 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Non-Discrimination
	POLICY CODE: AC

Tucson Unified School District is committed to a policy of nondiscrimination based on disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin. This policy will prevail in all matters concerning Governing Board, District employees, students, the public, educational programs and services, and individuals with whom the Board does business.

Discrimination based on disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin, as well as retaliation for opposition to such discrimination, is prohibited by one or more of the following federal and state laws: Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments Act of 1972, Americans with Disabilities Act of 1990, Rehabilitation Act of 1973, Age Discrimination in Employment Act, and the Arizona Civil Rights Act, and by this policy.

In addition to the protections against discrimination and retaliation, the Americans with Disabilities Act (ADA) prohibits coercion, intimidation, threats, harassment, or interference in the exercise of an individual’s ADA rights or the encouragement of others’ exercise of rights granted by the ADA.

It shall be a violation of this policy for any Tucson Unified School District employee, student, or member of the public while on District property or on official District business to discriminate or retaliate or engage in conduct or communication which would constitute discrimination or retaliation, as defined below.

A single incident may result in a violation of this policy.

DEFINITIONS:

“Discrimination” includes disparate treatment based on legally identified factors unrelated to their ability or potential, such as race, color, gender, religion, ancestry, national origin, marital status, age, disability, sexual orientation, or gender identity. *Discrimination as prohibited by this policy includes* expression or conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin or disability, or that of his or her peers, family members, co-workers or associates,

and which expression or conduct results in differential treatment because of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin or disability, or has the purpose or effect of creating a hostile, intimidating or offensive employment or educational environment.

Discrimination also includes epithets, slurs, jokes, negative stereotyping, or threatening, derogatory, intimidating or hostile acts that relate to race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin or disability, and, written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin or disability.

"Retaliation" includes adverse action against a covered individual because the individual (or closely-associated individual) engaged in protected activity.

"Adverse action" includes any action that is likely to keep a reasonable person from engaging in protected activity, including but not limited to termination, denial of promotion, threats, unjustified negative references or evaluations, undesirable transfer, or severe harassment.

"Protected activity" includes (1) reasonable opposition to a practice believed to violate anti-discrimination laws on behalf of oneself or others; (2) participation in a discrimination complaint proceeding, such as cooperating with an internal investigation of alleged discriminatory practices or acting as a witness in an investigation by an outside agency or in litigation; and (3) the asserting of one's rights, such as requests for reasonable accommodation based on religion or disability. Additionally, the Americans with Disabilities Act prohibits retaliation because of opposition to any acts made unlawful by the ADA, including discrimination by state and local government employers, or failure to provide accommodations.

REPORTING PROCEDURES:

Individuals who believe they have been discriminated and/or retaliated against in violation of this policy shall immediately report the conduct according to the following procedures so that the complaint can be addressed fairly and quickly. The individual may make a complaint to any of the following individuals:

- The individual's immediate supervisor
- The individual's site/department administrator, or
- The EEO Compliance Officer.

The District will use the following complaint procedures for conducting a fair and impartial investigation of the retaliation complaint as outlined in regulation AC-R. The investigation will be conducted in as confidential manner as possible.

If the investigation concludes that a violation of this policy has occurred, the District is committed to taking effective remedial action designed to end the violation(s) and prevent future ones. A substantiated charge of discrimination, retaliation, coercion, intimidation, threat, harassment or interference with ADA rights against an individual shall subject the individual to discipline or sanctions as follows:


- If the person alleged to have violated this policy is a staff member, possible discipline includes, but is not limited to, letters of reprimand, reassignment, and other disciplinary actions including suspension or job termination.
- If the person alleged to have violated this policy is a student, possible discipline includes detention, suspension or expulsion, consistent with the *Guidelines for Student Rights and Responsibilities*.
- If the person alleged to have violated this policy is a member of the general public, sanctions consistent with Policy Code KFA – *Public Conduct on School Property* shall be imposed.

The Superintendent shall establish procedures to ensure monitoring and compliance with this policy.

Adopted: May 25, 1995
 Revised: October 10, 2000
 Revised: February 10, 2004
 Revised: October 5, 2004 [in new policy format]
 Revised: April 10, 2007
 Revised: May 17, 2011 [Typographical error corrected 6-23-11]
 Revised: September 27, 2011
 Revised: January 17, 2013 [Cross Reference Correction Only]
 Revised: March 25, 2014

Legal Ref: A.R.S. 23-341 Equal wage rates; variations; penalties; enforcement
 41-1463 Discrimination; unlawful practices; definition
 20 U.S.C. 1400 Individuals with Disabilities Education Act
 20 U.S.C. 1681 Education Amendments of 1972, Title IX
 20 U.S.C. 1703 Equal Employment Opportunity Act of 1972
 29 U.S.C. 794 Rehabilitation Act of 1973, Section 504
 42 U.S.C. 2000 Civil Rights Act of 1964, Titles VI and VII
 42 U.S.C. 12101 *et seq.* Americans with Disabilities Act
 Arizona Constitution, Ordinance Art. XX,
 Par. Seventh

Cross Ref: ACA - Sexual Harassment
GBA – Equal Employment Opportunity
IHBA – Education of Section 504 Disabled Students
JB - Equal Educational Opportunities

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Staff Ethics
	DISTRICT CODE: GBEA

All employees of the District are expected to maintain high standards in their school relationships. These standards must be idealistic and at the same time practical, so that they can apply reasonably to all staff members. The employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, every employee assumes responsibility for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards.

The school employee:

- Supports the principle of due process and protects the civil and human rights of all individuals.
- Maintains just, courteous, and proper relationships with students, parents, staff members and others.
- Strives for the maintenance of efficiency and knowledge of developments in the employee's field of work.
- Makes the well-being of students the fundamental value of all decision-making and actions.
- Implements the Governing Board's policies and administrative rules and regulations.
- Fulfills job responsibilities with honesty and integrity.
- Will not falsify, misuse, sell, transfer or access for personal use, records or data maintained by the school district.
- Never accepts gratuities or gifts that influence judgment in the exercise of professional duties.
- Avoids using position for personal gain through political, social, religious, economic, or other influence.
- Abides by copyright restrictions, security, or administration procedures for a test or assessment.
- Honors all contracts until fulfillment or release.
- Keeps information deemed confidential in nature secure unless disclosure serves District purposes or when required by law.
- Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.


- Directs any criticism of other staff members or of any department of the school system toward improving the District. Such constructive criticism is to be made directly to the appropriate administrator who has the responsibility for improving the situation.
- Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
- Refrains from using school contacts and privileges to promote partisan politics, sectarian religious views, or personal gain of any kind
- Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
- Stresses the proper use and protection of all school properties, equipment, and materials.

In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure serves District purposes or is required by law.

Adopted: October 5, 2004
Revision: October 25, 2011

LEGAL REF.: A.A.C. R7-2-205

Cross Ref:

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Staff Conduct
	POLICY CODE: GBEB

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with, or disrupt any District activity, or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

Potential consequences to employees of the District who violate these rules may include, but are not limited to:

- Removal from school grounds
- Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
- Warning
- Reprimand
- Suspension
- Dismissal
- Having consideration given to any such violations in the determination of or establishment of any pay or salary in later contracts or employment, if any.

Reporting Suspected Crimes or Incidents

Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury to employees, students or others on school property. All such reports shall be communicated to the Superintendent who shall be responsible for reporting to local law enforcement.

A person who is employed by the School District or is an applicant for employment with the School District, who is arrested for or charged with any nonappealable offense listed in section 41-1758.03, subsection B and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of unprofessional conduct and the person shall be immediately dismissed from employment with the School District or immediately excluded from potential

employment with the School District. A person dismissed from employment for failure to report being arrested for or charged with a nonappealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection G. Prior to an action to terminate for failure to report, an employee will be given the opportunity to provide a written explanation of circumstances or events which they believe mitigate the failure to report.

Use of Physical Force by Supervisory Personnel


Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to keep students safe and protect minors. Reasonable physical force may be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

The threat or use of physical force is not justified as a response to verbal provocation alone, nor when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

Adopted: October 5, 2004
Updated: December 17, 2004 [To Board in Friday Report]
Revised: December 12, 2012 [Cross Reference Correction Only]
Revised: November 12, 2013

LEGAL REF.: A.R.S. 13-2911, 13-3102, 13-3111, 13-3411, 15-341, 15-342,
15-507, 15-509, 15-514, 15-521, 15-539, 15-550, 38-531,
38-532, 41-770, 41.1758.03
A.A.C. R7-2-205

CROSS REF.: JK – Student Discipline
KFA - Public Conduct on School Property

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Staff Conduct with Students
	POLICY CODE: GBEBB

Employees are expected to exercise general supervision over the conduct of students, not only while in the schoolroom, but also before and after school and during recess. At all times teachers and other staff members will accord students the dignity and respect that they deserve, and avoid purposely embarrassing any student.

All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with community standards and acceptable professional conduct.

Students and staff members should interact with each other in a friendly and positive manner. It is desirable for staff to have a sincere interest in students as individuals and to develop positive, professionally supportive relationships. These relationships must be at a level where they will not be mistaken as a precursor to a more intimate and improper relationship.

Staff activities such as attending outside events to support student participation, correspondence or initiating contact with present or former students must adhere to the same professional standards.

Relationships between staff members and students, regardless of age, that include "dating", "courtship", "intimate", or "romantic involvement" are prohibited. These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and a direct violation of this and other district policies.


Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process.

Violations of this policy shall be considered serious and may result in severe disciplinary action up to and including immediate dismissal.

Adopted: October 12, 2004
Reviewed: September 4, 2012

LEGAL REF.: A.R.S. | 15-341
| 15-514

CROSS REF.: JIC - Student Conduct

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Equal Educational Opportunities and Anti-Harassment
	DISTRICT CODE: JB

The right of a student to participate fully in classroom instruction shall not be abridged or impaired because of race, color, religion, sex, sexual orientation, age, national origin, and disability, or any other reason not related to the student’s individual capabilities.

The right of students to participate in extracurricular activities shall be dependent only upon their maintaining the minimum academic and behavioral standards established by the Board, and their individual ability in the extracurricular activity.

