



Deer Valley Unified School District

20402 N. 15th Avenue — Phoenix, AZ 85027

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Student Rights & Responsibilities Handbook

Deer Valley Unified School District #97
*Graduating lifelong learners who will
successfully compete, lead, and positively
impact the world.*

Acknowledgments

The following individuals contributed their time and input to update the Deer Valley Unified School District's 2015-2016 discipline handbook titled *Student Rights & Responsibilities*.

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Introduction

To Deer Valley Parents, Students, and Staff Members:

Success in school occurs when there is close cooperation between its students, staff and parents. The purpose of this handbook is to communicate the expectations of the Deer Valley Unified School District (herein referred to as “District”) for student conduct to promote a safe, orderly and positive learning environment and to address certain student rights and responsibilities. The District Governing Board, administration and staff regard student and staff safety as paramount while also ensuring students’ rights are protected.

Non-discrimination Notice

The Deer Valley Unified School District does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. For any inquiries regarding nondiscrimination policies contact the Superintendent's Department, 20402 N. 15th Avenue, Phoenix, AZ 85027. 623-445-5000.

This notice is provided as required by Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age of Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. Questions, complaints or requests for additional information regarding these laws may be forwarded to the designated compliance coordinator(s).

TBD, District Title IX Coordinator
TBD, 504 and Title II Coordinator

Preamble

The Deer Valley Unified School District does not tolerate drugs, weapons or threatening behavior. Any such act will result in a recommendation for long term suspension or expulsion.

There are a variety of consequences (discipline) for misconduct. Depending on the seriousness of the situation, there may be more than one consequence for a single event. Nothing in the Discipline Guidelines on pages 20-28 is intended to restrict the District from imposing more or less severe consequences if, in the discretion of the District, the severity of harm, danger, damage or the potential for harm, danger or damage warrants it, or if one incident involves more than one infraction.

In addition, although not listed as a potential consequence on the grid for a particular behavior, long term suspension or expulsion may be imposed based upon the facts.

The Deer Valley Unified School District uses a progressive discipline philosophy. The purpose of this handbook is to ensure consistency in discipline consequences District-wide. Each discipline referral will be investigated on a case-by-case basis to ensure just and fair application of these guidelines. The District superintendent, the hearing officer, and the Governing Board have the discretion to impose a consequence they consider most appropriate for the particular infraction and surrounding facts.

When a student is referred to the principal/designee for a discipline infraction, the administrator conducts a conference with the student(s). The administrator may then, dependent upon circumstances, contact the parent/guardian by phone. When a student requests that his/her parent or guardian be contacted by phone, the administration will do so at that time. If the administration is unable to reach the parent/guardian at the time of the conference, he/she will continue to conduct the investigation in a timely manner.

In all cases, a parent/guardian will be notified of disciplinary consequences by a written referral form. The administrator will also make a personal phone call to notify parents of suspensions and expulsions.

The extent of the due process required will depend upon the severity of the infraction and the related consequence. Campus administrators may use their in school suspension program as a disciplinary action in lieu of out of school suspension on designated infractions. (See "Note:" on pages 20-28).

When appropriate, the District may discipline students for disorderly conduct on the way to and from school. (Reference A.R.S. 15-341)

The District has entered into agreements with various governmental agencies whereby the District has agreed to cooperate fully with the governmental agency when a student commits an act in violation of the law.

Please Note: Federal privacy laws prohibit the District from naming students involved in disciplinary actions and from revealing the consequences of those actions to the parents of other students.

Student Rights

A right is a privilege to which one is justly entitled.

Equal Educational Opportunity

Schools must provide all students the opportunity to receive a quality education.

Each student has the right of access to a professional staff and the facilities necessary for an instructional and co-curricular program.

The Deer Valley Unified School District does not discriminate among its students on the basis of race, sex, color, disability, religion, or national origin.

Policies expressly prohibit behavior on District property that will disrupt the educational process and/or damage the dignity, self-esteem, integrity and safety of any individual.

Right to Access Educational Resources

A student has the right to be informed of school board policies, District regulations, and the rules of the student's school, classrooms and school buses.

A student is entitled to be informed of the academic requirements of courses, to be advised of progress, and to have opportunities for assistance. Grades should reflect a teacher's objective evaluation of a student's academic achievement.

