



# The Code of Conduct

Guidelines for Student Rights and Responsibilities

**TUCSON UNIFIED**  
SCHOOL DISTRICT

Revised June 2025





# Welcome to Tucson Unified

There is no goal more important than creating and maintaining safe, supportive, and nurturing learning environments for every child and young person in every school. As a TUSD community we can all work together to support, you, the student, in following our Code of Conduct.

Our student Code of Conduct not only outlines the standards and expectations for behavior at school, but standards and expectations for responsible behavior and decision making in life as well. By following the Code of Conduct, you can help our school district become a safer and more positive place for all students and staff.

The most important factor in determining whether we achieve this goal is you, the student. When you make a commitment to safety, personal responsibility, and kindness, you are also making a commitment to personal excellence.

Schools that have students that strive for personal excellence are places where learning happens and where kids succeed academically and emotionally. These schools are amazing learning communities where learning environments are safe, supportive, and inclusive of all students. Please do your part to make sure that every school in our district is an amazing one. We are all here to support you!

**Dr. Gabriel Trujillo, Ed.D.**  
Superintendent

A handwritten signature in black ink, which appears to read "Gabriel Trujillo". The signature is fluid and cursive, written over a white background.

## TUSD Governing Board

Jennifer Eckstrom, Board President | Dr. Ravi Shah, Board Clerk | Natalie Luna Rose | Val Romero | Sadie Shaw



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## NON-DISCRIMINATION STATEMENT

**Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social, or cultural background in admission or access to, or treatment or employment in, its educational programs or activities.**

Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD's EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444 or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado 80204. See Board Policies AC "Non-Discrimination," and ACA "Sexual Harassment" for more information.

# Basic Information

## What Is the Code?

A guide that outlines the behavior expectations, rights, and responsibilities of students and staff.

## What Principles Guide the Administration of Discipline at TUSD?

- Partnering with students/parents/guardians to create safe, supportive, and inclusive learning environments.
- Striving to keep students in learning environments.
- Ensuring that consequences are non-discriminatory, fair, and age-appropriate.
- Applying the rules consistently so students receive similar consequences for similar violations.

None of these principles prevent school personnel from protecting campus safety as appropriate.

## How Is Discipline Administered For Students With Disabilities?

All district personnel administering discipline must take into account a student's disability under either Section 504 or the Individuals with Disabilities Education Act (IDEA) or if the student is suspected of having – or is being considered for an evaluation for – a disability. TUSD must follow specific procedures for students considered disabled under federal law, including determining whether misbehavior is a manifestation of the student's disability.

## When and Where Does the Code Apply?

- Regular school hours (including when students are going to and from school, "portal to portal").
- While students are being **transported on a school bus or vehicle used for school purposes**.
- At all times and places where a school official or employee has authority over students.
- School-sponsored / school-related events and activities (including field trips and athletic events).
- On- or off-campus actions resulting in a harmful effect on students or the educational process.
- On TUSD property, at any time, (See Policy JICH).

## Who Monitors Discipline in TUSD?

TUSD's Student Relations Department ("Student Relations") is made up of a Director, Coordinator, and a Compliance Liaison. The Team monitors discipline on a bi-weekly, weekly, monthly, and quarterly basis. The Team reviews and approves requests for elevated consequences, jointly reviews suspensions with principals/assistant principals, ensures compliance with the Code and other policies, and monitors for disproportionate discipline by race or ethnicity.

## How Can I Get More Information or Make an Oral or Written Complaint?

Governing Board Policies and Regulations related to discipline are available for review in the principal's office at every school or at [tusd1.org/codeofconduct](http://tusd1.org/codeofconduct).

Students or parents/guardians may make a complaint related to discrimination, harassment, hazing, dating abuse, bullying, or unfair disciplinary actions with the school principal, assistant principal, or email [TUSDCodeofConduct@tusd1.org](mailto:TUSDCodeofConduct@tusd1.org)

# Restorative Practices

Restorative Practices are strategies for resolving problems and building relationships by addressing the social and emotional issues created by conflict and restoring students to supportive learning environments after making amends for poor choices.

## How Does TUSD Implement Restorative Practices?

### Small impromptu circles or large group circles:

A few people meet to briefly address and resolve a problem; facilitated by district staff including teachers, counselors, and/or principals/assistant principals. A larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by district staff including, but not limited to: teachers, principals/assistant principals, counselors and/or Restorative and Positive Practice Facilitators (RPPFs).

### Formal restorative conferences:

Address serious problems of behavior. These conferences may involve students who commit disciplinary infractions, victims, parents/guardians, and principals / assistant principals. Only those trained in formal conferences can facilitate a formal conference.

### De-escalation:

Students may take a short time (no more than 30 minutes or the remainder of one class period) to de-escalate if they feel angry, overwhelmed, or in need of a time-out. Students will complete a reflection form to help staff de-escalate the situation and assist in helping to restore the student back into the classroom or classroom setting.



# Positive Behavioral Interventions and Supports (PBIS)

PBIS is a proactive framework designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS at TUSD is creating and sustaining safe and inclusive environments for all students to support appropriate behavior and redirect disruptive behavior.



## How Does TUSD Implement PBIS?

TUSD strives to create safe, positive environments by: defining and teaching behavioral expectations; monitoring and acknowledging appropriate behavior; providing corrective, appropriate consequences; providing appropriate behavioral supports (including actions like mentoring, social skills groups, and daily monitoring); using a team-based approach; and using referral data for problem solving.

## Who Is Responsible For Implementing Restorative Practices and PBIS?

Everyone. At every site. Under the direction of the campus principal and/or the Restorative and Positive Practices Facilitator (RPPF), staff members at every site must understand school rules; reinforce appropriate student behavior; and use constructive classroom management, positive behavioral interventions and supports, and/or restorative practices strategies, where appropriate, to promote safe, inclusive, and supportive learning environments for all students.

# Exclusionary Consequences

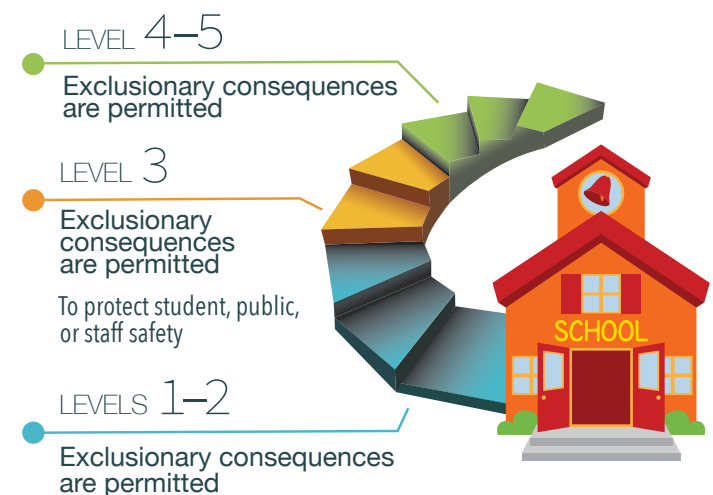
Exclusionary consequences involve removal of a student from classroom instruction for longer than thirty minutes or longer than one class period. These include positive alternatives to out-of-school suspension (see page 4) settings or programs, in-school suspensions, out-of-school suspensions, and expulsions.

## What Is TUSD's Position On the Use Of Exclusionary Consequences?

TUSD is committed to ensuring that consequences that remove students from the classroom, where learning happens, are always used as a last resort and are only applied after classroom level interventions have been attempted and failed or the seriousness of the incident warrants an exclusionary consequence.

## When Do Exclusionary Consequences Apply?

If Exclusionary Consequences are imposed, students will have fair due process that includes an opportunity to appeal (see information on due process, pages 5-6). For all offenses, disciplinary consequences must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where possible, an opportunity to continue to participate in the school community. School Safety personnel will not participate in discipline decisions occurring after an incident. This in no way prohibits School Safety involvement during or immediately after an incident to protect campus safety.



# Positive Intervention Centers (PICs): Classroom Disruption

PICs provide a student a short time (no more than 30 minutes for grades K-5 or no more than the remainder of one class period for grades 6-12) and a positive and supportive environment to de-escalate if they are feeling angry, overwhelmed, or in need of a time-out. **A PIC can be an ISI room (MS and HS), a buddy teacher's classroom (K5 and K8), or a counselor's or social worker's office space.** Students will fill out a reflection form to help identify the root cause of the feelings, de-escalate the situation, and assist in helping to restore the student back into the classroom or classroom setting.

Students may de-escalate in the PIC as needed through various protocols:

- No more than three students from a single classroom may go to the PIC room in a period.
- A student cannot go to PIC until there has been an attempted intervention, where possible.
- After the third instance in a semester, a student should be sent to a Principal/Assistant Principal/counselor for further assessment and/or intervention.
- Staff will document student names and the classes they come from, and will review the information regularly to ensure appropriate use of the PIC, monitor disparities, and determine if students need additional interventions.

## Based on Arizona Revised Statute 15-841

A teacher may send a disruptive student out of the classroom for 30 minutes or the duration of the period provided such action is consistent with this Student Code and only where one of the following condition exists:

1. The teacher documented that the student has repeatedly interfered with the teacher's ability to communicate effectively with the other students in the classroom or with the ability of the other students to learn; **OR**
2. The teacher has determined and documented that the student's behavior is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with other students in the classroom or with the ability of the other students to learn.

The District is fully committed to honoring teachers' rights to remove a disruptive student according to the conditions outlined above.

## Policy Regulation JK-R1

Principals may immediately remove a student whose presence poses a continuing clear and present danger to persons or property or an ongoing threat of disrupting the academic process.

# Positive Alternatives to Out-Of-School Suspension

Principals are encouraged to utilize positive alternatives to suspension wherever practicable.

## Abeyance Contracts (Regulation JK-R4)

An Abeyance Contract is a behavior contract that may be offered to a student who is facing a suspension.

The Abeyance will shorten or eliminate the number of days a student is out of school. The Principal/ Assistant Principal, parent/guardian, and student must agree to and sign the Abeyance Contract, with the understanding that if the student violates the contract with a suspendable violation, the remaining suspension days must be served.

## In-School Intervention (ISI)

ISI is an alternative to short-term suspension where students will continue receiving classroom instruction from content-certified teachers in a classroom on campus (ISI is available at all middle schools, all high schools, and large K-8 schools).

## In-School Suspension (ISS) (Reassignment to a Different Class or Area)

ISS is an alternative to short-term suspension and is only used in schools that do not have ISI. Students in ISS may be supervised by a highly qualified teacher or other staff member, and will continue to receive their core curriculum in a supervised setting.

## District Alternative Education Program (DAEP)

DAEP is an alternative to long-term suspension. It is a voluntary program that provides 6th – 12th grade students with the opportunity to continue their education and reflect on the underlying behaviors and circumstances that led to the inappropriate behavior. DAEP assists students in learning appropriate behaviors and making better choices so they can be a successful student when they are restored to their home school.

# Due Process

## (Short Term Suspension or Expulsion)

Any student facing a suspension or expulsion will be provided basic due process as a legal safeguard to protect the constitutional rights of the student and his or her parents/guardians. Expulsion is the permanent withdrawal of the privilege of attending any school in the District unless the Governing Board reinstates the privilege.

Upon learning of a potential Code of Conduct violation, school administration will conduct a prompt and thorough investigation, following the due process described here. That investigation will generally be concluded with 1-2 school days, but may take longer, if necessary, based on the individual circumstances of the matter being investigated. School administrators may impose discipline as soon as they have followed the due process requirements, and they are satisfied that the student violated the Code of Conduct. In certain cases, administrators may learn new information relevant to the Code of Conduct violation only after imposing discipline. Where that new information would have resulted in a different disciplinary decision (i.e., a contrary finding about whether a violation occurred or a finding that a different level of violation occurred), the administrator will update the disciplinary decision accordingly, and will follow all notice and due process requirements for the updated violation.

**As soon as possible**  
following an alleged  
violation, initiate basic  
due process.

- The principal or designee investigates an allegation, provides notice to the student if the allegation is found to be valid, explains the evidence and gives the student a chance to present their side.
- Principals may immediately remove a student whose presence poses a continuing clear and present danger to persons or property or disruption of the academic process.

**Conclude basic due  
process within  
1-2 school days.**

- After reviewing the facts, principals may impose non-exclusionary discipline or a short-term suspension (1-10 school days) or, if warranted, may begin the process for a long term suspension (11-180 school days) or expulsion.
- A principal must impose a "short-term pending long-term suspension" when they begin the process for a long-term suspension or expulsion

## Short-Term Suspension Decision and Appeal Process

District policy provides the following protections for students facing a short-term suspension (including a short-term pending long-term suspension or expulsion):

**Notice of suspension to  
parent on the  
first day;  
meet with parent/guardian,  
if possible,  
the first or second day.**

- The principal or designee calls the parent/guardian, gives the notice of suspension to the student, and sends a copy to the parent on the **1st day** of suspension.
- Parents/guardians may meet with the principal within the **1st or 2nd day** of the suspension. The principal may offer an abeyance contract or parent/guardian may appeal the decision to the Regional Superintendent within 3 school days.
- If appealed, the **Regional Superintendent** or designee must review the decision within **3 school days**, affirm or reduce the discipline, and notify the parent/guardian/principal **as soon as possible**.



# Due Process (Long-Term Suspension or Expulsion)

Principals/Assistant Principals must impose a “short-term pending long-term suspension” if they are considering long-term suspension or expulsion, and must first comply with the basic due process described on page 5 (the short-term pending long-term suspension period will count towards the long-term suspension). Once a principal decides to impose a long term suspension or expulsion, the District shall provide more formal due process as a legal safeguard to protect the constitutional rights of students and parents/guardians.

