term conversation about discipline reform efforts.

Second, we wanted to make sure we were on the same page about the definition of vandalism. The GSRR contemplates a couple of different kinds of vandalism (Level 2 graffiti/tagging, Level 3 personal property vandalism, Level 3 school property vandalism, Level 3 computer vandalism, Level 4 criminal damage). But the “conduct which may be reported to law enforcement” section (p. 15) doesn't differentiate between types of vandalism that can be referred to the police. Under the current GSRR, an administrator could refer a student to the police for putting paint on another student's t-shirt (“willful destruction of personal property”). It seems unlikely that this is what the District meant, but the GSRR would allow that. To fix this concern, we suggest the District add a dollar limit to when a student may be referred to law enforcement. The District could cross-reference the definition of criminal damage on p. 33 (for destruction of more than \$5000 in value) in the p. 15 “conduct which may be reported to law enforcement.” That is – only vandalism that constitutes criminal damage can be referred to law enforcement. Or if that valuation is too high, ARS 13-1602 defines any vandalism valued at less than \$1000 as a misdemeanor, and \$1000 and up is a felony. If \$5000 is too high a threshold, we suggest at least including a \$1000 threshold to refer to law enforcement.

Third, we think our comment about ISS was probably confusing. All we meant by moving the ISI and ISS language was that right now, it looks like it is in “4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs,” and so only applies to students with disabilities. #5, which starts on p. 17, is “OUT OF SCHOOL SUSPENSIONS.” We just think for clarity, you should add a subsection for in-school so they have their own stand-alone header.

Thanks so much,



**Brown, Samuel**

---

**From:** Tolleson, Julie  
**Sent:** Thursday, July 16, 2015 2:57 PM  
**To:** 'Willis D. Hawley'; 'Lois Thompson'; 'Juan Rodriguez'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Subject:** FW: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY  
**Attachments:** GSRR Final Track Changes from 14-15 SY vs. 15-16 SY.pdf  
**Importance:** High

Dear Special Master and parties:

I attach the 2015-16 version of the GSRR, approved by the Governing Board on Tuesday 7/14/15. I believe it looks very similar to the last circulated draft.

As you know, this year's revision does not contain any big ticket changes. The offense classifications and levels remain unchanged. The GSRR has always in my view not been very user friendly in terms of writing style and format (and some ill-fitting narrative content) so we did make an effort to clean that up. The biggest thing is that it specifies the availability of In-School Intervention for Level 3 offenses. The majority of last year's out of school suspensions related to Level 3 offenses, and our hope is that this intervention model will eliminate the overwhelming majority of those suspensions. I am very hopeful. Obviously, ISI placements will be monitored for racial/ethnic disparity in placement and likewise to ensure that it is not used when a lower-level alternative is available. It is designed only to address circumstances under which a student would in years prior either have been sent home.

I appreciate all of the feedback and input that has not only help shaped the conversation around the GSRR, but has informed our efforts to improve practices in the district.

Julie C. Tolleson, General Counsel  
Tucson Unified School District



**2015-2016 GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)**

Together, students, parents<sup>1</sup>, teachers, staff, and principals share the responsibility in creating and sustaining an environment that enhances student achievement and well being in the Tucson Unified School District. We ask for the support of students and parents to achieve this goal. The Guidelines for Student Rights and Responsibilities (GSRR) addresses:

- The rights and responsibilities of students and parents
- Conduct which may require discipline
- Responsibilities of administrators and teachers to implement discipline, which includes behavioral supports and interventions that promote safety and support student success
- Administrative responsibilities for Due Process

Please read these Guidelines and develop a thorough understanding of the details. By following the Guidelines, you can help our school district become a safer and more supportive environment for the students and staff.

Student discipline is subject to the provisions of Governing Board policies and state and federal laws. Students will be disciplined in accordance with Governing Board Policy JK and its accompanying regulations. Students with disabilities shall be disciplined in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504, and applicable Governing Board Policies and Regulations – JK, Student Discipline; JK-R5, Discipline Of, and Alternative Interim Educational Placements For, Special Education Students; and JK-R6, Discipline, Suspension, Expulsion for 504 Students—as applied to these Guidelines for Student Rights and Responsibilities. Students may also be subject to applicable civil and/or criminal penalties if they violate the law.

These Governing Board Policies and Administrative Regulations are available for review in the principal's office and online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”) Copies of this booklet are available in Spanish on the reverse side of this booklet and can be obtained online at [www.tusd1.org](http://www.tusd1.org). (follow the link to “Student Rights”)

Estos Planes de Acción del Consejo Gobernante, y Reglamentos Administrativos se hacen disponibles para revisión en la oficina del director escolar y en [www.tusd1.org](http://www.tusd1.org). Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en [www.tusd1.org](http://www.tusd1.org).

**TUSD Governing Board:**

Adelita S. Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks; Cam Juárez; Dr. Mark Stegeman

**Superintendent:**

Heliodoro Torres (H.T.) Sánchez, Ed.D.

<sup>1</sup> “Parents” as used throughout this document refers to parents and/or legal guardians

Guidelines for Student Rights and Responsibilities, approved ~~June 10, 2014~~ July 14, 2015 (accompanies Policy JK)

## **GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)**

### **2015-2016 SY ACKNOWLEDGEMENT FORM**

The Tucson Unified School District strives to be one of the best in the country. We can accomplish this mission by working as a team with you, faculty, staff, parents and the community. You, the students, are the most critical members of this team. Your success as a valued and critical member of the team can be measured when:

- You take responsibility for your actions**
- You help create a positive school culture and climate**
- You are proud of your school**
- You always do your best**

With your commitment to positive outcomes, we will continue to grow and excel!

This form must be signed and dated by you and your parent/guardian after reviewing the 2015-2016 GSRR. **This form must be returned to your school within 5 days of receiving the GSRR**

I acknowledge that I have read and reviewed the information in the GSRR with my child.

-----  
PARENT SIGNATURE & DATE

-----  
STUDENT SIGNATURE & DATE

-----  
SCHOOL, GRADE & TEACHER (HOMEROOM)

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**QUICK-GUIDE TO OFFENSES**

| <b>CATEGORY</b>                                                             | <b>VIOLATION</b>                                                                                                                                                                                                                                                                                     |
|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| AGGRESSION<br>(Page <del>2322</del> )                                       | Verbal Provocation, Recklessness, Minor Aggressive Act, Other Aggression, Disorderly Conduct, Endangerment, Fighting, Assault, Aggravated Assault                                                                                                                                                    |
| ALCOHOL, TOBACCO AND OTHER DRUGS<br>(Page <del>23-2425</del> )              | Inappropriate use of Over the Counter Drugs, Inhalants, Unknown Drug, Substance Represented as of Illicit Drug, Inappropriate use of Prescription Drugs, Illicit Drug, Alcohol Violation, Tobacco Violation, Possession of Drug Paraphernalia                                                        |
| ARSON<br>(Page <del>2426</del> )                                            | Arson of a Structure or Property, Arson of an Occupied Structure                                                                                                                                                                                                                                     |
| ATTENDANCE POLICY VIOLATION<br>(Page <del>24-2526</del> )                   | Other Attendance Violations, Tardy, Unexcused Absence, Leaving School Grounds without Permission, Truancy                                                                                                                                                                                            |
| DISHONESTY<br>(Page <del>2527</del> )                                       | Cheating, Forgery, Lying, Plagiarism                                                                                                                                                                                                                                                                 |
| HARASSMENT AND THREAT, INTIMIDATION<br>(Page <del>275</del> )               | Threat or Intimidation, Bullying, Harassment (nonsexual), Hazing                                                                                                                                                                                                                                     |
| <del>HOMICIDE, KIDNAPPING</del><br>(Page <del>26</del> )                    | <del>Homicide, Kidnapping</del>                                                                                                                                                                                                                                                                      |
| OTHER VIOLATIONS OF SCHOOL POLICIES<br>(Page <del>2624</del> )              | Dress Code Violation, Parking Lot Violation, Public Display of Affection, Other Violation of School Policies and Regulations, Contraband, Disruption, Gambling, Inappropriate Language, Defiance or Disrespect Towards Authority and Non Compliance, Negative Group Affiliation/Illegal Organization |
| SCHOOL THREAT OR INTERFERENCE<br>(Page <del>287</del> )                     | Fire Alarm Misuse, Other School Threat, Bomb Threat, Chemical or Biological Threat                                                                                                                                                                                                                   |
| SEXUAL OFFENSES<br>(Page <del>287</del> )                                   | Sexual Harassment, Pornography, Sexual Harassment with contact, Indecent Exposure or Public Sexual Indecency, Sexual Assault or Rape, Sexual Abuse or Sexual Conduct with minor, or Child Molestation                                                                                                |
| IMPROPER USE OF TECHNOLOGY<br>(Page <del>2928</del> )                       | Telecommunication Device, Other Technology, Computer, Network Violation                                                                                                                                                                                                                              |
| THEFT<br>(Page <del>28-2929</del> )                                         | Petty Theft, Theft – School Property or Non-School Property, Burglary or Breaking and Entering, Extortion, Robbery, Armed Robbery, Burglary (First Degree)                                                                                                                                           |
| TRESPASSING, VANDALISM OR CRIMINAL DAMAGE<br>(Page <del>2930</del> )        | Trespassing, Graffiti or Tagging, Vandalism of Personal Property, Vandalism of School Property                                                                                                                                                                                                       |
| WEAPONS AND DANGEROUS ITEMS; POSSESSION OF<br>(Page <del>29-3030-31</del> ) | Dangerous Items, Other Weapons, Simulated Firearms, Firearms                                                                                                                                                                                                                                         |



## SECTION A: PURPOSE

### 1. WHAT ARE THE GUIDELINES AND WHY ARE THEY NEEDED?

TUSD is committed to partnering with students and parents to provide an environment that is safe, supportive, and conducive to learning, and is committed to reduce racial and ethnic disparities in the administration of school discipline. To help promote and maintain that environment, the GSRR:

- Specify the rights and responsibilities of students and parents
- Describe conduct which violates those rights and responsibilities
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development
- Strive to ensure consistent application of disciplinary actions so that students from school to school will receive similar actions for similar violations.
- Assure the rights of students and parents when disciplinary action is taken

~~At different age levels, students have different needs for safety, support, and learning. As students progress through our public schools, it is reasonable to assume that an increase in age and maturity carries with it a greater responsibility for their actions. Differences in age and maturity are recognized in determining the type of disciplinary action to be taken and the appropriate supports and interventions. However, the procedures outlined in the Guidelines apply to all students in Grades K through 12.~~

Disciplinary consequences must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. When considering responses to violations, the District strives to keep students in the classroom whenever possible. For all but the most severe offenses (Levels 4 and 5 in the "Action Levels" section of this document below), an Exclusionary Consequence ("any disciplinary consequence that removes a student from classroom instruction, including, but not limited to, in-school and out-of-school suspension, placement in an alternative setting or program, and expulsion.") must be limited to instances in which (a) the violation is a level 3, (b) student misbehavior is ongoing and ~~or~~ escalating, and (c) only after the District has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices. (whichever is appropriate). ~~only after the District has first implemented and documented that non-exclusionary interventions have been attempted.~~ If Exclusionary Consequences are imposed, students will have fair due process that includes an opportunity to appeal (see Policy JK and accompanying regulations). For all offenses, disciplinary consequences must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where possible, offered an opportunity to continue to participate in the school community.