Adopted: October 5, 2004
 Revision: July 28, 2009
 Revision: August 23, 2011


Legal Ref:

20 U.S.C. 1400, Individuals with Disabilities Education Act
 20 U.S.C. 1681, Education Amendments of 1972, Title IX, (P.L. 92-318)
 20 U.S.C. 1703, Equal Educational Opportunities Act
 29 U.S.C. 794, Rehabilitation Act of 1973, Section 504
 42 U.S.C. 2000, Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII
 42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001
 Arizona Constitution, Art. XI, Sec. 6

Cross Ref:

AC – Nondiscrimination
 ACA – Sexual Harassment
 GBA – Equal Employment Opportunity
 GCQF – Discipline, Suspension, and Dismissal of Professional Staff Members
 GDQD – Discipline, Suspension, and Dismissal of Support Staff Members
 IHBA – Special Educational Programs and Accommodations for Disabled Students
 JII – Student Concerns, Complaints and Grievances
 JK – Student Discipline
 JKD – Student Suspension
 KED – Public Concern/Complaints about Facilities or Services

Replaces TUSD Policy # JFCL – Anti-Harassment - Student

 Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Student Interviews, Searches and Arrests
	POLICY CODE: JIH

Interviews

School officials may question students regarding matters incident to school without limitation, while remaining cognizant of the ethical requirements of Governing Board Policy GBEA. The principal is always encouraged to notify parents when their student is interviewed for any purpose by school administration; parental contact is required if a student interviewed is then subject to discipline for a serious offense. A student may decline at any time to be interviewed by a peace officer.

When child abuse or abandonment of a student is alleged.

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

If a student is taken into temporary custody in accordance with A.R.S. §8-821, the child protective services worker or peace officer may be reminded to notify the student's parent of custody, pursuant to A.R.S. §8-823.

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

*Abuse or abandonment is **not** alleged.*

No issue of student population safety is presented. If a peace officer enters the campus requesting to interview a student attending the school on an issue other than upon request of the school or for abuse or abandonment, the school administrator shall be notified. If the officer directs that parents are not to be contacted because the interview is related to criminal activity of the parent(s)/guardian(s), the school official shall comply with the request. Unless these circumstances exist, the parent will be contacted and will be asked if they wish the student to be interviewed. If the parent consents, the

parent will be requested to be present or to authorize the interview in their absence within the school day of the request. Where an attempt was made and the parent(s) could not be reached or did not consent within the school day of the request, the peace officer will then be requested to contact the parent(s) and make arrangements to question the student at another time and place.

Safety of the student population is of concern. When a peace officer is present on the campus to interview students at the request of school authorities due to concerns for the safety of the students in the school population, parent contact shall only be made if a student is taken into custody or following the determination that the student may be subject to discipline for a serious offense. The peace officer present at the request of the school for the continued maintenance of safety and order may interview students as necessary regarding school related issues as determined by school officials, and parents will be contacted if the student is to be taken into custody or if the student is subject to discipline for a serious offense.

Searches

School administrators have the right to search and seize property, including school property temporarily assigned to students, when there is reason to believe that some material or matter detrimental to health, safety, and welfare of the student(s) exists. Removal of a student's clothing (i.e., shoes, socks, pants, jackets, etc.) is overly intrusive for purposes of most student searches and is improper absent an emergency justifying the intrusion, as determined after consultation with law enforcement personnel and/or the Superintendent.

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

Arrest

When a peace officer enters a campus providing a warrant or subpoena or expressing intent to take a student into custody, the office staff shall request the peace officer establish proper identification, complete, and sign a form for signature of an arresting officer or interviewing officer. The school staff shall cooperate with the officer in locating the child within the school. School officials may respond to parental inquiries about the arrest or may, if necessary, explain the relinquishment of custody by the school and the location of the student, if known, upon contact by the parent.

Adopted: November 21, 1995
Revision: September 9, 2008 (numeric to letter format only)
Revision: August 23, 2011

LEGAL REF.:

A.R.S. §§8-302, 8-303, 8-304, 8-821, 8-823, 13-3881, 13-3883, 15-342

A.G.O. I04-033, I91-035, I88-062, I82-094, I77-211

CROSS REF

GBEA – Staff Ethics

Replaces TUSD Policy # 5063



GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)

Together, students, parents¹, 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. (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. (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. Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en 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.

¹ “Parents” as used throughout this document refers to parents and/or legal guardians

TABLE OF CONTENTS:

QUICK GUIDE TO OFFENSES..... 4

SECTION A: PURPOSE 5

 1. What Are The “Guidelines For Student Rights And Responsibilities” And
 And Why Are They Needed?..... 5

 2. When Do These Guidelines Apply? 6

SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES 7

 1. Students Have A Right To 7-8

 2. Students Have A Responsibility To..... 8

 3. Parents And Guardians Have A Right To..... 9

 4. Parents And Guardians Have A Responsibility To..... 9

SECTION C: GENERAL INFORMATION 10

 1. Equal Education Opportunities & Anti-Harassment Policy
 (Policy JB) 10

 2. Governing Board Position On Gang Behavior And Activity 10

 3. Student Attendance (Policy JE) 10

 4. Dating Abuse (Policy JICL) 10

 5. Bullying, Intimidation & Harassment (Policy JICK) 11

 6. School Dress Code (Required At Every School)
 (Policy JICA) 11

 7. Bus Rules 12

 8. Student Use Of Cell Phones And Other Electronic Devices (Policy JICJ) 12

 9. Hazing (Policy JICFA) 13

 10. Restorative Practices 14

SECTION D: KNOW THE ACTIONS 15

 1. Conduct Which Must Be Reported To Law Enforcement 15

 2. Conduct Which May Be Reported To Law Enforcement 15

 3. Due Process 16

 4. Due Process For Students With 504 Plans or IEP’s 16

 5. Out Of School Suspensions 17

 6. Abeyance Contracts 18

 7. Positive Behavior Intervention Support (PBIS)..... 18

 8. Restorative Circles; Restorative Conferences 18

 9. Appeals 18

 10. Expulsion 19

 11. Principal Application for Waiver Of Mandatory Disciplinary Actions..... 19

TABLE OF CONTENTS (CONTINUED):

ACTION LEVELS (Levels 1-5)	20
• Important Information.....	21
• Aggression	22
• Alcohol, Tobacco and Other Drugs Violations.....	23-24
• Arson	24
• Attendance Policy Violations (Out of School Suspension Not Permitted)	24
• Dishonesty.....	25
• Harassment and Threat, Intimidation.....	25
• Homicide; Kidnapping.....	26
• Other Violations of School Policies.....	26
• School Threat or Interference	27
• Sexual Offenses	27
• Technology, Improper Use Of	28
• Theft	28-29
• Trespassing; Vandalism or Criminal Damage	29
• Weapons and Dangerous Items (Possession Of)	29-30
 INDEX	 31-32
 ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS (FERPA)	 33
 ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA).....	 34

QUICK-GUIDE TO OFFENSES

CATEGORY	VIOLATION
AGGRESSION (Page 22)	Verbal Provocation, Recklessness, Minor Aggressive Act, Other Aggression, Disorderly Conduct, Endangerment, Fighting, Assault, Aggravated Assault
ALCOHOL, TOBACCO AND OTHER DRUGS (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 (Page 24)	Arson of a Structure or Property, Arson of an Occupied Structure
ATTENDANCE POLICY VIOLATION (Page 24-25)	Other Attendance Violations, Tardy, Unexcused Absence, Leaving School Grounds without Permission, Truancy
DISHONESTY (Page 25)	Cheating, Forgery, Lying, Plagiarism
HARASSMENT AND THREAT, INTIMIDATION (Page 25)	Threat or Intimidation, Bullying, Harassment (nonsexual), Hazing
HOMICIDE, KIDNAPPING (Page 26)	Homicide, Kidnapping
OTHER VIOLATIONS OF SCHOOL POLICIES (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 (Page 27)	Fire Alarm Misuse, Other School Threat, Bomb Threat, Chemical or Biological Threat
SEXUAL OFFENSES (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 (Page 28)	Telecommunication Device, Other Technology, Computer, Network Violation
THEFT (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 (Page 29)	Trespassing, Graffiti or Tagging, Vandalism of Personal Property, Vandalism of School Property
WEAPONS AND DANGEROUS ITEMS; POSSESSION OF (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 practicable. For all but the most severe offenses (Levels 4 and 5 in the "Action Levels" section of this document below), exclusionary consequences ("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 or escalating, and (c) 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 a disability under either Section 504 or IDEA or if the student is suspected of having a disability and 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

- 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.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 225-6686, or online at 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 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 (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 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. Express appropriately their ideas and perspectives on issues and topics relevant to their child's education, including school policies and procedures.
- q. 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 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 of discriminatory or other harassment, formal or informal, verbal or written, and to 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.

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 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: These dress 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 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 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 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. 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 11th 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 the use or possession of drugs, weapons, or serious bodily injury. Refer to the Exceptional Education Handbook for specific procedures.

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 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.

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.

9. 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)

10. 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.

11. 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.

ACTION LEVELS

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.

LEVEL 1	<ul style="list-style-type: none"> ○ Parent Notification and Conference Request ○ Student Conference ○ Restorative Circle ○ Restorative Conference ○ Confiscation of Contraband ○ Student Verbal Apology ○ Student Written Apology ○ Warning ○ Referred to Outside Agency 	<ul style="list-style-type: none"> ○ Detention (before or after school) ○ Peer Mediation ○ Privileges Suspended ○ Restitution ○ Saturday School ○ Teen Court ○ Functional Behavioral Assessment ○ Behavior Learning Packets ○ Time Out ○ Reflective Essay ○ Meeting With School Counselor ○ Community Service (not work detail) 	<ul style="list-style-type: none"> ○ Reassignment To Different Class ○ Behavior Contract ○ Behavior Intervention Group ○ Threat Assessment ○ Behavior Intervention Plan ○ Lunch Detention ○ Monitoring of Selected Problem Behaviors ○ Other Action (consistent with other Level 1 interventions that are approved by the RPPSC).
LEVEL 2	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> ○ Restorative Conference and/or Restorative Circle ○ Social Skills Groups and/or Mentoring ○ In School Suspension (1-3 days) only after Restorative Practices have been implemented and documented but deemed ineffective 		
LEVEL 3	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> ○ Short-Term In School Action and/or Abeyance ○ Restorative Conference and/or Restorative Circle ○ In School Suspension – Short-Term (1-10 Days) ○ Out Of School Suspension and/or Abeyance – Short-Term (1-10 Days) *OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17 ○ Department of School Safety may be contacted in Appropriate Circumstances 		
LEVEL 4	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> ○ Out of School Suspension and/or Abeyance – Long-Term (11-30 Days) *OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17 ○ Restorative Conference and/or Restorative Circle (upon re-entry to school) ○ Removal By Hearing Officer For Likely Injury To Self Or Others ○ Removal By Student’s IEP Team To An Interim Alternative Education Setting 		
LEVEL 5	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> ○ Out of School Suspension and/or Abeyance – Long-Term (11-180 Days) *OUT-OF-SCHOOL SUSPENSIONS ARE SUBJECT TO LIMITATIONS DESCRIBED ON PG 17 ○ Restorative Conference and/or Restorative Circle (upon re-entry to school) ○ Expulsion 		

IMPORTANT INFORMATION

- 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.
- A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation.
- 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.
- Administrators may apply an action that is one level higher than that listed, but only after 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.
- 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.
- 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.
- When determining the appropriate level of action to take, administrators may consider a student’s claim of self defense, defense of others or defense of property.
- When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5th 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.
- Administrators may not withdraw a student’s open enrollment or magnet status during the school year as a consequence for a discipline violation.
- Students will not receive any suspension for attendance violations.
- 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.