Student rights, including the right to representation by a parent/guardian and/or legal counsel (parents or guardians can be present at all proceedings).

- Reasonable access to evidence and the student's records at least two days prior to the hearing.
- To be free from having to present evidence against themselves.
- To present favorable evidence and witnesses and to question evidence and witnesses at the hearing.
- To have the testimony presented and saved.
- To have an interpreter present, if one is necessary.
- To waive any or all rights once they are made known.

## Long-Term Suspension Decision and Appeal Process

District policy provides protections for students facing a long-term suspension or expulsion. If a principal recommends expulsion, the District must follow procedures outlined in Regulation JK-R3.

Notice of suspension and hearing to parent/guardian by the **third school day** of the short-term suspension.

- At the beginning of the process for a long term suspension, the Principal/Assistant Principal must send the notice of suspension and hearing to the parent/guardian by the **third school day** of the short-term pending long-term suspension.
- **On or before the day the notice is sent**, the Principal/Assistant Principal must make a reasonable attempt to communicate verbally to the parent/guardian and student about the content of the notice.

Hearing and appeal procedures and timelines.

- Formal Hearing by the **10th school day** of the short-term pending long-term suspension.
- Principal or designee must send the decision within **3 school days**.
- Parent/guardian may appeal within **3 school days** of receipt; the **Regional Superintendent** or designee must review within **5 school days** and notify the parent/guardian/principal **as soon as possible**.
- The parent/guardian may further appeal to Governing Board within **5 school days** from receiving notice.
- Board must decide within **10 days** after reviewing the record.

# Guidelines for Applying Actions

1. Nothing in the Code shall prevent school personnel from protecting campus safety as appropriate.
2. Regionals and Director of student relations will continuously review all suspensions. In the case of some level 4 and 5 offenses it is critical that the regional assistant superintendent be contacted:
  - If law enforcement or school safety was contacted
  - If the offense qualifies for expulsion
  - If the violation is school interruption level 4
  - If the violation involves simulated firearms
3. Principals and APs may request a waiver of mandatory actions for level 4 or 5 consequences through the appropriate **Regional Superintendent** or **designee**. Waivers may not be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.
4. A student who willingly assists or forces another student to commit a violation of these guidelines may be held equally accountable for the violation.
5. All parent/guardian conferences will be made in a timely manner. Parents/guardians may participate in a conference via phone or another accessible mode of communication. Students will not be disciplined further merely because their parent/ guardian cannot participate in a conference.
6. Attempted violations, including physical conflict, may require Actions. Principals or APs will determine the appropriate level of action for attempted violations. Actions will generally be at a lower level than the actual violation.
7. When determining the appropriate level of action to take, Principals and APs shall consider a student's claim of self-defense, defense of others or defense of property.
8. Law Enforcement, School Resource, and School Safety Officers, and other security personnel, shall not be involved in low-level student discipline (levels 1-2). **This in no way prohibits contacting School Safety during or immediately after an incident to protect student, staff, or visitor safety.** A Principal/Assistant Principal must immediately notify an Assistant Superintendent and the **Student Relations office** when law enforcement is contacted. Law Enforcement may be **contacted** in cases of vandalism where the District is **seeking restitution** for damage to school property.

Schools are divided into five regions, each **supported by** an Assistant **Regional Superintendent**. To find your regional information go to [tusd1.org/regions](https://tusd1.org/regions), locate your school in one of the five lists, then click your region's seal at the top of the column.

## Transition Back to School After Fights/Assault

Students returning from suspension for fights or assaults will participate in either a mediation or other restorative practices. In addition, any student(s) involved as the victim(s) of the returning student's conduct will be notified that the student is returning, and appropriate supports will be put in place to ensure student safety.

When students return to school from suspensions under these circumstances, administrators may implement one or more of the following options:

1. Restorative conference;
2. Mediation;
3. Parent contact for both students before a student returns from suspension when an altercation has occurred;
4. Behavior plan;
5. Safety plan;
6. MTSS plan;
7. Check in and check out for victim and offender;
8. Communication of safety plan for applicable staff;
9. One-day transition.

# Elementary School

## Guidance

When considering actions, schools strive to implement Restorative Practices and to keep students in their classrooms whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. Principals may exercise reasonable discretion in deciding which violation occurred, and may request an elevated consequence based on campus safety concerns. The charts below list actions that may be taken by school administration as the result of a violation. The Action Level identifies a range of actions for violations assigned to that level. Multiple actions may be applied to a single violation. **For all violations, parent/guardian notification and request for student conference are mandatory.**

Students will progress through grade level bands and action levels when determining a consequence progression. A student who commits a leveled violation may progress through consequences based on their grade band's progression chart. Student consequences do not progress from elementary to middle school, or middle to high school.

(Example: A student is truant twice their 6th grade year. They will progress to a second offense for truancy which is a level one violation. Their 7th grade year, they are truant one more time. They are now at their third offense for truancy. They have no further truancy throughout their middle school career. If the student is truant again their freshman year, they begin at offense one for a level one violation (truancy)).

## Standard Supplementary Consequences

District Wide Common  
Consequence that can  
be utilized with any  
leveled offense.

- Parent Notification
- Student Conference
- Restorative Conference and/or Circle
- Reflective Essay
- Referral to Outside Agency
- Restitution
- Meeting with Counselor
- Verbal/Written Apology
- Teen Court
- Warning
- Detention (before/after school & lunch)
- Functional Behavior Assessment
- Suspended Privileges (bus privileges included)
- Time-out
- Reassignment
- Community Services

### In alignment with TUSD's district wide SEL practices:

- Behavior Contract
- Behavior Intervention Group
- Behavior Learning Packet
- Behavior Intervention Plan

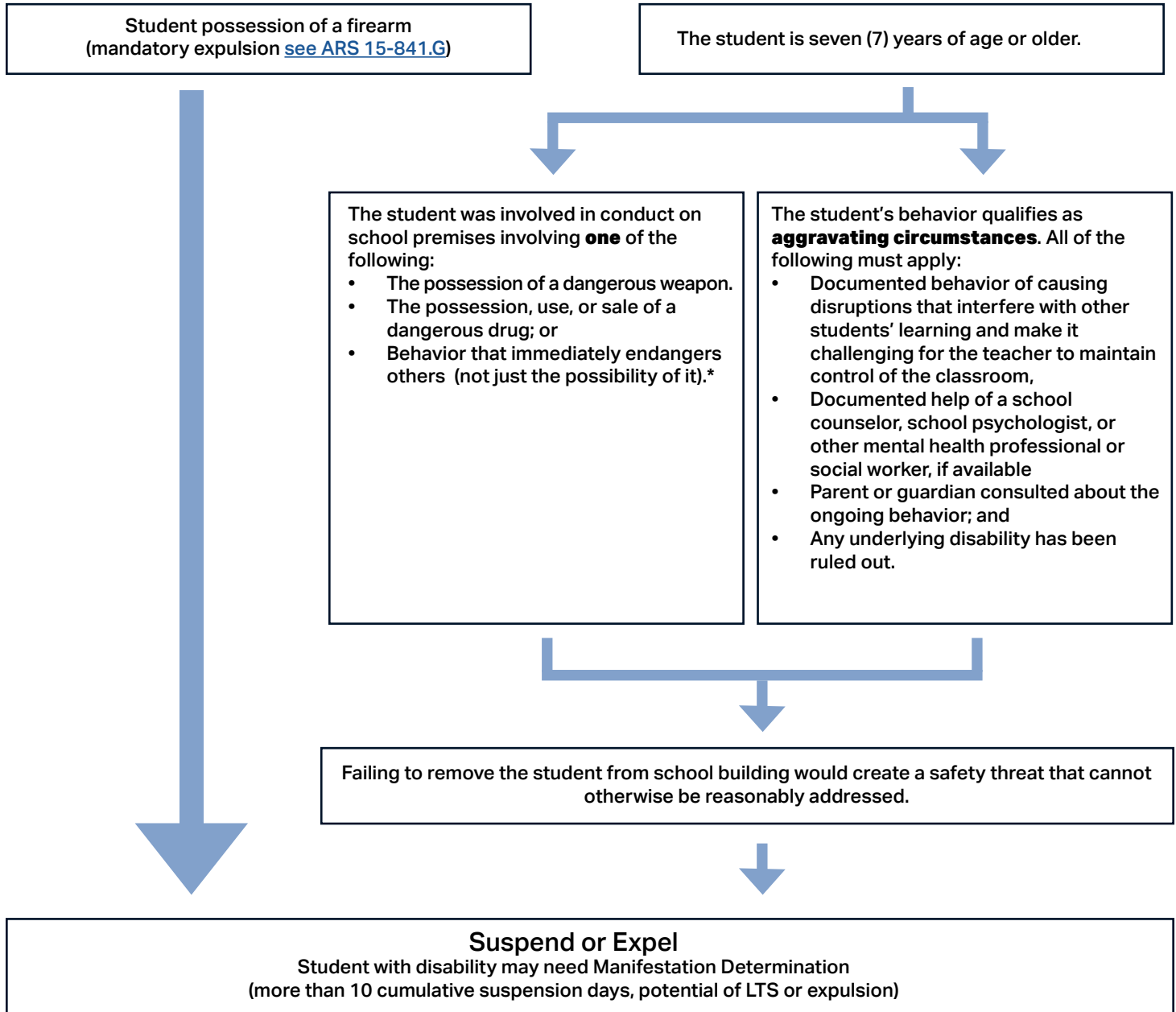
|                |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|----------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Level 1</b> | Level one consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses and in adherence with the Arizona K4 Law.           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <b>Offenses</b>                                                                                                                                                                          | <b>Consequences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                | Offense #1                                                                                                                                                                               | • Student Conference and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                | Offense #2                                                                                                                                                                               | • Detention and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                | Offense #3                                                                                                                                                                               | • 1 Day Reassignment & Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                | Offense #4                                                                                                                                                                               | • MTSS Referral, Parent Conference to Develop Behavior Contract                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | Offense #5                                                                                                                                                                               | • Escalates to Level 2 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Level 2</b> | Level two consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses and in adherence with the Arizona K4 Law.           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <b>Offenses</b>                                                                                                                                                                          | <b>Consequences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                | Offense #1                                                                                                                                                                               | • Student Conference and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|                | Offense #2                                                                                                                                                                               | • Detention and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|                | Offense #3                                                                                                                                                                               | • Reassignment (1-3 Days) or In School Intervention (1-3 Days) and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                | Offense #4                                                                                                                                                                               | • MTSS Referral, Parent Conference/Behavior Contract, Counselor Referral                                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                | Offense #5                                                                                                                                                                               | • Escalates to Level 3 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Level 3</b> | Level three consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses and in adherence with the Arizona K4 Law.         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <b>Offenses</b>                                                                                                                                                                          | <b>Consequences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                | Offense #1                                                                                                                                                                               | • Parent Conference + OSS/ISI or Reassignment (1-2)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                | Offense #2                                                                                                                                                                               | • Parent Conference + OSS/ISI or Reassignment (2-4)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                | Offense #3                                                                                                                                                                               | • Parent Conference + OSS/ISI or Reassignment (4-7)                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|                | Offense #4                                                                                                                                                                               | • Elevation to Level 4 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Level 4</b> | Level four consequences in adherence with the Arizona K4 Law.                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | Hearing officers have the option to offer alternative education programs as an alternative or in partnership with a consequence when making decisions at a long-term suspension hearing. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <i>Due to the serious nature of the violation, there is no consequence progression.</i>                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <b>Consequences</b>                                                                                                                                                                      | OSS (11-30 days) option of Abeyance OR Hearing for Long Term Suspension. <ul style="list-style-type: none"> <li>• Any Action from the prior level(s) may also be imposed.</li> <li>• Restorative Conference and/or Restorative Circle (upon re-entry to school).</li> </ul>                                                                                                                                                                                                                                  |
|                |                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Level 5</b> | Hearing officers have the option to offer alternative education programs as an alternative or in partnership with a consequence when making decisions at a long-term suspension hearing. |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <i>Due to the serious nature of the violation, there is no consequence progression.</i>                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | <b>Consequences</b>                                                                                                                                                                      | <ul style="list-style-type: none"> <li>• Out of School Suspension and/or Abeyance – Long term (11-180 Days) when deemed appropriate in adherence to the Arizona K-4 Law.</li> <li>• Restorative Conference and/or Restorative Circle upon re-entry to school)</li> </ul> Expulsion (181+days) Expulsion is the permanent withdrawal of the privilege of attending any school in the Tucson Unified District unless the Governing Board reinstates the privilege. The is in adherence to the Arizona K-4 Law. |



# K-4 Law Suspension/Expulsion

The suspension or expulsion of K-4 students is governed by A.R.S. 15-843. Where a K-4 student commits a violation subject to suspension, the student may be suspended for a maximum of two days, and the aggregate suspensions for that student may not exceed 10 days within a school year, unless an exception to this rule applies. The exceptions are set forth in the flow chart below.