While prioritizing student, staff, and public safety, the District shall not use Exclusionary Consequences for low-level conduct (Action Levels 1-2 below), shall only involve School Safety and/or law enforcement in high-level student discipline (Action Levels 4-5 below), such as when a student is a danger to self or others (to the extent permitted by law), and shall keep students in the classroom setting whenever possible as members of the school community. ~~"Involvement" of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident.~~ This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.

All district personnel administering discipline to students should be informed if a student ~~is protected as a student with~~ has a disability under either Section 504 or IDEA ~~or~~ if the student is suspected of having ~~— a disability and/or~~ is being considered for an evaluation for ~~—~~ a disability. There are specific ~~discipline~~

procedures that must be followed for students who are considered disabled under ~~these~~ federal laws, including determining whether the misbehavior is a manifestation of the student's disability.

## 2. WHEN DO THESE GUIDELINES APPLY?

### ~~During regular school hours~~

- During regular school hours
  - While being transported on the school bus or other school district-sanctioned transportation
  - At times and places where the principal or other school official or employee has jurisdiction over students
  - During school-sponsored events
  - During field trips
  - During athletic functions
  - When students are going to and from school ("portal to portal")
  - During other school-related activities

Additionally, the principal is authorized to begin disciplinary action when a student's misconduct away from school has a detrimental effect on the other students, or on the orderly educational process, because the violation is directly connected to prior violations at school, or threatens to produce further violations at school.

***Students who believe they have experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-43166686, or online at [www.tusd1.org/deseg](http://www.tusd1.org/deseg)***

***Parents who believe their student has experienced discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions, may file a complaint with the site principal, assistant principal, ~~the Department of Student Equity~~ at 225-43166686, or online at [www.tusd1.org/deseg](http://www.tusd1.org/deseg)***

**SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES**

TUSD believes that educating a student is a collaborative effort with the student and parent. To support this collaboration we realize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive.** (See Policy JI “Rights and Responsibilities”)

**1. STUDENTS HAVE A RIGHT TO:**

- a. Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- b. Receive high quality instruction that is comprehensible and appropriate to their level of academic and linguistic development.
- c. Be expected to achieve at high levels.
- d. Be taught in ways that are responsive to students’ individual needs, and respond to students’ individual racial, ethnic, linguistic and cultural backgrounds.
- e. Receive appropriate accommodations to meet individual needs. (as supported by documentation)
- f. Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures.
- g. Participate in student activities, including extracurricular activities.
- h. Be treated with respect, and to be treated as a unique individual with differing needs, learning styles and abilities in a manner that encourages and enhances individual self-esteem.
- i. Be treated in a fair and equitable manner by teachers and administrators.
- j. Privacy. (See the “Notification of Privacy Rights of Parents and Students” at page 35)
- k. Due process of law.
- l. Have school rules that are enforced in a consistent, fair and reasonable manner.
- m. Be free to request an interpreter or translator at any step of the disciplinary process.
- n. Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse. A victim has the right to transfer to another school. (See Policy JICL “Dating Abuse”).
- o. Receive fair, equitable, non-discriminatory disciplinary actions that are aligned with the GSRR.
- p. Have teachers and administrators who will follow all District policies related to known allegations of discrimination, harassment, hazing, bullying, and incidents that require mandatory reporting. Such known allegations/incidents must be reported to site administration immediately.
- q. Be treated in a manner that is respectful of and responsive to their cultural traditions.
- r. Administrators who will:
  - model appropriate behavior and expect appropriate behavior from students and teachers
  - hold students and teachers accountable for student learning
  - expect parents to be collaborative partners regarding student achievement
  - work collaboratively with Student Equity.
  - host student assemblies (or other appropriate meetings) to communicate positive core values and behavioral expectations, and to explain the GSRR, Positive Behavioral Interventions and Supports (PBIS), and Restorative Practices (RP) in an age-appropriate manner
  - hold informational sessions for parents at least twice per school year at each school, which shall include information regarding GSRR, PBIS, RP, due process and appeal procedures, and guidance for making parent complaints about student discipline
  - make decisions regarding removing students and/or staff for safety reasons
  - discipline students in accordance with the GSRR
  - Consistently and accurately report discipline consequences for students into the database

- s. Full access to opportunities within the educational environment without experiencing discrimination on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background. This includes the availability of all support services which promote the development of student potential. (See Policy AC “Non-Discrimination”, ACA “Sexual Harassment”, and JB “Equal Educational Opportunities and Anti-Harassment”).
- t. Acquire English and such other languages as may be available at the school for students to study.
- u. Access to a classroom environment that encourages the use of English, promotes appreciation of other languages, and respects students’ right to use their native language to facilitate communication and enhance academic achievement.
- v. Access to books and other reading materials for supplementary and recreational use, including materials that may be available in other languages.
- w. Access to non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- x. Receive a copy of ~~the Guidelines for Student Rights and Responsibilities~~ this handbook (GSRR).
- y. Have access to quality learning resources, including learning technology.
- z. Have access to their formal student records.
- aa. Have access to school assignments/homework while serving a disciplinary suspension for the duration of the suspension and have options for alternative instructional opportunities for any remaining suspension.

## 2. STUDENTS HAVE A RESPONSIBILITY TO:

- a. Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and to strive for their personal best.
- c. Participate fully in the classroom, curriculum and learning process during the entire class period.
- d. Make positive contributions to an environment that allows fellow students to have equal access to educational opportunities.
- e. Make positive contributions to an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn and to contribute to a safe and orderly environment that is conducive to learning.
- i. Display behavior that does not compromise the safety of other students and/or staff.
- j. Follow discipline guidelines adopted by the school and District.
- k. Protect and take care of the school’s property.
- l. Abide by the governing board policies and regulations.
- m. Assist the school staff in running a safe school, and to help maintain the safety and cleanliness of the school environment.
- n. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook (GSRR).

**3. PARENTS AND GUARDIANS HAVE A RIGHT TO:**

- a. Receive official reports (quarterly or more frequently) of the student's academic progress, attendance and behavior.
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from teachers about their student's grades and disciplinary procedures.
- d. Access and review school records pertaining to their student. (see Annual Privacy Notice, pg. 33)
- e. Receive a copy of ~~the Guidelines for Student Rights and Responsibilities~~this handbook (GSRR).
- f. Receive immediately an oral **and** a written notification anytime a student receives in-school suspension, or is sent home for any safety and/or disciplinary reason. (including suspensions)
- g. Request an interpreter or translator at any step of the disciplinary process.
- h. Request a review of all disciplinary actions relating to their student.
- i. Non-instructional (not related to instruction) interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- j. Direct their student's education, upbringing and moral or religious training.
- k. Make health care decisions for the minor child.

~~l.a. Access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.~~

~~m.a. \_\_\_\_\_ Consent in writing before:~~

- ~~a biometric scan (i.e. eye scan) of the minor child is made~~
- ~~a record of the minor's blood or DNA is created, stored or shared genetic testing is conducted on the minor, unless required/authorized by law or court order the state makes a video or voice recording of the minor, unless made during: a court proceeding; a forensic interview in a criminal or child protective services investigation; or for use solely in any of the following: safety demonstrations, including the maintenance of order and discipline; a purpose related to a legitimate academic/extracurricular activity; a purpose related to regular classroom instruction; security or surveillance of buildings or grounds; or, a photo identification card~~

~~n.a. Obtain information about a child protective services investigation involving the parent.~~

~~o.l.~~ Be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for TUSD to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.

~~p.m.~~ Express appropriately their ideas and perspectives on issues and topics relevant to their child's education, including school policies and procedures.

~~q.n.~~ Be treated in a manner that is respectful of and responsive to their cultural traditions.

**4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:**

- a. Communicate and collaborate with teachers to support student achievement.
- b. Attempt to participate and be active at their student's school.
- c. Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- d. Provide supervision of the student's health, physical and emotional well being, and assume responsibility for the student's timely regular attendance.
- e. Promptly provide the school with explanations for student absences or tardiness.
- f. Ensure student compliance with school and district policies and regulations.
- g. Read and ask questions to understand the information in the GSRR.
- h. Reinforce the importance of students' adherence to values and behaviors described in the GSRR.

## SECTION C: GENERAL INFORMATION

### 1. EQUAL EDUCATIONAL OPPORTUNITIES AND ANTI-HARASSMENT (POLICY JB)

It is the policy of the TUSD to prohibit discriminatory harassment based on ~~real-actual~~ or perceived race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, parental status, status with regard to public assistance, limited proficiency in English, or family, social or cultural background, or any other reason not related to the student's individual capabilities or on the basis of association with others identified by these categories. TUSD shall ~~act to~~ investigate all complaints, formal or informal, verbal or written, of discriminatory or other harassment, ~~formal or informal, verbal or written~~, and ~~to shall discipline or~~ take ~~other~~ appropriate action against anyone who is found to have violated this policy.

### 2. GOVERNING BOARD POSITION ON GANG BEHAVIOR AND ACTIVITY

The behaviors that have become associated with gang activity or membership, especially violence and intimidation, ~~and disrespect~~ will not be tolerated on or near school property or in activities associated with school. In accordance with this position, any students engaging in gang activities will be disciplined to the fullest extent of TUSD policies, and prosecuted, if applicable, according to local ordinances, and state and federal laws.

**Gang:** An ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member.

**Gang-Related Incident:** An incident is considered gang-related when it involves gang recruitment, gang initiation, fights between rival gangs, or other similar behaviors, but does not include non-threatening behavior such as handshakes, signs, or wearing of particular colors.

**Bias-Related and Hate-Related Incidents:** An incident is considered bias-related or hate-related when a reasonable person would conclude that it was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics. Such characteristics include: ancestry or ethnicity, disability, sex, gender, immigration or citizenship status, race, religion or religious practices, or sexual orientation.

### 3. STUDENT ATTENDANCE (POLICY JE)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note or email must address the date/time and reason for the absence.

### 4. DATING ABUSE (POLICY JICL)

Dating abuse is a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's former or present dating partner. Behaviors used may include, but are not limited to, physical abuse, emotional abuse, sexual abuse, and/or threats. TUSD is committed to maintaining a school campus environment that is safe and secure for all students, and dating abuse will not be tolerated. TUSD employees aware of dating abuse shall respond in a manner consistent with District training. Students are encouraged to report all known or suspected instances of

dating abuse involving themselves or other students, either verbally or in writing, to a teacher, site administrator, Student Equity (225.4316). The District will investigate all complaints.

## 5. BULLYING, INTIMIDATION AND HARASSMENT (POLICY JICK)

Bullying is a form of harassment. Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted (including cyberbullying), or emotional abuse, or through attacks on the property of another (including verbal taunts, name-calling and put-downs, extortion of money or possessions, or spray-painting derogatory terms on a student's locker or vehicle). Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while en route to or from school, are subject to disciplinary action.

## 6. SCHOOL DRESS CODE (REQUIRED AT EVERY SCHOOL) (POLICY JICA)

The general guide to acceptable school dress is neatness, cleanliness and appropriateness. While the school cannot and does not dictate styles, it is expected that students will abide by the following rules demonstrating appropriateness in dress as though this were their daily place of business.

