

Code of Conduct Revisions for SY2024-25

In August 2023, the Student Relations Department began the process of revising the 2023-24 Code of Conduct for SY2024-25. A committee of stakeholders was formed to ensure unbiased changes.

Name	Title
Shawna Rodriguez	Regional Superintendent
Frank Armenta	Assistant Superintendent: Student Leadership and Success
Michael Areinoff	TUSD Legal Counsel
Anna Warmbrand	Director of Student Relations
Bernadette Rosthenhausler	Roberts/Naylor Principal
Margaret Chaney	TEA
Jason Freed	TEA/Teacher
James Byrne	TEA
Roberto Thompson	Tucson High School Assistant Principal
Judy Mitchell	Mary Meredith Principal
Rosemaria Duarte Raub	Ochoa Principal
Jennifer Contreras	EDI Representative
Manny Padilla	Valencia Assistant Principal
Melissa Molina-Garcia	TUVA Assistant Principal
Frank Rosthenhausler	Pueblo Principal

The Committee met regularly to complete the revisions by June 2024.

August 2	Establish Committee members and set norms
Sept 2023	Set agenda for the year based on stakeholder feedback
Oct/ Nov 2023	Revisions discussed and language drafted
January 2024	Reviewed prospective Code of Conduct changes Dress Code revisions presented to TEA, ELI, EDI, Leadership

Feb/ March	New Dress Code approved by Governing Board Final revision of Code drafted
April 2024	Stakeholder survey developed on the CoC changes
June 2024	Governing Board approves recommended Code changes for SY2024-25

A summary of revisions made to the Code of Conduct is provided below:

- Sharing marijuana will be moved to a level 4 violation from a level 5 violation.
 - o The benefits of this revision will:
 - decrease the amount of exclusionary practice for all students when they share, but not sell, illicit drugs.
 - Differentiates the difference between selling and sharing illicit drugs.
 - Allows the maximum days of out of school suspension to be 30 days, whereas it was previously a level 5 which holds a 45-180 day suspensions.
 - o Administrators can still fill out a Request To Elevate (RED) form to elevate the offense to more than 30 days if they feel that is warranted for the safety of their campuses.
- Sexual harassment and indecent exposure will be moved from a level 4 to a level 3 for K-5 only.
- Change of language for “aggression”
 - o By adding more specific language, the descriptions in the progression of aggressive behavior descriptions will be more coherent and defined.
 - “Minor Aggressive Act”: Original language – Engaging in intentional, non-serious but inappropriate physical contact such as, but not limited to: hitting, poking, pulling, pushing, tripping, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile conduct. New language: – Intentionally or knowingly engaging in aggressive physical contact that does not have a reasonable risk of resulting in physical injury, including but not limited to: poking (including with a pencil), pulling (including hair), pushing, tripping, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile conduct.
 - “Other Aggression”: Original language – Using other acts of aggression not specifically listed within the Aggression section including, but not limited to, intentional, serious and inappropriate physical contact including, but not limited to, any example listed under “Minor Aggressive Act” that may result in a serious physical injury. Examples: hair pulling, pushing, slapping, etc.
 - o Involves serious and inappropriate physical contact.

- Includes “fighting” where the circumstances do not present a threat to safety.
- Similar conduct not meeting the definition of Other aggression shall be treated as the level 2 offense or “Minor Aggressive Act.”

New language: Intentionally or knowingly engaging with physical contact that has a reasonable risk of resulting in physical injury: Examples: pushing, kicking, biting, hitting, slapping, and punching with no physical injury etc. Similar conduct not meeting the definition of “other Aggression” shall be treated as the level 2 offense of “minor Aggressive Act.” Is there physical injury?

- “Aggravated Assault”: Original language: 1. Causing serious physical injury to another. 2. Using a deadly weapon or dangerous instrument. 3. Committing the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part, or a fracture of any body part. 4. Committing the assault while the victim is bound or otherwise physically restrained or while the victim’s capacity to resist is substantially impaired. 5. Committing assault and the person is in violation of an order of protection. 6. Committing the assault knowing or having reason to know that the victim is any of the following: teacher or any school employee on school grounds, law enforcement officer, prosecutor, firefighter, EMT/paramedic engaged in official duties, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes.
 - Teacher or school nurse visiting a private home in the course of the teacher’s or nurse’s professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

New language: 1. Intentionally or knowingly causing serious physical injury to another. “Serious physical injury” includes physical injury that creates a reasonable risk of death, or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb. 2. Committing an assault using a firearm, simulated firearm, dangerous item, or other weapon (as defined by the Code of Conduct). 3. Placing a person in reasonable apprehension of imminent harm by threatening to use a firearm, simulated firearm, dangerous item, or other weapon (as defined in the Code of Conduct). 4. Committing the assault while the victim is bound or otherwise physically restrained or while the victim’s capacity to resist is substantially impaired. 5. Committing assault and the person is in violation of an order of protection. 6. Committing assault and the person is in violation of an order of protection. 7. Committing the assault knowing or having reason to know that the victim is any of the following: teacher or any school employee on school grounds, law enforcement officer, prosecutor on school grounds, firefighter, EMT/paramedic engaged in official duties, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes.

- Teacher, staff member, or school nurse visiting a private home in the course of the teacher's, staff member, or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

- New Procedures to transitions students back to school after being suspended for fights or assaults will be added to the Code of Conduct.
 - This will specify that once a student returns from suspension they will need to engage with either a mediation or restorative practice. In addition, the other student involved will be notified that the student is returning, and appropriate supports are put in place to ensure student safety.
 - Menu of options to utilize student returns will be:
 - Restorative, mediation, parent contact for both students before the offender returns from suspension when an altercation has occurred, behavior plan, safety plan, MTSS plan, check and check out for victim *and* offender, communication of safety plan for applicable staff, one day transition.

- Site administrators will have a longer window of time to complete an investigation.
 - This will support campus safety district wide. These recommendations provide a consistent set of guideline that all administrators will need to follow while also allowing site administrators time to do an thorough investigation.
 - Having a set of consistent practices communicated in the code of conduct document to families, staff, students, and community will only benefit students and campus safety.

- The violation "School Interruption" (level 4) will be added to the Code of Conduct.
 - A school interruption occurs where a student, acting either for the purpose of causing or in a reckless disregard, causes interference with or disruption of an educational institution, uses words or actions that do not amount to a threat but that place students, staff, or property guest in apprehension of harm (i.e. verbal threat not made directly to the school population or one individual, such as "I wish everyone here would just die", firecrackers, fire alarm pulling, social media in which other students see a student with either fire arms or simulated fire arms, etc).
 - Currently school threat is a level 5 offense in which a site administrator will recommend expulsion.
 - There are behaviors that occur that do not constitute a viable school threat but do disrupt the educational environment and could warrant a long-term suspension but not necessarily a recommendation for expulsion.

- Any simulated firearm becomes a level 4 violations.
 - Any type of firearm whether real or simulated cause the same effect on the students and staff. Firearms pose a threat to all school environments and this will allow the student who brings a firearm to be long-term suspended.

In summary, these recommendations:

- Promote campus safety.
- Provide clear consistent communicated expectations when incidents occur.
- Allow administrators to issue consequences that are leveled and aligned with the developmentally appropriate practices and the K-4 law for elementary students.
- Support students who are struggling with substance misuse to re-enter school earlier than the current violation level, allowing for students to get the help they need.
- Create specific language in the violation category of aggression to decrease subjectivity in issuing consequences with the hope of decreasing risk ratios for student incident levels, particularly for African American Students.