

APPENDIX VI – 30

Intervention and Data Collection Form

Individual Student Information

Section A: Student Information							
Student:		Teacher:			Date of Birth:		
School:		Grade Level:			Date:		
Section D: Tier 1 Targeted Academic/ Behavior Intervention							
Date started	Targeted Skill	Intervention/Method				Frequency (minutes/# days per week)	
Goal statement (Specific, Measurable, Attainable, Realistic and Time bound)							
Section D: Tier ____ Intervention Data Collection (minimum 6 data points)							
Assessment/chart							
Date							
Score							
Peer comparison							
Comments:							

2017-18 Site-Based Discipline Monthly Report – Revised 8-6-17

School: _____ Date: _____

Month: _____

Members Present (by name): _____

Please use the following data sources to complete this report:

1. TUSD Data Dashboard: <http://tusddashboard/>.
2. Incidence (Az Safe) Student Detail Report in Synergy
3. Clarity Intervention Tool (when available)

This report must be filled out electronically and submitted to the MTSS Facilitator SharePoint page in your designated School Folder. Go to the folder labeled: Documents > Discipline and drill down to your school: <http://gateway/dept/CIPDA/lsc/layouts/15/start.aspx#/>

Sharepoint is a controlled internal website. If you receive an error message, simply click out of the message and then the LSC page will appear.

This report is due to be uploaded in the MTSS SharePoint by the 10th of every month. The data in this report is from the previous month. *E.g. Submit the September analysis by October 10th.*

Name each form by the month from which the data was pulled, the form name, and your school. For example for Miller's October report that is submitted Nov. 10th, the file name is:

October2016 Miller DisciplineMonthlyReport

Data Dashboard information will be used for Tables 1 – 3. To get to the Discipline Data Dashboard:

- Open the webpage for the Data Dashboard -- <http://tusddashboard/>
- Click on the Student Data box.
- Click on the USP box.

Instructions to fill out Table 1:

- Double click on the School Risk Ratio View at the top of the page.
- Click on the small arrow left of the school level for a drop down menu of schools.
- Click once on your school so that a blue box appears around the school name.
- Record the Number Ratio and the corresponding color in the first two columns below.
- If you do not see a number ratio, it means that you either do not have any White students and/or none of your White students have gotten into trouble yet. You will then need to use the USP Discipline KPI link at the top of the same page instead of the Risk Ratio View.
- On the right-hand box labeled 'School/Level Detail', you will find information to complete the last 3 columns.

Table1: Referrals Summary of Students by Ethnicity					
Type an X next to the YES for the view used:	School Risk Ratio		Yes	No	
	USP Discipline KPI		Yes	No	
Ethnicity	Number Ratio	Color (Green, Yellow, or Red)	# of Distinct Student Incidences	# of Distinct Student Enrollment	Discipline % of population
White					
African American					
Hispanic					
Native American					
Asian/PI					
Multi-Racial					

Analysis: What are the positive highlights or troublesome hot spots?

Instructions to fill out Table 2:

- At the top of the same page, click on the arrow in the box labeled, 'Action Type'
- Uncheck the box next to 'All' and check the box labeled, 'Suspensions'. Click 'OK'
- Go to the Student/Level Detail box on the right
- Under the column 'Distinct Student Incidence', you will see the number of suspensions by ethnicity. Right click on one of the numbers. Next, click on 'Show Details'
- Export to Excel. Copy and paste name, gender, ethnicity, matric number, date, for this month only. Insert additional rows as needed.

Table 2: Suspension Summary of Students by Name and Ethnicity Types of Violations that resulted in Suspensions with Names and Ethnicity						
Student Name	Gender	USP Ethnicity	Mtr Number	Date	Violation Category	Violation

Analysis: What can you infer from this data? Pay particular attention to the violation type. Go to [AZ Safe](#) and/or the Clarity Intervention Tool (when available), as needed, for supplemental student information.

Instructions to fill out Table 3:

- Click on 'Discipline by Week' at the top of the same page
- Be sure to check that you are looking at your specific school data. Uncheck 'All' and then click on the arrow to the left of the School level for a drop down menu of schools. Check your school and click 'OK.'
- Fill out this table entirely based on the number of Discipline infractions from the Data Dashboard.