- Shoes ~~are required to~~ must be worn in school.
- Hats and sunglasses may be worn outside in the sun for an extended period of time for protection from the sun. A principal in collaboration with School Safety may institute stricter requirements at a high school experiencing safety-related issues.
- ~~No bandannas may be worn.~~
- Dark glasses may not be worn inside buildings unless a documented health problem exists.
- No gang related apparel or items are allowed (e.g., "wearing colors known to be affiliated with a particular gang, or wearing clothing with illustrations of known gang signs or symbols").
- Students may not wear clothing or accessories in school buildings or on school grounds that are:
  - Hazardous, damaging, or presenting danger to school property or persons including but not limited to: extended belts (belts should fit proper length), choke chains, dog collars, wallet chains or any type of spiked apparel or jewelry;
  - Depicting and/or promoting and/or endorsing illegal or violent activities, illegal drugs, tobacco, or alcohol;
  - Vulgar, obscene, indecent, libelous, or degrading of others on the basis of race, color, religion, ancestry, national origin, sex, gender, sexual orientation or disability; and/or
  - Distracting so as to interfere with the teaching or learning process such as extremely revealing garments including but not limited to short shorts, short skirts, short dresses (must cover buttocks while standing and sitting), tube tops, net tops, swimsuits, strapless tops, spaghetti strap tops, halter tops, muscle shirts, basketball shirts without an accompanying T-shirt, no tights ~~or leggings~~ to be worn as pants, garments with plunging necklines, transparent and see through garments, (midsections must be covered and undergarments shall be completely covered with outer clothing).

Students who violate standards may be asked to do any of the following depending on circumstances:

- Turn inappropriate clothing inside out.
- Change into clothing that may be provided by the school.
- Change into other clothing which has been brought to school.
- Remove the jewelry or other accessory.

\*NOTE ON SCHOOL DRESS CODES: ~~These dress~~ The above-stated guidelines represent minimum standards. Individual schools may adopt additional guidelines, but may not apply exclusionary discipline without first giving the student an opportunity to address the alleged violation. Students wearing inappropriate clothing are given an

opportunity to change clothing or they will be released from school in the company of the parent/guardian. Students who are unable to comply with the dress code may access TUSD's clothing bank (520) 232-7058.

## 7. BUS RULES

**Student Behavior Policy** Proper student behavior contributes to the overall safety and comfort of the ride to and from school. Following driver directions and all ridership rules is paramount to maintain a safe and enjoyable ride for all. Infractions will be dealt with through the District-approved Student Conduct policies which include driver interventions, the student's principal, and other administrators as deemed appropriate. Riding is a privilege; parents and students should discuss and make sure they know the rules:

- Always comply with bus driver's/monitor's directions
- Use classroom voice only (no profanity/loud noises/threats/intimidation)
- Remain seated; keep hands, feet, and head inside bus
- All personal possessions must be under control at all times
- Keep unauthorized materials and substances off bus (animals, glass objects, weapons, illegal substances, or large objects that occupy a seat space)
- No eating or drinking on the bus

As a last resort, violations of these bus rules may result in the loss of bus privileges for a limited time, not to exceed 30 days.

### **Safety Precautions for Students**

- Know the route to and from the bus stop, safety precautions and common courtesies to be maintained en route and at the bus stop
- Know the correct bus route number
- Discuss what to do if the bus is late in the morning or no one is home in the afternoon
- ALWAYS board/depart the bus at the correct stop as known and approved by the parent

## 8. STUDENT USE OF CELL PHONES AND ELECTRONIC DEVICES (POLICY JICJ)

For purposes of this policy, "electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDA's), e-book readers, compact disc players, portable game consoles, cameras, digital scanners, lap top computers, tablet computers and other electronic or battery powered instruments which transmit voice, text, or data from one person to another. Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:

- Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag.
- Such devices shall not be turned on or used during instructional time, except as authorized by the teacher.
- The principal shall establish additional guidelines appropriate to campus needs.
- Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities.

**Reasonable efforts will be taken to secure property that has been confiscated** (i.e. lock the item in a drawer, take the item to the office to be secured in a locked area, etc.); **however, neither the School**



District nor ~~the School District Staff~~ staff is responsible for loss, damage, or theft of any electronic device ~~including but not limited to cell phones, laptops, tablet computers, portable media player brought to school~~, even if loss, damage or theft results from the device being confiscated.

## 9. HAZING (POLICY JICFA)

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a “student” until graduation, transfer, promotion or withdrawal from the District school.

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

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

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

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing. In accord with statute, violations of this policy do not include either of the following:

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

All students, teachers and staff shall take reasonable measures within the scope of their ~~individual~~ authority to prevent violations of this policy. Students and others may report hazing to any ~~professional~~ staff member. ~~Professional staff~~ Staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the Rights and Responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices. Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

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

## **10. POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS; RESTORATIVE PRACTICES**

~~Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data-driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:~~

- ~~• Defining and teaching behavioral expectation~~
- ~~• Monitoring and acknowledging appropriate behavior~~
- ~~• Providing corrective and appropriate consequences for behavioral errors~~
- ~~• Providing appropriate services for students who need additional behavioral supports~~
- ~~• Using a team-based management system to oversee the PBIS program~~
- ~~• Using referral data for problem solving~~

~~Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices: focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.~~

~~In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See Section D (8) below for a description of Restorative Practice strategies that may be used by sites.~~

~~All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.~~

**SECTION D: KNOW THE ACTIONS**

**ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES**

The Arizona Department of Education has developed a list of violations as well as a list of possible actions a school district may take in response to a violation. TUSD has categorized these possible actions into five levels ~~and then assigned a level to each violation~~ depending on the severity of the violation. In this way, students from school to school will receive similar actions for similar violations. A major consideration in the application of the Guidelines for Student Rights and Responsibilities is to identify the most appropriate disciplinary action necessary to bring about positive student behavior. Actions are not to be considered in isolation but rather as part of the overall goal of creating inclusive and supportive environments for students. For instance, restorative circles should not be isolated events at a campus, but should instead become part of the routine process in addressing behavior. At the elementary level, the age and developmental level of the child may be considered in interpreting the severity of the discipline imposed. Student services personnel, such as counselors, social workers, learning support coordinators, or psychologists, play a vital role in assisting the student in resolving any problems influencing the student’s behavior.

**1. CONDUCT WHICH MUST BE REPORTED TO LAW ENFORCEMENT**

~~It is important for all staff, students, and parents to understand that, in~~ In addition to ~~taking~~ disciplinary action at the school level, certain criminal behavior must be reported to appropriate law enforcement agencies. Principals, assistant principals, or designees **are required to report the following incidents:**

|                                                              |                |                                    |
|--------------------------------------------------------------|----------------|------------------------------------|
| Use or threat to use a deadly weapon or dangerous instrument | Homicide       | Burglary in the first degree       |
| Aggravated Assault resulting in serious physical injury      | Sexual Assault | Arson of an occupied structure     |
| Sexual conduct with a minor under 15 years of age            | Armed Robbery  | Any dangerous crime against minors |
| Possession, use, sale, or attempted sale of illegal drugs    | Kidnapping     | Bomb threats                       |

Additionally, pursuant to A.R.S. § 13-3620, school personnel are required to immediately report any reasonable belief of non-accidental physical injury, neglect, or sexually related offense against a minor.

~~“Physical injury” means the impairment of physical condition, and may include any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare. (See A.R.S. § 13-3623(F)(4))~~

**2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT**

Additionally, principals, assistant principals, or designees **MAY** report to law enforcement agencies other potentially disruptive incidents when necessary to maintain safety or seek restitution. When appropriate, school officials should utilize supports and interventions that provide guidance and structure to the student and help them to improve their behavior without involving law enforcement. An administrator must immediately notify an Assistant Superintendent or Director, and Student Equity, when law enforcement is contacted. Incidents that may be reported to law enforcement when necessary to maintain safety or seek restitution include, but are not limited to, the following:

|                                                                                            |                                |         |           |
|--------------------------------------------------------------------------------------------|--------------------------------|---------|-----------|
| Possession, sale or distribution of dangerous substances, including alcohol or legal drugs |                                |         |           |
| Demonstration by students which is likely to create unsafe conditions                      |                                |         |           |
| Threats                                                                                    | Setting off a false fire alarm | Assault | Vandalism |

### 3. DUE PROCESS

Any student whose conduct may warrant suspension or expulsion will be provided due process. This is a legal safeguard that protects the rights of students and their parents and is constitutionally guaranteed.

Due process steps include:

- Oral or written notice to the student of the charges against the student
- An opportunity to present the student's side of the story in an informal hearing or meeting
- The allowance, for safety considerations, for a student to be removed from the school prior to an informal hearing with that hearing to follow as soon as practical
- Adequate notification and an opportunity for a fair hearing
- That parents will be informed in writing of all suspensions and that they have the right to a conference with the principal
- That if parents are not satisfied with any school official's decision they are entitled to request a review by the school official's immediate supervisor
- Formal due process (including a hearing officer) in long-term suspension and expulsion proceedings
- A right to appeal disciplinary decisions to the Assistant Superintendent, Director, Principal, Assistant Principal or Designee.

### 4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs

**Students with disabilities under Section 504 or IDEA (and students suspected of having a disability) may be disciplined in the same manner as any other student and may be suspended for up to 10 cumulative days of school per school year. If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed.**

**A manifestation determination conference must be held prior to the 11<sup>th</sup> day of suspension**

If the manifestation determination conference concludes that the student's behavior is a manifestation of the student's disability, then no further disciplinary action can be taken. The 504 or IEP team should convene to develop an appropriate behavior plan for the student. If the manifestation determination conference concludes that the student's behavior is not a manifestation of the student's disability, the District may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The District has no obligation to continue to provide educational services to a 504 student during the period of a long-term suspension or expulsion. However, the District must continue to provide educational services for students eligible under IDEA. Please refer to the appropriate Governing Board regulations JKA and JKAB and to the Exceptional Education Handbook for specific procedures

A student with a disability under IDEA may be referred to an Interim Alternative Educational Settings in ~~certain~~ circumstances ~~regarding involving~~ the use or possession of drugs, weapons, or serious bodily injury. Refer to the Exceptional Education Handbook for specific procedures.

### **5. IN-SCHOOL INTERVENTION/SUSPENSION**

An alternative to short-term suspension which allows students to continue receiving classroom instruction from content certified teachers in a classroom on campus, where available. In-school suspension may be run by a highly qualified teacher. The students will continue their core curriculum, where available.

## 6. OUT OF SCHOOL SUSPENSIONS

\*All suspensions are reviewed by the Department of Student Equity and Intervention. Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.

**Short-Term Suspension** – A principal or principal’s designee may suspend a student from school from one (1) to ten (10) school days due to misconduct, depending on the severity of the misconduct. However, principals must limit exclusionary consequences to instances in which student misbehavior is ongoing and escalating, and the District has first attempted and documented their types of intervention(s) used in PBIS and/or Restorative Practices, as appropriate. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members as part of the continuum of supports and interventions implemented to support student success.~~

**Make-up Work (Short-Term Suspension):** If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. Regulation JK-R1, Short Term Suspension states: “The student is allowed access to class assignments and to make up tests upon return to school. Homework must be made available for the parent to pick up at the school office.” Or, when feasible, homework shall be made available online. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

**Long-Term Suspension** – Hearing Officers are used to investigate facts and make determinations regarding an administrator’s recommendation about for a long-term suspension or expulsion. A Hearing Officer may suspend a student from school for up to 180 days. Long-term suspensions of more than 30 days shall not be imposed except for Violations at Level 5. Hearing Officers may take this action only after the site administration has exhausted other disciplinary strategies (see interventions listed under Action Level 1 for examples of appropriate strategies), or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. ~~Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members at appropriate times as part of the continuum of supports and interventions implemented to support student success.~~ Students suspended more than 20 days may have an option to enroll in the “Life Skills” alternative to suspension program. “Life Skills” alternative to suspension program provides an alternative setting for students to continue to receive instruction during the period of suspension.