## A school district may exceed the statutory suspension or expel a K-4 student only if:



*\*Endangers others: creating, engaging in, or encouraging any potentially unsafe, dangerous or hazardous situation. Includes direct or indirect involvement in a risk to health, safety, welfare, injury, harm and/or death of students and staff.*

# Violation Levels

| Aggression                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |
|-----------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Violation                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Action Level                             |
| Recklessness                      | Engaging in unintentional, careless behavior that may pose a safety or health risk for yourself or for others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1                                        |
| Provocation (verbal or nonverbal) | Using offensive language or gestures that may incite another person to fight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2                                        |
| Minor Aggressive Act              | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2                                        |
| Endangerment                      | Recklessly putting self or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: rock throwing, stick throwing, pencil throwing (school supplies), etc..                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                        |
| Physical Conflict                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                          |
| Violation                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Action Level                             |
| Other Aggression                  | Intentionally or knowingly engaging with physical contact that has a reasonable risk of resulting in physical injury.<br>Examples: pushing, kicking, biting, hitting, slapping, and punching with no physical injury etc.<br>Similar conduct not meeting the definition of Other Aggression shall be treated as the level 2 offense of Minor Aggressive Act.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                        |
| Fighting                          | A fight is defined as a physical altercation in which both parties are willing participants who had one or more opportunities to de-escalate the situation, leave the situation, or notify a school official of the potential fight prior to making the decision to participate, and where the circumstances present a threat to safety because of the number of participants or the intensity and violence of the conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 3                                        |
| Assault                           | <ol style="list-style-type: none"> <li>Intentionally or knowingly causing another person physical injury. "Physical injury" includes the temporary or substantial loss or impairment of any body organ or part (e.g., the fracture of a bone), and temporary but substantial disfigurement (e.g., bleeding, bruising, or a visibly open wound). Injuries may not be visible if internal injury is present (especially when a student makes contact with another person's head.)</li> <li>Spitting at or on another person with the intent to insult and/or provoke.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 4                                        |
| Aggravated Assault                | <ol style="list-style-type: none"> <li>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.</li> <li>Committing an assault using a firearm, simulated firearm, dangerous item, or other weapon (as defined in the Code of Conduct).</li> <li>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).</li> <li>Committing the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.</li> <li>Committing assault and the person is in violation of an order of protection.</li> <li>Committing the assault knowing or having reason to know that the victim is any of the following: <ul style="list-style-type: none"> <li>Teacher or any school employee on school grounds</li> <li>Law enforcement officer</li> <li>Prosecutor</li> <li>Firefighter</li> <li>EMT/Paramedic</li> </ul> </li> </ol> <p>Engaged in official duties, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes.</p> <ul style="list-style-type: none"> <li>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 or staff member engaged in any authorized and organized classroom activity held on other than school grounds.</li> </ul> | 5<br>Mandatory report to law enforcement |

## Alcohol, Tobacco, and Other Drug Violations

**Drug Violations:** Unlawful use, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment, and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events, and on school-sponsored transportation. Includes over-the-counter medications if abused by the student.

**Possession:** Knowing exercise of dominion or control over an item.

**Use:** The act of using or being under the influence.

**Sale:** To transfer or exchange an item to another person for anything of value or advantage, present, or prospective.

**Share:** To allow another person to use or enjoy something that one possesses.

| Violation                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                        |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Inappropriate Use of Over-the-Counter Drugs | Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                                                                                     |                                     |
|                                             | Possession of Drug Paraphernalia                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                     |
|                                             | Drug paraphernalia means all equipment, products, and materials of any kind which are used, intended for or designed for use in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. |                                     |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2                                   |
|                                             | <b>Sale or Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                   |
| Tobacco Violation                           | The possession, use, distribution, or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches, vapes, or vape pens, and hookah sticks), at school sponsored events, and on school sponsored transportation.                                                                                                                                                                  |                                     |
| Alcohol Violations                          | The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                                                          |                                     |
| Unknown Drug                                | If a drug is identified, after an investigation, a different violation may be identified.                                                                                                                                                                                                                                                                                                                                                                        |                                     |
| Substance Represented as an Illicit Drug    | A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                                                                                            |                                     |
| Illicit Drug                                | Illicit drugs include dangerous drugs, narcotic drugs, marijuana (or derivative thereof), and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc. (including any device or substance that delivers an illicit drug such as e-cigarettes, vapes or vape pens, wax pens, and edibles).                                                                             |                                     |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3                                   |
|                                             | <b>Marijuana Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4                                   |
|                                             | <b>Alcohol Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                   |
|                                             | <b>Tobacco Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                   |
|                                             | <b>All Illicit Drugs, Tobacco, Alcohol Sale .....</b>                                                                                                                                                                                                                                                                                                                                                                                                            | 5                                   |
| Inhalants                                   | Inhalants include medication, anesthetics, and other compounds in vapor or aerosol form, taken by inhalation. This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                                                          |                                     |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                   |
|                                             | <b>Sale or Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                   |
| Inappropriate Use of Prescription Drugs     | Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                                                                                 | Mandatory report to law enforcement |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                   |
|                                             | <b>Sale or Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                   |

## Attendance Policy Violations (Out of School Suspension is Not Permitted)

| Violation                                         |                                                                                                                                                                                                                                                                                                                                | Action Level |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Other Attendance Violations</b>                | Examples: Leaving school without signing out in the main office; leaving school at lunch without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school but not attending classes. | 1            |
| <b>Leaving School Grounds without Permissions</b> | Leaving school grounds or being in an "out-of-bounds" area during regular school hours without principal or designee permission.                                                                                                                                                                                               | 1            |

## Other Violations of School Policies

| Violation                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Action Level |
|--------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Dress Code Violation</b>                                        | Wearing clothing that violates dress code guidelines stated by school or district policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1            |
| <b>Other Violations of School Policies and Regulations</b>         | Committing some other violation of school or district policy or regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 1            |
| <b>Bus or School Transportation Violation</b>                      | Student bus or school transportation privileges may be revoked in addition to other applicable consequences of the Code of Conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1            |
| <b>Inappropriate Language (verbal or non verbal)</b>               | Delivering verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way. Pursuant to the requirements set out in Guideline #4, above, a Principal/Assistant Principal may, but is not required to, elevate the Action Level for a student swearing at a staff member where the circumstances demonstrate a lack of respect towards authority (rather than just the use of a curse word or words.)                                                                                                                                                                                              | 2            |
| <b>Contraband</b>                                                  | Possessing items stated in school policy as prohibited because they may disrupt the learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2            |
| <b>Combustible</b>                                                 | Possessing a substance or object that is readily capable of causing bodily harm or property damage (e.g. matches, lighters).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 2            |
| <b>Disruption</b>                                                  | Engaging in behavior causing a substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out of seat behavior.                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2            |
| <b>Gambling</b>                                                    | Playing games of chance for money (or thing of value) or betting a sum of money (or thing of value).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 2            |
| <b>Defiance and Disrespect</b>                                     | Engaging in repeated behavior including, but not limited to, refusing to follow directions, talking back, or engaging in socially rude interactions. Engaging in intentional behavior with another student that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination.                                                                                                                                                                                           | 2            |
| <b>Defiance or Disrespect Towards Authority and Non-Compliance</b> | Defiance: Engaging in socially rude interactions in which there is disrespect and resistance to a staff members' directive or request.<br><br>Disrespect: Engaging in intentional behavior with staff that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination, as well as, appearance, professionalism, general insults, insults that involve curse words, throwing objects at the staff member, destroying classroom property belonging to the staff member. | 3            |
| <b>Negative Group Affiliation/Illegal Organization</b>             | Engaging as a member or potential member of an anti-social organization, secret society, criminal street gang, or other set of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.                                                                                                                              | 3            |

## Dishonesty

| Violation         |                                                                                                                                                                                                                                          | Action Level |
|-------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Cheating</b>   | Sharing with another, or taking from another, intellectual property for the purpose of deceit or fraud, or taking or stealing intellectual property from another with or without their knowledge and presenting it as the student's own. | 2            |
| <b>Forgery</b>    | Falsely and fraudulently making or altering a document, including hall passes and parent/guardian signatures.                                                                                                                            | 2            |
| <b>Lying</b>      | Making an untrue statement with the intention to deceive or to create a false or misleading impression.                                                                                                                                  | 2            |
| <b>Plagiarism</b> | Stealing and passing off the ideas or words of another as one's own, including material obtained online.                                                                                                                                 | 2            |

## Technology, Improper Use of

| Violation                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Action Level |
|-----------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Telecommunication Device or Other Technology</b> | <p>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</p> <ol style="list-style-type: none"> <li>1. They are to be kept out of view in a student's locker, pocket, or a carrying bag;</li> <li>2. They shall not be turned on or used during instructional time, except as authorized by the teacher;</li> <li>3. The principal shall establish additional guidelines appropriate to campus needs;</li> <li>4. Students violating the policy may have the electronic device confiscated and be subject to disciplinary action.</li> </ol> <p>Any search of the contents of an electronic device shall be by a Principal/ Assistant Principal in accordance with the Student Code of Conduct (see Policy JICJ). <b>NOTE:</b> May be elevated to a Level 3 violation if it involves an intention to cause harm to another person.</p> <p>Example: Use of telecommunication devices (cell phones, pagers, etc.) or other technology (gaming systems, iPods, iPads, Tablets, etc.) for a non-instructional purpose, including posting videos of fights onto social media, audio -visual recording and photographs without prior consent, or posting images of school community members in a manner intended to cause harm to another person.</p> | 2            |
| <b>Computer or Network Violations</b>               | <p>Examples (Computer): Using school computer for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of a Principal/Assistant Principal or a District Administrator, vandalism of computers or computer equipment.</p> <p>Examples (Network): Using computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy, or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state, or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.</p>                                                                                                                                                                                                                                                                                                                                                             | 3            |



## Trespassing; Vandalism or Criminal Damage

**Criminal Damage:** Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Principals/ Assistant Principals may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.

**Example:** Substantial destruction of copy machines, vehicles, science or computer equipment.

| Violation                                           |                                                                                                                                                                                                                                                                                                                                                                                                                | Action Level |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Trespassing</b>                                  | Entering or remaining on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the Principal/Assistant Principal or designee of the facility, campus, or function. | 3            |
| <b>Graffiti or Tagging</b>                          | Writing on walls; drawings or words painted or sprayed on walls or other surfaces that can be easily removed with soap or cleaner.                                                                                                                                                                                                                                                                             | 3            |
| <b>Vandalism of Personal and/or School Property</b> | Destroying or defacing personal or school property.<br><br>Examples of Vandalism: Carving initials or words in desk top, spray painting or painting on walls, damaging vehicles, breaking windows.<br><br>* Principals /assistant principals shall consider restitution as a restorative act.                                                                                                                  | 3            |

## Arson

**Structure:** A building or place with sides and a floor used for lodging, business, education, transportation, recreation, or storage.

**Occupied Structure:** Any structure in which one or more persons is, or is likely to be, present or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.

**Property:** Anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).

**Damage:** As used here, means a tangible or visible impairment to a surface.

**Reckless Burning:** Recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property.

| Violation                               |                                                                                                                                                                                                                                                                                                                                                                             | Action Level                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>Arson of a Structure or Property</b> | Knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. <ul style="list-style-type: none"> <li>Burning one's own property is not arson, except for burning one's own property with the knowledge that it will ignite another's property or a structure (but may, where appropriate, be considered reckless burning).</li> </ul> | 4                                                            |
| <b>Arson of an Occupied Structure</b>   | Knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion.<br><br><b>NOTE:</b> Principals/Assistant Principals may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100 at Level 3. Please see the definition of Reckless Burning above.           | 5<br>Mandatory report to law enforcement and fire department |

# Title IX

## Governing Board Policy – ACA Title IX Sexual Harassment

For the purposes of implementing this policy and for any allegation of sexual harassment against a student, the District accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. For claims of sexual harassment of one employee by another employee, please see Policy ACA, Sexual Harassment. Under Title IX, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee or agent of the District explicitly or impliedly conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct,
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity; or
3. Conduct that amounts to sexual assault, dating violence, domestic violence, or stalking, as those terms are defined in federal Title IX regulations and Governing Board Policy ACA.

This definition is subject to change, as the District is bound by the definitions in the federal Title IX regulations. The most current District definition may be found in Policy ACA, which may be found at [govboard.tusd1.org/Policy-Code-ACAA](http://govboard.tusd1.org/Policy-Code-ACAA).

**Remember!** If you feel as if you have been a victim of sexual harassment, reach out to a staff member or your school's principal as soon as possible.

