

VI.G.1.e Policies and Procedures Amendments SY2021-22

Governing Board Date	Governing Board Action	Item	Description
01/11/22	<p>ACTION ITEM: Governing Board Policy JK (Revision) – Student Discipline – Second Reading (2 of 4)</p> <p>Final Resolution: Motion passed. Yes: Natalie Luna Rose, Ravi Shah, Sadie Shaw, Adelita Grijalva</p>	Motion to approve the attached American Heart Association revisions to Policy JK – Student Discipline (tobacco) is final	To revise policy JK – Student Discipline – to update old GSRR references to new “Student Code of Conduct” and to include American Heart Association “supportive discipline” initiatives around student tobacco use.
06/21/22	<p>STUDY/ACTION ITEM: Governing Board Policy JICJ - Student Use of Cell Phones and Other Electronic Devices - Revision - FIRST READING</p> <p>Final Resolution: Motion Passed Yes: Sadie Shaw, Natalie Luna Rose, Adelita Grijalva</p>	Motion to approve posting of proposed revision to Policy JICJ for public comment in accordance with Policy BG-1.	<p>The TUSD Student Code of Conduct references Governing Board Policy JICJ for administrator searches of phones and other devices, but there is currently no written guidance on the proper scope of cell phone or other electronic device searches. Policy JIH - Student Interviews, Searches and Arrests likewise has no specific reference to cell phones or electronic devices. While the legal parameters of a search has consistently been a training topic, it is not established in policy.</p> <p>This proposed revision states the proper scope of a phone or device search under the 4th Amendment as being limited to only those specific apps, folders or features of the device for which there is reasonable suspicion that it contains evidence of a violation of the Code of Conduct. Furthermore, the revision clarifies that an allegation of mere improper possession of the device does not establish reasonable suspicion to search it</p>

10/05/21	STUDY/ACTION ITEM: Governing Board Policy KFA - Public Conduct on School Property - (Revision) - FIRST READING (3 of 4) Final Resolution: Motion Passed Yes: Ravi Grivois-Shah, Natalie Luna Rose, Sadie Shaw, Leila Counts, Adelita Grijalva	Motion to approve proposed revisions to Policy KFA - Public Conduct on School Property - for posting on the Governing Board website for public comment.	To adopt the American Heart Association suggested policy changes to Policy KFA - Public Conduct on School Property

Agenda Item Details

Meeting	Jan 11, 2022 - AGENDA FOR REGULAR BOARD MEETING
Category	6. ACTION ITEM(S)
Subject	6.7 Governing Board Policy JK (Revisions) - Student Discipline - SECOND READING (2 of 4)
Type	Action
Fiscal Impact	No
Recommended Action	Motion to approve the attached American Heart Association revisions to Policy JK - Student Discipline (tobacco) in final.

PURPOSE: To revise Policy JK - Student Discipline - to update old GSRR references to new "Student Code of Conduct" and to include American Heart Association "supportive discipline" initiatives around student tobacco use--this is one of four policy revision recommendations from the American Heart Association.

DESCRIPTION/JUSTIFICATION: See above

HISTORY:

Policy JK came up for first reading on October 5, 2021 - [BAI with attachments available at this link.](#) The Board voted to post Policy JK on the Governing Board website for public comment. The attached version of Policy JK was posted online for comment beginning 10/12/2021. On 01/03/2022 Fisher Mendoza parties were invited to submit comments concerning these proposed changes.

No comments have been received.

BOARD POLICY CONSIDERATIONS: N/A

LEGAL CONSIDERATIONS: N/A

INTERNAL PRESENTER(S): Dr. Gabriel Trujillo, Superintendent and Robert Ross, Jr., General Counsel

EXTERNAL PRESENTER(S): N/A

20220111 JK - Student Discipline - CURRENT VERSION.pdf (17 KB)

20220111 Policy JK Student Discipline POSTED VERSION - TRACK CHANGES - tobacco only.pdf (141 KB)

20220111 Policy JK Student Discipline POSTED VERSION - CLEAN COPY - tobacco only.pdf (131 KB)

Motion & Voting

Motion to approve the attached American Heart Association revisions to Policy JK - Student Discipline (tobacco) in final.