Alternative Education Placement-An alternative to long-term suspensions which allows students to continue receiving classroom instruction from content certified teachers at an alternative campus.

**Make-up Work (Long-Term Suspension):** If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such

class assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up at the school office. Or, when feasible, homework shall be made available online. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. Homework will be made available by the student's teachers for the remainder of the grading period. However, because of the difficulty in students keeping up with class work through homework alone, without an instruction component, after the end of a grading period, students will receive academic support through a TUSD alternative program such as distance learning. During the term of the suspension, the student is to remain away from all TUSD schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

## 7. ABEYANCE CONTRACTS (REGULATION JK-R4)

An administrator should offer an abeyance contract unless there are particular circumstances that would make it inappropriate. Under an abeyance contract, an administrator may offer to not immediately impose the assigned out-of-school suspension disciplinary action if (1) the administrator believes it is in the best interest of the student and the school community, (12) the student admits to committing the infraction, (23) the student and parent/legal guardian agree to certain conditions, and (34) the student and parent/legal guardian sign a contract, called an abeyance contract. The term of the abeyance contract may not exceed the maximum suspension term for the offense level. If a student violates his/her abeyance contract with a suspendable offense, the student must serve the remaining term of the initial offense plus the suspension for the additional offense. These two suspensions would be served concurrently. (The last days of the first suspension would also be the first days of the additional suspension)

## ~~7. POSITIVE BEHAVIOR INTERVENTION SUPPORT (PBIS)~~

~~In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary.~~

## ~~8. RESTORATIVE PRACTICES~~

~~Restorative Practices actions range from informal to formal. In schools, these actions include:~~

- ~~• *Small impromptu circles:* a few people meet to briefly address and resolve a problem; facilitated by teachers, administrators, and/or learning supports coordinators.~~
- ~~• *Group or classroom circles:* a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.~~

- ~~Formal restorative conferences: address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.~~
- ~~Teen courts: are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.~~

## 8. APPEALS

Students and parents/guardians have the right to appeal short-term and long-term suspension decisions; however, there is no ~~school-district-based~~ appeal from the Governing Board's final decisions regarding long-term suspension appeals or its expulsion decisions. (See Policy JK and accompanying regulations)

## 9. EXPULSION

Expulsions will only be recommended for Level 5 violations. Expulsion is defined as the permanent withdrawal of the privilege of attending a TUSD school unless the Governing Board reinstates the privilege. A principal may or, in some cases, must request that the Superintendent recommend to the Governing Board the expulsion of a student. This is the most serious disciplinary step available. As part of its decision to expel, the Governing Board may permit the student to apply for readmission through the office of the Assistant Superintendent after any period of time it may set. The Governing Board, or designee, may establish further conditions within the readmission process with which the student must comply prior to their admission to the instructional process. During the term of the expulsion, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

Students with disabilities eligible under IDEA will continue to be offered educational services, although in an alternative setting.

## 10. PRINCIPAL APPLICATION FOR WAIVER OF MANDATORY ACTIONS

For violations requiring Action Level 4 or 5 consequences, the principal has the prerogative to seek the waiver of any portion or all of the mandatory disciplinary action through the appropriate Assistant Superintendent. The principal may seek the waiver and, if granted, the parties directly involved shall be informed of the reasons the waiver was granted.

Waivers may **not** be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.

## SECTION E: RESTORATIVE PRACTICES; POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS (PBIS)

### RESTORATIVE PRACTICES

~~Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.~~

~~Restorative Practices is a framework to give those affected by conflict the tools and principles needed to resolve problems and build relationships. Restorative Practices focus upon the emotional and social disturbance created by conflict and provides a process for holding students accountable for their actions while building a supportive school environment.~~

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See ~~Section D (8)~~ below for a description of Restorative Practice strategies that may be used by sites.

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

Restorative Practices actions range from informal to formal. In schools, these actions include:

- Small impromptu circles: a few people meet to briefly address and resolve a problem; facilitated by district staff including teachers, counselors, administrators, and/or learning supports coordinators.
- Group or classroom circles: a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by district staff including teachers, administrators, and/or learning supports coordinators.
- Formal restorative conferences: address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.
- Teen courts: are problem-solving courts that provide an alternative action for students who have committed an offense, facilitated by their peers.

### **POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS**



Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by:

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, ~~interest-based clubs~~, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complementary. See “Level 1” on page 24 below for a list of interventions.

## **SECTION F: DEFINITIONS**

Selected terms that may otherwise be subject to varying interpretations are defined below:

**May:** a choice to act or not, as distinguished from “shall,” which requires a specific action.

**Shall:** expressing a command or required action.

**Ongoing and Escalating:** “Ongoing” means the student continues to ~~do the same or similar behavior~~ violate the GSRR, even after the District has tried **and** documented interventions. “Escalating” means the administrator can articulate that the behavior has ~~taken on a different tone~~ worsened.

*Example (Ongoing): Student X verbally provokes a fight between two other students by taunting the students. Receives a Level I action, receives an intervention, and then provokes another fight within weeks.*

*Example (Escalating): Student X verbally provokes a second fight, using language that begins as taunting but escalates to cursing and personal attacks.*

**Physical Injury:** an impairment of physical condition that ~~interferes with a student’s ability to receive instruction but does that~~ does not require external medical attention.

**Reckless:** lacking appropriate caution; careless of consequences. A student whose actions put themselves and/or others in harm’s way.

**Repeated:** said, done, or occurring again and again (at least twice).

**Serious Physical Injury:** an impairment of physical condition that interferes with a student's ability to receive instruction, **and** is the type of injury that would reasonably require external medical attention.

**Sustained:** continuing for an extended period or without interruption; prolonged.

**SECTION G: ACTION LEVELS**

|                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
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| <b>GUIDANCE</b> | <p>When considering actions, the District strives to implement Restorative Practices and to keep students in their classroom whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student’s misbehavior.</p> <p>Principals may exercise reasonable discretion in deciding which violation occurred.</p> <p>The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Multiple actions may be applied to a single violation. <b>Actions listed in bold are the minimum and mandatory action for that level of violation. For all violations, parent notification and student conference are mandatory.</b></p> <p><del>The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. Actions listed in bold are the minimum and mandatory action for that level of violation. Multiple actions may be applied to a single violation. Action Levels are developed with input from students, parents, teachers and community members. For all violations, parent notification and student conference are mandatory.</del></p> <p><del>Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors.</del></p> <p><del>In ambiguous cases, principals have the authority to exercise reasonable discretion in deciding which violation occurred.</del></p> <p><del><u>It will be the policy of TUSD to implement Restorative Practices wherever practicable.</u></del></p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>LEVEL 1</b>  | <ul style="list-style-type: none"> <li>● <b>Parent Notification and Conference Request</b></li> <li>● <b>Student Conference</b></li> <li>● Restorative Circle</li> <li>● Restorative Conference</li> <li>● Confiscation of Contraband</li> <li>● Student Verbal Apology</li> <li>● Student Written Apology</li> <li>● Warning</li> <li>● Referred to Outside Agency</li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <ul style="list-style-type: none"> <li>● Detention (before/after school; <u>lunch</u>)</li> <li>● Peer Mediation</li> <li>● Privileges Suspended</li> <li>● Restitution</li> <li>● Saturday School</li> <li>● Teen Court</li> <li>● Functional Behavioral Assessment</li> <li>● Behavior Learning Packets</li> <li>● Time Out (not to exceed 30 minutes)</li> <li>● Reflective Essay</li> <li>● Meeting With School Counselor</li> <li>● Community Service (not work detail)</li> </ul> | <ul style="list-style-type: none"> <li>● Reassignment To Different Class</li> <li>● Behavior Contract</li> <li>● Behavior Intervention Group</li> <li>● Threat Assessment</li> <li>● Behavior Intervention Plan</li> <li>● <del>Lunch Detention</del></li> <li>● Monitoring of Selected Problem Behaviors</li> <li>● Other Action (consistent with other Level 1 interventions that are approved by the RPPSC).</li> </ul> <p><i>*Some actions may not be available at all sites</i></p> |
| <b>LEVEL 2</b>  | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>● <b>Restorative Conference and/or Restorative Circle</b></li> <li>● Social Skills Groups and/or Mentoring</li> <li>● In School Suspension/Intervention (1-3 days) <del>only for repeated violations and only after the site has first attempted and documented the types of intervention(s) used in PBIS and/or Restorative Practices (whichever is appropriate), but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices and the site is granted permission to elevate the violation level.</del></li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |

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| <b>LEVEL 3</b> | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Short-Term In School Action and/or Abeyance</b></li> <li>• <b>Restorative Conference and/or Restorative Circle</b></li> <li>• In School Suspension/Intervention or Out Of School Suspension and/or Abeyance (Short Term 1-10 Days) <u>but only where student misbehavior is ongoing and escalating, and only after the site has first attempted and documented the types of intervention(s) used in PBIS or Restorative Practices (whichever is appropriate).</u></li> </ul> <p><del>*OUT OF SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17 Department of School Safety may should only be contacted in Appropriate Circumstances during or immediately after an incident to protect student, staff, or visitor safety, or to prevent a situation from escalating. Administrators should may contact School Safety rather than Law Enforcement where feasible.</del></p> |
| <b>LEVEL 4</b> | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-30 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> </ul> <p><del>*OUT OF SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17 Removal By Hearing Officer For Likely Injury To Self Or Others Removal By Student's IEP Team To An Interim Alternative Education Setting</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>LEVEL 5</b> | <p>Any Action from the prior level(s) <b>may</b> also be imposed.</p> <ul style="list-style-type: none"> <li>• <b>Out of School Suspension and/or Abeyance – Long-Term (11-180 Days)</b></li> <li>• <b>Restorative Conference and/or Restorative Circle (upon re-entry to school)</b></li> <li>• Expulsion</li> </ul> <p><del>*OUT OF SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |

## IMPORTANT INFORMATION

1. All parent conferences will be made in a timely manner. Parents may participate in a conference via phone or another accessible mode of communication. Students will not be disciplined further merely because their parent cannot participate in a conference.
2. A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation.
3. Attempted violations may require Actions. Administrators will determine the appropriate level of Action to take for an attempted violation. The Action will generally be at a level less than - that of the actual violation.
4. Administrators may apply an action that is one level higher than that listed, but only after receiving written approval from the Assistant Superintendent or Director from Elementary or Secondary Leadership. The Assistant Superintendent or Director will not permit a single type of behavior to be elevated more than one level, regardless of the frequency of occurrence. The Department of Student Equity and Intervention will review whether the teachers and/or administrators have attempted to effectively implement interventions to address any underlying or unresolved issues.
5. Two Level 2 violations (“Improper Use of Technology, Telecommunication Device” and “Other Technology”) may be elevated to a Level 3 violation but cannot result in out of school suspension. One Level 3 violation (“Improper Use of Technology, Computer”) may be elevated to a Level 4 violation but cannot result in a long-term suspension.
6. For suspensions, Administrators must communicate with Student Equity immediately. Student Equity will review all suspensions.
7. When determining the appropriate level of action to take, administrators ~~shall~~ may consider a student’s claim of self defense, defense of others or defense of property.
8. When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5<sup>th</sup> Grade) may consider all violations, *with the exception of possession of firearms or any incidence of threat to an educational institution*, at one level lower than that of the actual violation.
9. Administrators may not withdraw a student’s open enrollment or magnet status during the school year as a consequence for a discipline violation.
10. Students will not receive any suspension for attendance violations.
11. Law Enforcement Officers, including School Resource Officers, School Safety Officers, and other law enforcement and security personnel shall not be involved in low-level student discipline. Low level offenses are levels 1, 2 and 3. This in no way prohibits contacting School Safety during or immediately after an incident to protect student, staff, or visitor safety. An administrator must immediately notify an Assistant Superintendent or Director and Student Equity when law enforcement is contacted. Law Enforcement may be contacted in cases of vandalism where the District is seeking restitution for damage to school property. “Involvement” of School Safety means that School Safety personnel will not participate in the discipline decision(s) that occur after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect student, staff, or visitor safety.