### Sexual Offenses

For Level three, four, and five sexual offenses, school administrators will work with the district's designated Title 9 coordinator when issuing consequences.

| Violation                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                             |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Harassment Sexual                            | Making unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices).                                                                                                            | 3                                        |
| Pornography                                  | Possessing or providing sexually explicit and obscene depictions of persons, in words, or images.<br><br>Examples: viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the Internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value. | 3                                        |
| Harassment, Sexual with Contact              | Committing sexual harassment that includes physical contact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3                                        |
| Indecent Exposure or Public Sexual Indecency | Engaging in sexual acts or public sexual indecency.<br><br>Examples: Public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse or oral sex.                                                                                                                                                                                                                                                                                        | 3                                        |
| Sexual Assault or Rape                       | Intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.                                                                                                                                                                                                                                                                                                                                                                                                                 | 5<br>Mandatory report to law enforcement |

## Harassment and Threat, Intimidation

| Violation                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Action Level |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Bullying</b>                             | Intimidating students by the real or threatened infliction of repeated physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another, or when such act(s) interfere with the authority of the school system to maintain order. It may include but not be limited to actions such as Engaging in intentional behavior with another student that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non-discrimination, verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money and/ or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, any social media; or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships). Knowingly submitting a false report of bullying shall subject the student to discipline. | 3            |
| <b>Harassment, Nonsexual</b>                | <ol style="list-style-type: none"> <li>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic, or written means in a manner that harasses.</li> <li>2. Repeatedly commits an act or acts that harass another person.</li> <li>3. Surveils or causes another person to surveil a person for no legitimate purpose.</li> <li>4. On more than one occasion makes a false report to a law enforcement, credit, or social service agency.</li> <li>5. Stalking/following another person in or about a public place for no legitimate purpose after being asked to desist.</li> </ol> <p><b>NOTE:</b> Bullying and sexual harassment are types of harassment. Indicate harassment, nonsexual if the violation is not specifically bullying or sexual harassment, or if the specific type of harassment is not known.</p>                                                                                                                                                                                                                                                                                                                                | 3            |
| <b>Hazing</b>                               | <p>Committing an act against another student, in which both of the following apply:</p> <ol style="list-style-type: none"> <li>1. The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization (athletic team, association, club, or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school that is affiliated with an educational institution) affiliated with an educational institution.</li> <li>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 3            |
| <b>Threat or Intimidation</b>               | Indicating, by words or conduct, the intent to cause physical injury or serious damage to a person or property, or intentionally placing another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occur online or through a telecommunication device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3            |
| <b>Threat or Intimidation Towards Staff</b> | Indicating by words or conduct, the intent to cause physical injury to a TUSD employee or guest on TUSD property or serious damage to a TUSD employee's property or guest of the district's property or intentionally placing a TUSD employee or TUSD guest in reasonable apprehension of imminent physical injury. This may include, conduct that occurs through a telecommunication or digital device or online.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4            |

## School Threat or Interference

A school threat occurs where a student uses words or actions to place students, staff, or school property guests in apprehension of harm, or to interfere with or disrupt an educational institution.

| Violation                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                         |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>School Interruption</b>           | A School Interruption occurs where a student, acting either for the purpose of causing or in reckless disregard of causing interference with or disruption of an education institution, uses words or actions that do not amount to a threat but that place students, staff, or property guests in apprehension of harm (e.g., verbal threat not made directly to the school population or an 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 firearms or simulated firearms, etc.). | 4                                    |
| <b>Fire Alarm Misuse</b>             | Intentionally ringing a fire alarm when there is no fire, or misuse of a fire extinguisher.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 4                                    |
| <b>Bomb Threat</b>                   | Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5<br>Expulsion<br>required by<br>law |
| <b>Chemical or Biological Threat</b> | Threatening to cause harm using dangerous chemicals or biological agents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                      |
| <b>School Threat</b>                 | Making a school threat that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation, or suspension is not required).                                                                                                                                                                                                                                                                                                    |                                      |

## Theft

| Violation                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Action Level |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Petty Theft</b>                                   | Stealing cash, or property, valued under \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2            |
| <b>Theft- School Property or Non-School Property</b> | Knowingly:<br><ol style="list-style-type: none"> <li>Controls property of another with the intent to deprive the other person of such property; or</li> <li>Converts for an unauthorized term or use services or property of another entrusted to the student or placed in the student's possession for a limited, authorized term or use; or</li> <li>Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or</li> <li>Comes into control of lost, mislaid, or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person's own or another's use without reasonable efforts to notify the true owner; or</li> <li>Controls property of another knowing or having reason to know that the property was stolen; or</li> <li>Obtains services known to the student to be available only for compensation without paying or an agreement to pay the compensation or diverts another's services to the person's own or another's benefit without authority to do so.</li> </ol> | 3            |
| <b>Burglary or Breaking and Entering</b>             | Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard, or a nonresidential structure, or in a fenced commercial property with the intent to commit any theft or any felony therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 4            |
| <b>Extortion</b>                                     | Knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:<br><ol style="list-style-type: none"> <li>Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.</li> <li>Cause physical injury to anyone.</li> <li>Cause damage to property.</li> <li>Engage in other conduct constituting an offense.</li> <li>Accuse anyone of a crime or bring criminal charges against anyone.</li> <li>Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt, or ridicule or to impair the person's credit or business.</li> <li>Take or withhold action or cause a public servant to take or withhold action.</li> <li>Cause anyone to part with any property.</li> </ol>                                                                                                                                                                                                                                                                                                                                                        | 4            |

Continued Theft

| Violation                    |                                                                                                                                                                                                                                                                                                                                          | Action Level                             |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <b>Robbery</b>               | Taking any property of another from their person or immediate presence and against their will; threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property.                                                                       | 4                                        |
| <b>Armed Robbery</b>         | Committing robbery (see definition above) where such person or an accomplice: <ul style="list-style-type: none"> <li>Is armed with a deadly weapon or a simulated deadly weapon; or</li> <li>Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon.</li> </ul>                                   | 5<br>Mandatory report to law enforcement |
| <b>Burglary First Degree</b> | Entering or remaining unlawfully in or on a residential structure or yard, or a nonresidential structure, or in a fenced commercial property with the intent to commit any theft or any felony therein. Knowingly possessing explosives, a deadly weapon, or a dangerous instrument in the course of committing any theft or any felony. | 5<br>Mandatory report to law enforcement |

## Weapons and Dangerous Items, Possession of

See Policy JICI For More Details on Weapons in School

| Violation                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Action Level                                                          |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <b>Dangerous Items</b>   | Possessing a knife with a blade length of less than 2.5 inches (excluding butter knives), laser pointer, letter opener, mace/pepper spray, razor blade/box cutter, simulated knife, tear gas, firecrackers, smoke or stink bombs, gas, lighter fluid, or other dangerous items (anything that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury).<br><br><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3                                                                     |
| <b>Simulated Firearm</b> | Possessing a simulated firearm made of plastic, wood, metal, or any other material which is a replica, facsimile, or toy version of a firearm. (e.g., air soft gun, BB gun, paintball gun, pellet gun, Orbeez Gun).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4                                                                     |
| <b>Other Weapons</b>     | Possessing a billy club, brass knuckles, knife with a blade length of at least 2.5 inches (excluding butter knives), nunchakus, taser, or stun gun.<br><br><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                                                     |
| <b>Firearms</b>          | No student shall knowingly carry or possess on their person, within their immediate control, or in or on a means of transportation a firearm without authorization by a school Principal/ Assistant Principal.<br><br>"Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition.<br><br>"Other Firearms" Firearms other than handguns, rifles, or shotguns including:—any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas: Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive, or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.<br><br><b>NOTE:</b> This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, or pellet guns. | 5<br>Expulsion required by law<br>Mandatory report to law enforcement |



# Middle School

## Guidance

When considering actions, schools strive to implement Restorative Practices and to keep students in their classrooms whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. Principals may exercise reasonable discretion in deciding which violation occurred, and may request an elevated consequence based on campus safety concerns. The charts below list actions that may be taken by school administration as the result of a violation. The Action Level identifies a range of actions for violations assigned to that level. Multiple actions may be applied to a single violation. **For all violations, parent/guardian notification and request for student conference are mandatory.**

Students will progress through grade level bands and action levels when determining a consequence progression. A student who commits a leveled violation may progress through consequences based on their grade band's progression chart. Student consequences do not progress from elementary to middle school, or middle to high school.

(Example: A student is truant twice their 6th grade year. They will progress to a second offense for truancy which is a level one violation. Their 7th grade year, they are truant one more time. They are now at their third offense for truancy. They have no further truancy throughout their middle school career. If the student is truant again their freshman year, they begin at offense one for a level one violation (truancy)).

## Standard Supplementary Consequences

District Wide Common  
Consequence that can  
be utilized with any  
leveled offense.

- Parent Notification
- Student Conference
- Restorative Conference and/or Circle
- Reflective Essay
- Referral to Outside Agency
- Restitution
- Meeting with Counselor
- Verbal/Written Apology
- Teen Court
- Warning
- Detention (before/after school & lunch)
- Functional Behavior Assessment
- Suspended Privileges (bus privileges included)
- Time-out
- Reassignment
- Community Services

### In alignment with TUSD's district wide SEL practices:

- Behavior Contract
- Behavior Intervention Group
- Behavior Learning Packet
- Behavior Intervention Plan

|                |                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Level 1</b> | Level one consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                | <b>Offenses</b>                                                                                                                                                                                                                                                                     | <b>Consequences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                | Offense #1                                                                                                                                                                                                                                                                          | • Student Conference and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                     |
|                | Offense #2                                                                                                                                                                                                                                                                          | • Detention and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | Offense #3                                                                                                                                                                                                                                                                          | • 1 Day ISI & Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                                |
|                | Offense #4                                                                                                                                                                                                                                                                          | • MTSS Referral, Parent Conference to Develop Behavior Contract                                                                                                                                                                                                                                                                                                                                                                                             |
|                | Offense #5                                                                                                                                                                                                                                                                          | • Escalates to Level 2 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Level 2</b> | Level two consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                | <b>Offenses</b>                                                                                                                                                                                                                                                                     | <b>Consequences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                | Offense #1                                                                                                                                                                                                                                                                          | • Detention and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | Offense #2                                                                                                                                                                                                                                                                          | • ISI (1 day) and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                            |
|                | Offense #3                                                                                                                                                                                                                                                                          | • ISI (2-3) and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                              |
|                | Offense #4                                                                                                                                                                                                                                                                          | • Mandatory MTSS, Parent Conference to Develop Behavior Plan                                                                                                                                                                                                                                                                                                                                                                                                |
|                | Offense #5                                                                                                                                                                                                                                                                          | • Escalates to Level 3 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Level 3</b> | Level three consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses.                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                | <b>Offenses</b>                                                                                                                                                                                                                                                                     | <b>Consequences</b>                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                | Offense #1                                                                                                                                                                                                                                                                          | • Parent Conference + OSS/ISI (1-3)                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                | Offense #2                                                                                                                                                                                                                                                                          | • Parent Conference + OSS/ISI (3-5)                                                                                                                                                                                                                                                                                                                                                                                                                         |
|                | Offense #3                                                                                                                                                                                                                                                                          | • Parent Conference + OSS/ISI (5-10)                                                                                                                                                                                                                                                                                                                                                                                                                        |
|                | Offense #4                                                                                                                                                                                                                                                                          | • Elevation to Level 4 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Level 4</b> | Hearing officers have the option to offer alternative education programs as an alternative or in partnership with a consequence when making decisions at a long-term suspension hearing.<br><i>Due to the serious nature of the violation, there is no consequence progression.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                | Consequences                                                                                                                                                                                                                                                                        | OSS (11-30 days) option of Abeyance OR Hearing for Long Term Suspension. <ul style="list-style-type: none"> <li>• Any Action from the prior level(s) may also be imposed.</li> <li>• Restorative Conference and/or Restorative Circle (upon re-entry to school).</li> </ul>                                                                                                                                                                                 |
| <b>Level 5</b> | Hearing officers have the option to offer alternative education programs as an alternative or in partnership with a consequence when making decisions at a long-term suspension hearing.<br><i>Due to the serious nature of the violation, there is no consequence progression.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|                | Consequences                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>• Any Action from the prior level(s) may also be imposed.</li> <li>• Out-of-School Suspension and/or Abeyance – Long-term (11-180 Days).</li> <li>• Restorative Conference and/or Restorative Circle (upon re-entry to school).</li> </ul> Expulsion (181+ Days) Expulsion is the permanent withdrawal of the privilege of attending any school in the District unless the Governing Board reinstates the privilege. |

# Violation Levels

| Aggression                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                          |
|-----------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Violation                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Action Level                             |
| Recklessness                      | Engaging in unintentional, careless behavior that may pose a safety or health risk for yourself or for others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 1                                        |
| Provocation (verbal or nonverbal) | Using offensive language or gestures that may incite another person to fight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 2                                        |
| Minor Aggressive Act              | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2                                        |
| Endangerment                      | Recklessly putting self or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: rock throwing, stick throwing, pencil throwing (school supplies), etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                        |
| Physical Conflict                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                          |
| Violation                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Action Level                             |
| Other Aggression                  | Intentionally or knowingly engaging with physical contact that has a reasonable risk of resulting in physical injury.<br>Examples: pushing, kicking, biting, hitting, slapping, and punching with no physical injury etc.<br>Similar conduct not meeting the definition of Other Aggression shall be treated as the level 2 offense of "Minor Aggressive Act."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 3                                        |
| Fighting                          | A fight is defined as a physical altercation in which both parties are willing participants who had one or more opportunities to de-escalate the situation, leave the situation, or notify a school official of the potential fight prior to making the decision to participate, and where the circumstances present a threat to safety because of the number of participants or the intensity and violence of the conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 3                                        |
| Assault                           | 1. Intentionally or knowingly causing any physical injury. "Physical injury" includes the temporary or substantial loss or impairment of any body organ or part (e.g., the fracture of a bone), and temporary but substantial disfigurement (e.g., bleeding, bruising, or a visibly open wound). Injuries may not be visible if internal injury is present (especially involving when a student makes contact with another student's head.)<br>2. Spitting at or on another person with the intent to insult and/or provoke.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                        |
| Aggravated Assault                | 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.<br>2. Committing an assault using a firearm, simulated firearm, dangerous item, or other weapon (As defined in the Code of Conduct).<br>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).<br>4. Committing the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.<br>5. Committing assault and the person is in violation of an order of protection.<br>6. Committing the assault knowing or having reason to know that the victim is any of the following:<br><ul style="list-style-type: none"> <li>Teacher or any school employee on school grounds</li> <li>Law enforcement officer</li> <li>Prosecutor</li> <li>Firefighter</li> <li>EMT/Paramedic</li> </ul> Engaged in official duties, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes.<br><ul style="list-style-type: none"> <li>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 or staff member engaged in any authorized and organized classroom activity held on other than school grounds.</li> </ul> | 5<br>Mandatory report to law enforcement |

## Alcohol, Tobacco, and Other Drug Violations

**Drug Violations:** Unlawful use, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment, and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events, and on school-sponsored transportation. Includes over-the-counter medications if abused by the student.