Motion by Adelita Grijalva, second by Natalie Luna Rose.

Final Resolution: Motion Passed

Yes: Natalie Luna Rose, Ravi Shah, Sadie Shaw, Adelita Grijalva

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Student Discipline</p>
	<p>POLICY CODE:</p> <p>JK</p>

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.

Student Discipline

~~A-The~~ 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 Student Code of Conduct Guidelines for Student Rights and Responsibilities which ~~are is~~ incorporated herein by reference.

The Student Code of Conduct is 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.

Tucson Unified supports the American Heart Association's supportive disciplinary approaches to tobacco infractions (Policy JICG). The Governing Board delegates responsibility for the oversight of this process to the Superintendent to ensure that law enforcement and school resource officers will not be included in the disciplinary process in those situations where the highest level infraction violates only the tobacco policy (JICG).

Commented [LM1]: Source: AHA Recommended changes.

Students with disabilities – Because the Individuals with Disabilities Education Act (IDEA) requires additional procedural safeguards, all district personnel administering discipline to

TUCSON UNIFIED SCHOOL DISTRICT GOVERNING BOARD POLICY	POLICY TITLE: Student Discipline
	POLICY CODE: JK

students will always follow discipline procedures for students with disabilities when dealing with a student in the exceptional education programs or Section 504. (See [Student Code of Conduct 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.

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

TUCSON UNIFIED SCHOOL DISTRICT GOVERNING BOARD POLICY	POLICY TITLE: Student Discipline
	POLICY CODE: JK

Revised: _____

LEGAL REF.:

A.R.S. §§:

13-2911 Interference with or disruption of an educational institution; violation; classification; definitions

15-341, General powers and duties; immunity; delegation

15-342, Discretionary powers

15-840 Definitions

15-841 Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee

15-842 Damage to school property; suspension or expulsion of pupil; liability of parent

15-843 Pupil disciplinary proceedings

—15-844 Suspension and expulsion proceedings for children with disabilities

CROSS REF: _____

Student Code of Conduct

JB – Equal Educational Opportunities and Anti-Harassment

JI – Rights and Responsibilities

<p style="text-align: center;">TUCSON UNIFIED SCHOOL DISTRICT</p> <p style="text-align: center;">GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Student Discipline</p>
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The *Student Code of Conduct* is 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.

Tucson Unified supports the American Heart Association's supportive disciplinary approaches to tobacco infractions (Policy JICG). The Governing Board delegates responsibility for the oversight of this process to the Superintendent to ensure that law enforcement and school resource officers will not be included in the disciplinary process in those situations where the highest level infraction violates only the tobacco policy (JICG).

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

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 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
 Revised: _____

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Student Discipline</p>
	<p>POLICY CODE:</p> <p>JK</p>

LEGAL REF.:

A.R.S. §§:

[13-2911](#) Interference with or disruption of an educational institution; violation; classification; definitions

[15-341](#) General powers and duties; immunity; delegation

[15-342](#) Discretionary powers

[15-840](#) Definitions

[15-841](#) Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee

[15-842](#) Damage to school property; suspension or expulsion of pupil; liability of parent

[15-843](#) Pupil disciplinary proceedings

[15-844](#) Suspension and expulsion proceedings for children with disabilities

CROSS REF:

Student Code of Conduct

JB – Equal Educational Opportunities and Anti-Harassment

JI – Rights and Responsibilities

Agenda Item Details

Meeting	Jun 21, 2022 - AGENDA FOR SPECIAL BOARD MEETING
Category	8. STUDY/ACTION ITEM(S)
Subject	8.3 Governing Board Policy JICJ - Student Use of Cell Phones and Other Electronic Devices - Revision - FIRST READING
Type	Study/Action
Fiscal Impact	No
Recommended Action	Motion to approve posting of proposed revision to Policy JICJ for public comment in accordance with Policy BG-1.

PURPOSE: To establish the scope of searches of student cell phones and other devices when conducting an investigation of violations of the Student Code of Conduct.