Table 3: Total Number of Discipline by Week						
	White	African Am.	Hispanic	Native Am.	Asian/PI	Multi-Racial
Total (All)						
Week 1						
Week 2						
Week 3						
Week 4						

Analysis: According to the data in Table 3, is your PBIS approach working? Please explain:

Instructions to fill out Table 4: The data reported is school-based and is not available on the Data Dashboard. This table is to document the supports/actions that are provided to teachers, bus monitors, and others with high referrals.

Table 4. Monthly Data Report: Teacher Referrals				
<i>Referral Source</i>	<i># of Referrals</i>	<i>Most Common Type of Incidence</i>	<i>Trouble Areas and Times</i>	<i>Support / Actions Taken with Referrer</i>
Bus Drivers/ Monitors				
Playground/ Grounds Monitors				
Teachers				
Other: Please Explain				
Other: Please Explain				

Use the following data sources to complete Table 4:

- AZ Safe Incident Detail Report
- Clarity Intervention Tool (when available)
- Your Internal Referral Form and Bus Conduct Referral

Analysis: Do you see any patterns when reviewing all of the referrals this month? Please explain:

Instructions to fill out Table 5: Please fill out this Rubric by placing an X in the box (SA-A-D-SD) that best describes your school this month and add comments for each question.

Table 5. School Culture and Climate				
<i>This month, our</i>	<i>Strongly Agree</i>	<i>Agree</i>	<i>Disagree</i>	<i>Strongly Disagree</i>
a. school culture and climate overall was positive				
Comment:				
b. students fight or show aggression against one another in specific locations at our school				
Comment:				
c. discipline reporting did not include students with repeated offenses				
Comment:				
d. PD on discipline, PBIS, restorative circles, or MTSS was provided				
Comment:				
e. staff showed sufficient cultural competency to meet the needs of our diverse students				
Comment:				

6. Cite evidence of programs that successfully supported individual students or small groups by school support personnel (MTSS Facilitator, Equity staff, counselor, etc.) Be specific. E.g. on 8/21/16, counselor presented bullying prevention tips to all 6th grade classrooms.

- a.
- b.
- c.

7. Provide action steps with an emphasis on the hot spot areas and/or celebrations: E.g. Increase PD on PBIS, put Teacher A on a Targeted Support Plan, Students X and Y are repeat offenders who will receive Z-type of intervention, etc.

Continuing Action Steps: (carried over from previous months)

- a.
- b.

New Action Steps: (new to this month)

- a.
- b.



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)



ABEYANCE CONTRACT WORKSHEET Incident # _____

Incident Date & Time: _____ Incident Location: _____

Reported/Referred by: _____ Arrest/Case #: _____

Student Name: _____ Matric: _____ Grade: _____

Gender: M F Ex Ed or 504: Yes No

Manifestation Date & Time: _____ (cannot offer LT abeyance or suspension without mani)

Brief Description of Incident: _____

Violation(s): _____

Suspension Start Date _____ End Date _____ Return Date _____ #DAYS _____ 1

Abeyance Start Date _____ Abeyance End Date _____ #DAYS Abeyance _____ 2

Total Days on Contract _____ 3 (Please Note 1+2 should = 3)

Parental Conference Date & Time: _____

Optional Conditions: (Check those you wish included on the contract)

- a. Parent/Legal Guardian will provide proof of counseling to the school administration.
- b. The student will be assigned a liaison/mentor and must meet with the liaison/mentor weekly/monthly on _____ (day/date) at _____ (time).
- c. The student will perform ____ (#) hours community service to be arranged by liaison/mentor.
- d. The student will submit proof of compliance with any court ordered probation on a monthly basis.
- e. The student will attend Project FFAST counseling providing proof of attendance for at least ____ (#) sessions by _____ (date by which sessions must be completed).
- f. 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 area of focus: i.e., Anger Management, Substance Abuse, etc).
- g. The student will serve In-School Suspension from _____ through _____.
- h. The student is restricted from attending _____ (insert type of extra-curricular event[s]) during the term of the abeyance or through _____ (end date of restriction).
- i. The student/parent/legal guardian will pay restitution in the amount of \$ _____, payment to be completed by _____ (date).