**Possession:** Knowing exercise of dominion or control over an item.

**Use:** The act of using or being under the influence.

**Sale:** To transfer or exchange an item to another person for anything of value or advantage, present, or prospective.

**Share:** To allow another person to use or enjoy something that one possesses.

| Violation                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                        |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Inappropriate Use of Over-the-Counter Drugs | Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                                                                                     |                                     |
| Possession of Drug Paraphernalia            | Drug paraphernalia means all equipment, products, and materials of any kind which are used, intended for or designed for use in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. |                                     |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2                                   |
|                                             | <b>Sale or Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                   |
| Tobacco Violation                           | The possession, use, distribution, or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches, vapes, or vape pens, and hookah sticks), at school sponsored events, and on school sponsored transportation.                                                                                                                                                                  |                                     |
| Alcohol Violations                          | The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                                                          |                                     |
| Unknown Drug                                | If a drug is identified, after an investigation, a different violation may be identified.                                                                                                                                                                                                                                                                                                                                                                        |                                     |
| Substance Represented as an Illicit Drug    | A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                                                                                            |                                     |
| Illicit Drug                                | Illicit drugs include dangerous drugs, narcotic drugs, marijuana (or derivative thereof), and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc. (including any device or substance that delivers an illicit drug such as e-cigarettes, vapes or vape pens, wax pens, and edibles).                                                                             |                                     |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3                                   |
|                                             | <b>Marijuana Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4                                   |
|                                             | <b>Alcohol Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                   |
|                                             | <b>Tobacco Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                   |
|                                             | <b>All Illicit Drugs, Tobacco, Alcohol Sale .....</b>                                                                                                                                                                                                                                                                                                                                                                                                            | 5                                   |
| Inhalants                                   | Inhalants include medication, anesthetics, and other compounds in vapor or aerosol form, taken by inhalation. This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                                                          |                                     |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                   |
|                                             | <b>Sale or Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                   |
| Inappropriate Use of Prescription Drugs     | Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                                                                                 | Mandatory report to law enforcement |
|                                             | <b>Possession or Use .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                   |
|                                             | <b>Sale or Share .....</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                   |

## Attendance Policy Violations

| Violation                                  |                                                                                                                                                                                                                                                                                                                                       | Action Level |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Other Attendance Violations                | <b>Examples:</b> leaving school without signing out in the main office; leaving school at lunch without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school but not attending classes. | 1            |
| Tardy                                      | <b>Arriving at school or class after the scheduled start time.</b> If a student misses 50% of their class time, they are considered absent.                                                                                                                                                                                           | 1            |
| Unexcused Absence                          | Missing school for an <b>entire day</b> with no acceptable excuse.                                                                                                                                                                                                                                                                    | 1            |
| Truancy                                    | Having an unexcused absence for at least one class period during the day or missing 50% of class time (applies to students aged 6-16).                                                                                                                                                                                                | 2            |
| Leaving School Grounds without Permissions | Leaving school grounds or being in an "out-of-bounds" area during regular school hours without principal or designee permission.                                                                                                                                                                                                      | 2            |

## Other Violations of School Policies

| Violation                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Action Level |
|-------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Dress Code Violation                                        | Wearing clothing that violates dress code guidelines stated by school or district policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 1            |
| Other Violations of School Policies and Regulations         | Committing some other violation of school or district policy or regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 1            |
| Public Display of Affection                                 | Kissing or other inappropriate displays of affection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 1            |
| Bus or School Transportation Violation                      | Student bus or school transportation privileges may be revoked in addition to other applicable consequences of the Code of Conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1            |
| Inappropriate Language (verbal or non verbal)               | Delivering verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way. Pursuant to the requirements set out in Guideline #4, above, a Principal/Assistant Principal may, but is not required to, elevate the Action Level for a student swearing at a staff member where the circumstances demonstrate a lack of respect towards authority (rather than just the use of a curse word or words).                                                                                                                                                                                          | 2            |
| Contraband                                                  | Possessing items stated in school policy as prohibited because they may disrupt the learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 2            |
| Combustible                                                 | Possessing a substance or object that is readily capable of causing bodily harm or property damage (e.g. matches, lighters).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2            |
| Disruption                                                  | Engaging in behavior causing a substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out of seat behavior.                                                                                                                                                                                                                                                                                                                                                                                                                                 | 2            |
| Gambling                                                    | Playing games of chance for money (or thing of value) or betting a sum of money (or thing of value).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2            |
| Defiance and Disrespect                                     | Engaging in repeated behavior including, but not limited to, refusing to follow directions, talking back, or engaging in socially rude interactions. Engaging in intentional behavior with another student that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination.                                                                                                                                                                                       | 2            |
| Defiance or Disrespect Towards Authority and Non-Compliance | Defiance: Engaging in socially rude interactions in which there is disrespect and resistance to a staff members' directive or request.<br>Disrespect: Engaging in intentional behavior with staff that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination, as well as, appearance, professionalism, general insults, insults that involve curse words, throwing objects at the staff member, destroying classroom property belonging to the staff member. | 3            |



| Violation                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action Level |
|--------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Negative Group Affiliation/Illegal Organization</b> | Engaging as a member or potential member of an anti-social organization, secret society, criminal street gang, or other set of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3            |
| <b>Dishonesty</b>                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |              |
| Violation                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action Level |
| <b>Cheating</b>                                        | Sharing with another, or taking from another, intellectual property for the purpose of deceit or fraud, or taking or stealing intellectual property from another with or without their knowledge and presenting it as the student's own.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2            |
| <b>Forgery</b>                                         | Falsely and fraudulently making or altering a document, including hall passes and parent/guardian signatures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2            |
| <b>Lying</b>                                           | Making an untrue statement with the intention to deceive or to create a false or misleading impression.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2            |
| <b>Plagiarism</b>                                      | Stealing and passing off the ideas or words of another as one's own, including material obtained online.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2            |
| <b>Technology, Improper Use of</b>                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |              |
| Violation                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action Level |
| <b>Telecommunication Device or Other Technology</b>    | <p>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:</p> <ol style="list-style-type: none"> <li>1. They are to be kept out of view in a student's locker, pocket, or a carrying bag;</li> <li>2. They shall not be turned on or used during instructional time, except as authorized by the teacher;</li> <li>3. The principal shall establish additional guidelines appropriate to campus needs;</li> <li>4. Students violating the policy may have the electronic device confiscated and be subject to disciplinary action.</li> </ol> <p>Any search of the contents of an electronic device shall be by a Principal/Assistant Principal in accordance with the Student Code of Conduct (see Policy JICJ). <b>NOTE:</b> May be elevated to a Level 3 violation if it involves an intention to cause harm to another person.</p> <p>Examples: Use of telecommunication devices (cell phones, pagers, etc.) or other technology (gaming systems, iPods, iPads, Tablets, etc.) for a non-instructional purpose, including posting videos of fights onto social media, audio -visual recording and photographs without prior consent, or posting images of school community members in a manner intended to cause harm to another person.</p> | 2            |
| <b>Computer or Network Violations</b>                  | <p>Examples (Computer): Using school computer for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of a Principal/Assistant Principal or a District Administrator, vandalism of computers or computer equipment.</p> <p>Examples (Network): Using computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy, or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state, or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.</p>                                                                                                                                                                                                                                                                                                                                                              | 3            |

## Trespassing; Vandalism or Criminal Damage

**Criminal Damage:** Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Principals/ Assistant Principals may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.

**Example:** Substantial destruction of copy machines, vehicles, science or computer equipment.

| Violation                                           |                                                                                                                                                                                                                                                                                                                                                                                                                | Action Level |
|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Trespassing</b>                                  | Entering or remaining on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the Principal/Assistant Principal or designee of the facility, campus, or function. | 3            |
| <b>Graffiti or Tagging</b>                          | Writing on walls; drawings or words painted or sprayed on walls or other surfaces that can be easily removed with soap or cleaner.                                                                                                                                                                                                                                                                             | 3            |
| <b>Vandalism of Personal and/or School Property</b> | Destroying or defacing personal or school property.<br>Examples of Vandalism: Carving initials or words in desk top, spray painting or painting on walls, damaging vehicles, breaking windows.<br>* Principals /assistant principals shall consider restitution as a restorative act.                                                                                                                          | 3            |

## Arson

**Structure:** A building or place with sides and a floor used for lodging, business, education, transportation, recreation, or storage.

**Occupied Structure:** Any structure in which one or more persons is, or is likely to be, present or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.

**Property:** Anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).

**Damage:** As used here, means a tangible or visible impairment to a surface.

**Reckless Burning:** Recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property.

| Violation                               |                                                                                                                                                                                                                                                                                                                                                                             | Action Level                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>Arson of a Structure or Property</b> | Knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. <ul style="list-style-type: none"> <li>Burning one's own property is not arson, except for burning one's own property with the knowledge that it will ignite another's property or a structure (but may, where appropriate, be considered reckless burning).</li> </ul> | 4                                                            |
| <b>Arson of an Occupied Structure</b>   | Knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion.<br><b>NOTE:</b> Principals/Assistant Principals may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100 at Level 3. Please see the definition of Reckless Burning above.               | 5<br>Mandatory report to law enforcement and fire department |

# Title IX

## Governing Board Policy – ACAA Title IX Sexual Harassment

For the purposes of implementing this policy and for any allegation of sexual harassment against a student, the District accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. For claims of sexual harassment of one employee by another employee, please see Policy ACA, Sexual Harassment. Under Title IX, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee or agent of the District explicitly or impliedly conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct,
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity; or
3. Conduct that amounts to sexual assault, dating violence, domestic violence, or stalking, as those terms are defined in federal Title IX regulations and Governing Board Policy ACAA.

This definition is subject to change, as the District is bound by the definitions in the federal Title IX regulations. The most current District definition may be found in Policy ACAA, which may be found at [govboard.tusd1.org/Policy-Code-ACAA](http://govboard.tusd1.org/Policy-Code-ACAA).

**Remember!** If you feel as if you have been a victim of sexual harassment, reach out to a staff member or your school's principal as soon as possible.

### Sexual Offenses

For Level three, four, and five sexual offenses, school administrators will work with the district's designated Title 9 coordinator when issuing consequences.

| Violation                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                             |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Harassment Sexual                            | Making unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices).                                                                                                            | 3                                        |
| Pornography                                  | Possessing or providing sexually explicit and obscene depictions of persons, in words, or images.<br><br>Examples: viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value. | 3                                        |
| Harassment, Sexual with Contact              | Committing sexual harassment that includes physical contact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4                                        |
| Indecent Exposure or Public Sexual Indecency | Engaging in sexual acts or public sexual indecency.<br><br>Examples: Public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse or oral sex.                                                                                                                                                                                                                                                                                        | 4                                        |
| Sexual Assault or Rape                       | Intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person                                                                                                                                                                                                                                                                                                                                                                                                                  | 5<br>Mandatory report to law enforcement |

## Harassment and Threat, Intimidation

| Violation                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Action Level |
|--------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Bullying                             | Intimidating students by the real or threatened infliction of repeated physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another, or when such act(s) interfere with the authority of the school system to maintain order. It may include but not be limited to actions such as Engaging in intentional behavior with another student that insults one’s disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination, verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money and/ or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, all social media; or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships). Knowingly submitting a false report of bullying shall subject the student to discipline. | 3            |
| Harassment, Nonsexual                | <div><div>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic, or written means in a manner that harasses.</div><div>2. Repeatedly commits an act or acts that harass another person.</div><div>3. Surveils or causes another person to surveil a person for no legitimate purpose.</div><div>4. On more than one occasion makes a false report to a law enforcement, credit, or social service agency.</div><div>5. Stalking/following another person in or about a public place for no legitimate purpose after being asked to desist.</div></div> <div><b>NOTE:</b> Bullying and sexual harassment are types of harassment. Indicate harassment, nonsexual if the violation is not specifically bullying or sexual harassment, or if the specific type of harassment is not known.</div>                                                                                                                                                                                                                                                                                                                                                     | 3            |
| Hazing                               | <div>Committing an act against another student, in which both of the following apply:</div> <div><div>1. The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization (athletic team, association, club, or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school that is affiliated with an educational institution) affiliated with an educational institution.</div><div>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.</div></div> <div>* Principals/Assistant Principals may treat incidents of hazing at a Level 4 in consultation with the Student Relations Department.</div>                                                                                                                                                                                                                                                                                                                                                                               | 3            |
| Threat or Intimidation               | Indicating, by words or conduct, the intent to cause physical injury or serious damage to a person or property, or intentionally placing another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occur online or through a telecommunication device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3            |
| Threat or Intimidation Towards Staff | Indicating by words or conduct, the intent to cause physical injury to a TUSD employee or guest on TUSD property or serious damage to a TUSD employee’s property or guest of the district’s property or intentionally placing a TUSD employee or TUSD guest in reasonable apprehension of imminent physical injury. This may include, conduct that occurs through a telecommunication or digital device or online.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 4            |

## School Threat or Interference

A school Threat occurs where a student uses words or actions to place students, staff, or school property guests in apprehension of harm, or to interfere with or disrupt an educational institution.