DESCRIPTION/JUSTIFICATION: The TUSD Student Code of Conduct references Governing Board Policy JICJ for administrator searches of phones and other devices, but there is currently no written guidance on the proper scope of cell phone or other electronic device searches. Policy JIH - Student Interviews, Searches and Arrests likewise has no specific reference to cell phones or electronic devices. While the legal parameters of a search has consistently been a training topic, it is not established in policy.

This proposed revision states the proper scope of a phone or device search under the 4th Amendment as being limited to only those specific apps, folders or features of the device for which there is reasonable suspicion that it contains evidence of a violation of the Code of Conduct. Furthermore, the revision clarifies that an allegation of mere improper possession of the device does not establish reasonable suspicion to search it.

BOARD POLICY CONSIDERATIONS: JIH - Student Searches and Arrests (If JICJ revision is approved, it will be cross-referenced).

LEGAL CONSIDERATIONS: U.S. Const., amend. IV

INTERNAL PRESENTER(S): Robert Ross General Counsel

EXTERNAL PRESENTER(S): N/A

[20220614 JICJ - Student Use of Cell Phones and Other Electronic Devices - CURRENT VERSION.pdf \(34 KB\)](#)

[20220614 JICJ - Student Use of Cell Phones and Other Electronic Devices \(Revision\) TRACK CHANGES.pdf \(98 KB\)](#)

[20220614 JICJ - Student Use of Cell Phones and Other Electronic Devices Revision - Clean Copy.pdf \(97 KB\)](#)

Motion & Voting

Motion to approve posting of proposed revision to Policy JICJ for public comment in accordance with Policy BG-1.

Motion by Sadie Shaw, second by Natalie Luna Rose.

Final Resolution: Motion Passed

Yes: Sadie Shaw, Natalie Luna Rose, Adelita Grijalva

<p><i>TUSD</i></p> <p>Tucson, Arizona</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE: Student Use of Cell Phones and Other Electronic Devices</p>
	<p>POLICY CODE: JICJ</p>

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. An administrator may only search an electronic device if they have reasonable suspicion that the device contains evidence of a violation of the TUSD Student Code of Conduct. Any such search must be limited in scope to the portion of the device (i.e., the phone app, file folder, etc.) in which there is reasonable suspicion to believe the evidence is contained. Administrators may not search an electronic device where the only suspected violation is the improper possession of the device. in accordance with the Guidelines for Students Rights and Responsibilities.

Reasonable efforts will be taken to secure property that has been confiscated; 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.

Adopted: June 21, 2005

Revised: July 24, 2012

[ReviewRevised:](#)

LEGAL REF.:

CROSS REF:

[Policy #](#) JB – Equal Education Opportunities – Anti-Harassment
[JIH – Student Interviews, Searches and Arrests](#)

<i>TUSD</i> Tucson, Arizona GOVERNING BOARD POLICY	POLICY TITLE: Student Use of Cell Phones and Other Electronic Devices
	POLICY CODE: 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.

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Adopted: June 21, 2005
Revised: July 24, 2012

Revised:

LEGAL REF.:

CROSS REF:

JB – Equal Education Opportunities – Anti-Harassment

JIH – Student Interviews, Searches and Arrests

Agenda Item Details

Meeting	Oct 05, 2021 - AGENDA FOR REGULAR BOARD MEETING
Category	7. STUDY/ACTION ITEM(S)
Subject	7.6 Governing Board Policy KFA - Public Conduct on School Property - (Revision) - FIRST READING (3 of 4)
Type	Study/Action
Fiscal Impact	No
Budgeted	No
Recommended Action	Motion to approve proposed revisions to Policy KFA - Public Conduct on School Property - for posting on the Governing Board website for public comment.

PURPOSE: To adopt the American Heart Association suggested policy changes to Policy KFA - Public Conduct on School Property.

DESCRIPTION/JUSTIFICATION: The proposed revisions align with ASBA model policy and statutory updates (current policy 10 years out of date); also includes American Heart Association recommended changes (as indicated in the comments on the track changes draft, attached).

BOARD POLICY CONSIDERATIONS: See above.