Administrator: _____ Liaison/Mentor: _____



INCIDENT WORKSHEET I

Incident # _____

Incident Date & Time: _____ **Incident Location:** _____

Reported/Referred by: _____ **Arrest/Case #:** _____

Student 1: _____ **Matric:** _____ **Grade:** _____

Gender: *M* *F* **Ex Ed or 504:** *Yes* *No*

Student 2: _____ **Matric:** _____ **Grade:** _____

Gender: *M* *F* **Ex Ed or 504:** *Yes* *No*

Student 3: _____ **Matric:** _____ **Grade:** _____

Gender: *M* *F* **Ex Ed or 504:** *Yes* *No*

Brief Description of Incident:

VIOLATION(s): (List all violations students are charged with)

Student 1: _____

Student 2: _____

Student 3: _____

ACTION(s) TAKEN: (List all actions to be taken & suspension info if applicable)

Student 1:

Suspension Start Date _____ **End Date** _____ **Return Date** _____ **#DAYS** _____

Hearing Date & Time _____ **Hearing Officer** _____

Manifestation Date & Time _____

In-House Suspension Start Date _____ **End Date** _____ **Return Date** _____ **#DAYS** _____

Other _____

Student 2:

Suspension Start Date _____ **End Date** _____ **Return Date** _____ **#DAYS** _____

Hearing Date & Time _____ **Hearing Officer** _____

Manifestation Date & Time _____

In-House Suspension Start Date _____ **End Date** _____ **Return Date** _____ **#DAYS** _____

Other _____

Student 3:

Suspension Start Date _____ **End Date** _____ **Return Date** _____ **#DAYS** _____

Hearing Date & Time _____ **Hearing Officer** _____

Manifestation Date & Time _____

In-House Suspension Start Date _____ **End Date** _____ **Return Date** _____ **#DAYS** _____

Other _____

Administrator: _____ **Liaison/Mentor:** _____



INCIDENT WORKSHEET II

Incident # _____

Incident Date & Time: _____ Incident Location: _____

Reported/Referred by: _____ Arrest/Case #: _____

Student 1: _____ Matric: _____ Grade: _____

Gender: M F Ex Ed or 504: Yes No

Student 2: _____ Matric: _____ Grade: _____

Gender: M F Ex Ed or 504: Yes No

Brief Description of Incident:

VIOLATION(s): (List all violations students are charged with)

Student 1: _____

Student 2: _____

ACTION(s) TAKEN: (List all actions to be taken & suspension info if applicable)

Student 1:

Suspension Start Date _____ End Date _____ Return Date _____ #DAYS _____ 1

Abeyance Start Date _____ Abeyance End Date _____ #DAYS Abeyance _____ 2

Total Days on Contract _____ 3 (Please Note 1+2 should = 3)

Hearing Date & Time _____ Hearing Officer _____

Manifestation Date & Time _____ (cannot offer LT abeyance or suspension without mani)

In-House Suspension Start Date _____ End Date _____ Return Date _____ #DAYS _____

Project FASST or other Counseling: _____ # sessions weekly/monthly to be completed by _____ .

Community Service: _____ hours to be completed by _____ .

Restitution: \$ _____ to be paid in full by _____ .

Other Actions: _____

Student 2:

Suspension Start Date _____ End Date _____ Return Date _____ #DAYS _____ 1

Abeyance Start Date _____ Abeyance End Date _____ #DAYS Abeyance _____ 2

Total Days on Contract _____ 3 (Please Note 1+2 should = 3)

Hearing Date & Time _____ Hearing Officer _____

Manifestation Date & Time _____ (cannot offer LT abeyance or suspension without mani)

In-House Suspension Start Date _____ End Date _____ Return Date _____ #DAYS _____

Project FASST or other Counseling: _____ # sessions weekly/monthly to be completed by _____ .

Community Service: _____ hours to be completed by _____ .

Restitution: \$ _____ to be paid in full by _____ .

Other Actions: _____

Administrator: _____ Liaison/Mentor: _____

STE1102

Revised: 09/10/12



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



Tucson Unified School District

SECTION 504 MANIFESTATION DETERMINATION REVIEW

Student Name: _____ Student #: _____

School: _____ Grade: _____

Date of Current Section 504 Student Accommodation Plan: _____

Date of Manifestation Determination: _____



A. Describe the behavior or incident that is subject to disciplinary action:

B. Document the relevant evaluation and diagnostic information describes the Student's disability:

C. Confirm that the Team reviewed the Student's current Section 504 Student Accommodation Plan as part of the manifestation determination review. Yes.

D. Analysis. Document consideration of all relevant information the Team has reviewed, including relevant information provided by Team members, and Team's analysis supporting its conclusions.