The Arizona Department of Education has identified the following violations:

AGGRESSION	
<i>Violation</i>	<i>Action Level</i>
<p>Verbal Provocation</p> <p>Use of language or gestures that may incite another person or other people to fight.</p>	1
<p>Recklessness</p> <p>Unintentional, careless behavior that may pose a safety or health risk for yourself or for others.</p>	1
<p>Minor Aggressive Act</p> <p>Student engages in non-serious but inappropriate physical contact.</p> <p>Examples: hitting, poking, pulling, tripping, or pushing.</p>	2
<p>Other Aggression</p> <p>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact.</p> <p>Examples: hitting, poking, pulling, tripping, or pushing that may result in serious injury</p>	3
<p>Disorderly Conduct</p> <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"> Engages in violent or seriously disruptive behavior. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession. Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904) Recording/distributing fights on any social media outlet. <p>*see pg. 6 “portal-to-portal”</p>	3
<p>Endangerment</p> <p>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)</p>	3
<p>Fighting</p> <p>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</p>	3
<p>Assault</p> <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)</p> <p>Examples: Restraining, barricading (e.g. blocking a door so another student cannot get out of a room).</p> <p>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.</p>	4
<p>Aggravated Assault</p> <p>A person commits aggravated assault if the person:</p> <ol style="list-style-type: none"> Causes serious physical injury to another. Uses a deadly weapon or dangerous instrument. 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. Commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired. Commits assault and the person is in violation of an order of protection. 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) 	5 Mandatory report to law enforcement

ALCOHOL, TOBACCO AND OTHER DRUG VIOLATIONS		
<i>Definitions</i>		
Drug Violation: 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.		
Possession: knowing exercise of dominion or control over an item.		Use: the act of using or being under the influence.
Sale: to transfer or exchange an item to another person for anything of value or advantage, present or prospective.		
Share: to allow another person to use or enjoy something that one possesses.		
<i>Violation</i>		<i>Action Level</i>
Over the Counter Drugs, Inappropriate use of 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
Inhalants 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
Unknown Drug (if a drug is identified, after an investigation, a different violation may be identified)		
	Possession	4
	Use	4
	Sale	5
	Share	5
Substance Represented as an Illicit Drug 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
Prescription Drugs, Inappropriate use of Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.		Mandatory report to law enforcement
	Possession	4
	Use	4
	Sale	5
	Share	5
Illicit Drug 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.		Mandatory report to law enforcement
	Possession	4
	Use	4
	Sale	5
	Share	5
Alcohol Violation 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

Tobacco Violation		
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).		
	Possession	2
	Use	2
	Sale	3
	Share	3
Possession of Drug Paraphernalia		
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)		
	Possession	2
	Use	2
	Sale	3
	Share	3

ARSON	
<i>Definitions</i>	
Structure: a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage	
Occupied structure: 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.	
Property: anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).	
Damage: as used here, means a tangible or visible impairment to a surface.	
Reckless Burning: 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>
Arson of a Structure or Property 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) <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>	4
Arson of an Occupied Structure 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) <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>	5 Mandatory report to law enforcement and Fire Dept.
ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)	
<i>Violation</i>	<i>Action Level</i>
Other Attendance Violations Examples: 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.	1
Tardy Arriving at school or class after the scheduled start time.	1
Unexcused Absence When a student is not in attendance for an entire day and does not have an acceptable excuse.	1
Leaving School Grounds without Permission Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.	1
Truancy When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.	1

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

HARASSMENT AND THREAT, INTIMIDATION	
<i>Violation</i>	<i>Action Level</i>
<p>Threat or Intimidation</p> <p>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>	3
<p>Bullying</p> <p>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>	3
<p>Harassment, nonsexual</p> <p>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"> 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. 2. Repeatedly commits an act or acts that harass another person. 3. Surveils or causes another person to surveil a person for no legitimate purpose. 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) 5. Stalking-Following another person in or about a public place for no legitimate purpose after being asked to desist. <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
<p>Hazing</p> <p>"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:</p> <ol style="list-style-type: none"> 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.) 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) <p>*Administrators <u>may</u> 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>	3

HOMICIDE; KIDNAPPING	
<i>Violation</i>	<i>Action Level</i>
Homicide 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)	5 Mandatory report to law enforcement
Kidnapping 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)	5 Mandatory report to law enforcement

OTHER VIOLATIONS OF SCHOOL POLICIES	
<i>Violation</i>	<i>Action Level</i>
Dress Code Violation Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.	1
Parking Lot Violation 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.	1
Public Display of Affection Inappropriate displays of affection (i.e. kissing)	1
Other Violation of School Policies and Regulations Other violations of written school, or district-wide, policy or regulation.	1
Contraband Items stated in school policy as prohibited because they may disrupt the learning environment.	2
Combustible Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)	2
Disruption 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.	2
Gambling To play games of chance for money or to bet a sum of money.	2
Language, Inappropriate Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way.	2
Defiance or Disrespect Towards Authority and Non Compliance Student engages in refusal to follow directions, talks back, or delivers socially rude interactions.	2
Negative Group Affiliation / Illegal Organization 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.	3

SCHOOL THREAT OR INTERFERENCE	
<i>Definitions</i>	
Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:	
<ol style="list-style-type: none"> 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. 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. 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. 4. Refusing to obey a lawful order to leave the property of an educational institution. 	
<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>	
<i>Violation</i>	<i>Action Level</i>
Fire Alarm Misuse Intentionally ringing fire alarm when there is no fire.	4
Other School Threat An incident, not coded in the School Threat category, which involves threatening an educational institution.	5 Expulsion required by law
Bomb Threat Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.	5 Expulsion required by law
Chemical or Biological Threat Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.	5 Expulsion required by law
SEXUAL OFFENSES	
<i>Violation</i>	<i>Action Level</i>
Harassment, Sexual 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.	3
Pornography Pornography is the sexually explicit and obscene depiction of persons, in words or images. Examples: 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.	3
Harassment, Sexual with contact Sexual harassment that includes physical contact.	4
Indecent Exposure or Public Sexual Indecency A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts. Examples: public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse, or oral sex.	4
Sexual Assault or Rape A violation of A.R.S. § 13-1406 Sexual assault	5 Mandatory report to law enforcement
Sexual Abuse or Sexual Conduct with minor, or Child Molestation A violation of A.R.S. § 13-1404 Sexual abuse, § 13-1405 Sexual conduct with a minor, or § 13-1410 Child Molestation.	5 Mandatory report to law enforcement

TECHNOLOGY, IMPROPER USE OF	
<i>Violation</i>	<i>Action Level</i>
Telecommunication Device Examples: use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose	2
Other Technology Examples: Gaming systems, iPods, iPads, Tablets, tec.	2
Computer Examples: 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.	3
Network Violation Examples: 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.	3

THEFT	
<i>Violation</i>	<i>Action Level</i>
Petty Theft Thefts for cash, or property, valued under \$100.	2
Theft – School Property or Non-School Property A person commits theft if, without lawful authority, the person knowingly: b. Controls property of another with the intent to deprive the other person of such property; or 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 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 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 f. Controls property of another knowing or having reason to know that the property was stolen; or 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)	3
Burglary or Breaking and Entering 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)	4
Extortion 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: 1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument. 2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection. 3. Cause damage to property. 4. Engage in other conduct constituting an offense. 5. Accuse anyone of a crime or bring criminal charges against anyone. 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. 7. Take or withhold action as a public servant or cause a public servant to take or withhold action. 8. Cause anyone to part with any property. (see A.R.S. § 13-1804)	4

<p>Robbery</p> <p>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>4</p>
<p>Armed Robbery</p> <p>A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice;</p> <ol style="list-style-type: none"> 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>5</p> <p>Mandatory report to law enforcement</p>
<p>Burglary (First Degree)</p> <p>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. §13-1506-07) 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>5</p> <p>Mandatory report to law enforcement</p>
TRESPASSING; VANDALISM OR CRIMINAL DAMAGE	
<i>Definitions</i>	
<p>Criminal damage: 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>Examples: 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>Trespassing</p> <p>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>2</p>
<p>Graffiti or Tagging</p> <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.</p>	<p>2</p>
<p>Vandalism of Personal property</p> <p>Willful destruction or defacement of personal property.</p>	<p>3</p>
<p>Vandalism of School Property</p> <p>Willful destruction or defacement of school property.</p> <p>Examples: Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles.</p>	<p>3</p>

WEAPONS AND DANGEROUS ITEMS (POSSESSION OF)	
<i>Violation</i>	<i>Action Level</i>
<p>Dangerous Items</p> <p>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>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.</p>	<p>3</p>

<p>Other Weapons</p> <p>Examples: Billy club, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus.</p> <p>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.</p>	<p>4</p>
<p>Simulated Firearm</p> <p>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>If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.</p>	<p>3</p>
<p>Firearms</p> <p>Firearm 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>Other Firearms – As defined for the Gun-Free Schools Act (GFSA) – includes - 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>5</p> <p>Expulsion required by law</p> <p>Mandatory report to law enforcement</p>