LEGAL CONSIDERATIONS: N/A

INTERNAL PRESENTER(S): Superintendent Gabriel Trujillo; General Counsel Robert Ross, Jr.

EXTERNAL PRESENTER(S): N/A

[20211005 KFA Public Conduct on School Property CURRENT VERSION.pdf \(49 KB\)](#)

[20211005 Policy KFA - TRACK CHANGES - tobacco revisions - FIRST READING.pdf \(255 KB\)](#)

[20211005 Policy KFA - CLEAN COPY -tobacco revisions - FIRST READING.pdf \(215 KB\)](#)

Motion & Voting

Motion to approve proposed revisions to Policy KFA - Public Conduct on School Property - for posting on the Governing Board website for public comment.

Motion by Adelita Grijalva, second by Natalie Luna Rose.

Final Resolution: Motion Passed

Yes: Ravi Grivois-Shah, Natalie Luna Rose, Sadie Shaw, Leila Counts, Adelita Grijalva

<div style="text-align: center;"> TUCSON UNIFIED <small>SCHOOL DISTRICT</small> </div> <div style="text-align: center; margin-top: 20px;"> GOVERNING BOARD POLICY </div>	POLICY TITLE: Public Conduct on School Property
	POLICY CODE: KFA

The purpose of this policy is to establish a standard of conduct upon the school properties within the School District that will provide the best possible educational climate for the students; promote a free and constructive interchange of ideas among students, faculty members, staff personnel, and the general public; encourage participation in the educational process by the general public; protect the investment of the public in both the educational process and the physical plant in which it is conducted; and honor and protect the rights of all individuals within the community.

Standard of Conduct

The standard of conduct required of all persons upon the property of the School District shall be simply that no person shall act in such a manner as to deny or interfere with the lawful use and enjoyment of such property by others, or in such a manner as to interfere with the peaceful conduct of an educational institution.

Definitions of the Purpose of this Policy

Authorized party. Any member of the faculty or administrative staff of the District delegated by the Superintendent of the District or by any school principal within the District, or any other person or persons so designated by the Superintendent to administer the provisions of these policies.

~~**Governing Board.** The elected members of the school district governing board for the Tucson Unified School District No. 1, Tucson, Arizona.~~

~~**School District.** The common school district and the high school district having contiguous boundaries and having common governing board membership, which is officially designated as Tucson Unified School District, No. 1, Tucson, Arizona.~~

~~**School property.** All land, buildings, and other facilities and improvements thereon, owned or controlled by Tucson Unified School District, No. 1.~~

~~**Faculty members, staff personnel, and employees.** All persons employed in any capacity, part time or full time, by the School District.~~

~~**Students.** All persons, both minor and adults, enrolled in educational programs provided or approved by the District on any of its school property.~~

General public. All persons not otherwise herein defined as students, employees, or members of the faculty, staff, or Governing Board of the District.

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Public Conduct on School Property</p>
	<p>POLICY CODE:</p> <p>KFA</p>

Removal. A direct order by an authorized party to any person to leave and vacate the school property of the School District.

~~**Suspension.** The temporary withdrawal of the privilege of attending a school for a specified period of time.~~

~~**Expulsion.** The permanent withdrawal of the privilege of attending a school unless the Governing Board reinstates the privilege of attending the school.~~

Penalties

The commission of any act by any person upon any School District property that is prohibited by federal law, state statute, city or county ordinance, or the ordinances of any municipality having legal jurisdiction shall constitute good cause for the immediate arrest or removal of said person from such property by an authorized party.

Reasonable belief of an authorized party that a criminal act has been committed or attempted, or is about to be committed, shall be sufficient cause to justify immediate removal from School District property of the person suspected of committing or attempting or about to commit a criminal act.

Any person who knowingly goes upon or remains upon any School District property in violation of any rule, regulation, or policy of the District or any school therein, or for the purpose of interfering with the lawful use of such property by others or in such manner as to deny or interfere with the lawful use of such property by others, or who refuses to obey a lawful order to leave School District property given by an authorized party shall be in violation of District policy and state statute and shall be subject to arrest and prosecution for interference with the peaceful conduct of educational institutions.