Tucson Unified School District

SECTION 504 MANIFESTATION DETERMINATION REVIEW CONTINUED...

Student Name: _____

Student #: _____

A. Check the following statements that the Team determines to be true:

Yes No

The conduct in question was the direct result of the District's failure to implement the Student's Section 504 Student Accommodation Plan.

The conduct in question was caused by or had a direct and substantial relationship to the Student's disability.

If either box is checked "Yes," the Team must conclude that the Student's conduct was a manifestation of his/her disability. If both boxes are checked "No," the Team may conclude that Student's conduct was not a manifestation of his/her disability.

B. Conclusion: Check the following statement that the Team determines to be true:

The conduct under consideration IS a manifestation of the Student's disability.

The conduct under consideration IS NOT a manifestation of the Student's disability.

504 Team Participants:

STUDENT PROGRESS REPORT

Short-Term Pending Long-Term Suspension Hearing

This information will be used for a Long-Term Suspension Hearing to be held on _____
 Please complete and return this progress report to _____ one (1)
 school day prior to the hearing date.

Teacher's Signature: _____

Student Name: _____ Matric: _____

Areas of Consideration	Excellent	Good	Fair	Poor	Negative	Additional Comments (Please type or print legibly)
Attention to Task						
Attitude About School						
Classroom Behavior						
Class Participation						
Completing Classwork						
Bringing Materials						
Power of Concentration						
Seeks Help If Needed						
Performance on Tests						

Achievement Level: Above _____ At _____ Below _____ (Potential)

First Semester Attendance thru _____ Absences [_____ Tardies [_____

Approximate Present Grade: _____ Grade Potential: _____

Additional Information of Value: (Please type or print legibly)

SUSPENSION NOTIFICATION & HOMEWORK REQUEST

Re: _____ Matric #: _____
To: _____
From: _____

The above named student is suspended from school beginning on
through

****Please have homework in the Office within 24 hours
of the first day of suspension****

Copies to: Campus Monitors, Attendance, Athletic Director & DropOut Prevention Liaison (if applicable)

HOMEWORK ASSIGNMENT

TEACHERS: *Please write in your email address, phone number and assignments below. Attach any additional material and/or books needed to complete assignments. Board Policy requires that homework be provided covering the period of suspension, or through the end of the grading period, or until the student is placed in a TUSD Alternative Program, whichever is greater.*

Teacher's email: _____@tUSD1.org | Teacher's work phone: _____

Name of Class: _____

*Students should be advised that teachers may not prepare additional homework packets
until initial packets have been completed and returned to school for grading.*



Tucson Unified is where
Students love to Learn
Teachers love to Teach
and People love to Work
We are Team TUSD



Guidelines to Student Rights and Responsibilities (GSRR) Presentation Documentation

2017-2018 SY

School Name:

GSRR Presentation Dates:

Method of Presentation:

Form Submitted By:

*This form should be completed and uploaded to the MTSS SharePoint in the GSRR Presentation Folder located in each school's Discipline Folder by **September 29, 2017**.



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Students love to Learn
Teachers love to Teach
and People love to Work
We are Team TUSD



Guidelines to Student Rights and Responsibilities (GSRR) Presentation Documentation

2017-2018 SY


School Name:

GSRR Presentation Dates:

Method of Presentation:

Form Submitted By:

*This form should be completed and uploaded to the MTSS SharePoint in the GSRR Presentation Folder located in each school's Discipline Folder by **February 28, 2018**.

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

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.

Alternatives to Suspension

Prior to any determination to suspend a student, the administrator shall first consider the use of appropriate alternatives to suspension, including, but not limited to: restorative conference, abeyance contract, or In-School Intervention.

Short-Term Suspension Procedures:

1. Required Rudimentary Due Process
 - a. As soon as possible following an alleged violation, the student shall be given oral or written notice of the alleged misconduct.
 - b. If the student denies the allegation, the school official shall explain the evidence of the misconduct to the student.
 - c. The school official shall 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 whether it results in in-class/school discipline or short-term suspension.
 - i. Such due process 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. A student may be immediately removed from school without prior use of the due process procedures described 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 shall be afforded as soon as possible and prior to the imposition of discipline. 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 school days.
 - b. The effective date of the suspension is the first day the student is out of school for half of the day (or more).
 - 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 shall be written in the home language. If the notice cannot be translated on the first day of suspension, the parent shall be informed in their home language by telephone or in person.
 - c. Notification of the short-term suspension shall 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 shall be held at the time of the imposition of a short-term suspension.