Students have the right to use buildings, grounds, equipment, and instructional materials necessary to meet the requirements and needs of their curricular and co-curricular programs in accordance with procedures established by the administration.

The student exercising the right to use the resources provided shall also accept the responsibility for the preservation and care of the property. Any unauthorized use or deliberate destruction or defacing of the property shall be deemed a violation of student conduct.

Privacy and Property Rights

Students are entitled to maintain privacy of personal possessions within certain limits and are responsible for those personal possessions. A student may not bring onto school property any substance, object, or material prohibited by law or school board policy. School officials may inspect such items on school District property at any time with or without specific reason to do so. In addition, school officials may search a student's person or personal possessions, such as backpacks, purses, and cars parked on campus, if school officials have a reasonable suspicion that the search will reveal the presence of prohibited or illegal materials.

Freedom of Expression

Every student has the right to form, hold and express his or her own ideas and beliefs. The encouragement of this right requires that each student be permitted to disclose or express an idea in the proper educational setting without penalty, embarrassment, or any reflection in academic evaluation. The administration and faculty of each school have the obligation to maintain an environment conducive to the free exchange of ideas and to

study and learning. This is not to be construed to mean that students will not be graded for their acquisition of information, its organization into useful systems, and generalizations or conclusions drawn from it.

Students are permitted to express themselves, as long as the expression does not materially and substantially disrupt the operation of the school, is not vulgar, obscene, or profane, and otherwise complies with the law, board policy, District regulations, and school rules.

Obscene, vulgar, and profane expressions of any kind and any expression that advertises or promotes the use of drugs, alcohol, or tobacco are prohibited.

No form of expression shall interfere with the rights of others to express themselves or with the conduct of school, classroom and transportation activities.

Right to Due Process

Students in the District have certain rights. They also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. In disciplinary cases, each student is entitled to due process. This means students:

- Must be informed of accusations against them.
- Must have the opportunity to accept or deny the accusations.
- Must have explained to them the factual basis for the accusations.
- Must have a chance to present an alternative factual position if the accusation is denied.

Upon request, parents/guardians will be given redacted copies of all incident reports or statements containing the name of their student when the incident results in disciplinary action against that student.

Right to Assemble

School sponsored activities and meetings (student government, pep rallies, etc.) are scheduled to take place during the school day. In addition, students shall be given the opportunity to organize and hold student meetings at reasonable times, other than during those hours when classes are being held. Such gatherings must not materially and substantially disrupt the operation of the school, endanger the safety of any person, or violate any law, District policy, or school rule.

Right to Freedom from Harassment

Students may expect to be provided with an atmosphere free from harassment. Any student who is subjected to harassment from other students, visitors, or school staff should immediately inform a teacher—or other staff member.

The District will neither allow nor tolerate retaliation in any form by any employee, student, or others against any complaining employee, student, or corroborating witness.

Student Exercise of Rights and Privileges

Any student who believes his/her rights have been violated should immediately notify appropriate school personnel (teacher, counselor, or building administration).

Each student is responsible for moderating his/her own exercise of rights and privileges so as not to disrupt the educational program and school activities or infringe on the rights of others.

Student Responsibilities

A responsibility is an obligation one has to ensure that the rights of all are protected.

All students have the responsibility to:

- Attend school to receive an education.

Schools cannot educate students who do not attend. Students must attend school daily unless ill or legally excused.

- Be on time for all classes.

Students who enter a classroom after a lesson has begun are interfering with the rights of others to learn and study. Punctuality is a habit that students must develop if they are to be successful in the world of work.

- Come to class with necessary materials.

A teacher should not have to delay instruction because a student comes to class unprepared. This interferes with the rights of others to learn and study.

- Complete all in-class and homework assignments and meet all deadlines.

The full responsibility for student learning does not rest solely with the teacher. Education cannot be effective unless students participate in class and complete all assignments.

- Obey school rules and school personnel.

No one has the right to interfere with the education of others. Rules are designed to allow a school to meet its obligation to educate students. Students are required to obey and be courteous to everyone who works in our schools.

- Cooperate with school staff.

Every community depends upon its citizens to uphold the rules by which everyone has agreed to live. Students have the responsibility to provide truthful information when asked by school authorities.