INDEX

Abeyance Contracts, 18
 Action Levels, 20
 Administering of Guidelines, 15
 Aggravated Assault, 22
 Aggression, 22
 Alcohol Violation, 23-24
 Alcohol, Tobacco and other Drugs, 23-24
 Anti-Harassment Policy, 10
 Appeals, 18
 Armed Robbery, 29
 Arson of a Structure or Property, 24
 Arson of an Occupied Structure, 24
 Arson, 24
 Assault, 22
 Attendance Policy, 10
 Attendance Violation, 24
 Bomb Threat, 27
 Bullying, 25
 Bullying, Intimidation & Harassment, 11, 25
 Burglary (First Degree), 29
 Burglary or Breaking & Entering, 28
 Bus Rules, 12
 Cell Phones, 12
 Cheating, 25
 Chemical or Biological Threat, 27
 Combustible, 26
 Computer, 28
 Conduct Which May be Reported, 15
 Conduct Which Must be Reported, 15
 Contraband, 26
 Dangerous Items, 29
 Dating Abuse, 10
 Defiance or Disrespect, 26
 Dishonesty, 25
 Disorderly Conduct, 22
 Disruption, 26
 Dress Code Violation, 26
 Due Process for Students with 504 or IEP, 16
 Due Process for Students, 16
 Endangerment, 22
 Expulsions, 19
 Extortion, 28
 Fighting, 22
 Fire Alarm Misuse, 27
 Firearms, 30
 Forgery, 25
 Gambling, 26
 Gang Activity, 10
 General Information, 10-14
 Governing Board Position on Gang Activity, 10
 Graffiti or tagging, 29
 Harassment and Threat, Intimidation, 25
 Harassment, Sexual, 27
 Harassment, Threats and Intimidation, 25
 Hazing, 13, 25
 Homicide, 26
 Illicit Drugs, 23
 Important Information, 21
 Indecent Exposure/Public Sexual Indecency, 27
 Inhalants, 23
 Kidnapping, 26
 Language, Inappropriate, 26
 Law Enforcement, Reports to, 15
 Leaving School Grounds, 24
 Long-Term Suspension, 17
 Lying, 25
 Minor Aggressive Act, 22
 Negative Group Affiliation, 26
 Network Violation, 28
 Other Aggression, 22
 Other Attendance Violations, 24
 Other School Threat, 27
 Other Technology, 28
 Other Violation of Policies, 26
 Other Violations of School Policies, 26
 Other Weapons, 30
 Out of School Suspensions, 17
 Over the Counter Drugs, 23
 Parents/Guardians Have a Responsibility to, 9
 Parents/Guardians Have a Right to, 9
 Parking Lot Violation, 26
 Petty Theft, 28
 Plagiarism, 25
 Pornography, 27
 Positive Behavior Interventions and Supports, 14
 Possession of Drug Paraphernalia, 24
 Prescription Drugs, 23

Principal Application for Waiver, 19
Public Display of Affection, 26
Purpose, 5
Recklessness, 22
Restorative Practices, 14
Rights & Responsibilities, 7-9
Robbery, 29
School Dress Code, 11
School Threat or Interference, 27
Sexual Abuse or Contact with a Minor, 27
Sexual Assault or Rape, 27
Sexual Harassment, 27
Sexual Harassment with Contact, 27
Sexual Offenses, 27
Short-Term Suspension, 17
Simulated Firearms, 30
Student Attendance, 10
Students Have a Responsibility to, 8
Students Have a Right to, 7-8
Substance Represented as an Illicit Drug, 23
Tardy, 24
Technology, Improper Use of, 28
Telecommunication Device, 28
Theft, 28-29
Theft-School/Non-School Property, 28
Threat or Intimidation, 25
Tobacco Violation, 24
Trespassing, 29
Trespassing; Vandalism or Criminal Damage, 29
Truancy, 24
Unexcused Absence, 24
Unknown Drug, 23
Vandalism of Personal Property, 29
Vandalism of School Property, 29
Vandalism, 29
Verbal Provocation, 22
Violations & Actions, 22-30
Weapons & Dangerous Items, 29
What are the Guidelines, 5
When do the Guidelines Apply, 6

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.

 <p>Tucson, Arizona</p> <p>GOVERNING BOARD POLICY</p>	POLICY TITLE: Student Discipline
	POLICY CODE: JK

Student Discipline

A Student Code of Conduct (entitled *Guidelines for Student Rights and Responsibilities*), describing this policy and the disciplinary procedures utilized by the District shall be made available to all students and their parent(s)/guardian(s) as required by A.R.S. §15-843. All disciplinary actions shall be in accordance with these *Guidelines for Student Rights and Responsibilities* which are incorporated herein by reference.

The Guidelines for Student Rights and Responsibilities are in force during regular school hours, while being transported on the school bus, and at times and places where appropriate school administrators have jurisdiction over students, including, but not necessarily limited to school-sponsored events, field trips, athletic functions, going to and from school and other activities. Additionally, the principal is authorized to take administrative action when a student's misconduct away from school has a detrimental effect on the other students or on the orderly educational process.

To ensure fairness, a student whose conduct may warrant discipline, suspension or expulsion will be provided due process as required by law. The Superintendent is responsible for establishing Administrative Regulations that set forth the discipline process including the process for hearing and appealing long-term suspensions or expulsions and for ensuring appropriate staff training on these procedures.

Students with disabilities – Because the Individuals with Disabilities Education Act (IDEA) requires additional procedural safeguards, all district personnel administering discipline to students will always follow discipline procedures for students with disabilities when dealing with a student in the exceptional education programs or Section 504. (See Guidelines for Student Rights and Responsibilities and the Section 504 and Exceptional Education Procedures Manuals.)

The following school officials have the authority to suspend the student from school in order to enforce acceptable standards of conduct. The Superintendent, Assistant Superintendents, Principals, Assistant Principals and Principal Designees are authorized to suspend students.

Pursuant to A.R.S. 15-841, teachers may remove a pupil from the classroom if the teacher has documented that the pupil's behavior is so unruly, disruptive or abusive, that the teacher is

unable to communicate effectively with the other pupils in the classroom or that the other pupils are unable to learn as a result of the pupil's conduct. If the teacher objects to the readmission of the pupil to the classroom, a placement review committee as set forth in Article Fourteen (14) of the Consensus Agreement shall convene to determine whether the pupil's return to that classroom is the best or only practicable alternative.

All suspensions shall be reported within five days to the Governing Board.


Expulsion

Expulsion is the permanent withdrawal of the privilege of attending any school in the district unless the Governing Board reinstates the student's privilege to attend school in the district. Only the Governing Board may expel a student.

Adopted: August 16, 1960
Revised: October 21, 1969
Revised: January 19, 1971
Revised: December 17, 1974
Revised: March 21, 1978
Revised: August 29, 1978
Revised: October 17, 1978
Revised: August 16, 1983
Revised: April 8, 1986
Revised: September 15, 1987
Revised: November 22, 1988
Revised: July 11, 1989
Revised: July 9, 1991
Revised: June 9, 1992
Revised: October 5, 1992
Revised: May 25, 1995
Revised: January 14, 2003
Revised: March 24, 2009 [Effective beginning with disciplinary infractions in the 2009-2010 school year.]
Revised: December 5, 2012 [Cross Reference Correction Only]
Revised: October 14, 2014

LEGAL REF.: A.R.S. §§ 15-341, 15-342, 15-840 – 15-844

CROSS REF: JB – Equal Educational Opportunities and Anti-Harassment
JI – Rights and Responsibilities

 Tucson, Arizona POLICY REGULATION	POLICY TITLE: Student Discipline – Short-Term Suspension
	POLICY CODE: JK-R1

Short-Term Suspension

Definitions

Most terms used in this document are defined in context. Since certain terms are not necessarily contextually defined, they are given immediately below.

“Abeyance Contract” is a contract between the parent, student and the school that sets forth the conditions under which the school agrees to not impose a suspension. If the student violates the agreement, the suspension will automatically be reinstated at that time without further process.

“Violation” is conduct which is prohibited at the District and which is identified as a violation in the “Guidelines for Student Rights and Responsibilities.”

"Parent" refers to a single parent, both parents, or to the person or persons with legal custody of the student.

"School Official" refers to any person granted the power to suspend students by the Governing Board.

“Short-Term Suspension” is the removal of a student from school and school activities for a period of time from a fraction of one (1) day through ten (10) school days' duration.

“Short-Term Pending Long-Term Suspension” is the initial removal of a student from school pending the formal due process proceedings required for long-term suspensions.

Short-Term Suspension Procedures:

1. Required Rudimentary Due Process
 - a. As soon as possible following an alleged violation, the student will be given oral or written notice of the alleged misconduct.

- b. If the student denies the allegation, the school official will explain the evidence of the misconduct to the student.
- c. The school official will give the student the opportunity to present the student's own version of the situation.
- d. The three elements given above constitute the "rudimentary due process" required before any disciplinary action may be taken.
 - i. This due process procedure may be accomplished in a matter of minutes. Its purpose is to ensure that the facts of the situation are as clear as possible to the people concerned before any action is taken.
 - ii. The school official implementing the procedure is a fact finder. That school official must be satisfied that the student in fact did what the student was accused of doing.
 - iii. This due process procedure shall be used in any disciplinary action whether it results in in-class/school discipline or short-term suspension.
 - iv. A student may be immediately removed from school without prior use of the due process procedures described for the above if the student's presence in school poses a continuing clear and present danger to persons or property or an ongoing threat of disrupting the academic process. However, due process will be afforded as soon as possible and prior to the imposition of discipline.
 - v. The due process procedures described above must be provided as soon as practicable following the removal of a student under emergency conditions. Only under emergency conditions, such as, when the student is not available for interview, may due process be provided following the application of discipline.

2. Decision

- a. Following the informal process described above and, if the facts warrant, the student may be suspended from school for a fraction of a day through ten (10) school days.
- b. The effective date of the suspension is the first date student is out of school for half of the day.

- c. If the student must be released during the normal school day, an effort shall be made to contact the parent immediately. If the parent cannot be contacted, the student shall be kept at school until the end of the normal school day.
3. Written Notification: The Suspension Notice (See JK-R1-E1)
 - a. The suspension notice (JK-R1-E1), giving notice of the short-term suspension must be delivered to the student whenever possible. A copy must be mailed to the parent through first class mail no later than the first day of the suspension and the school shall retain a copy in the student's cumulative record folder.
 - b. Meaningful Access: The notice must be written in the home language. If the notice cannot be translated on the first day of suspension, the parent must be informed in their home language by telephone or in person.
 - c. Notification of the short-term suspension must be sent to The Office of Student Equity, within three days of the effective date of the suspension.
4. Parent Conference

If at all possible, a parent conference should be held at the time of the imposition of a short-term suspension.