Weapons on School Campus

No person shall bring, carry, or possess any deadly weapon, whether concealed or not, into or on any campus of the School District, except that this shall not apply to:

- Members of any law enforcement agency
- Persons who:
 - Are on campus to attend, teach, or otherwise participate in a weapons safety or use course; and
 - Have been authorized by appropriate District personnel to carry such a weapon.

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Public Conduct on School Property</p>
	<p>POLICY CODE:</p> <p>KFA</p>

The school administrator or designee of the school campus or school-sponsored activity will make a reasonable request of the person to remove the weapon from the person or vehicle and place it in the custody of the school administrator or designee. Should that request be refused, the school administrator or designee shall contact the appropriate law enforcement agency for assistance.

The school administrator will advise the parents and general public of the District's policy concerning the above prohibition, informing them that this is in accordance with A.R.S. §13-3102, which specifies that, unless specifically authorized by law, a person commits misconduct involving weapons by knowingly entering any public school facility or attending any public school event while carrying a deadly weapon on one's person or within one's vehicle.

Prohibited Activities

The following recreational activities are prohibited on all District campuses: skateboarding, roller-skating, rollerblading, bicycle riding, golfing, exercising dogs, and the operation of motorized vehicles off of designated roadways and parking lots or while District facilities are closed or for purposes other than going safely to and from a parking space.

Reservation of Right to Regulate All Campus Ingress and Egress

If, in the judgment of the Superintendent and/or any principal, particular circumstances justify regulation of all campus ingress and egress, then, and in such event, the Superintendent and principals are hereby empowered to restrict such ingress and egress to students having class or other regularly scheduled school function upon the property so restricted, staff members and faculty members employed to perform services upon the restricted property, and any member of the general public bearing a standardized form of campus pass issued by the Superintendent or the principal of the restricted school.

Interpretation and Enforcement of Standard of Conduct – Persons Authorized

The Superintendent and the principal of each of the several schools within the District are hereby authorized and empowered to interpret and enforce the standards and sanctions of the policy concerning standard of conduct and are further empowered to designate members of their staffs and faculties as authorized parties to act in their stead.

If, in the judgment of the Superintendent, and/or any principal, an emergency exists in which additional authorities are required to prevent unreasonable interference with the use and enjoyment of school property by other persons, the Superintendent is hereby

<div style="text-align: center;"> TUCSON UNIFIED <small>SCHOOL DISTRICT</small> </div> <div style="text-align: center; margin-top: 20px;"> GOVERNING BOARD POLICY </div>	POLICY TITLE: Public Conduct on School Property
	POLICY CODE: KFA

empowered to designate third persons not herein otherwise described as authorized parties.

Terms of Removal/Expulsion from School Property and Appeals

It is the intent of this policy and the standard of conduct described herein to regulate the activities of all persons upon property of the District within the framework of Title 13 of the Arizona Revised Statutes. Unless otherwise specifically noted by the authorized party, the term of any removal from school property as herein authorized shall be for a period not more than twenty-four (24) hours.

Since provisions exist within the policies of the District for expulsion of students and removal of faculty members, staff personnel, and employees from school property upon a long-term basis, any appeal from such long-term expulsion of a student, employee, staff member, or faculty member shall be governed by such other regulations as exists within the policies of the District. If, however, a member of the general public is aggrieved by any short-term removal under the authority of this policy or long-term exclusion from school property authorized hereunder, such party shall be entitled to an appointment with the Superintendent within two (2) business days following the request, at which time such party shall be entitled to an explanation of the reason or cause of such exclusion from school property. Following such meeting with the Superintendent, any member of the general public still aggrieved with the order of the removal/expulsion issued hereunder shall be entitled to appear before the Governing Board at its next regular meeting and request a public discussion of the reason and/or "good cause" for the expulsion or exclusion from school property.

Any member of the general public considered by the Superintendent to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey said instruction may subject the person to criminal proceedings pursuant to A.R.S. §13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

Interference with or Disruption of an Educational Institution

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Public Conduct on School Property</p>
	<p>POLICY CODE:</p> <p>KFA</p>

A person commits interference with or disruption of a school or educational program by doing any of the following:

A. Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of a school or educational program by either:

1. Threatening to cause physical injury to any employee or student of a school or educational program or any person on the property of a school or educational program.

2. Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.

B. Intentionally or knowingly entering or remaining on the property of a school or educational program for the purpose of interfering with or denying lawful use of the property to others.

C. Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. 13-2911.

A person may also not interfere with or disrupt the District function by committing any of the following:

- A. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.
- B. Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
- C. Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- D. Illicit use, possession, distribution, display, promotion, or sale of tobacco, alcohol, drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
- E. Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- F. Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and

Commented [LM1]: Source: AHA recommended change

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Public Conduct on School Property</p>
	<p>POLICY CODE:</p> <p>KFA</p>

failure to identify oneself to such officials or officers when lawfully requested to do so.

- G. Knowing violation of a District policy and regulation.- Proof that an alleged violator has a reasonable opportunity to become aware of such policies and regulations shall be sufficient proof that the violation was done knowingly.
- H. Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
- I. Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

Additional Requirements of the General Public

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- A. No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative.- Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- B. Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District.- Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.
- C. Persons attending special functions shall confine themselves to the specific part of the facility assigned for the function as described in the permit.
- D. Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- ~~E.~~ The use of facilities shall be granted only for legitimate purposes.- Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.
- ~~E.F.~~ No person shall possess or engage in the use of medical marijuana on District property, at a District event, or in a District vehicle.

Adopted: February 8, 2005

Revision: July 27, 2010

Revision:

<p>TUCSON UNIFIED SCHOOL DISTRICT</p> <p>GOVERNING BOARD POLICY</p>	<p>POLICY TITLE:</p> <p>Public Conduct on School Property</p>
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Review:

LEGAL REF.:

A.R.S. 13-2905

13-2911

13-3102

15-341

15-507 -

36-2801 et seq.

36-2801

City of Tucson 1953 Code, ch. 24, § 15; Ord. No. 6195, § 3, 3-11-85; Ord. No. 7329, § 2, 12-18-89

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CROSS REF

GBEB - Staff Conduct

JK - Student Discipline

KHB – Distribution/Display of Communications of School Related Organizations

KHC – Distribution/Display of Promotional Materials of Outside Organizations and Vendors

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Replaces TUSD Policy # 1350 Conduct Expected of All Persons on or Using School District Property; 1430 City Ordinance Regarding Vendors; 1440 Repealed policy – Vagrancy near School Grounds

Replace TUSD Regulation # 1130 Visits to School

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The purpose of this policy is to establish a standard of conduct upon the school properties within the School District that will provide the best possible educational climate for the students; promote a free and constructive interchange of ideas among students, faculty members, staff personnel, and the general public; encourage participation in the educational process by the general public; protect the investment of the public in both the educational process and the physical plant in which it is conducted; and honor and protect the rights of all individuals within the community.

Standard of Conduct

The standard of conduct required of all persons upon the property of the School District shall be simply that no person shall act in such a manner as to deny or interfere with the lawful use and enjoyment of such property by others, or in such a manner as to interfere with the peaceful conduct of an educational institution.

Definitions of the Purpose of this Policy

Authorized party. Any member of the faculty or administrative staff of the District delegated by the Superintendent of the District or by any school principal within the District, or any other person or persons so designated by the Superintendent to administer the provisions of these policies.

General public. All persons not students, employees, or members of the faculty, staff, or Governing Board of the District.

Removal. A direct order by an authorized party to any person to leave and vacate the school property of the School District.

Penalties

The commission of any act by any person upon any School District property that is prohibited by federal law, state statute, city or county ordinance, or the ordinances of any municipality having legal jurisdiction shall constitute good cause for the immediate arrest or removal of said person from such property by an authorized party.

Reasonable belief of an authorized party that a criminal act has been committed or attempted, or is about to be committed, shall be sufficient cause to justify immediate removal from School District property of the person suspected of committing or attempting or about to commit a criminal act.