- a. The purpose of the parental conference is to reach a satisfactory and workable solution to the problem the student is experiencing.
 - b. 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)
 - c. 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.
 - d. 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 shall 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 shall not be applied to avoid or postpone the formal due process procedures of long-term suspension.
- b. If it is necessary to remove a student from school for more than ten days because of a particular violation, 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, distinct 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 shall 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.

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]
Revised: July 17, 2015 [Friday Report]

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

 <p>Tucson, Arizona</p> <p>POLICY REGULATION</p>	REGULATION TITLE: Long-Term Suspension
	CODE: JK – R2
	LEAD DEPARTMENT: Academic Leadership

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 and not more than one hundred eighty consecutive school days. *Long-Term Suspensions of more than thirty 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)

Alternatives to Suspension

Prior to any determination to suspend a student, the administrator shall first consider the use of appropriate alternatives to suspension, including, but not limited to: restorative conference, abeyance contract, In-School Intervention, or Alternative Education Placement.

Due Process Required for Long-Term Suspension

More formal process is required for suspensions longer than ten 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 or legal counsel.
2. The right of the parent to be present at all proceedings involving their child
3. The right of the student, parent, or representative to reasonable access to non-privileged evidence and the student's records at least two days prior to the long term

suspension hearing. (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 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 shall be held within ten 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 school days only if the following rescheduling procedures are first followed:
 - i. The parent or student's representative submits a written or an oral request for a rescheduled hearing, which request demonstrates good cause. The

request must propose a new date and time and must be received at least two school days prior to the date of the hearing as originally scheduled.

- ii. If the circumstances require the hearing to be rescheduled beyond the ten 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 30 day maximum. Failure to appear without previously requesting a continuance and without prior notification shall not constitute good cause.

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 hearing been held with all parties present. The information contained in the decision notice is the same as that required in cases in which the parties were present at the hearing.

b. Attorneys at Hearings

- i. No school official shall 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 shall 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 shall not be excluded, nor should the presence of the District's legal counsel be required in order for the hearing to proceed.
 - iii. Either before or during the hearing, it may appear to the hearing officer 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.
- 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 shall 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 hearing officer to consider such evidence, if offered,.
- ii. When considering statements (oral or written) 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 shall be provided.
- 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. The burden to prove the alleged violation of the Guidelines for Student Rights and Responsibilities rests at all times with school officials.
- 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. Not later than two 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 ten days, within two 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 shall also be delivered to the Department of Student Services within three days of the decision. The Department of Student Services will report the outcome of the hearing to the Governing Board.
- iv. *Long-Term Suspensions of more than 30 days shall not be imposed except for violations assigned to Level 5.* The Department of Student Services will review all suspensions of more than thirty days, and report to Elementary or Secondary School Leadership if the suspension is believed to be inappropriate. The long-term suspension will commence immediately while this review is being conducted. The Department of Elementary or Secondary Leadership may modify a long term suspension pursuant to the report from the Department of Student Services.. Nothing in this subsection shall eliminate the right of appeal from any determination to impose a long-term suspension.
- v. The hearing officer's findings must also include notice of the student and parents' right to appeal the Hearing Officer's findings.
- vi. 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.
- 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 Department of Elementary or Secondary Leadership 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 Department of Elementary or Secondary Leadership within three school days after the date notice of suspension was given, or within a time limit agreed upon by the student and the Department of Elementary or Secondary Leadership during the same three 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 school days from the date the appeal is received by the person assigned to review the appeal.
5. Within ten school days of the receipt of the appeal, the Department of Elementary or Secondary Leadership 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 Department of Elementary or Secondary Leadership decides that the length of the suspension is excessive, the length of the suspension shall be reduced and notice of that decision shall be sent to the school administration and the parents.

- e. If the Department of Elementary or Secondary Leadership sustains the decision to suspend, notice to that effect must be sent to the student parent, and school administration.
- f. The student and parent may appeal the decision of the Department of Elementary or Secondary Leadership directly to the Governing Board.

Appeal to the Governing Board

1. 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 Department of Elementary or Secondary Leadership.

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.

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.

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.

The decision of the Board is final.