 - i. The purpose of the parental conference is to reach a satisfactory and workable solution to the problem the student is experiencing.
 - ii. As a result of this conference, the school official may opt to offer the student and parent the opportunity to have the suspension held in abeyance through the use of an abeyance contract. (See Policy Regulation JK-R4)
 - iii. A short-term suspension may be shortened as a consequence of a parental conference, but under no circumstances may it exceed ten (10) school days. The short-term suspension imposed may not be lengthened as a means of getting the parent to come to the school.
 - iv. If the student's home language is other than English, an interpreter may be required at this conference.
5. The student is allowed access to class assignments. Homework must be made available for the parent to pick up at the school office. Additional assignments

will be provided only after the student has completed and returned previous assignments.

6. Limitations upon the use of the short-term suspension

- a. Successive short-term suspensions must not be applied to avoid or postpone the formal due process procedures of the long-term suspension.
- b. If it is necessary to remove a student from school for more than ten (10) days because of a given incident or set of circumstances, the procedure for the long-term suspension must be used. See Policy Regulation JK-R2
- c. There is no limitation on the application of successive short-term suspensions for successive, discrete incidents if the circumstances warrant. For example, if a student was suspended for three school days for punching another student, and on the day of his return did it again, a suspension of eight days could be imposed. As long as there is a second informal hearing before the second suspension, this total of eleven days (8 + 3) does not in itself violate the ten-day limit upon a single short-term suspension. The example illustrates an instance of two suspensions for two different violations and the suspensions occurred so close in time.

7. Appeal of a Short-Term Suspension

- a. A student or parent(s)/guardian(s) disagreeing with the decision to suspend may request a review of the school official's decision by the school official's immediate supervisor. Such request shall be made within three school days following the imposition of the suspension. The supervisor shall consider only the following grounds in reviewing the decision:
 - i. alleged denial of a right available to the student that resulted in an unfair hearing
 - ii. new evidence
 - iii. allegation of insufficient evidence
 - iv. allegation of excessive punishment
- b. The supervisory administrator may affirm the decision or reduce the discipline imposed. **The decision of the supervisor, upon review of the decision and the relevant facts available to him or her, is final.**

8. Student's Return to School Following a Short-Term Suspension
 - a. On the day of the student's return to school, an administrator must meet with the student and the student's parent for a re-entry conference.
 - b. The purpose of this conference is to review the expectations for student conduct and to review the supports that will be provided by the school to assist the student in a successful return to school.

**TUCSON UNIFIED SCHOOL DISTRICT
TUCSON, ARIZONA**

Reviewed by Board:	July 11, 1989
Reviewed by Board:	July 9, 1991
Reviewed by Board:	June 9, 1992
Reviewed by Board:	May 25, 1995
Reviewed by Board:	March 24, 2009
Revised:	June 18, 2009 [Added replaced policy only]

LEGAL REF.: A.R.S. § 15-341
A.R.S. §§15-840 – 15-844

CROSS REF JFCL – Anti-Harassment Policy – Student
JI – Rights and Responsibilities
JICA – Student Dress
JICFA – Hazing
JICG – Tobacco Use by Students
JICH – Drug and Alcohol Use by Students
JICI – Weapons in School
JICJ – Use of Cell Phones and Other Electronic Signaling Devices
JICL – Bully Prohibition and Prevention
JKA – Discipline of, and Alternative Interim Placements for Special Education Students
JKAA – Discipline, Suspension, Expulsion for 504 Handicapped Students

Replaces TUSD Policy # 5060



TUCSON UNIFIED SCHOOL DISTRICT

School Name
School Address
City, State, Zip
Phone Numbers

Notice of Short-Term Suspension

Date

Incident #: #

Parent/Legal Guardian Name

Re: Student Name, Matric: #

Parent/Legal Guardian Address

Grade: #, Gender: M/F, Ethn: Code,

Tucson, Arizona 857 last 2 numbers of zip

Ex Ed: Y/N 504: Y/N

Dear Parent/Legal Guardian Name:

Student Name has been suspended from school for # days beginning Date and ending Date for conduct in violation of the TUSD Guidelines for Student Rights and Responsibilities as follows:

Violation(s): Violation Names

Date of Incident: Date

Description of Student Name Conduct in Violation of the Guidelines: Description of Suspended Student's Conduct in Incident

The above named student may not visit any District school or site during the term of suspension without prior consent from the suspending administrator.

Homework has been requested and may be picked up in the School Office. Additional homework packets will not be provided until the initial packet(s) has been returned for grading. Students on suspension who complete such assignments will be allowed a reasonable time to make up tests upon returning to school.

If you disagree with the decision to suspend, please see JK-R1 Short-Term Suspension (attached), for an explanation of how to request a review.

Sincerely,

Suspending Administrator Name

District Administrator

Copies to: Student Equity Student Cumulative File Principal



Policy # JK-R1-E2

TUCSON UNIFIED SCHOOL DISTRICT

School Name
School Address
City, State, Zip
Phone Numbers

Notice of Short-Term Suspension and Notice of Long-Term Suspension Hearing Date

Date

Incident #: #

Parent/Legal Guardian Name

Re: Student Name, Matric: #

Parent/Legal Guardian Address

Grade: #, Gender: M/F, Ethn: Code,

Tucson, Arizona 857 last 2 numbers of zipcode

Ex Ed: Y/N, 504: Y/N, Manifestation Date: Date

Dear Parent Name:

Student Name has been suspended from school for # days beginning Date and ending Date for conduct in violation of the TUSD *Guidelines for Student Rights and Responsibilities* as follows:

Violation(s): Violation Names

Date of Incident: Date

Description of Student Name Conduct in Violation of the Guidelines: Description of Suspended Student's Conduct in Incident

Due to the nature of the student's alleged conduct, additional disciplinary action may be appropriate. The discipline may result in a long-term suspension of up to one hundred eighty (180) days, with a possible recommendation for expulsion. **A long-term suspension disciplinary hearing will be held on Day of Week, Date of LT Hearing, at Time of Hearing in the Principal's Office.** This process will be conducted in accordance with Administrative Regulations JK-R1 and JK-R2, (Short and Long-Term Suspensions), which are enclosed for your review.

If your home language is other than English, and you wish to have the services of an interpreter at the long-term suspension disciplinary hearing, please call the school office at, Office Phone Number, to make these arrangements.

Student Name may not visit any District school or site during the term of suspension, except for the aforementioned long-term suspension hearing (see above). If it is necessary for the student to visit this school, you must make prior arrangements with me.

Homework has been requested for the student and must be picked up from the School Office. Please be advised that teachers will not prepare additional homework packets until the initial packet has been returned. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to make up tests upon returning to school.

Sincerely,


Suspending Administrator Name

District Administrator

Copies to: Student Equity

Principal

Student Cumulative File

 <p>1 Tucson, Arizona POLICY REGULATION</p>	POLICY TITLE: Long-Term Suspension
	POLICY CODE: JK-R2

Long-Term Suspension

A Long-Term Suspension is the temporary withdrawal of the privilege of attending a school by a student for a period of time not less than eleven (11) and not more than one hundred eighty (180) consecutive school days. *Long-Term Suspensions of more than forty-five (45) days shall not be imposed except for violations assigned to Level 5.*

Short-Term Suspension Pending a Long-Term Suspension

If a school official is considering a long-term suspension, the school official shall initially impose a “short-term pending long-term suspension” (See Governing Board Policy Regulation JK-R1 and Exhibit JK-R1-E2)

Due Process Required for Long-Term Suspension

More formal process is required for suspensions longer than 10 school days. The elements of due process listed below must be made available for all long-term suspensions. Once fully apprised that these procedural elements are available, the parent and student may avail themselves of all of them, or they may knowingly, intelligently, and voluntarily waive them in whole or in part. School officials, and particularly those involved in the matter at hand, may not give any legal advice whatsoever (even if specifically requested to do so) to the parent or student regarding the exercising of these rights.

The procedural due process rights available throughout the process to all students who may be subject to a long-term suspension are listed below. The student is entitled to:

1. The right to representation by the parent, legal counsel, or some other adult representative authorized in writing by the parent
2. The right of the parent to be present at all proceedings
3. The right of the student, parent, or representative to reasonable access to non-privileged evidence and the student's records. (This right may be exercised at any reasonable time during regular school hours after first making arrangements with the principal or designee)

4. The right to be free from any requirements to present evidence against himself or herself
5. The right to present favorable evidence and witnesses
6. The right to question adverse evidence and witnesses presented at the proceeding
7. The right to have the testimony presented preserved at the student's own expense
8. The right to have an interpreter present, if one is necessary

Written Notification

After an initial investigation, the school official may decide that a long-term suspension is appropriate. If so, the school official making that decision will then send written notice by first class mail or hand delivered to the student and/or to the parent. (See Exhibit JK-R2-E2) A copy of JK-R2 Long-Term Suspension shall be enclosed with the written notice of suspension. As with all documents pertinent to this process, a copy of this notice will be retained in the student's cumulative record file.

1. The notice must be sent no later than three (3) school days following the imposition of a short-term suspension pending long-term suspension.
2. Meaningful Access: The notice must be written in the home language. If translation services are not available, the notice may be given orally through an interpreter. Documentation of the interpretation event must be maintained.
3. On or before the day the notice is delivered or mailed, the principal or designee shall make a reasonable effort to communicate verbally to the parent and the student the information contained in the written notice.
4. The formal Long-Term Suspension Hearing must be held within ten (10) school days of the date the short-term suspension became effective.
 - a. This is to keep the student out of school until it has been finally determined whether or not a long-term suspension will be imposed. A formal hearing is required before this determination can be made.
 - b. The formal Long-Term Suspension Hearing may be held later than ten (10) school days only if the following rescheduling procedures are first followed.

Rescheduling Conferences and Hearings

1. A hearing may be rescheduled by a parent by submitting a written or an oral request showing good cause to a school official. A request must propose a new date and time and must be received at least two (2) school days prior to the date of the hearing as originally scheduled.
2. If the circumstances require the hearing to be rescheduled beyond the ten (10) days for short-term suspension, the student shall be readmitted pending the hearing on the long-term suspension. If a long-term suspension is imposed, the time spent on the applicable short-term suspension shall be included in calculating the 45 day maximum. Failure to appear without previously requesting a continuance and without prior notification shall not constitute good cause.
3. An expulsion hearing should be held within the term of the long-term suspension. Within that limitation, an expulsion hearing may be rescheduled by the student or parent if a request showing good cause is received by the Superintendent or designee at least five (5) school days prior to the date of the hearing as originally scheduled.