| Violation                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                         |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>School Interruption</b>           | A School Interruption occurs where a student, acting either for the purpose of causing or in reckless disregard of causing interference with or disruption of an education institution, uses words or actions that do not amount to a threat but that place students, staff, or property guests in apprehension of harm (e.g., verbal threat not made directly to the school population or an 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 firearms or simulated firearms, etc.). | 4                                    |
| <b>Fire Alarm Misuse</b>             | Intentionally ringing a fire alarm when there is no fire, or misuse of a fire extinguisher.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 4                                    |
| <b>Bomb Threat</b>                   | Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5<br>Expulsion<br>required by<br>law |
| <b>Chemical or Biological Threat</b> | Threatening to cause harm using dangerous chemicals or biological agents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                      |
| <b>School Threat</b>                 | Making a School Threat that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement,                                                                                                                                                                                                                                                                                                                                                  |                                      |

## Theft

| Violation                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Action Level |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Petty Theft</b>                                   | Stealing cash, or property, valued under \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2            |
| <b>Theft- School Property or Non-School Property</b> | Knowingly:<br><ol style="list-style-type: none"> <li>1. Controls property of another with the intent to deprive the other person of such property; or</li> <li>2. Converts for an unauthorized term or use services or property of another entrusted to the student or placed in the student's possession for a limited, authorized term or use; or</li> <li>3. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or</li> <li>4. Comes into control of lost, mislaid, or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person's own or another's use without reasonable efforts to notify the true owner; or</li> <li>5. Controls property of another knowing or having reason to know that the property was stolen; or</li> <li>6. Obtains services known to the student to be available only for compensation without paying or an agreement to pay the compensation or diverts another's services to the person's own or another's benefit without authority to do so.</li> </ol> | 3            |
| <b>Burglary or Breaking and Entering</b>             | Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard, or a nonresidential structure, or in a fenced commercial property with the intent to commit any theft or any felony therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4            |
| <b>Extortion</b>                                     | Knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:<br><ol style="list-style-type: none"> <li>1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.</li> <li>2. Cause physical injury to anyone.</li> <li>3. Cause damage to property.</li> <li>4. Engage in other conduct constituting an offense.</li> <li>5. Accuse anyone of a crime or bring criminal charges against anyone.</li> <li>6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt, or ridicule or to impair the person's credit or business.</li> <li>7. Take or withhold action or cause a public servant to take or withhold action.</li> <li>8. Cause anyone to part with any property.</li> </ol>                                                                                                                                                                                                                                                                                                                                                  | 4            |

| Violation                    |                                                                                                                                                                                                                                                                                                                                          | Action Level                             |
|------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| <b>Robbery</b>               | Taking any property of another from their person or immediate presence and against their will; threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property.                                                                       | 4                                        |
| <b>Armed Robbery</b>         | Committing robbery (see definition above) where such person or an accomplice: <ul style="list-style-type: none"> <li>• Is armed with a deadly weapon or a simulated deadly weapon; or</li> <li>• Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon.</li> </ul>                               | 5<br>Mandatory report to law enforcement |
| <b>Burglary First Degree</b> | Entering or remaining unlawfully in or on a residential structure or yard, or a nonresidential structure, or in a fenced commercial property with the intent to commit any theft or any felony therein. Knowingly possessing explosives, a deadly weapon, or a dangerous instrument in the course of committing any theft or any felony. | 5<br>Mandatory report to law enforcement |

## Weapons and Dangerous Items, Possession of

[See Policy JICI For More Details on Weapons in School](#)

| Violation                |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Action Level                                                          |
|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| <b>Dangerous Items</b>   | Possessing a knife with a blade length of less than 2.5 inches (excluding butter knives), laser pointer, letter opener, mace/pepper spray, razor blade/box cutter, simulated knife, tear gas, firecrackers, smoke or stink bombs, gas, lighter fluid, or other dangerous items (anything that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury).<br><br><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 3                                                                     |
| <b>Simulated Firearm</b> | Possessing a simulated firearm made of plastic, wood, metal, or any other material which is a replica, facsimile, or toy version of a firearm. (e.g., air soft gun, BB gun, paintball gun, pellet gun, OrbeeZ Gun).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4                                                                     |
| <b>Other Weapons</b>     | Possessing a billy club, brass knuckles, knife with a blade length of at least 2.5 inches (excluding butter knives), nunchakus, taser, or stun gun.<br><br><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 4                                                                     |
| <b>Firearms</b>          | No student shall knowingly carry or possess on their person, within their immediate control, or in or on a means of transportation a firearm without authorization by a school Principal/ Assistant Principal.<br><br>"Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition.<br><br>"Other Firearms" Firearms other than handguns, rifles, or shotguns including:— any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas; Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive, or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.<br><br><b>NOTE:</b> This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, or pellet guns. | 5<br>Expulsion required by law<br>Mandatory report to law enforcement |



# High School

## Guidance

When considering actions, schools strive to implement Restorative Practices and to keep students in their classrooms whenever possible. Disciplinary actions must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. Principals may exercise reasonable discretion in deciding which violation occurred, and may request an elevated consequence based on campus safety concerns. The charts below list actions that may be taken by school administration as the result of a violation. The Action Level identifies a range of actions for violations assigned to that level. Multiple actions may be applied to a single violation. **For all violations, parent/guardian notification and request for student conference are mandatory.**

Students will progress through grade level bands and action levels when determining a consequence progression. A student who commits a leveled violation may progress through consequences based on their grade band's progression chart. Student consequences do not progress from elementary to middle school, or middle to high school.

(Example: A student is truant twice their 6th grade year. They will progress to a second offense for truancy which is a level one violation. Their 7th grade year, they are truant one more time. They are now at their third offense for truancy. They have no further truancy throughout their middle school career. If the student is truant again their freshman year, they begin at offense one for a level one violation (truancy)).

## Standard Supplementary Consequences

District Wide Common  
Consequence that can  
be utilized with any  
leveled offense.

- Parent Notification
- Student Conference
- Restorative Conference and/or Circle
- Reflective Essay
- Referral to Outside Agency
- Restitution
- Meeting with Counselor
- Verbal/Written Apology
- Teen Court
- Warning
- Detention (before/after school & lunch)
- Functional Behavior Assessment
- Suspended Privileges (bus privileges included)
- Time-out
- Reassignment
- Community Services
- Restitution

### In alignment with TUSD's district wide SEL practices:

- Behavior Contract
- Behavior Intervention Group
- Behavior Learning Packet
- Behavior Intervention Plan

|         |                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Level 1 | Level one consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|         | Offenses                                                                                                                                                                                                                                                                            | Consequences                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|         | Offense #1                                                                                                                                                                                                                                                                          | • Student Conference and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                              |
|         | Offense #2                                                                                                                                                                                                                                                                          | • Detention and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         | Offense #3                                                                                                                                                                                                                                                                          | • 1 Day ISI & Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                         |
|         | Offense #4                                                                                                                                                                                                                                                                          | • MTSS Referral, Parent Conference to Develop Behavior Contract                                                                                                                                                                                                                                                                                                                                                                                      |
|         | Offense #5                                                                                                                                                                                                                                                                          | • Escalates to Level 2 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                          |
| Level 2 | Level two consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|         | Offenses                                                                                                                                                                                                                                                                            | Consequences                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|         | Offense #1                                                                                                                                                                                                                                                                          | • Detention and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         | Offense #2                                                                                                                                                                                                                                                                          | • ISI (1-2) and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         | Offense #3                                                                                                                                                                                                                                                                          | • ISI (2-3) and Parent Contact                                                                                                                                                                                                                                                                                                                                                                                                                       |
|         | Offense #4                                                                                                                                                                                                                                                                          | • Mandatory MTSS, Parent Conference to Develop Behavior Plan                                                                                                                                                                                                                                                                                                                                                                                         |
|         | Offense #5                                                                                                                                                                                                                                                                          | • Escalates to Level 3 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                          |
| Level 3 | Level three consequences can be utilized in partnership with progressive consequences for all level one, two, three, and four offenses.                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|         | Offenses                                                                                                                                                                                                                                                                            | Consequences                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|         | Offense #1                                                                                                                                                                                                                                                                          | • Parent Conference + OSS/ISI (1-3)                                                                                                                                                                                                                                                                                                                                                                                                                  |
|         | Offense #2                                                                                                                                                                                                                                                                          | • Parent Conference + OSS/ISI (3-5)                                                                                                                                                                                                                                                                                                                                                                                                                  |
|         | Offense #3                                                                                                                                                                                                                                                                          | • Parent Conference + OSS/ISI (5-10)                                                                                                                                                                                                                                                                                                                                                                                                                 |
|         | Offense #4                                                                                                                                                                                                                                                                          | • Elevation to Level 4 with a Request to Elevate Discipline                                                                                                                                                                                                                                                                                                                                                                                          |
| Level 4 | Hearing officers have the option to offer alternative education programs as an alternative or in partnership with a consequence when making decisions at a long-term suspension hearing.<br><i>Due to the serious nature of the violation, there is no consequence progression.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|         | Consequences                                                                                                                                                                                                                                                                        | OSS (11-30 days) option of Abeyance OR Hearing for Long Term Suspension. <ul style="list-style-type: none"> <li>Any Action from the prior level(s) may also be imposed.</li> <li>Restorative Conference and/or Restorative Circle (upon re-entry to school.)</li> </ul>                                                                                                                                                                              |
| Level 5 | Hearing officers have the option to offer alternative education programs as an alternative or in partnership with a consequence when making decisions at a long-term suspension hearing.<br><i>Due to the serious nature of the violation, there is no consequence progression.</i> |                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|         | Consequences                                                                                                                                                                                                                                                                        | <ul style="list-style-type: none"> <li>Any Action from the prior level(s) may also be imposed.</li> <li>Out-of-School Suspension and/or Abeyance – Long-term (11-180 Days)</li> <li>Restorative Conference and/or Restorative Circle (upon re-entry to school).</li> </ul> Expulsion (181+ Days) Expulsion is the permanent withdrawal of the privilege of attending any school in the District unless the Governing Board reinstates the privilege. |

# Violation Levels

| Aggression                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                          |
|-----------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Violation                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Action Level                             |
| Recklessness                      | Engaging in unintentional, careless behavior that may pose a safety or health risk for yourself or for others.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 1                                        |
| Provocation (verbal or nonverbal) | Using offensive language or gestures that may incite another person to fight.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 2                                        |
| Minor Aggressive Act              | 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.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2                                        |
| Endangerment                      | Recklessly putting self or another person at substantial risk of imminent death or serious physical injury through acts such as, but not limited to: rock throwing, stick throwing, pencil throwing (school supplies), etc.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 3                                        |
| Physical Conflict                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                          |
| Violation                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Action Level                             |
| Other Aggression                  | Intentionally or knowingly engaging with physical contact that has a reasonable risk of resulting in physical injury.<br>Examples: pushing, kicking, biting, hitting, slapping, and punching with no physical injury etc.<br>Similar conduct not meeting the definition of Other Aggression shall be treated as the level 2 offense of "Minor Aggressive Act."                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                        |
| Fighting                          | A fight is defined as a physical altercation in which both parties are willing participants who had one or more opportunities to de-escalate the situation, leave the situation, or notify a school official of the potential fight prior to making the decision to participate, and where the circumstances present a threat to safety because of the number of participants or the intensity and violence of the conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 3                                        |
| Assault                           | <ol style="list-style-type: none"> <li>Intentionally or knowingly causing any physical injury. "Physical injury" includes the temporary or substantial loss or impairment of any body organ or part (e.g., the fracture of a bone), and temporary but substantial disfigurement (e.g., bleeding, bruising, or a visibly open wound). Injuries may not be visible if internal injury is present (especially involving when a student makes contact with another student's head.)</li> <li>Spitting at or on another person with the intent to insult and/or provoke.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                        |
| Aggravated Assault                | <ol style="list-style-type: none"> <li>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.</li> <li>Committing an assault using a firearm, simulated firearm, dangerous item, or other weapon (As defined in the Code of Conduct).</li> <li>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).</li> <li>Committing the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired.</li> <li>Committing assault and the person is in violation of an order of protection.</li> <li>Committing the assault knowing or having reason to know that the victim is any of the following: <ul style="list-style-type: none"> <li>Teacher or any school employee on school grounds</li> <li>Law enforcement officer</li> <li>Prosecutor</li> <li>Firefighter</li> <li>EMT/Paramedic</li> </ul> </li> </ol> <p>Engaged in official duties, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes.</p> <ul style="list-style-type: none"> <li>Teacher, staff members, 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.</li> </ul> | 5<br>Mandatory report to law enforcement |

## Alcohol, Tobacco, and Other Drug Violations

**Drug Violations:** Unlawful use, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment, and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events, and on school-sponsored transportation. Includes over-the-counter medications if abused by the student.