**SECTION H: VIOLATIONS**

The Arizona Department of Education has identified the following violations:

| <b>AGGRESSION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Action Level</i> |
| <p><b>Verbal Provocation (verbal or nonverbal)</b><br/>Use of language or gestures that <b>may incite</b> another person or other people to fight.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>1</b>            |
| <p><b>Recklessness</b><br/>Unintentional, careless behavior that <b>may pose</b> a safety or health risk for yourself or for others.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>1</b>            |
| <p><b>Minor Aggressive Act</b><br/><del>Student engages in intentional, non-serious but inappropriate physical contact such as, but not limited to: hitting, poking, pulling, pushing, tripping, running in the building, hallways, or corridors, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile behaviors conduct.</del><br/>Student engages in non-serious but inappropriate physical contact. <b>Examples:</b> hitting, poking, pulling, tripping, or pushing.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>2</b>            |
| <p><b>Other Aggression</b><br/><del>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, intentional, serious and inappropriate physical contact including, but not limited to, any example listed under "Minor Aggressive Act" that may result in a serious physical injury.</del><br/><del>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact. <b>Examples:</b> hitting, poking, pulling, tripping, or pushing that may result in serious injury.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>3</b>            |
| <p><b>Disorderly Conduct</b><br/><del>Engaging in any one of the following acts where there is clear evidence the student <b>intended to disturb, or knew that he or she disturbed</b>, the peace or quiet of a school, neighborhood, family or person:</del></p> <ol style="list-style-type: none"> <li><del>1. Engaging in violent or seriously disruptive behavior.</del></li> <li><del>2. Using abusive or offensive language or gestures to any person present in a manner <b>likely to provoke</b> immediate physical retaliation by such person.</del></li> <li><del>3. Making any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</del></li> <li><del>4. Refusing to obey a lawful order to disperse issued to maintain public safety.</del></li> <li><del>5. Recording/distributing fights on any social media outlet.</del></li> </ol> <p><del>A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:</del></p> <ol style="list-style-type: none"> <li><del>1. Engages in violent or seriously disruptive behavior.</del></li> <li><del>2. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person.</del></li> <li><del>3. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession.</del></li> <li><del>4. Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904)</del></li> <li><del>5. Recording/distributing fights on any social media outlet.</del></li> </ol> <p><del>*see pg. 6 "portal-to-portal"</del></p> | <b>3</b>            |
| <p><b>Endangerment</b><br/><del>Students <b>recklessly puts them-selves</b> or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: rock throwing, skateboarding on campus, etc.</del></p> <p><del>A person commits endangerment by endangering <b>themselves or</b> another person with a substantial risk of imminent death or physical injury. (see A.R.S. § 13-1201)</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>3</b>            |
| <p><b>Fighting</b><br/><del>Mutual participation in <u>any form of physical altercation or aggression.</u></del></p> <p><del>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>3</b>            |
| <p><b>Assault</b><br/><del>A person commits assault by: (1) <b>Intentionally, knowingly or recklessly causing any physical injury to another person;</b> or (2) <b>Intentionally placing another person in reasonable apprehension of imminent physical injury;</b> or (3) <b>Knowingly touching another person with the intent to injure, insult or provoke such person.</b> (see A.R.S. § 13-1203)</del><br/><del>A person commits assault by intentionally, knowingly, or recklessly causing physical injury to another person; knowingly touching another person with the intent to injure, insult or provoke such person.; or by threatening to use a deadly weapon or dangerous instrument or a simulated deadly weapon; directly threatening to kill an individual. (see A.R.S. §13-1203)</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>4</b>            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------|
| <p><b>Examples:</b> Restraining, barricading (e.g. blocking a door so another student cannot get out of a room).<br/> <b>Only if the administrator forms a reasonable belief that a student has suffered a non-accidental physical injury is a report to law enforcement mandatory.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                     |
| <p><b>Aggravated Assault</b><br/> A person commits aggravated assault if the person:</p> <ol style="list-style-type: none"> <li>1. Causes serious physical injury to another.</li> <li>2. Uses a deadly weapon or dangerous instrument.</li> <li>3. Commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part.</li> <li>4. Commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.</li> <li>5. Commits assault and the person is in violation of an order of protection.</li> <li>6. Commits the assault knowing or having reason to know that the victim is any of the following: law enforcement officer, prosecutor, firefighter, EMT/Paramedic engaged in official duties, teacher or any school employee on school grounds, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes, teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds. (see A.R.S. § 13-1204)</li> </ol> | <p><b>5<br/>Mandatory<br/>report<br/>to law<br/>enforcement</b></p> |

| <b>OTHER VIOLATIONS OF SCHOOL POLICIES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <i>Action Level</i> |
| <p><b>Dress Code Violation</b><br/> Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1                   |
| <p><b>Parking Lot Violation</b><br/> <del>Student displays inappropriate behaviors involving a motor vehicle including, but not limited to, unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, and/or littering.</del></p> <p><del>Examples: unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, or littering.</del></p> | 1                   |
| <p><b>Public Display of Affection</b><br/> Inappropriate displays of affection. (i.e. kissing)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1                   |
| <p><b>Other Violation of School Policies and Regulations</b><br/> Other violations of written school, or district-wide, policy or regulation.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 1                   |
| <p><b>Language (verbal or nonverbal), Inappropriate</b><br/> <del>Student delivers verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way.</del></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2                   |
| <p><b>Contraband</b><br/> Items stated in school policy as prohibited because they may disrupt the learning environment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2                   |
| <p><b>Combustible</b><br/> Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2                   |
| <p><b>Disruption</b><br/> <del>Student engages in behavior causing an substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out-of-seat behavior.</del></p> <p><del>Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior.</del></p>                                                                                                                                                                                      | 2                   |
| <p><b>Gambling</b><br/> To play games of chance for money or to bet a sum of money.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2                   |
| <p><b>Defiance or Disrespect Towards Authority and Non Compliance</b><br/> Student engages in <del>repeated behavior including, but not limited to,</del> refusal to follow directions, <del>or,</del> talkings back, or <del>swearing at a staff member or</del> delivers socially rude interactions.</p>                                                                                                                                                                                                                                                                                                                                                                                                  | 2                   |
| <p><b>Negative Group Affiliation / Illegal Organization</b><br/> <del>Clubs, fraternities, sororities, a</del>nti-social organizations, secret societies, criminal street gangs, and other sets of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.</p>                                                                                                          | 3                   |

| <b>ALCOHOL, TOBACCO AND OTHER DRUG VIOLATIONS</b>                                                                                                                                                                                                                                                                                                                                                                                                    |                                            |                                                            |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|------------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                            |                                                            |
| <b>Drug Violation:</b> Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Includes over-the-counter medications if abused by the student. |                                            |                                                            |
| <b>Possession:</b> knowing exercise of dominion or control over an item.                                                                                                                                                                                                                                                                                                                                                                             |                                            | <b>Use:</b> the act of using or being under the influence. |
| <b>Sale:</b> to transfer or exchange an item to another person for anything of value or advantage, present or prospective.                                                                                                                                                                                                                                                                                                                           |                                            |                                                            |
| <b>Share:</b> to allow another person to use or enjoy something that one possesses.                                                                                                                                                                                                                                                                                                                                                                  |                                            |                                                            |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                     | <i>Action Level</i>                        |                                                            |
| <b>Over the Counter Drugs, Inappropriate use of</b><br>Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                  |                                            |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 2                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 3                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 3                                          |                                                            |
| <b>Inhalants</b><br>Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation<br>This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                        |                                            |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                                          |                                                            |
| <b>Unknown Drug</b> (if a drug is identified, after an investigation, a different violation may be identified)                                                                                                                                                                                                                                                                                                                                       |                                            |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                                          |                                                            |
| <b>Substance Represented as an Illicit Drug</b><br>A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                             |                                            |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                                          |                                                            |
| <b>Prescription Drugs, Inappropriate use of</b><br>Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                  | <b>Mandatory report to law enforcement</b> |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                                          |                                                            |
| <b>Illicit Drug</b><br>Illicit drugs include dangerous drugs, narcotic drugs, marijuana, and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc.                                                                                                                                                                                                     | <b>Mandatory report to law enforcement</b> |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                                          |                                                            |
| <b>Alcohol Violation</b><br>The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                  |                                            |                                                            |
| Possession                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                          |                                                            |
| Use                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 4                                          |                                                            |
| Sale                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 5                                          |                                                            |
| Share                                                                                                                                                                                                                                                                                                                                                                                                                                                | 5                                          |                                                            |
| <b>Tobacco Violation</b><br>The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches and hookah sticks), at school-sponsored events and on school-sponsored transportation. (see A.R.S. §36-798.03).                                                                                                                         |                                            |                                                            |



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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Share</b>      | <b>3</b> |
| <b>Possession of Drug Paraphernalia</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                   |          |
| Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. (see A.R.S. § 13-3415 ) |                   |          |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Possession</b> | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Use</b>        | <b>2</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Sale</b>       | <b>3</b> |
|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>Share</b>      | <b>3</b> |

| <b>ARSON</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                       |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                       |
| <b>Structure:</b> a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage                                                                                                                                                                                                                                                                                                                                                                       |                                                                       |
| <b>Occupied structure:</b> any structure in which one or more persons is, or is likely to be present, or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.                                                                                                                                                                                                                                                  |                                                                       |
| <b>Property:</b> anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).                                                                                                                                                                                                                                                                                                                                                             |                                                                       |
| <b>Damage:</b> as used here, means a tangible or visible impairment to a surface.                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                       |
| <b>Reckless Burning:</b> recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property. (see A.R.S. § 13-1702).                                                                                                                                                                                                                                                                                                                                                   |                                                                       |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <i>Action Level</i>                                                   |
| <b>Arson of a Structure or Property</b><br>A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. (see A.R.S. § 13-1703)<br><br><i>NOTE: Burning one's own property is not arson, with the exception of burning one's own property with the knowledge that it will ignite another's property or a structure. Burning one's own property may, where appropriate, be considered reckless burning.</i> | <b>4</b>                                                              |
| <b>Arson of an Occupied Structure</b><br>A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. (see A.R.S. § 13-1704)                                                                                                                                                                                                                                                                                  | <b>5</b><br><b>Mandatory report to law enforcement and Fire Dept.</b> |
| <i>NOTE: Administrators may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100, at Level 3. Please see the definition of Reckless Burning above.</i>                                                                                                                                                                                                                                                              |                                                                       |

| <b>ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)</b>                                                                                                                                                                                                                                                                                                 |                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                               | <i>Action Level</i> |
| <b>Other Attendance Violations</b><br><b>Examples:</b> leaving school, without signing out in the main office; leaving school at lunch, without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school, but not attending classes. | <b>1</b>            |
| <b>Tardy</b><br>Arriving at school or class after the scheduled start time.                                                                                                                                                                                                                                                                                                    | <b>1</b>            |
| <b>Unexcused Absence</b><br>When a student is not in attendance <b>for an entire day</b> and does not have an acceptable excuse.                                                                                                                                                                                                                                               | <b>1</b>            |
| <b>Leaving School Grounds without Permission</b><br>Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.                                                                                                                                                                          | <b>1</b>            |
| <b>Truancy</b><br>When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.                                                                                                                                                                                                                                                | <b>1</b>            |