The Formal Long-Term Suspension Hearing

1. The hearing will be closed to the public.
2. The suspending administrator shall provide a long-term suspension hearing folder containing all documents related to the case to the school official assigned to hold the hearing, otherwise known as the hearing officer. (Exhibit JK-R2-E3)
3. The hearing officer must be an impartial fact finder. This means the hearing officer was not directly involved in the incident or its investigation and will not be a witness in the formal hearing. Additionally the suspending administrator should not discuss the case with the hearing officer prior to the hearing and should have no discussions with the hearing officer outside the hearing prior to the publication of the hearing officer's decision.
4. The student shall be afforded the due process rights as described above.
5. The hearing officer has the right to insist that all parties conduct themselves appropriately and to enforce this right in any reasonable manner.
6. The Long-Term Suspension Hearing Process
 - a. The hearing officer shall first announce the appearances of all persons present.
 - i. If, on the day and at the time scheduled for hearing, neither the student nor anyone on the student's behalf appears, the school officials shall attempt to contact the parent prior to the start of the hearing. If unsuccessful or if the

parent refuses to attend the hearing, the school official shall review all applicable evidence with respect to the student.

- ii. The fact that neither the student nor anyone on behalf of the student appeared must be recorded in the written findings and recommendations to be compiled following the review.
- iii. Due notification of the decision reached will be provided within the time which would have been required had the conference been held with all parties present. The information contained in this notice is the same as that required in the regular notice.

b. Attorneys at Hearings

- i. No school official may give advice of any sort to anyone on the question of whether or not an attorney should represent the student. As with all other due process rights, no advice with respect to the exercise of this right may be given by school officials, even if such advice is solicited by the student, parent, or both.
 - ii. The school official may always request that the parent or student give notice before the hearing if they intend to be represented by an attorney. But, even if such notice is not given and an attorney appears unannounced, the attorney should never be excluded; nor should the presence of the District's legal counsel be considered an absolute requirement before the hearing can proceed. An attempt to conduct the hearing according to procedure should be made even if the student has an attorney and the District does not.
 - iii. Either before or during the hearing, it may appear to the school official conducting it that there is good cause to secure the presence of the District's lawyer. The hearing may then be adjourned and rescheduled by the school official if good cause develops during the hearing. It is incumbent upon the school official holding the hearing to ensure that the reason for adjournment is understood by those present.
 - iv. Contact the Legal Department to request the presence of the District's legal counsel.
- c. The hearing officer shall then ensure that the parent(s) and student have received notice of the hearing as provided in Board Policy Regulation JK-R2. Defects in notice may be waived by stipulation of both parties. Appearance by the parent(s) and student at the hearing without protest will be deemed a waiver of any defect in notice.

- d. The hearing officer shall then read the violation(s) alleged to have been violated into the record. The hearing officer shall inquire as to whether the student and parent understand the alleged violations.
- e. The hearing officer shall inquire whether the parent and student received a copy of this Regulation JK-R2 and the Guidelines for Student Rights and Responsibilities with their notice. An affirmative response to this question is necessary before the formal hearing may proceed.
- f. The hearing officer is not required to enforce the rules of evidence. However, certain guidelines are appropriate.
 - i. The scope of the formal hearing is to be strictly confined to the charges as they were specified in the written notice except that evidence of repeated violations may be admitted if relevant. However, the student may wish to present evidence of extenuating circumstances. In that case, it is within the discretion of the school official holding the hearing to consider evidence, if offered, to the contrary.
 - ii. When considering statements (oral or written) for or against the student made by persons not present at the hearing, the hearing officer is obliged to consider the reliability of such statements before giving them any weight. An opportunity to rebut such statements is to be given at the hearing.
 - iii. If the student raises the issue of self defense, defense of others or defense of property, the hearing officer shall consider the defense raised and whether the physical force threatened or used by the student was justified as being the action of a reasonable person of similar age and experience under the factual circumstances in evidence.
- g. Presentation of School Case
 - i. An appropriate school official (other than the hearing officer) shall be allowed to submit evidence, present witnesses, and testify against the student.
 - ii. The student, or the student's representative, has the right to question all witnesses.
- h. Presentation of Student's Case
 - i. The student or the student's representative shall be allowed to submit evidence and present witnesses. At the discretion of the hearing officer, if witnesses are providing repetitious testimony, the hearing officer may limit the number of witnesses. The student may testify on the student's own behalf.

- ii. An appropriate school official shall be allowed to question the student and all witnesses, unless, of course, the student chooses not to testify, in which case the student is exempt from questioning.
- i. Findings:
- i. At the conclusion of the formal hearing, or not later than two (2) school days after the hearing, the hearing officer shall make written findings as to whether the student engaged in the conduct alleged in the notice of suspension, and determine within the limits defined in that notice what disciplinary action will be taken.
 - ii. If the decision is to suspend the student for longer than 10 days, within two (2) days of the completion of hearing, the hearing officer shall notify the student and the parent of the findings and of the decision to suspend by hand-delivered or first class mail. (See Exhibit JK-R2-E1)
 - iii. Copies of the letter of suspension must be delivered to the Office of Student Equity within three (3) days of the decision. The Office of Student Equity will report the outcome of the hearing to the Governing Board.
 - iv. *Long-Term Suspensions of more than forty-five (45) days shall not be imposed except for violations assigned to Level 5.* The Office of Student Equity will review all suspensions of more than forty-five days. The long-term suspension will commence immediately while this review is being conducted. The Office of Student Equity may modify such a long-term suspension as he or she may determine in the exercise of discretion. Nothing in this subsection shall eliminate the right of appeal from any determination to impose a long-term suspension.
 - v. If the hearing officer's decision is not to impose a long-term suspension, the student shall be readmitted to the school as soon as possible.
 - a. Verbal and written notification is made to the student and the parent as soon as possible.
 - b. The reasons for readmission are to be made a matter of record.
 - c. The hearing officer's findings must also include notice of the student and parents' right to appeal the Hearing Officer's findings.
- j. Record of the Long-Term Suspension Hearing: All documentary evidence and record of the formal hearing are to be retained by the school as a part of the student's record. The Hearing Officer shall arrange to have a summary record made of the proceedings to include the names of those present, the witnesses, and a brief

summary of the testimony of each. In addition, the school shall arrange to have the hearing recorded.

Long-Term Suspension Appeal

1. The hearing officer imposing the suspension must include in the letter of suspension the name, title, address, and phone number of the representative of The Office of Student Equity to whom an appeal may be directed.
2. The student may appeal a decision imposing a long-term suspension by filing a written appeal with The Office of Student Equity within three (3) school days after the date notice of suspension was given, or within a time limit agreed upon by the student and The Office of Student Equity during the same three (3) school days.
3. The basis for the appeal shall be specified in the written notice of appeal. The basis of appeal is limited to:
 - a. alleged denial of a right available to the student that resulted in an unfair hearing at the formal hearing
 - b. new evidence
 - c. allegation of insufficient evidence
 - d. allegation of excessive punishment

Note that appeals of recommendations for expulsion are not allowed.

4. If such appeal is filed, it shall be reviewed within five (5) school days from the date the appeal is received by the person assigned to review the appeal.
5. Within ten (10) school days of the receipt of the appeal, The Office of Student Equity must notify, in writing, the person filing the appeal of any decision.
 - a. If it is determined that an unfair hearing resulted from a denial of rights, a new long-term suspension hearing shall be ordered.
 - b. If it is determined that the new evidence presented would have substantially affected the results of the conference, a new long-term suspension hearing shall be ordered.
 - c. If it is determined that the evidence against the student was insufficient, the decision to suspend may be reversed and the student immediately reinstated in school (see "Long-Term Suspension"), or the length of the suspension may be reduced.

- d. If The Office of Student Equity decides that the length of the suspension is excessive, the length of the suspension shall be reduced.
- e. If The Office of Student Equity sustains the decision to suspend, notice to that effect must be sent to the student and parent.
- f. The student and parent may appeal the decision of The Office of Student Equity directly to the Governing Board.

Appeal to the Governing Board

- i. If the suspension has been upheld or modified after the initial appeal, the student may further appeal by filing a written notice of appeal to the Governing Board within five days after receiving the decision of the Office of Student Equity.
- ii. If the decision to impose a long-term suspension includes a recommendation to expel, the Board shall hear the appeal of the long-term suspension at the time that the Board makes a determination whether to hold an expulsion hearing in accordance with Board Policy JK.
- iii. The basis of appeal is limited to the grounds considered at the first level of appeal. The Board shall review the written record and the record on appeal and shall hear no new evidence or testimony.
- iv. The Board shall render its decision within ten (10) days after reviewing the record and shall notify the student and parents in writing of its decision. If the Board hears the appeal at the same time as the Board makes a decision whether to hold an expulsion hearing, it shall send notice of its decision on the appeal at the same time that notice of the expulsion hearing is sent to the student and parent(s). The Board may confirm or reverse the decision to suspend or may reduce the discipline imposed.
- v. The decision of the Board is final.

Homework

Homework will be made available by the student's teachers through the end of the grading period. Teachers will only provide new assignment packets if previous packets have been completed and returned. However, because of the difficulty in students keeping up with the class work through homework alone, without the benefit of instruction, following the end of the grading period, students serving long-term suspensions will be supported through a TUSD alternative program such as distance learning.

Re-entry Conference

Upon completion of a long-term suspension and on the day the student returns to school, an administrator must meet with the student and the student's parent to discuss school expectations and the supports that will be in place to assist the student's return to school.

TUCSON UNIFIED SCHOOL DISTRICT TUCSON, ARIZONA

Reviewed by Board:	July 11, 1989
Reviewed by Board:	July 9, 1991
Reviewed by Board:	June 9, 1992
Reviewed by Board:	May 25, 1995
Reviewed by Board:	March 24, 2009
	May 13, 2009 [formatting & clarification statement only]
Reviewed by Board:	June 19, 2009 [Friday Report]
Reviewed by Board:	October 29, 2010 [Friday Report]

LEGAL REF.: A.R.S. §§ 15-341 & 15-342
A.R.S. §§15-840 – 15-844

CROSS REF

- JFCL – Anti-Harassment Policy – Student
- JI – Rights and Responsibilities
- JICA – Student Dress
- JICFA – Hazing
- JICG – Tobacco Use by Students
- JICH – Drug and Alcohol Use by Students
- JICI – Weapons in School
- JICJ – Use of Cell Phones and Other Electronic Signaling Devices
- JICL – Bully Prohibition and Prevention
- JKA – Discipline of, and Alternative Interim Placements for Special Education Students
- JKAA – Discipline, Suspension, Expulsion for 504 Handicapped Students

Replaces TUSD Policy # 5060



Policy # JK-R2-E1

TUCSON UNIFIED SCHOOL DISTRICT

School Name
School Address
City, State, ZipCode
Phone Numbers

Long-Term Hearing Officer Decision and Recommendation

Date

Parent/Legal Guardian Name
Parent/Legal Guardian Address
Tucson, Arizona 857 last 2 numbers of zipcode

Re: Student Name, Matric: #,
Grade: #, Ethn: Incident #

Dear Parent Name:

On Date, a long-term suspension disciplinary hearing was conducted for Student Name. Based on the evidence presented at the hearing, I find that Student Name violated the TUSD Guidelines for Student Rights and Responsibilities as follows:

Violation(s): Violation Names
Date of Incident: Date
Description of Student Conduct in Violation of the Guidelines: Description of Incident

It is my decision that Student Name will be suspended through Date, a total suspension of # school days. Student Name may return to school on Return Date by reporting to Administrator Name for a re-entry conference.