- Respect the person and property of others.

Treat people and their property with respect.

- Respect public property.

Schools are a community investment and resource for young people. People who damage school property will be held responsible, including financial restitution, for lost, stolen, or broken school-owned equipment.

- See that school correspondence to parents reaches home.

Education is a partnership between home and school. Students must do their part by delivering home progress reports, attendance information and report cards, and any other school correspondence.

Student Concerns, Complaints, & Grievances

Students may present a complaint or grievance regarding one or more of the following:

- Violation of the student's constitutional rights.
- Denial of an equal opportunity to participate in any program or activity for which the student qualifies, not related to the student's individual capabilities.
- Discrimination on the basis of race, color, religion, sex, age, national origin, or disability.
- Harassment of the student by another person.
- Intimidation by another student.
- Bullying by another student.
- Concern for the student's personal safety.

Students may present a complaint or grievance provided that:

- The topic is not the subject of disciplinary or other proceedings under other policies and regulations of this District; and
- The procedure shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act.

The guidelines to be followed are:

- The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance.
- The complaint/grievance shall be made only to a school administrator or professional staff member.
- The person receiving the complaint will gather information for the complaint form.
- The allegation shall be reported on forms with the necessary particulars as determined by the Superintendent. Forms are available in the school office.
- The person receiving the complaint shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

Any questions concerning whether the complaint/grievance falls within this policy shall be determined by the Superintendent.

Complaints by middle or high school students may be made only by the students on their own behalf. A parent or guardian may initiate the complaint process on behalf of an elementary school student under policy JII, JII-R, JII-

EA, JII-EB. (A parent or guardian who wishes to complain should do so by completing the forms following Policy KE on Public Concerns and Complaints.)

Positive Discipline

The Arizona Department of Education wants to help you and your school with positive discipline programs.

- Best practices regarding positive discipline and effective instruction are available through the Discipline Initiative website (www.ade.state.az.us) and through www.azpromisingpractices.com.
- Pamphlets for parents, urging support of teachers in discipline incidents are available from ADE at www.ade.state.az.us.

References for Key Rules on Behavior

- A teacher may remove a student from a classroom who is disruptive or abusive. (A.R.S. 15-841.A.2)
- A school may reassign a student to an alternative program if the student refuses to comply with rules. (A.R.S. 15-841.E, A.R.S. 15-841.F)
- A student may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in A.R.S. 13-105, use or possession of a gun, or excessive absenteeism. (A.R.S. 15-841.B)
- A school may refuse to admit any student who has been expelled from another public school. (A.R.S. 15-841.C)
- A school may discipline students for disorderly conduct on the way to and from school. (A.R.S. 15-341.A.13)

A.R.S. 15-841: SUSPENSION AND EXPULSION OF PUPILS

A teacher may refuse to readmit a student to class for either of the following conditions:

- The teacher has documented that the pupil has repeatedly interfered with a teacher's ability to communicate effectively with other pupils in the class or with the ability of the other pupils to learn.
- The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.

The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. 15-841. (Reference DVUSD Board Policy JK-R)

A.R.S. 15-507: ABUSE OF TEACHER OR SCHOOL EMPLOYEE IN SCHOOL

A person who knowingly abuses a teacher or other school employee on school grounds or while teacher or employee is engaged with the performance of his/her duties is guilty of a class 3 misdemeanor. (Reference DVUSD Board Policy GBGB-R)

Pursuant to A.R.S. 41-1351: Please consider this official notification that all Education Records will be destroyed in four years according to A.R.S. 41-1351 unless parents contact the Deer Valley Unified School District office. Public records, including electronic records, not listed in this schedule are not authorized to be destroyed.

Community Behavior On Campus

We take great pride in our students' successes, and consider our partnerships with the parents/guardians of our students and our communities as an integral part of that success. Visitors to our campuses are expected to adhere to the same policies and procedures as our students and staff. If a visitor causes a disruption or otherwise violates a policy, procedure, or law while on a DVUSD campus and the campus administrator deems it necessary for the safety and security of students, staff, and other visitors, the visitor will be immediately removed and local law enforcement may be contacted.