| <b>DISHONESTY</b>                                                                                                                                                                                                                                                   |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Cheating</b><br>To intentionally share with another, or take from another, intellectual property for the purpose of deceit or fraud, or to take or steal intellectual property from another with or without their knowledge and present it as the student's own. | <b>2</b>            |
| <b>Forgery</b><br>Falsely and fraudulently making or altering a document, including hall passes and parent signatures.                                                                                                                                              | <b>2</b>            |
| <b>Lying</b><br>To make an untrue statement with intent to deceive or to create a false or misleading impression.                                                                                                                                                   | <b>2</b>            |
| <b>Plagiarism</b><br>To steal and pass off the ideas or words of another as one's own, including material obtained online.                                                                                                                                          | <b>2</b>            |

| <b>HARASSMENT AND THREAT, INTIMIDATION</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                     |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <i>Action Level</i> |
| <b>Threat or Intimidation</b><br>When a person indicates, by words or conduct, the intent to cause physical injury or serious damage to a person or their property, or intentionally places another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occurs online or through a telecommunication device. (see A.R.S. § 13-1202).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>3</b>            |
| <b>Bullying</b><br>Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, social networking-such as, but not limited to "Twitter"); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).                                                                                                                                                                                                                                                                        | <b>3</b>            |
| <b>Harassment, nonsexual</b><br>A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person: <ol style="list-style-type: none"> <li>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses.</li> <li>2. Repeatedly commits an act or acts that harass another person.</li> <li>3. Surveils or causes another person to surveil a person for no legitimate purpose.</li> <li>4. On more than one occasion makes a false report to a law enforcement, credit or social service agency. (see A.R.S. § 13-2921)</li> <li>5. Stalking-Following another person in or about a public place for no legitimate purpose after being asked to desist.</li> </ol> <p><i>NOTE: Bullying and Sexual Harassment are types of Harassment. Indicate Harassment, nonsexual if the violation is not specifically Bullying or Sexual Harassment, or if the specific type of harassment is not known.</i></p> | <b>3</b>            |
| <b>Hazing</b><br>"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 <u>both</u> of the following apply: <ol style="list-style-type: none"> <li>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. ("Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school.)</li> <li>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. (see A.R.S. § 15-2301)</li> </ol> <p>*Administrators <u>may</u> treat incidents of hazing at a Level 4 as appropriate to the situation, and in conjunction with Student Equity.</p>                          | <b>3</b>            |

| <b>HOMICIDE; KIDNAPPING</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <i>Action Level</i>                                            |
| <p><b>Homicide</b><br/>Includes first degree murder, second degree murder, manslaughter or negligent homicide, and intentionally or recklessly causing the death of another person. (see A.R.S. § 13, Chapter 11)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |
| <p><b>Kidnapping</b><br/><u>A. A person commits kidnapping by knowingly restraining another person with the intent to: (1) Hold the victim for ransom, as a shield or hostage; or (2) Hold the victim for involuntary servitude; or (3) Inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or (4) Place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person; or (5) Interfere with the performance of a governmental or political function; or (6) Seize or exercise control over any airplane, train, bus, ship or other vehicle.</u><br/><br/><u>B. Kidnapping is a class 2 felony unless the victim is released voluntarily by the defendant without physical injury in a safe place prior to arrest and prior to accomplishing any of the further enumerated offenses in subsection A of this section in which case it is a class 4 felony. If the victim is released pursuant to an agreement with the state and without any physical injury, it is a class 3 felony. If the victim is under fifteen years of age kidnapping is a class 2 felony punishable pursuant to section 13-604.01. The sentence for kidnapping of a victim under fifteen years of age shall run consecutively to any other sentence imposed on the defendant and to any undischarged term of imprisonment of the defendant. (see A.R.S. § 13-1304)</u><br/><br/>Knowingly restraining another person with the intent to hold the victim for ransom, as a shield or hostage; or hold the victim for involuntary servitude; or inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person. (see A.R.S. § 13-1304)</p> | <p><b>5</b><br/><b>Mandatory report to law enforcement</b></p> |

| <b>SCHOOL THREAT OR INTERFERENCE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                      |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                      |
| <p>Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:</p> <ol style="list-style-type: none"> <li>1. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.</li> <li>2. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.</li> <li>3. Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.</li> <li>4. Refusing to obey a lawful order to leave the property of an educational institution.</li> </ol> <p><i>NOTE: "interference with or disruption of" includes only those acts that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation or suspension is not required).</i></p> |                                                      |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <i>Action Level</i>                                  |
| <p><b>Fire Alarm Misuse</b><br/>Intentionally ringing fire alarm when there is no fire.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>4</b></p>                                      |
| <p><b>Bomb Threat</b><br/><u>Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.</u><br/><u>Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Chemical or Biological Threat</b><br/><u>Threatening to cause harm using dangerous chemicals or biological agents.</u><br/><u>Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <p><b>5</b><br/><b>Expulsion required by law</b></p> |
| <p><b>Other School Threat</b><br/><u>The incident cannot be coded in one of the above categories but did involve a school threat.</u></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <p><b>5</b><br/><b>Expulsion required by law</b></p> |

| <b>SEXUAL OFFENSES</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <i>Action Level</i> |
| <p><b>Harassment, Sexual</b><br/>Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices), or physical conduct of a sexual nature.</p> | <p><b>3</b></p>     |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| <p><b>Pornography</b><br/> Pornography is the sexually explicit and obscene depiction of persons, in words or images.<br/> <b>Examples:</b> viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature (“i.e. sexting”), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value.</p> | <b>3</b> |
| <p><b>Harassment, Sexual with contact</b><br/> Sexual harassment that includes physical contact.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>4</b> |
| <p><b>Indecent Exposure or Public Sexual Indecency</b><br/> A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts.<br/> <b>Examples:</b> public urination, streaking, masturbation, “peeping tom” (including taking photos or videotaping), exposing another student’s private parts, or engaging in intercourse, or oral sex.</p>                                                                                                                                                                           | <b>4</b> |

| <b>TECHNOLOGY, IMPROPER USE OF</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <i>Action Level</i> |
| <p><b>Telecommunication Device</b><br/> <u>Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines: (1) Cell phones and/or electronic devices are to be kept out of view in a student’s locker, pocket, or a carrying bag; (2) Such devices shall not be turned on or used during instructional time, except as authorized by the teacher; (3) The principal shall establish additional guidelines appropriate to campus needs; (4) Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities. (see Policy JICJ)</u><br/> <b>Examples:</b> use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose</p> | <b>2</b>            |
| <p><b>Other Technology</b><br/> <b>Examples:</b> Gaming systems, iPods, iPads, Tablets, tec.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>2</b>            |
| <p><b>Computer</b><br/> <b>Examples:</b> use of school computers for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of an administrator, vandalism of computers or computer equipment.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>3</b>            |
| <p><b>Network Violation</b><br/> <b>Examples:</b> use of computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.</p>                                                                                                                                                                                                                                                                                                                                              | <b>3</b>            |

| <b>THEFT</b>                                                                     |                     |
|----------------------------------------------------------------------------------|---------------------|
| <i>Violation</i>                                                                 | <i>Action Level</i> |
| <p><b>Petty Theft</b><br/> Thefts for cash, or property, valued under \$100.</p> | <b>2</b>            |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------|
| <p><b>Theft – School Property or Non-School Property</b><br/>                 A person commits theft if, without lawful authority, the person knowingly:<br/>                 b. Controls property of another with the intent to deprive the other person of such property; or<br/>                 c. Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant’s possession for a limited, authorized term or use; or<br/>                 d. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or<br/>                 e. Comes into control of lost, mislaid or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person’s own or another’s use without reasonable efforts to notify the true owner; or<br/>                 f. Controls property of another knowing or having reason to know that the property was stolen; or<br/>                 g. Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another’s services to the person’s own or another’s benefit without authority to do so. (see A.R.S. § 13-1802)</p> | <p><b>3</b></p>                                                 |
| <p><b>Burglary or Breaking and Entering</b><br/>                 Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard or a nonresidential structure or in a fenced commercial property with the intent to commit any theft or any felony therein. (see A.R.S. § 13-1506 - § 13-1507)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <p><b>4</b></p>                                                 |
| <p><b>Extortion</b><br/>                 A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:<br/>                 1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.<br/>                 2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection.<br/>                 3. Cause damage to property.<br/>                 4. Engage in other conduct constituting an offense.<br/>                 5. Accuse anyone of a crime or bring criminal charges against anyone.<br/>                 6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person’s credit or business.<br/>                 7. Take or withhold action as a public servant or cause a public servant to take or withhold action.<br/>                 8. Cause anyone to part with any property. (see A.R.S. § 13-1804)</p>                                                                                                                                                                                                                                                                                                                     | <p><b>4</b></p>                                                 |
| <p><b>Robbery</b><br/>                 A person commits robbery if in the course of taking any property of another from his person or immediate presence and against his will; such person threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property. (see A.R.S. § 13-1902)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>4</b></p>                                                 |
| <p><b>Armed Robbery</b><br/>                 A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice: (1) Is armed with a deadly weapon or a simulated deadly weapon; or (2) Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. § 13-1904)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <p><b>5</b><br/> <b>Mandatory report to law enforcement</b></p> |
| <p><b>Burglary (First Degree)</b><br/>                 A person commits burglary in the first degree if such person or an accomplice enters or remains unlawfully in or on a residential structure or yard or a nonresidential structure or in a fenced commercial with the intent to commit any theft or any felony therein (see A.R.S. § 13-1506 and 13-1507) and knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. (see A.R.S. § 13-1508)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <p><b>5</b><br/> <b>Mandatory report to law enforcement</b></p> |

| <b>TRESPASSING; VANDALISM OR CRIMINAL DAMAGE</b>                                                                                                                                                                                                                                                                                                                                                                                                |                     |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>Definitions</i>                                                                                                                                                                                                                                                                                                                                                                                                                              |                     |
| <p><b>Criminal damage:</b> Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Administrators may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.</p>                                                   |                     |
| <p><b>Examples:</b> Substantial destruction of copy machines, school vehicles, student vehicles, or certain technology, science, or computer equipment.</p>                                                                                                                                                                                                                                                                                     |                     |
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                | <i>Action Level</i> |
| <p><b>Trespassing</b><br/>                 To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.</p> | <p><b>2</b></p>     |
| <p><b>Graffiti or Tagging</b></p>                                                                                                                                                                                                                                                                                                                                                                                                               | <p><b>2</b></p>     |

|                                                                                                                                                                                                                                            |          |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Writing on walls; drawings or words that are painted or sprayed on walls and/ or other surfaces that can be easily removed with soap or cleaner.                                                                                           |          |
| <b>Vandalism of Personal property</b><br>Willful destruction or defacement of personal property.                                                                                                                                           | <b>3</b> |
| <b>Vandalism of School Property</b><br>Willful destruction or defacement of school property.<br><b>Examples:</b> Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles. | <b>3</b> |

| <b>WEAPONS AND DANGEROUS ITEMS (POSSESSION OF)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
| <i>Violation</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <i>Action Level</i>                                                                                       |
| <p><b>Dangerous Items</b><br/>Knife with a blade length of less than 2.5 inches, air soft gun, b.b.gun, laser pointer, letter opener, mace/pepper spray, paintball gun, pellet gun, razor blade/box cutter, simulated knife, taser or stun gun, tear gas, firecrackers, smoke and stink bombs, gas, lighter fluid, and other dangerous items (anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury).</p> <p><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <b>3</b>                                                                                                  |
| <p><b>Other Weapons</b><br/><b>Examples:</b> Billy club, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus.<br/><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>4</b>                                                                                                  |
| <p><b>Simulated Firearm</b><br/>Possession of a simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm.</p> <p><b>If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>3</b>                                                                                                  |
| <p><b>Firearms</b><br/><u>Except as provided in subsection B, an un-emancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the un-emancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian. (see A.R.S §13-3111(A))</u></p> <p><b>“Firearm”</b> means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. (see A.R.S. § 13-3101)</p> <p><b>“Other Firearms”</b> <del>Firearms other than handguns, rifles or shotguns including:</del> <del>As defined for the Gun-Free Schools Act (GFSA) includes any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;</del> the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas: Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. (see 18 U.S.C. 921)</p> <p><i>NOTE: This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, and pellet guns)</i></p> | <p><b>5</b></p> <p><b>Expulsion required by law</b></p> <p><b>Mandatory report to law enforcement</b></p> |