Homework

Homework shall 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.

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]
Revised: July 17, 2015 [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

 Tucson, Arizona POLICY REGULATION	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
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JKA – Discipline of, and Alternative Interim Placements for Special
Education Students
JKAA – Discipline, Suspension, Expulsion for 504 Handicapped
Students

Replaces TUSD Policy # 5060

 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 #

Naming Convention for Suspension Documents to Student Equity

Please save suspension documents using the following naming convention:

Type of Suspension Document (abbreviated)-School Name-Student Last Name Incident #

Abbreviations for Document Types:

ST - Short-Term Suspension Notice
STP - Short-Term PENDING Long-Term Hearing
HD - Long-Term Hearing Officer Decision Letter
MHD-Manifestation Hearing Decision
A-ST - Abeyance Short-Term, 1-10 days term of contract
A-LT - Abeyance Long-Term, 11 or more days term of contract
R - Reinstatement of an abeyance (short-term or long-term)
E - Expulsion Recommendation

Followed by the School Name

Followed by the Student's Last Name

Followed by the Incident #

Example 1: ST-Cholla-Garcia #35

ST=Short-term suspension notice, Cholla=School Name, Garcia=Student Last Name

Example 2: A-ST-Catalina-Johnson #47

A=Abeyance, ST= Short-term, Catalina=School Name, Johnson=Student Last Name

Example 3: STP-Townsend-Smith #55

STP=Short-term Pending long-term hearing, Townsend=School Name, Smith=Student Last Name

Example 4: HD-Townsend-Smith #55

HD=Long-term hearing officer decision letter, Townsend=School Name, Smith=Student Last Name

Example 5: MHD-Magee-Fuller #63

MHD=Manifestation Hearing Decision letter, Magee=School Name, Fuller=Student Last Name

Example 6: A-LT-Pueblo-Collins #72

A=Abeyance, LT=Long-term, Pueblo=School Name, Collins=Student Last Name

Example 7: R-Rincon-Lopez #17

R=Reinstatement, Rincon=School Name, Lopez=Student Last Name

Example 8: E-Townsend-Smith #55

E=Expulsion Recommendation, Townsend=School Name, Smith=Student Last Name

PLEASE USE HYPHENS and ADD INCIDENT #'S AS IN THE EXAMPLES

m:acadex/suspexpapp

Suspension/Expulsion Notification Deadlines

Written notice of ALL suspensions, long-term decisions & abeyances must be sent to The Office of Student Equity via *E-Mail* within 3 days. Student Equity is responsible for reporting suspensions & abeyances to the Governing Board.

Short-Term Suspension

Notice of Short-Term Suspension AND copy of GB Regulation JK-R1:

- ❖ Hand-deliver or mail (1st class mail) to parent by end of 1st day of ST suspension

Notice of Long-Term Suspension Hearing

Notice of Long-Term Suspension Hearing AND copy of GB Regulations JK-R1 & JK-R2:

- ❖ Hand-deliver or mail (1st class mail) to parent within 3 days of ST suspension

Long-Term Hearing Officer Decision & Recommendation

- ❖ Hand-deliver or mail (1st class mail) to parent within 2 days of Long-Term Hearing

Abeyance Contract

- ❖ All contracts will be signed and hand-delivered the day of the parental conference
- ❖ Parent will also receive JK-R1 & JK-R4 (short-term abeyances) or JK-R1, JK-R2 & JK-R4 (long-term abeyances)

Reinstatement Letter

Letters reinstating suspensions that were held in abeyance:

- ❖ Hand-deliver or mail (1st class mail) to parent by the end of the 1st day the suspension resumes

Recommendation for Expulsion

Recommendation for Expulsion AND copy of GB Regulation JK-R3:

- ❖ Hand-deliver or mail (1st class mail) to parent within 5 days of Long-Term Hearing
- ❖ E-Mail a copy of the Recommendation to Charlotte Brown in Student Equity

Expulsion Packet (Including Recommendation for Expulsion)

- ❖ Send to the Middle, K-8 or Secondary Leadership Department within 5 days of Long-Term Hearing

Please Note:

Exceptional Education & 504 Students will receive all written notices in the same manner as regular education students. In addition, Ex Ed students will receive copies of Admin Regulation 5061 and Procedural Safeguards. 504 students will receive copies of Admin Regulation 5062 and Procedural Safeguards.