**Possession:** Knowing exercise of dominion or control over an item.

**Use:** The act of using or being under the influence.

**Sale:** To transfer or exchange an item to another person for anything of value or advantage, present, or prospective.

**Share:** To allow another person to use or enjoy something that one possesses.

| Violation                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                        |
|---------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|
| Inappropriate Use of Over-the-Counter Drugs | Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.                                                                                                                                                                                                                                     |                                     |
|                                             | Drug paraphernalia means all equipment, products, and materials of any kind which are used, intended for or designed for use in planting, propagating, cultivation, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. |                                     |
| Possession of Drug Paraphernalia            | <b>Possession or Use</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                   | 2                                   |
|                                             | <b>Sale or Share</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3                                   |
| Tobacco Violation                           | The possession, use, distribution, or sale of tobacco products on school grounds (including any device or substance that delivers nicotine such as e-cigarettes, nicotine patches, vapes, or vape pens, and hookah sticks), at school sponsored events, and on school sponsored transportation.                                                                                                                                                                  |                                     |
| Alcohol Violations                          | The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.                                                                                                                                                          |                                     |
| Unknown Drug                                | If a drug is identified, after an investigation, a different violation may be identified.                                                                                                                                                                                                                                                                                                                                                                        |                                     |
| Substance Represented as an Illicit Drug    | A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.                                                                                                                                                                                                                                                                                                                                            |                                     |
| Illicit Drug                                | Illicit drugs include dangerous drugs, narcotic drugs, marijuana (or derivative thereof), and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc. (including any device or substance that delivers an illicit drug such as e-cigarettes, vapes or vape pens, wax pens, and edibles).                                                                             |                                     |
|                                             | <b>Possession or Use</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                   | 3                                   |
|                                             | <b>Marijuana Share</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4                                   |
|                                             | <b>Alcohol Share</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                   |
|                                             | <b>Tobacco Share</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                       | 4                                   |
|                                             | <b>All Illicit Drugs, Tobacco, Alcohol Sale</b> .....                                                                                                                                                                                                                                                                                                                                                                                                            | 5                                   |
| Inhalants                                   | Inhalants include medication, anesthetics, and other compounds in vapor or aerosol form, taken by inhalation. This does NOT include e-cigarettes or hookah sticks, or items such as markers, glue, etc.                                                                                                                                                                                                                                                          |                                     |
|                                             | <b>Possession or Use</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                   |
|                                             | <b>Sale or Share</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                   |
| Inappropriate Use of Prescription Drugs     | Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.                                                                                                                                                                                                                                                                                                 | Mandatory report to law enforcement |
|                                             | <b>Possession or Use</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4                                   |
|                                             | <b>Sale or Share</b> .....                                                                                                                                                                                                                                                                                                                                                                                                                                       | 5                                   |

## Attendance Policy Violations

| Violation                                  |                                                                                                                                                                                                                                                                                                                                       | Action Level |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Other Attendance Violations                | <b>Examples:</b> leaving school without signing out in the main office; leaving school at lunch without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school but not attending classes. | 1            |
| Tardy                                      | <b>Arriving at school or class after the scheduled start time.</b> If a student misses 50% of their class time, they are considered absent.                                                                                                                                                                                           | 1            |
| Unexcused Absence                          | Missing school for an <b>entire day</b> with no acceptable excuse.                                                                                                                                                                                                                                                                    | 1            |
| Truancy                                    | Truancy: Having an unexcused absence for at least one class period during the day or missing 50% of class time (applies to students aged 6-16).                                                                                                                                                                                       | 2            |
| Leaving School Grounds without Permissions | Leaving school grounds or being in an "out-of-bounds" area during regular school hours without principal or designee permission.                                                                                                                                                                                                      | 2            |

## Other Violations of School Policies

| Violation                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Action Level |
|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| Dress Code Violation                                | Wearing clothing that violates dress code guidelines stated by school or district policy.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 1            |
| Other Violations of School Policies and Regulations | Committing some other violation of school or district policy or regulation.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 1            |
| Bus or School Transportation Violation              | Student bus or school transportation privileges may be revoked in addition to other applicable consequences of the Code of Conduct.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | 1            |
| Public Display of Affection                         | Kissing or other inappropriate displays of affection.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 1            |
| Parking Lot Violations                              | <p>Displaying inappropriate behaviors involving a motor vehicle including, but not limited to, unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sounds, blocking driveway or access, littering, or putting others in danger.</p> <p>Student parking privileges shall be given only to those students with a permit issued by the school.</p> <p>Student parking permits may be revoked as a consequence of parking lot violations in addition to other applicable consequences in the Code of Conduct.</p> | 2            |
| Inappropriate Language (verbal or non verbal)       | Delivering verbal or nonverbal messages that include swearing, name calling, or use of words or gestures in an inappropriate way. Pursuant to the requirements set out in Guideline #4, above, a Principal/Assistant Principal may, but is not required to, elevate the Action Level for a student swearing at a staff member where the circumstances demonstrate a lack of respect towards authority (rather than just the use of a curse word or words).                                                                                                                                                                                                         | 2            |
| Contraband                                          | Possessing items stated in school policy as prohibited because they may disrupt the learning environment.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2            |
| Combustible                                         | Possessing a substance or object that is readily capable of causing bodily harm or property damage (e.g. matches, lighters).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2            |
| Disruption                                          | Engaging in behavior causing a substantial interruption in a class or activity including, but not limited to, loud talking, yelling, or screaming; noise with materials; throwing objects; or out of seat behavior.                                                                                                                                                                                                                                                                                                                                                                                                                                                | 2            |
| Gambling                                            | Playing games of chance for money (or thing of value) or betting a sum of money (or thing of value).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2            |
| Defiance and Disrespect                             | Engaging in repeated behavior including, but not limited to, refusing to follow directions, talking back, or engaging in socially rude interactions. Engaging in intentional behavior with another student that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination..                                                                                                                                                                                                     | 2            |

| Violation                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action Level |
|--------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Defiance or Disrespect Towards Authority and Non-Compliance</b> | <p>Defiance: Engaging in socially rude interactions in which there is disrespect and resistance to a staff members' directive or request.</p> <p>Disrespect: Engaging in intentional behavior with staff that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non-discrimination, as well as, appearance, professionalism, general insults, insults that involve curse words, throwing objects at the staff member, destroying classroom property belonging to the staff member.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 3            |
| <b>Negative Group Affiliation/Illegal Organization</b>             | Engaging as a member or potential member of an anti-social organization, secret society, criminal street gang, or other set of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 3            |
| <b>Dishonesty</b>                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |              |
| Violation                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action Level |
| <b>Cheating</b>                                                    | Sharing with another, or taking from another, intellectual property for the purpose of deceit or fraud, or taking or stealing intellectual property from another with or without their knowledge and presenting it as the student's own.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2            |
| <b>Forgery</b>                                                     | Falsely and fraudulently making or altering a document, including hall passes and parent/guardian signatures.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 2            |
| <b>Lying</b>                                                       | Making an untrue statement with the intention to deceive or to create a false or misleading impression.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | 2            |
| <b>Plagiarism</b>                                                  | Stealing and passing off the ideas or words of another as one's own, including material obtained online.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | 2            |
| <b>Technology, Improper Use of</b>                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |              |
| Violation                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Action Level |
| <b>Telecommunication Device or Other Technology</b>                | <p>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</p> <ol style="list-style-type: none"> <li>1. They are to be kept out of view in a student's locker, pocket, or a carrying bag;</li> <li>2. They shall not be turned on or used during instructional time, except as authorized by the teacher;</li> <li>3. The principal shall establish additional guidelines appropriate to campus needs;</li> <li>4. Students violating the policy may have the electronic device confiscated and be subject to disciplinary action.</li> </ol> <p>Any search of the contents of an electronic device shall be by a Principal/ Assistant Principal in accordance with the Student Code of Conduct (see Policy JICJ). <b>NOTE:</b> May be elevated to a Level 3 violation if it involves an intention to cause harm to another person.</p> <p>Examples: Use of telecommunication devices (cell phones, pagers, etc.) or other technology (gaming systems, iPods, iPads, Tablets, etc.) for a non-instructional purpose, including posting videos of fights onto social media, audio -visual recording and photographs without prior consent, or posting images of school community members in a manner intended to cause harm to another person.</p> | 2            |



| Violation                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Action Level |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Computer or Network Violations</b><br><br>Examples (Computer): Using school computer for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of a Principal/Assistant Principal or a District Administrator, vandalism of computers or computer equipment.<br><br>Examples (Network): Using computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy, or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state, or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation. | 3            |

### Trespassing; Vandalism or Criminal Damage

**Criminal Damage:** Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Principals/ Assistant Principals may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.

**Example:** Substantial destruction of copy machines, vehicles, science or computer equipment.

| Violation                                                                                                                                                                                                                                                                                                                                                                                                                                | Action Level |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Trespassing</b><br><br>Entering or remaining on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the Principal/Assistant Principal or designee of the facility, campus, or function. | 3            |
| <b>Graffiti or Tagging</b><br><br>Writing on walls; drawings or words painted or sprayed on walls or other surfaces that can be easily removed with soap or cleaner.                                                                                                                                                                                                                                                                     | 3            |
| <b>Vandalism of Personal and/or School Property</b><br><br>Destroying or defacing personal or school property.<br><br>Examples of Vandalism: Carving initials or words in desk top, spray painting or painting on walls, damaging vehicles, breaking windows.<br><br>* Principals /assistant principals shall consider restitution as a restorative act.                                                                                 | 3            |

### Arson

**Structure:** A building or place with sides and a floor used for lodging, business, education, transportation, recreation, or storage.

**Occupied Structure:** Any structure in which one or more persons is, or is likely to be, present or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.

**Property:** Anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).

**Damage:** As used here, means a tangible or visible impairment to a surface.

**Reckless Burning:** Recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property.

| Violation                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------|
| <b>Arson of a Structure or Property</b><br><br>Knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. <ul style="list-style-type: none"> <li>Burning one's own property is not arson, except for burning one's own property with the knowledge that it will ignite another's property or a structure (but may, where appropriate, be considered reckless burning).</li> </ul> | 4                                                            |
| <b>Arson of an Occupied Structure</b><br><br>Knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion.<br><br><b>NOTE:</b> Principals/Assistant Principals may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100 at Level 3. Please see the definition of Reckless Burning above.             | 5<br>Mandatory report to law enforcement and fire department |

# Title IX

## Governing Board Policy – ACAA Title IX Sexual Harassment

For the purposes of implementing this policy and for any allegation of sexual harassment against a student, the District accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. For claims of sexual harassment of one employee by another employee, please see Policy ACA, Sexual Harassment. Under Title IX, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee or agent of the District explicitly or impliedly conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct,
2. Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the recipient's education program or activity; or
3. Conduct that amounts to sexual assault, dating violence, domestic violence, or stalking, as those terms are defined in federal Title IX regulations and Governing Board Policy ACAA.

This definition is subject to change, as the District is bound by the definitions in the federal Title IX regulations. The most current District definition may be found in Policy ACAA, which may be found at [govboard.tusd1.org/Policy-Code-ACAA](http://govboard.tusd1.org/Policy-Code-ACAA).

**Remember!** If you feel as if you have been a victim of sexual harassment, reach out to a staff member or your school's principal as soon as possible.

### Sexual Offenses

For Level three, four, and five sexual offenses, school administrators will work with the district's designated Title 9 coordinator when issuing consequences.

| Violation                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                             |
|----------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Harassment Sexual                            | Making unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices).                                                                                                            | 3                                        |
| Pornography                                  | Possessing or providing sexually explicit and obscene depictions of persons, in words, or images.<br><br>Examples: viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the Internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value. | 3                                        |
| Harassment, Sexual with Contact              | Committing sexual harassment that includes physical contact.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 4                                        |
| Indecent Exposure or Public Sexual Indecency | Engaging in sexual acts or public sexual indecency.<br><br>Examples: Public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse or oral sex.                                                                                                                                                                                                                                                                                        | 4                                        |
| Sexual Assault or Rape                       | Intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.                                                                                                                                                                                                                                                                                                                                                                                                                 | 5<br>Mandatory report to law enforcement |

## Harassment and Threat, Intimidation

| Violation                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Action Level |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Bullying</b>                             | Intimidating students by the real or threatened infliction of repeated physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another, or when such act(s) interfere with the authority of the school system to maintain order. It may include but not be limited to actions such as Engaging in intentional behavior with another student that insults one's disability, race, color, religion/religious beliefs, sex, sexual orientation, gender identity or expression, age, or national origin or current or former immigration status which is covered in policy AC Non- discrimination, verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money and/ or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, all social media; or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships). Knowingly submitting a false report of bullying shall subject the student to discipline. | 3            |
| <b>Harassment, Nonsexual</b>                | <ol style="list-style-type: none"> <li>1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic, or written means in a manner that harasses.</li> <li>2. Repeatedly commits an act or acts that harass another person.</li> <li>3. Surveils or causes another person to surveil a person for no legitimate purpose.</li> <li>4. On more than one occasion makes a false report to a law enforcement, credit, or social service agency.</li> <li>5. Stalking/following another person in or about a public place for no legitimate purpose after being asked to desist.</li> </ol> <p><b>NOTE:</b> Bullying and sexual harassment are types of harassment. Indicate harassment, nonsexual if the violation is not specifically bullying or sexual harassment, or if the specific type of harassment is not known.</p>                                                                                                                                                                                                                                                                                                                                 | 3            |
| <b>Hazing</b>                               | <p>Committing an act against another student, in which both of the following apply:</p> <ol style="list-style-type: none"> <li>1. The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization (athletic team, association, club, or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school that is affiliated with an educational institution) affiliated with an educational institution.</li> <li>2. The act contributes a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.</li> </ol>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3            |
| <b>Threat or Intimidation</b>               | Indicating, by words or conduct, the intent to cause physical injury or serious damage to a person or property, or intentionally placing another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occur online or through a telecommunication device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3            |
| <b>Threat or Intimidation Towards Staff</b> | Indicating by words or conduct, the intent to cause physical injury to a TUSD employee or guest on TUSD property or serious damage to a TUSD employee's property or guest of the district's property or intentionally placing a TUSD employee or TUSD guest in reasonable apprehension of imminent physical injury. This may include, conduct that occurs through a telecommunication or digital device or online.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | 4            |

## School Threat or Interference

A school Threat occurs where a student uses words or actions to place students, staff, or school property guests in apprehension of harm, or to interfere with or disrupt an educational institution.