Student Name may not visit any District school or site during the term of suspension unless prior arrangements have been made with the Principal.

Homework has been requested for the student and must be picked up from the School Office. Teachers will not continue to prepare additional homework packets unless initial packets have been completed and returned. If necessary, homework will be provided through the end of the grading period. If the suspension extends into the next grading period, the student will be supported through a TUSD alternative program. Please contact The Office of Student Equity, 225-6686, for assistance with alternative programs. Students on suspension who successfully complete homework assignments shall be allowed a reasonable time to make up tests upon returning to school.

If you wish to appeal this suspension, please do so, in writing, within three (3) school days of receipt of this letter. Please submit your appeal to:

Office of Secondary Leadership
Dr. Abel Morado, Asst. Superintendent
Tucson Unified School District
1010 East Tenth Street
Tucson, Arizona 85719
Telephone Number: (520) 225-6422

Your written appeal must specify the basis for the appeal. The basis of appeal is limited to the following: 1) alleged denial of a right available to the student that resulted in an unfair hearing at the Long-Term Suspension hearing; 2) new evidence; 3) allegation of insufficient evidence; 4) allegation of excessive punishment. Refer to TUSD Administrative Regulation JK R2 for more detailed instructions (copies are available on the TUSD website and from my office).

Sincerely,

Hearing Officer Name

Hearing Officer
Copies to: Student Equity Principal Student Cumulative File
JK-R2-E1 - Long-Term Hearing Officer Decision and Recommendation 3-6-13, 05-04-15 (address correction)

JK-R2-E1



Expulsion Packet Checklist


Instructions: This Checklist should go on the front inside cover of the Expulsion Packet. All the documents on this Checklist must be included in the packet. Please forward the Expulsion Packet to the appropriate Assistant Superintendent within 5 days of the long-term hearing.

- Entire Contents of Long-Term Hearing Folder (Copies not Originals)**
- Long-Term Suspension Hearing Officer Decision & Recommendation Letter**
- Long-Term Suspension Hearing Officer Decision Worksheet**
- Memo from Principal to Superintendent Recommending Expulsion**

Long-Term Hearing Folder Checklist

Instructions: This checklist should go on the front of the packet of materials the Suspending Administrator will give to the Long-Term Suspension Hearing Officer. Make sure that all the documents listed on this Checklist are included in the packet for the Hearing Officer as they will be used during the Long-Term Suspension Hearing. If Expulsion is recommended after the Long-Term Suspension Hearing, this Checklist and all materials contained in the folder shall be included in the Expulsion Packet.

- Notice of Short-Term Suspension and Notice of Long-Term Suspension Hearing Date
- Long-Term Hearing Script
- Chronology (written by Suspending Administrator)
- Exhibits and Witness Statements (with other student names redacted)
- Board Policy JK & Policy Regulation JK-R1 and JK-R2 **OR** Board Policy JKA (for Ex Ed students) or JKAA (for 504 students)
- Student Violations, Suspensions, Arrests from Mojave
- Student Attendance Block printout from Mojave
- Record of Academic, Counseling and other Interventions
- Report Card (Most Recent)
- Transcript
- Progress Reports (Originals completed by Teachers)
- ONLY IF** Ex Ed or 504: Meeting Notice (Invitation to Manifestation Determination) with proof of receipt of Procedural Safeguards
- ONLY IF** Ex Ed or 504: Manifestation Outcome
- Long-Term Hearing Officer Decision Worksheet

	POLICY TITLE: Expulsion
	POLICY CODE: JK-R3

Expulsion

Expulsion is defined as the permanent withdrawal of the privilege of attending any school in the district unless the Governing Board reinstates the privilege.

Recommendation for Expulsion (Exhibit JK-R3-E1)

1. After completion of a formal long-term suspension hearing which results in a decision to suspend, the Principal may submit a recommendation for expulsion to the Superintendent through the appropriate Assistant Superintendent. A copy of the recommendation for expulsion and GB Policy Regulation JK-R3-Expulsion shall be mailed to the parent and/or student within 5 days of the hearing.
 - a. So that the expulsion hearing may be held during the student's suspension, this recommendation must be made promptly.
 - b. The recommendation for expulsion should not be delayed pending the resolution of any appeals of the decision to suspend. The principal may request to withdraw the recommendation to expel at any time and cancel the expulsion process.
 - c. It is conceivable that new evidence introduced during the appeal process or some other unforeseen circumstance may warrant withdrawal of the recommendation. Should this occur, prompt written notice to all concerned parties is necessary. **Withdrawals of expulsion recommendations may not be sought when the prescribed disciplinary action involves the possession of a firearm or destructive device. Under state law, in such a case, only the Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.**
 - d. The principal will prepare an expulsion packet (Exhibit JK-R3-E2) containing the recommendation for expulsion and all pertinent documents and send the packet to the appropriate Assistant Superintendent for review. If the Assistant Superintendent concurs with the recommendation, the expulsion packet will be forwarded to the Superintendent.

2. The Superintendent will review the expulsion packet and recommendation. If the Superintendent concurs with the recommendation for expulsion, the file shall be forwarded to the Governing Board.

Appointment of Hearing Officer

1. The Governing Board shall determine whether a Hearing Officer will be designated to hear the evidence, prepare a record and bring a recommendation to the Board.
 - a. If the Board appoints a Hearing Officer, the Legal Department, on behalf of the Board, will schedule the expulsion so that it may be resolved during the long-term suspension, but not earlier than five (5) working days from the date written notice of the hearing is sent to the student and parent.
 - b. Within the limitations described above, an expulsion hearing may be rescheduled by the student or parent if either submits a written request showing good cause to the Legal Department at least two (2) school days prior to the date of the hearing as originally scheduled.
 - c. The notice of the expulsion hearing shall be translated into the language of the home. The translation will be sent with the notice.
 - d. The notice will be hand-delivered or sent by first class mail. A person hand delivering the notice will obtain a signed receipt for the notice from the person to whom it is delivered, or will certify delivery if the recipient will not sign a receipt. For mailed notices, delivery will be presumed on the third business day after mailing.
 - e. The student, through the parent or properly authorized adult representative, shall have access to all relevant school records, including any and all non-privileged documents, which may be used at the hearing. Records of students other than the student who is the subject of the hearing, information subject to privilege and personnel records or teachers or school staff, are not subject to such access unless otherwise accorded by law. This right may be exercised at any reasonable time during regular school hours after first making arrangements with the building principal or the principal's designee.
 - f. If the language of the home is other than English, the student and parent should be advised that they may request the presence of an interpreter at all conferences and hearings. Thereafter, the need for an interpreter at any subsequent conference or hearing will be assumed and arrangements made accordingly, unless the parent or the student makes a statement to the contrary for the record.

Hearing

1. A designated hearing officer conducting an expulsion hearing shall follow the due process procedures for formal hearings.
2. The hearing officer shall prepare a record of the hearing which shall consist of a recording of the proceedings as well as all written documents submitted to the hearing officer by the school official presenting the school case and the student's representative(s).
3. After hearing the evidence related to the alleged violations of the code of conduct, the hearing officer shall determine whether a violation of the student code of conduct has been committed. The hearing officer will then review the student's overall record, including grades, absences and prior disciplinary record. The parent(s) will be allowed to comment on any aspect of the student's record.
4. Within five (5) working days following the conclusion of the hearing, the hearing officer will notify the school administration and the student and parent(s) of his or her recommendation and the right of the student to appeal the recommendation to the Board. The notice shall be sent by certified mail (return receipt requested) or by hand-delivery to the student and parent.
5. At the same time that the recommendation is sent to the administration, student and parent(s), the hearing officer shall prepare the record, the report and the recommendation which shall be forwarded immediately to the Board for action. The report and recommendation shall include findings of fact related to the alleged code of conduct violation(s), a summary of the student's overall record (grades, absences and disciplinary record) and a recommendation as to whether the student should be expelled. The hearing officer may include in a recommendation for expulsion any recommendations related to readmission and any conditions that the hearing officer feels would be appropriate for the student to meet prior to being considered for readmission.

Governing Board Decision

1. The Board will consider the hearing officer's recommendation and make a determination regarding the expulsion of the student pursuant to Board Policy JK.
 - a. The hearing officer shall be present at the appeal hearing to present his/her report and recommendation to the Board.
 - b. The hearing officer shall also be prepared to present other relevant information for the Board's consideration. Typically, this consists of the record at the initial hearing, and the student's overall record, including grades, absences and disciplinary record.

- c. The parents and student will be notified of the date and time set for the Board's consideration and determination regarding the expulsion of the student and will be permitted to make a statement at that time.

2. Readmission

- a. As part of its decision to expel, the Board may permit the student to apply for readmission through the Office of Student Equity after any period of time it may set.
- b. The Board or designee may establish further conditions within the readmission process with which the student must comply prior to his/her admission to the instructional process.