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## TUSD ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age, or who attend an institution of postsecondary education) certain rights regarding the student’s education records. These rights are:

**(1) The right to inspect and review the student’s education records within 45 days from the day TUSD receives a request.**

The parent(s) and/or eligible student may inspect and review student’s education records, and TUSD policies and regulations governing use of those records, by making an appointment with the student’s school principal. A copy of state and federal statutes and regulations concerning student records is available for reasonable inspection in the Office of the Superintendent or designee, 1010 E. 10th Street, Tucson, Arizona. A list of the types of records maintained, and an explanation of any record, will be provided by appropriate TUSD personnel upon request.

Federal law assumes that both parents are equally entitled to review their child’s records. If there is a custody order in place that prohibits the provision of this information to one parent, please provide TUSD with a copy of the custody order, signed by a judge.

**(2) The right to request the amendment of the student’s education records that the parent(s) and/or eligible students believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.**

Such a request must be in writing to the student’s school principal, must clearly identify the part of the record they want changed, and must specify why it should be changed. If TUSD, decides not to amend the record as requested by the parent(s) and/or eligible student, TUSD will notify the parent(s) and/or eligible student of the decision, and the parent(s) and/or eligible student may further request a hearing regarding the request for amendment, as provided by federal and state statutes, rules and regulations.

**(3) The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.**

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests. A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, schools will disclose education records, without consent, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

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

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:

The Family Policy Compliance Office  
U.S. Dep’t of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202  
(202) 260-3887

Directory Information

FERPA requires that TUSD, with certain exceptions, obtain a parent’s/guardian’s written consent prior to the disclosure of personally identifiable information from your child’s education records. However, TUSD may disclose appropriately designated “directory information” without written consent, unless you have advised TUSD to the contrary in accordance with TUSD procedures (see Administrative Regulation 5130). The primary purpose of directory information is to allow TUSD to include this type of information from your child’s education records in certain school publications, such as:

- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets showing weight/height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want TUSD to disclose directory information from your child’s education records without your prior written consent, you must notify TUSD on TUSD Form 274, prior to October 1st. TUSD has designated the following information as directory information:

Name, address, parent or guardian telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees (diplomas) and awards received, the most recent previous educational agency or institution attended by the student, personally identifiable photographs, videotapes, films and other visual media, personally identifiable interviews, either audio only or audio and visual, and other similar information.

Under federal law, this information is considered directory information and does not require the written consent of a parent/eligible student to release. If you object to the release of directory information you must notify the principal or designee of the school, in writing, on TUSD Form 274, prior to October 1st. If Form 274 is not received by October 1st, it will be assumed that there is no objection to releasing such information. This procedure shall be done annually. Pursuant to federal law, upon request, TUSD may disclose education records without prior parental/eligible student consent, to officials of another school district in which a student seeks or intends to enroll. For further information, contact the Principal’s Office at the school where the student(s) attend in TUSD.

**TUSD ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams.

These include the right to:

**(1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Dep’t of Education (ED) –**

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

**(2) Receive notice and an opportunity to opt a student out of –**

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

**(3) Inspect, upon request and before administration or use –**

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 yrs old, or an emancipated minor under State law.

TUSD will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

TUSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. TUSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 2020

*YOUR SCHOOL IS A*  
***SAFE-T-ZONE***

***IF YOU SEE IT***

- |                   |                       |
|-------------------|-----------------------|
| ↪ <i>DRUGS</i>    | ↪ <i>VIOLENCE</i>     |
| ↪ <i>FIGHTS</i>   | ↪ <i>WEAPONS</i>      |
| ↪ <i>GANGS</i>    | ↪ <i>NON-STUDENTS</i> |
| ↪ <i>ASSAULTS</i> | ↪ <i>GRAFFITI</i>     |
| ↪ <i>TRUANCY</i>  | ↪ <i>THREATS</i>      |

**REPORT IT!**

**CONFIDENTIALITY GUARANTEED**

**TELL A SCHOOL OFFICIAL OR CALL**

***TUSD SAFETY MESSAGE LINE***  
***584-7680***

- MESSAGES CHECKED HOURLY DURING SCHOOL -  
- DAILY ON NON-SCHOOL DAYS -

**DISCRIMINATION STATEMENT:** Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, , creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background in admission or access to, or treatment or employment in, its educational programs or activities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD's EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444, or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado 80204. See Board Policies AC "Non-Discrimination," and ACA "Sexual Harassment" for more information.

## Brown, Samuel

---

**From:** Willis D. Hawley <wdh@umd.edu>  
**Sent:** Tuesday, July 21, 2015 6:01 AM  
**To:** Tolleson, Julie; 'Lois Thompson'; 'Juan Rodriguez'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Cc:** payton.j@charter.net  
**Subject:** RE: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY  
**Attachments:** USP GSRR BH Comments on 2016 revision.docx

Here are my comments. I have focused on emphasizing the importance of timely action. I realize that the significant effort is being made to reduce redundancy but I hope this will not undermine student and family understandings. Not everyone will read this document cover to cover or know where to look for definitions.

## Bill

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**From:** Tolleson, Julie [<mailto:Julie.Tolleson@tusd1.org>]  
**Sent:** Thursday, July 16, 2015 5:57 PM  
**To:** Willis D. Hawley <[wdh@umd.edu](mailto:wdh@umd.edu)>; 'Lois Thompson' <[lthompson@proskauer.com](mailto:lthompson@proskauer.com)>; 'Juan Rodriguez' <[jrodriguez@maldef.org](mailto:jrodriguez@maldef.org)>; 'Rubin Salter Jr.' <[rsjr3@aol.com](mailto:rsjr3@aol.com)>; 'Zoe Savitsky' <[zoe.savitsky@usdoj.gov](mailto:zoe.savitsky@usdoj.gov)>; 'James Eichner' <[james.eichner@usdoj.gov](mailto:james.eichner@usdoj.gov)>; 'Anurima Bhargava' <[anurima.bhargava@usdoj.gov](mailto:anurima.bhargava@usdoj.gov)>; TUSD <[TUSD@rllaz.com](mailto:TUSD@rllaz.com)>; Desegregation <[deseg@tusd1.org](mailto:deseg@tusd1.org)>  
**Subject:** FW: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY  
**Importance:** High

Dear Special Master and parties:

I attach the 2015-16 version of the GSRR, approved by the Governing Board on Tuesday 7/14/15. I believe it looks very similar to the last circulated draft.

As you know, this year's revision does not contain any big ticket changes. The offense classifications and levels remain unchanged. The GSRR has always in my view not been very user friendly in terms of writing style and format (and some ill-fitting narrative content) so we did make an effort to clean that up. The biggest thing is that it specifies the availability of In-School Intervention for Level 3 offenses. The majority of last year's out of school suspensions related to Level 3 offenses, and our hope is that this intervention model will eliminate the overwhelming majority of those suspensions. I am very hopeful. Obviously, ISI placements will be monitored for racial/ethnic disparity in placement and likewise to ensure that it is not used when a lower-level alternative is available. It is designed only to address circumstances under which a student would in years prior either have been sent home.

I appreciate all of the feedback and input that has not only help shaped the conversation around the GSRR, but has informed our efforts to improve practices in the district.

Julie C. Tolleson, General Counsel  
Tucson Unified School District

July 21, 2015

To: Parties

From: Bill Hawley

Re: Comments on Revised GSRR

On page 8, the discussion of exclusionary consequence but no mention of Level III. Is it possible that this would suggest that Level III offenses are subject, in general, to exclusionary consequences?

On page 12, Section 3b the words "in a timely manner should be added".

On page 13 Section C, paragraph one should include "promptly" prior to "investigate".

On page 18, why was the definition of physical injury deleted?

On page 19, the third bullet the word "adequate" should be replaced by "the timely".

On page 20, why no mention that OSS are reviewed by Student Equity as provided for on page 28?

On page 20, wording should indicate that conferences should be scheduled promptly.

Typos on page 20, sentence beginning with Alternative and on p 21 line 3.

On page 28, why would an improper use of technology ever rise to a Level IV offense unless it dealt with the destruction of district hardware and software? The offense described on page 28 is different from how it is described on page 35. The page 28 definition seems quite broad. And both descriptions would presumably allow for OSS if a student uses a computer for non-instructional purposes.

On page 28, there is a provision that Student Equity will review all suspensions. For what purpose?

On page 35, the section on computers should be more specific so that is clear were talking about computers owned by the district. Moreover, including the non-instructional use of computers (watching a soccer match or sending an email) here seems wholly inappropriate for this level of offense.

Let me say again, as I did last time around, that allowing for the elevation of an offense seems unwise and opens the door to discrimination and excessive exclusionary consequences because the criteria for elevation are vague and ambiguous. I will ask Dr. Payton to examine all instances of elevation.

July 21, 2015

To: Parties

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**Brown, Samuel**

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**From:** Juan Rodriguez <jrodriguez@MALDEF.org>  
**Sent:** Thursday, July 23, 2015 3:08 PM  
**To:** Tolleson, Julie; 'Willis D. Hawley'; 'Lois Thompson'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Subject:** RE: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY

Dear Counsel and Special Master Hawley,

Mendoza Plaintiffs appreciate Julie's email of yesterday regarding the inapplicability of ISS/ISI to level-two infractions in the GSRR, which addresses one of their concerns with the GSRR revisions and obviates the need for an R&R on the issue.

Based on the District's July 21 budget response that the ISI-DAEP "plan will not affect the GSRR in an adverse way" and its June 18 indication in its GSRR responses that it declined to include the specific locations and circumstances under which the ISI/DAEP alternatives would be available, Mendoza Plaintiffs understand the District's position to be that it will not rewrite the GSRR to address these programs or the ISI-DAEP plan in any detail. However, like the Fisher Plaintiffs, the Mendoza Plaintiffs remain very concerned about how the programs will be implemented, and about the possibility that they may fail to address or remediate the disproportionality in the administration of discipline at TUSD schools.