| Violation                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Action Level                         |
|--------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|
| <b>School Interruption</b>           | A School Interruption occurs where a student, acting either for the purpose of causing or in reckless disregard of causing interference with or disruption of an education institution, uses words or actions that do not amount to a threat but that place students, staff, or property guests in apprehension of harm (e.g., verbal threat not made directly to the school population or an 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 firearms or simulated firearms, etc.). | 4                                    |
| <b>Fire Alarm Misuse</b>             | Intentionally ringing a fire alarm when there is no fire, or misuse of a fire extinguisher.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 4                                    |
| <b>Bomb Threat</b>                   | Threatening to cause harm by using or threatening to use a bomb, or arson-causing device.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 5<br>Expulsion<br>required by<br>law |
| <b>Chemical or Biological Threat</b> | Threatening to cause harm using dangerous chemicals or biological agents.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                      |
| <b>School Threat</b>                 | Making a School Threat that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation, or suspension is not required).                                                                                                                                                                                                                                                                                                    |                                      |

## Theft

| Violation                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Action Level |
|------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Petty Theft</b>                                   | Stealing cash, or property, valued under \$100.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 2            |
| <b>Theft- School Property or Non-School Property</b> | Knowingly:<br><ol style="list-style-type: none"> <li>1. Controls property of another with the intent to deprive the other person of such property; or</li> <li>2. Converts for an unauthorized term or use services or property of another entrusted to the student or placed in the student's possession for a limited, authorized term or use; or</li> <li>3. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or</li> <li>4. Comes into control of lost, mislaid, or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person's own or another's use without reasonable efforts to notify the true owner; or</li> <li>5. Controls property of another knowing or having reason to know that the property was stolen; or</li> <li>6. Obtains services known to the student to be available only for compensation without paying or an agreement to pay the compensation or diverts another's services to the person's own or another's benefit without authority to do so.</li> </ol> | 3            |
| <b>Burglary or Breaking and Entering</b>             | Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard, or a nonresidential structure, or in a fenced commercial property with the intent to commit any theft or any felony therein.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | 4            |
| <b>Extortion</b>                                     | Knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:<br><ol style="list-style-type: none"> <li>1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.</li> <li>2. Cause physical injury to anyone.</li> <li>3. Cause damage to property.</li> <li>4. Engage in other conduct constituting an offense.</li> <li>5. Accuse anyone of a crime or bring criminal charges against anyone.</li> <li>6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt, or ridicule or to impair the person's credit or business.</li> <li>7. Take or withhold action or cause a public servant to take or withhold action.</li> <li>8. Cause anyone to part with any property.</li> </ol>                                                                                                                                                                                                                                                                                                                                                  | 4            |

| Violation             |                                                                                                                                                                                                                                                                                                                                          | Action Level                             |
|-----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
| Robbery               | Taking any property of another from their person or immediate presence and against their will; threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property.                                                                       | 4                                        |
| Armed Robbery         | Committing robbery (see definition above) where such person or an accomplice: <ul style="list-style-type: none"> <li>Is armed with a deadly weapon or a simulated deadly weapon; or</li> <li>Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon.</li> </ul>                                   | 5<br>Mandatory report to law enforcement |
| Burglary First Degree | Entering or remaining unlawfully in or on a residential structure or yard, or a nonresidential structure, or in a fenced commercial property with the intent to commit any theft or any felony therein. Knowingly possessing explosives, a deadly weapon, or a dangerous instrument in the course of committing any theft or any felony. | 5<br>Mandatory report to law enforcement |

## Weapons and Dangerous Items, Possession of

See Policy JICI For More Details on Weapons in School

| Violation         |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Action Level                                                          |
|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------|
| Dangerous Items   | Possessing a knife with a blade length of less than 2.5 inches (excluding butter knives), laser pointer, letter opener, mace/pepper spray, razor blade/box cutter, simulated knife, tear gas, firecrackers, smoke or stink bombs, gas, lighter fluid, or other dangerous items (anything that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury).<br><br><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 3                                                                     |
| Simulated Firearm | Possessing a simulated firearm made of plastic, wood, metal, or any other material which is a replica, facsimile, or toy version of a firearm. (e.g., air soft gun, BB gun, paintball gun, pellet gun, Orbeez Gun).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 4                                                                     |
| Other Weapons     | Possessing a billy club, brass knuckles, knife with a blade length of at least 2.5 inches (excluding butter knives), nunchakus, taser, or stun gun.<br><br><b>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 4                                                                     |
| Firearms          | No student shall knowingly carry or possess on their person, within their immediate control, or in or on a means of transportation a firearm without authorization by a school Principal/ Assistant Principal.<br><br>"Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition.<br><br>"Other Firearms" Firearms other than handguns, rifles, or shotguns including:—any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive; the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas; Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive, or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.<br><br><b>NOTE:</b> This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, or pellet guns. | 5<br>Expulsion required by law<br>Mandatory report to law enforcement |

# Governing Board Policies

TUSD Governing Board Policies are available upon request at all school sites, family centers, central offices (1010 E. Tenth Street, 85719), and online at [tusd1.org/policy](https://tusd1.org/policy).

| POLICY TITLE                                         | POLICY CODE | POLICY TITLE                                        | POLICY CODE |
|------------------------------------------------------|-------------|-----------------------------------------------------|-------------|
| Student Absences and Excuses                         | JH          | Reporting Child Abuse/Child Protection              | JLF         |
| Student Attendance                                   | JE          | Rights and Responsibilities                         | JI          |
| Behavior Management and Student Discipline           | JKA         | Student Interviews, Searches and Arrests            | JIH         |
| Buses/Transportation                                 | EEA & EEAE  | School Violence, Bullying, Harassment, Intimidation | JICK        |
| Care of School Property by Students                  | JICB        | Sexual Harassment                                   | ACA         |
| Cell Phones and Other Electronic Devices             | JICJ        | Student Discipline                                  | JK          |
| Drug and Alcohol Use by Students                     | JICH        | Student Dress                                       | JICA        |
| Equal Educational Opportunity and Anti-Harassment    | JB          | Student Fundraising Activities                      | JJE         |
| Extracurricular Activity Eligibility                 | JJJ         | Technology Resources                                | IJNDB       |
| Hazing                                               | JICFA       | Tobacco Use by Students                             | JICG        |
| Non-discrimination & Immigration Anti-discrimination | AC & ACB    | Truancy                                             | JHB         |
| Public Conduct on School Property                    | KFA         | Weapons in School                                   | JICI        |

## Bus Rules

Riding is a privilege; parents/guardians and students should discuss and make sure they know the rules. As a last resort, violations of these bus rules may result in the loss of bus privileges for a limited time, not to exceed 30 days.

These rules apply while students are being transported on a school bus or vehicle used for school purposes.

### Rules

- Always comply with bus driver's/monitor's directions.
- Remain seated; keep hands, feet, and head inside bus.
- Keep unauthorized materials and substances off bus.
- Use classroom voice (no profanity/loud noises/intimidation).
- All personal possessions must be under control at all times.
- No eating or drinking on the bus.

### Safety Precautions

- Know the correct bus route # and route to/from the bus stop.
- ALWAYS board/depart bus at correct stop known by parent/guardian.
- Discuss what to do if the bus is late in the morning or no one is home in the afternoon.



# Regulations Related to Due Process (Suspension/Expulsion)

TUSD Governing Board Regulations are available upon request at all school sites, family centers, central offices (1010 E. Tenth Street, 85719), and online at [tusd1.org/policy](https://tusd1.org/policy).

| REGULATION TITLE                        | REGULATION CODE | DESCRIPTION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-----------------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Short Term Suspension                   | JK-R1           | This regulation explains the process for short-term suspensions (1–10 Days).                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Long Term Suspension                    | JK-R2           | This regulation explains the process for long-term suspensions (11–180 Days).                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| Expulsion                               | JK-R3           | This regulation explains the process for expulsions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Suspension Abeyance Contract Regulation | JK-R4           | Principals/Assistant Principals may offer to hold a suspension in “abeyance” (to not instantly enforce the suspension) if <ol style="list-style-type: none"><li>1. The principal/assistant principal believes it is in the best interests of the student and the school community,</li><li>2. The student and parent/guardian agree to certain conditions, and</li><li>3. The student and parent/guardian signs an abeyance contract agreeing to certain conditions.</li></ol> This regulation explains the abeyance contract process and requirements. |

## Due Process for Students with an IEP or 504 Plan

Information about IDEA, IEPs, and 504 Plans is at [tusd1.org/exed](https://tusd1.org/exed).

Students with disabilities under Section 504 or IDEA (and students suspected of having a disability) may be disciplined in the same manner as any other student and may be suspended for up to 10 cumulative days of school per school year.

If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed. **A manifestation determination conference must be held by the 10th day of suspension, but should happen as soon as possible based on parent/guardian/staff availability.**

If the manifestation determination concludes that the student’s behavior is a manifestation of the student’s disability, then no further disciplinary action can be taken. The 504 or IEP team should convene to develop an appropriate behavior plan for the student. If the manifestation determination conference concludes that the student’s behavior is not a manifestation of the student’s disability, a hearing officer may impose whatever long-term suspension or expulsion policy allows. The District has no obligation to continue to provide educational services to a 504 student pursuant to the 504 accommodation plan during the period of a long-term suspension or expulsion. However, the District must continue to provide educational services for students eligible under IDEA. A student with a disability under IDEA may be referred to an Interim Alternative Educational Setting in circumstances involving the use or possession of drugs, weapons, or serious bodily injury.

# Arizona Revised Statutes

To access Arizona Revised Statutes, please go to [azleg.gov/arstitle](http://azleg.gov/arstitle).

The statutes and references listed are reflective of those most commonly referred to with regard to student behavior and school disciplinary procedures and are by no means inclusive of all state and federal laws or all District procedures.

| STATUTE SUBJECT                                               | STATUTE REFERENCE                         |
|---------------------------------------------------------------|-------------------------------------------|
| Absence From School; Notification of Parent or Guardian       | A.R.S. § 15-807                           |
| Bullying, Harassment, Intimidation                            | A.R.S. § 15-341(36)(a-j)                  |
| Classroom Disruption                                          | A.R.S. § 15-841                           |
| Interference with or Disruption of an Educational Institution | A.R.S. § 13-2911                          |
| Loitering (In or about a school)                              | A.R.S. § 13-2905(A)(4)                    |
| School Day                                                    | A.R.S. § 15-901                           |
| Discipline; Suspension; Expulsion                             | A.R.S. § 15-843 and 15-841 through 15-844 |
| Abuse of a Teacher or School Employee in School               | A.R.S. § 15-507                           |

## Rights and Responsibilities

### Student Rights

- Learn in a safe, clean, orderly, and positive climate that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats, and abuse.
- Receive appropriate accommodations to meet individual needs (as supported by documentation).
- Be treated with respect and in a fair and equitable manner by teachers and administrators.
- Due process of law.
- Have school rules that are enforced in a consistent, fair, and reasonable manner.
- Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse.
- Have teachers and administrators who will follow all District policies related to known allegations of discrimination, harassment, hazing, bullying, and incidents that require mandatory reporting. Such known allegations/ incidents must be reported to school administration immediately.
- Receive a copy of this Code.
- Have access to school assignments/homework while serving a disciplinary suspension and have options for alternative instructional opportunities for any long term suspension.

### Student Responsibilities

- Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- Make positive contributions to an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- Make up work resulting from an absence.
- Respect the rights, feelings, and property of fellow students, parents/guardians, school staff, visitors, guests, and school neighbors.
- Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn and to contribute to a safe and orderly environment that is conducive to learning.
- Display behavior that does not compromise the safety of other students and/or staff.
- Follow discipline guidelines adopted by the school and District.
- Protect and take care of the school's property.
- Read and ask questions to understand the information in the Code of Conduct.

## Parent and Guardian Rights

- Request and be granted conferences with teachers, counselors, and/or the principal.
- Receive explanations from teachers about their student's grades and disciplinary procedures.
- Access and review school records pertaining to their student.
- Receive a copy of this Code.
- Receive immediately an oral and a written notification anytime a student receives in-school suspension, or is sent home for any safety and/or disciplinary reason (including suspensions).
- Request an interpreter or translator at any step of the disciplinary process.
- Request a review of all disciplinary actions relating to their student.
- Direct their student's education, upbringing, and moral/ religious training.
- Be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity, or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent/ guardian, unless the incident has first been reported to law enforcement and notification of the parent/guardian would impede a law enforcement or a Department of Child Safety (DCS) investigation. This paragraph does not create any new obligation for TUSD to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.
- Be treated in a manner that is respectful of and responsive to their cultural traditions.

## Parent and Guardian Responsibilities

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

# Annual Notifications

## Annual notification of rights under the Protection of Pupil Rights Amendment (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection, and use of information for marketing purposes, and certain physical exams. These rights transfer from the parents to a student who is 18 yrs. old, or an emancipated minor under State law, and include the right to:

### **1. Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Dept. of Education (ED)**

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

### **2. Receive notice and an opportunity to opt a student out of –**

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

### **3. Inspect, upon request and before administration or use –**

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

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

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

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys.

Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

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

Parents who believe their rights have been violated may file a complaint with:  
Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202

# TUSD annual notification of Privacy Rights of Parents and Students

## TUSD annual notification of Privacy Rights of Parents and Students

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

These rights are:

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

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

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

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

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

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

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests.

A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

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

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:  
Family Policy Compliance Office  
U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202  
(202) 260-3887

# Directory Information

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

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

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

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

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

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



# YOUR SCHOOL IS A SAFETY ZONE

## If You See It

*Violence ▲ Weapons ▲ Non-Students ▲ Drugs ▲ Fights  
Gangs ▲ Assaults ▲ Truancy ▲ Graffiti ▲ Threats*

## Report It!

CONFIDENTIALITY GUARANTEED

Tell a school official or call the  
Safety Message Line

# 520-584-7680

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