Any person who knowingly goes upon or remains upon any School District property in violation of any rule, regulation, or policy of the District or any school therein, or for the purpose of interfering with the lawful use of such property by others or in such manner as to

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deny or interfere with the lawful use of such property by others, or who refuses to obey a lawful order to leave School District property given by an authorized party shall be in violation of District policy and state statute and shall be subject to arrest and prosecution for interference with the peaceful conduct of educational institutions.

Weapons on School Campus

No person shall bring, carry, or possess any deadly weapon, whether concealed or not, into or on any campus of the School District, except that this shall not apply to:

- Members of any law enforcement agency
- Persons who:
 - Are on campus to attend, teach, or otherwise participate in a weapons safety or use course; and
 - Have been authorized by appropriate District personnel to carry such a weapon.

The school administrator or designee of the school campus or school-sponsored activity will make a reasonable request of the person to remove the weapon from the person or vehicle and place it in the custody of the school administrator or designee. Should that request be refused, the school administrator or designee shall contact the appropriate law enforcement agency for assistance.

The school administrator will advise the parents and general public of the District's policy concerning the above prohibition, informing them that this is in accordance with A.R.S. §13-3102, which specifies that, unless specifically authorized by law, a person commits misconduct involving weapons by knowingly entering any public school facility or attending any public school event while carrying a deadly weapon on one's person or within one's vehicle.

Prohibited Activities

The following recreational activities are prohibited on all District campuses: skateboarding, roller-skating, rollerblading, bicycle riding, golfing, exercising dogs, and the operation of motorized vehicles off of designated roadways and parking lots or while District facilities are closed or for purposes other than going safely to and from a parking space.

Reservation of Right to Regulate All Campus Ingress and Egress

If, in the judgment of the Superintendent and/or any principal, particular circumstances justify regulation of all campus ingress and egress, then, and in such event, the

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Superintendent and principals are hereby empowered to restrict such ingress and egress to students having class or other regularly scheduled school function upon the property so restricted, staff members and faculty members employed to perform services upon the restricted property, and any member of the general public bearing a standardized form of campus pass issued by the Superintendent or the principal of the restricted school.

Interpretation and Enforcement of Standard of Conduct – Persons Authorized

The Superintendent and the principal of each of the several schools within the District are hereby authorized and empowered to interpret and enforce the standards and sanctions of the policy concerning standard of conduct and are further empowered to designate members of their staffs and faculties as authorized parties to act in their stead.

If, in the judgment of the Superintendent, and/or any principal, an emergency exists in which additional authorities are required to prevent unreasonable interference with the use and enjoyment of school property by other persons, the Superintendent is hereby empowered to designate third persons not herein otherwise described as authorized parties.

Terms of Removal/Expulsion from School Property and Appeals

It is the intent of this policy and the standard of conduct described herein to regulate the activities of all persons upon property of the District within the framework of Title 13 of the Arizona Revised Statutes. Unless otherwise specifically noted by the authorized party, the term of any removal from school property as herein authorized shall be for a period not more than twenty-four (24) hours.

Since provisions exist within the policies of the District for expulsion of students and removal of faculty members, staff personnel, and employees from school property upon a long-term basis, any appeal from such long-term expulsion of a student, employee, staff member, or faculty member shall be governed by such other regulations as exists within the policies of the District. If, however, a member of the general public is aggrieved by any short-term removal under the authority of this policy or long-term exclusion from school property authorized hereunder, such party shall be entitled to an appointment with the Superintendent within two (2) business days following the request, at which time such party shall be entitled to an explanation of the reason or cause of such exclusion from school property. Following such meeting with the Superintendent, any member of the general public still aggrieved with the order of the removal/expulsion issued hereunder shall be entitled to appear before the Governing Board at its next regular meeting and request a

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public discussion of the reason and/or "good cause" for the expulsion or exclusion from school property.

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Interference with or Disruption of an Educational Institution

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of a school or educational program by doing any of the following:

- A. Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of a school or educational program by either:
 - 1. Threatening to cause physical injury to any employee or student of a school or educational program or any person on the property of a school or educational program.
 - 2. Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
- B. Intentionally or knowingly entering or remaining on the property of a school or educational program for the purpose of interfering with or denying lawful use of the property to others.
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person to criminal proceedings pursuant to A.R.S. 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

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