They also question the District's view that a detailed discussion of how the ISI/DAEP plan will be implemented does not belong in the GSRR, so as to fully inform parents and students of students' rights. However, under USP Section VI, D, 1 the District is required to "provide[] to all parents of students enrolled in the District" "[t]he revised GSRR, *all related documents* and the informational programs described" in the USP, (emphasis added), which Mendoza Plaintiffs understand to cover the "ISI-DAEP plan" referenced in the District's July 21 budget responses. In that regard, Mendoza Plaintiffs note that as far as they can tell, the plaintiffs have not been provided with the ISI-DAEP plan and they therefore now request that the District circulate a copy of it. Mendoza Plaintiffs hereby expressly reserve their right to object to that plan and seek an R&R to the extent it deviates from the USP's disciplinary requirements once they have been given the opportunity to review it. They also seek a commitment by the District to provide copies of the plan to all parents.

Mendoza Plaintiffs also note that they agree with the Special Master's July 21 comments to the GSRR, which they generally believe, if addressed by the District, would make the GSRR more internally consistent and easier to understand. They further believe that the importance of the Special Master's comments is highlighted by the fact that the District has now included a parent/student "2015-16 SY Acknowledgement Form" with signature lines for students and parents, which the GSRR indicates students are to "**return[] to [their] school within 5 days of receiving the GSRR.**" (Emphasis in original.) In the circumstances, the District should do everything possible to provide a document that can be read and understood within five days of receipt.

They also agree with the Special Master that "allowing for the elevation of an offense seems unwise and opens the door to discrimination and excessive exclusionary consequences because the criteria for elevation are vague and ambiguous." Mendoza Plaintiffs therefore request that the Special Master, if he did not already intend to do so, provide the parties with any report that Dr. Peyton may prepare in his "examin[ation of] all instances of elevation." The Special Master's comments also reminded the Mendoza Plaintiffs of their November 24, 2015 request that the implementation committee "monitor the District's administration of discipline to ensure that first-time level three offenses that do not implicate student safety [and therefore remain subject to the "ongoing and escalating" USP limitation] and have been elevated one level do not result in long-term suspension, as is required by the USP." Mendoza Plaintiffs request that the Special Master direct Dr. Peyton to also examine and report on this issue as it is directly implicated in the examination Dr. Peyton will conduct and would help to provide a meaningful analysis of the appropriateness of elevations.

Additionally, on June 12, 2015, Mendoza Plaintiffs requested that the District commit to making revisions to its regulations and do what is necessary to ensure that only qualified interpreters provide translation services at suspension and expulsion hearings. The request stemmed from Mendoza Plaintiffs' understanding that when Spanish-language interpreters are needed at these hearings, typically any available person with any level of Spanish-language proficiency is used, which materially affects students' rights to a fair hearing. In their June 18 GSRR responses, the District asserted that it does in fact use qualified interpreters. Mendoza Plaintiffs now request that the implementation committee verify that only qualified interpreters are used at suspension and expulsion hearings.

Thank you,

**Juan Rodriguez** | Staff Attorney

**MALDEF** | [www.maldef.org](http://www.maldef.org)

634 South Spring Street, 11<sup>th</sup> Floor, Los Angeles, CA 90014

213.629.2512, ext. 136 t / 213.629.0266 f

[jrodriguez@maldef.org](mailto:jrodriguez@maldef.org)

*MALDEF: The Latino Legal Voice for Civil Rights in America.*

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---

**From:** Tolleson, Julie [mailto:Julie.Tolleson@tusd1.org]

**Sent:** Thursday, July 16, 2015 2:57 PM

**To:** 'Willis D. Hawley'; 'Lois Thompson'; Juan Rodriguez; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation

**Subject:** FW: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY

**Importance:** High

Dear Special Master and parties:

I attach the 2015-16 version of the GSRR, approved by the Governing Board on Tuesday 7/14/15. I believe it looks very similar to the last circulated draft.

As you know, this year's revision does not contain any big ticket changes. The offense classifications and levels remain unchanged. The GSRR has always in my view not been very user friendly in terms of writing style and format (and some ill-fitting narrative content) so we did make an effort to clean that up. The biggest thing is that it specifies the availability of In-School Intervention for Level 3 offenses. The majority of last year's out of school suspensions related to Level 3 offenses, and our hope is that this intervention model will eliminate the overwhelming majority of those suspensions. I am very hopeful. Obviously, ISI placements will be monitored for racial/ethnic disparity in placement and likewise to ensure that it is not used when a lower-level alternative is available. It is designed only to address circumstances under which a student would in years prior either have been sent home.

I appreciate all of the feedback and input that has not only help shaped the conversation around the GSRR, but has informed our efforts to improve practices in the district.

Julie C. Tolleson, General Counsel  
Tucson Unified School District



**Brown, Samuel**

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**From:** Taylor, Martha  
**Sent:** Thursday, July 30, 2015 8:23 AM  
**To:** Tolleson, Julie; 'Juan Rodriguez'; 'Willis D. Hawley'; 'Lois Thompson'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Cc:** Tolleson, Julie; Morado, Abel; Vega, Adrian  
**Subject:** RE: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY  
**Attachments:** 1. Hawley Memo 06-19-15 final draft2.docx; 2. ISI-DAEP Final2.docx; 3. DAEP Report Final2.docx

Juan – This is what we sent to Dr. Hawley regarding DAEP and ISI programs. I am thinking this is the document you are talking about.

---

**From:** Tolleson, Julie  
**Sent:** Wednesday, July 29, 2015 11:39 AM  
**To:** 'Juan Rodriguez'; 'Willis D. Hawley'; 'Lois Thompson'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Subject:** RE: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY

Do you mean the description document we provided to the Special Master during the budget process? There's not a "plan" in that formal way, but there is a summary narrative floating around.

---

**From:** Juan Rodriguez [<mailto:jrodriguez@MALDEF.org>]  
**Sent:** Wednesday, July 29, 2015 11:35 AM  
**To:** Tolleson, Julie; 'Willis D. Hawley'; 'Lois Thompson'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Subject:** RE: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY

Dear Julie,

I am writing to reiterate Mendoza Plaintiffs' July 23 request below that the ISI-DAEP plan referenced in the District's July 21, 2015 budget responses be provided to the plaintiffs. Given that the fall 2015 semester will soon commence, it is in everyone's best interest that any issues that may arise as a result of plaintiffs' review of that plan be resolved as soon as possible. Mendoza Plaintiffs also reiterate their request that the District confirm that it will, under USP Section IV, D, 1, provide parents with the ISI-DAEP plan once it has been finalized based on plaintiffs' and Special Master input as it is a GSRR "related document[]" and distribution of that plan would better inform students and parents of students' rights.

**Juan Rodriguez** | Staff Attorney

**MALDEF** | [www.maldef.org](http://www.maldef.org)  
634 South Spring Street, 11<sup>th</sup> Floor, Los Angeles, CA 90014  
213.629.2512, ext. 136 t / 213.629.0266 f  
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**From:** Juan Rodriguez  
**Sent:** Thursday, July 23, 2015 3:08 PM  
**To:** 'Tolleson, Julie'; 'Willis D. Hawley'; 'Lois Thompson'; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Subject:** RE: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY

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They also question the District's view that a detailed discussion of how the ISI/DAEP plan will be implemented does not belong in the GSRR, so as to fully inform parents and students of students' rights. However, under USP Section VI, D, 1 the District is required to "provide[] to all parents of students enrolled in the District" "[t]he revised GSRR, *all related documents* and the informational programs described" in the USP, (emphasis added), which Mendoza Plaintiffs understand to cover the "ISI-DAEP plan" referenced in the District's July 21 budget responses. In that regard, Mendoza Plaintiffs note that as far as they can tell, the plaintiffs have not been provided with the ISI-DAEP plan and they therefore now request that the District circulate a copy of it. Mendoza Plaintiffs hereby expressly reserve their right to object to that plan and seek an R&R to the extent it deviates from the USP's disciplinary requirements once they have been given the opportunity to review it. They also seek a commitment by the District to provide copies of the plan to all parents.

Mendoza Plaintiffs also note that they agree with the Special Master's July 21 comments to the GSRR, which they generally believe, if addressed by the District, would make the GSRR more internally consistent and easier to understand. They further believe that the importance of the Special Master's comments is highlighted by the fact that the District has now included a parent/student "2015-16 SY Acknowledgement Form" with signature lines for students and parents, which the GSRR indicates students are to "**return[] to [their] school within 5 days of receiving the GSRR.**" (Emphasis in original.) In the circumstances, the District should do everything possible to provide a document that can be read and understood within five days of receipt.

They also agree with the Special Master that "allowing for the elevation of an offense seems unwise and opens the door to discrimination and excessive exclusionary consequences because the criteria for elevation are vague and ambiguous." Mendoza Plaintiffs therefore request that the Special Master, if he did not already intend to do so, provide the parties with any report that Dr. Peyton may prepare in his "examin[ation of] all instances of elevation." The Special Master's comments also reminded the Mendoza Plaintiffs of their November 24, 2015 request that the implementation committee "monitor the District's administration of discipline to ensure that first-time level three offenses that do not implicate student safety [and therefore remain subject to the "ongoing and escalating" USP limitation] and have been elevated one level do not result in long-term suspension, as is required by the USP." Mendoza Plaintiffs request that the Special Master direct Dr. Peyton to also examine and report on this issue as it is directly implicated in the examination Dr. Peyton will conduct and would help to provide a meaningful analysis of the appropriateness of elevations.

Additionally, on June 12, 2015, Mendoza Plaintiffs requested that the District commit to making revisions to its regulations and do what is necessary to ensure that only qualified interpreters provide translation services at suspension and expulsion hearings. The request stemmed from Mendoza Plaintiffs' understanding that when Spanish-language

interpreters are needed at these hearings, typically any available person with any level of Spanish-language proficiency is used, which materially affects students' rights to a fair hearing. In their June 18 GSRR responses, the District asserted that it does in fact use qualified interpreters. Mendoza Plaintiffs now request that the implementation committee verify that only qualified interpreters are used at suspension and expulsion hearings.

Thank you,

**Juan Rodriguez** | Staff Attorney

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**From:** Tolleson, Julie [<mailto:Julie.Tolleson@tUSD1.org>]  
**Sent:** Thursday, July 16, 2015 2:57 PM  
**To:** 'Willis D. Hawley'; 'Lois Thompson'; Juan Rodriguez; 'Rubin Salter Jr.'; 'Zoe Savitsky'; 'James Eichner'; 'Anurima Bhargava'; TUSD; Desegregation  
**Subject:** FW: GSRR Final Track Changes from 14-15 SY vs. 15-16 SY  
**Importance:** High

Dear Special Master and parties:

I attach the 2015-16 version of the GSRR, approved by the Governing Board on Tuesday 7/14/15. I believe it looks very similar to the last circulated draft.

As you know, this year's revision does not contain any big ticket changes. The offense classifications and levels remain unchanged. The GSRR has always in my view not been very user friendly in terms of writing style and format (and some ill-fitting narrative content) so we did make an effort to clean that up. The biggest thing is that it specifies the availability of In-School Intervention for Level 3 offenses. The majority of last year's out of school suspensions related to Level 3 offenses, and our hope is that this intervention model will eliminate the overwhelming majority of those suspensions. I am very hopeful. Obviously, ISI placements will be monitored for racial/ethnic disparity in placement and likewise to ensure that it is not used when a lower-level alternative is available. It is designed only to address circumstances under which a student would in years prior either have been sent home.

I appreciate all of the feedback and input that has not only help shaped the conversation around the GSRR, but has informed our efforts to improve practices in the district.

Julie C. Tolleson, General Counsel  
Tucson Unified School District