Reviewed by Board:	July 11, 1989
Reviewed by Board:	July 9, 1991
Reviewed by Board:	June 9, 1992
Reviewed by Board:	May 25, 1995
Reviewed by Board:	March 24, 2009
Reviewed by Board:	June 19, 2009 [Friday Report]

LEGAL REF.: A.R.S. §§ 15-341 & 15-342
A.R.S. §§15-840 – 15-844

CROSS REF JFCL – Anti-Harassment Policy – Student
JI – Rights and Responsibilities
JICA – Student Dress
JICFA – Hazing
JICG – Tobacco Use by Students
JICH – Drug and Alcohol Use by Students
JICI – Weapons in School
JICJ – Use of Cell Phones and Other Electronic Signaling Devices
JICL – Bully Prohibition and Prevention
JKA – Discipline of, and Alternative Interim Placements for Special Education Students
JKAA – Discipline, Suspension, Expulsion for 504 Handicapped Students

Replaces TUSD Policy # 5060



TUCSON UNIFIED SCHOOL DISTRICT

School Name
School Address
City, State, Zip
Phone Numbers

**Memorandum
Recommendation for Expulsion**

Date: Date

To: **The Superintendent**

From: Principal Name, Principal

Re: Student Name, Matric #, Grade

As a result of a long-term suspension hearing held on Date, the Hearing Officer determined the above named student violated the *Guidelines for Student Rights and Responsibilities* as follows:


Violation(s): Violation Names

Date of Incident: Date

Description of Student Conduct in Violation of the Guidelines: Description of Incident

The Hearing Officer extended the initial suspension which began on Date through End Date of Long-term Suspension for a total suspension of # of Days school days. I recommend that an expulsion hearing be held for this student.

Copies to: Parent/Legal Guardian

 Tucson, Arizona POLICY REGULATION	POLICY TITLE: Student Discipline - Suspension Abeyance Contract
	CODE: JK-R4

Suspension Abeyance Contract

An Administrator may offer to hold a suspension in abeyance, that is, to not immediately impose a suspension for certain offenses, if (1) the administrator believes it is in the best interests of the student and the school community, (2) the student and parent/legal guardian agree to certain conditions, and (3) the student and parents sign an abeyance contract. (See Exhibit JK-R4-E1-2)

Abeyance Contract

1. An abeyance contract sets forth the conditions under which the school agrees to not impose a suspension. If the student violates the agreement, the suspension will automatically be reinstated at that time without further process. (See Exhibit JK-R4-E4) Abeyance contracts may not exceed 90 school days. Administrators may seek additional days through written confirmation from the appropriate Assistant Superintendent. Said additional days may not extend the contract beyond the last day of the quarter within which the 90th day falls.
2. The abeyance contract template (See Exhibit JK-R4-E1-2) may not be modified except to insert one or more of the optional conditions. (See Exhibit JK-R4-E3) If the school administration would like to include a requirement not listed as one of the optional conditions, the administrator must obtain approval from the Legal Department for that modification.

Student Eligibility Requirements:

1. Student must acknowledge he/she violated the *Guidelines for Student Rights and Responsibilities* and parent/legal guardian and, if applicable, student must agree to waive the student's right to a long-term suspension hearing and any subsequent appeals;

OR

Student has been found to be in violation of the *Guidelines for Students Rights and Responsibilities* at a long-term hearing and the parent/legal guardian agrees to waive the student's right to any subsequent appeals.

2. The student's current violation did not occur while another suspension was being held in abeyance through another abeyance contract.
3. Student and parent/legal guardian must sign an abeyance contract.

Violation Eligibility Requirements:

An abeyance contract is NOT available for possession of a firearm or destructive device as defined in the *Student Rights and Responsibilities*.

Administrative Considerations:

The suspending administrator must weigh the severity of the offense, the student's prior disciplinary record, the parental/community support in place for the student and the impact of the offense on the school community when determining whether to offer an abeyance contract to the student and parent/legal guardian.

Reviewed: March 24, 2009

Reviewed: September 24, 2010 [Friday Report] – Cross Ref Policy Correction 10-12-10

Cross Ref: JB – Equal Educational Opportunities and Anti-Harassment Policy
JI – Rights and Responsibilities
JICA – Student Dress
JICFA – Hazing
JICG – Tobacco Use by Students
JICH – Drug and Alcohol Use by Students
JICI – Weapons in School
JICJ – Use of Cell Phones and Other Electronic Signaling Devices
JICL – Bully Prohibition and Prevention
JKA – Discipline of, and Alternative Interim Placements for Special Education Students
JKAA – Discipline, Suspension, Expulsion for 504 Handicapped Students

Replaces TUSD Policy #



Tucson Unified School District

School Name
School Address
School Phone Number

ABEYANCE CONTRACT FOR A SHORT-TERM SUSPENSION

Parent/Legal Guardian Name

Address

Tucson, Arizona 857 Last 2 #'s

Re: Student Name **Matric#:** # **Grade:** # **Ethnic Code:** #
Gender: M/F **Ex Ed:** Y/N **504:** Y/N **Date of Incident:** Date

Recitals:

1. Student Name acknowledges violating the Guidelines For Student Rights & Responsibilities as follows: Violation Name(s). The student Brief Description of Student Behavior from Comment Section.
2. The consequence of this violation includes a short-term suspension (a suspension that is less than eleven (11) days).
3. The school administration intends to impose a suspension for # Days days, beginning on Suspension Start Date and ending on Abeyance Contract End Date.
4. Optional: [Delete this section if there are no optional recitations].
[Parents/Legal Guardians] intend to obtain counseling for [student].
[Parents/Legal Guardians] intend to complete regular drug testing.]

Terms and Conditions:

1. **The student and Parent/Legal Guardian agree to waive any appeal of the suspension.**
2. The student will serve # Days Suspension days of suspension and may return to school on Return Date from Suspension. The school agrees to hold # Days days of suspension in abeyance.
3. The student agrees to obey all school rules and to attend every class, every day unless excused by a parent/legal guardian.

- 4. If the student has any further violation of the Guidelines For Student Rights & Responsibilities, any remaining suspension days will automatically be imposed in addition to any consequences for the current violation.
 - 5. Optional requirements from Optional Conditions Sheet may be entered here. If no optional conditions are imposed, delete this statement.
- I accept and agree to the terms and conditions stated above including the waiver of any subsequent appeals.
- I reject this offer.

Signatures

Student Name

Parent/Legal Guardian Name

Administrator Name, District Administrator

Date Signed

Copies to: Student Equity
Student Cumulative File
Other (Type in Site Offices Requiring Copies If Applicable)



Tucson Unified School District

School Name

School Address

School Phone Number

ABEYANCE CONTRACT FOR A LONG-TERM SUSPENSION

Parent/Legal Guardian Name

Address

Tucson, Arizona 857 Last 2 #'s

Re: Student Name **Matric#:** # **Grade:** # **Ethnic Code:** #

Gender: M/F **Ex Ed:** Y/N **504:** Y/N **Date of Incident:** Date

Manifestation Date

Recitals:

1. Student Name acknowledges violating the Guidelines For Student Rights & Responsibilities as follows: Violation Name(s). The student Brief Description of Student Behavior from Comment Section.
2. The consequence of this violation may include a long-term suspension (a suspension that is longer than ten (10) days).
3. The school administration intends to recommend that the student be suspended for # Days days, beginning on Suspension Start Date and ending on Abeyance End Date.
4. Optional: [Delete this section if there are no optional recitations].
[Parents/Legal Guardians] intend to obtain counseling for [student].
[Parents/Legal Guardians] intend to complete regular drug testing.]

Terms and Conditions:

1. **The student and parent/legal guardian agree to waive (1) the student’s right to a hearing on the long-term suspension if that has not yet been held and (2) any subsequent appeal.**
2. The student will serve # Days Suspension days of suspension and may return to school on Return Date from Suspension. The school agrees to hold # Days days of suspension in abeyance.
3. The student agrees to obey all school rules and to attend every class, every day unless excused by a parent/legal guardian.

JK-R4-E2 – Abeyance Contract LT Suspension 3-24-09



- 4. If the student has any further violation of the Guidelines For Student Rights & Responsibilities, any remaining suspension days will automatically be imposed in addition to any consequences for the current violation.
 - 5. Optional requirements from Optional Conditions Sheet may be copied and pasted here. If no optional conditions are imposed, delete this statement.
- I accept and agree to the terms and conditions stated above including the waiver of (1) the right to a long-term suspension hearing (if one has not already been held) and (2) any subsequent appeals.
- I reject this offer and request a long-term hearing be held instead.

Signatures

Student Name

Parent/Legal Guardian Name

Administrator Name, District Administrator

Date Signed

Copies to: Student Equity
Student Cumulative File
Other (Type in Site Offices Requiring Copies)



Policy # JK-R4-E3

Abeyance Optional Conditions:

- a. Parent/Legal Guardian will provide proof of counseling to the school administration.
- b. [Insert mentor name] will be assigned as a mentor. The student will meet with the mentor weekly on [day of week] at [time].
- c. The student will perform [insert # hours] hours of community service (not manual labor) to be arranged by the mentor.
- d. The student will submit proof of compliance with any court ordered probation on a monthly basis.
- e. The student will attend counseling through the school's counseling department OR through an agency providing free counseling services (provide pamphlets) with a focus on [insert focus area ie, Anger Management, Social Skills, Substance Abuse etc.].
- f. The student will be assigned to In-School Suspension from [insert start date] through [insert end date].
- g. The student is restricted from attending [insert type of extra-curricular event(s)] during the term of the abeyance or through [give an end date to restriction].
- h. The student/parent/legal guardian will pay restitution in the amount of [insert \$ amount], payment to be completed by [insert date].



Tucson Unified School District

School Name

School Address

School Phone Number

Suspension Reinstatement Letter

Decision Date

Parent/Legal Guardian Name

Address

Tucson, AZ 857 Last 2 #'s

Re: Student Name

Matric #: #

On Date of Original Incident, Student Name was suspended from School Name for violation(s) of the Guidelines For Student Rights & Responsibilities as follows: Violation Names. The suspension was held in abeyance under conditions contained in the attached abeyance contract.

On New Incident Date the student violated the abeyance contract as follows: Violation Names.

These behaviors are in direct violation of the conditions of the abeyance contract and as a result, the suspension will be reinstated and the remaining days of the suspension must be imposed, beginning New Suspension Start Date and ending Abeyance Contract End Date. The student is restricted from all Tucson Unified School District facilities and functions during the term of suspension. Homework will be provided through the end of the suspension or grading period, whichever is shorter. If the remaining suspension extends after that date, the student will receive instruction through an Alternative to Suspension Program. Please call the Office of Student Equity at 520-225-6686 if you need assistance with placement.

If the consequence for this new incident would include a long-term suspension, you will be notified separately regarding the process for that violation. Any new short-term suspension will be served concurrently with the current suspension and the student may return to school on Return From Suspension Date.

If you have any questions regarding this matter, please do not hesitate to contact me at School Phone #.

Sincerely,

Suspending Administrator Name

District Administrator

Cc: Student Equity
Student Cumulative File
Other (Type in Site Offices Requiring Copies If Applicable)

JK-R4-E4 – Suspension Reinstatement Letter 3-24-09