Philosophy of Student Conduct

A positive learning environment in our schools and a good state of student conduct starts with students, parents and staff having knowledge and understanding of the basic standards of acceptable conduct. In order to assist everyone in the pursuit of a quality education, the District has established guidelines designed to ensure a safe environment for all students and staff in our schools. For these guidelines to be most effective, it is vital for the family, the school and the community to work together. Students are responsible for their own actions. Students whose actions are in violation of school/District guidelines will be expected to accept the appropriate consequences. We are proud of our students and strive to see that all students learn through school experiences to recognize the essential worth of each individual. Students are expected to respect the rights and property of others, along with demonstrating high standards of personal integrity. Respecting the rights and property of others and demonstrating personal integrity should guide student behavior at school, on the way to and from school, and at school sponsored events. The student may be disciplined for off campus behavior that affects the school or the District in any way. To meet these goals, we enlist the support of our community.

Unacceptable Behavior

When a District employee observes a student engaged in behavior that violates District policy, the employee is instructed to intervene either by requesting the unacceptable behavior cease or by immediately reporting the incident to the administration. Whenever the school administrator becomes aware of a report from a staff member, prompt and effective action to resolve the problem will be taken. When disciplinary action is appropriate, it shall be according to an established discipline plan. The assistance of the home, other educational supportive services and other professional community agencies may be utilized. Each teacher will have a discipline plan for his/her classroom. When a student's actions go beyond that which the teacher can effectively control using his/her plan, the student will be referred to the administration. Students who break rules outside of the classroom, at school sponsored events, or who make threats against the school or staff ~~at anytime~~, may be referred directly to the administration or its designee.

Discipline & Commencement/Promotion Ceremonies

Commencement and promotion ceremonies are a privilege, not a right. Therefore, appropriate student behavior throughout the school year is directly related to a student's opportunity to participate in this ceremony. Students who engage or participate in behavior (a single event or a series of discipline issues) that violates any of the DVUSD standards for student conduct will be subject to the appropriate disciplinary consequences and may forfeit the privilege of participating in the commencement or promotion ceremony.

Parent Contact

When a student is referred to the principal/designee for a discipline infraction, the administrator conducts a conference with the student(s). The administrator may then, dependent upon circumstances, contact the parent/guardian by phone. When a student requests that his/her parent or guardian be contacted by phone, the administration will do so at that time. If the administration is unable to reach the parent/guardian at the time of the conference, he/she will continue to conduct the investigation in a timely manner.

In all cases, a parent/guardian will be notified of disciplinary consequences by a written referral form. The administrator will also make a personal phone call to notify parents of suspensions and expulsions.

Law Enforcement

The District may notify appropriate law enforcement agencies of violations of the law.

Student Interrogations, Searches, & Arrests

Interviews

School officials may question students regarding matters related to school without limitation. The parent will be contacted if a student is then subject to discipline for a serious offense. A student may decline at any time to be interviewed by a law enforcement officer or another peace officer.

When child abuse is alleged: If a child protective services worker or peace officer enters the campus requesting to interview a student attending the school, the personnel of the District will cooperate with the investigating child protective services worker or peace officer. If a student is taken into temporary custody in accordance with A.R.S. 8-821, school personnel may respond to inquiries about the temporary custody of the child.

If a peace officer enters the campus requesting to interview a student attending the school on an issue other than upon request of the school or for abuse, the parent will be contacted and will be asked if they wish the student to be interviewed, unless directed not to by the peace officer. If the parent consents, the parent will be requested to be present or to authorize the interview in their absence within the school day of the request. Where an attempt was made and the parent could not be reached or did not consent within the school day of the request, the peace officer will then be directed to contact the parent and make arrangements to question the student at another time and place.

When a peace officer is present on the campus to interview students at the request of school authorities, parents will be contacted if the student is to be taken into custody or if the student is subject to discipline for a serious offense.

Searches

School and District officials are authorized to conduct a search when on school grounds, in a vehicle owned, leased or otherwise used by the District or school, or at a school activity, when there is reasonable suspicion that the search will result in the discovery of:

- "Contraband" includes all substances or materials prohibited by District/school policy or state law including, but not limited to, drugs, drug paraphernalia, alcoholic beverages, and/or,
- any material or item which presents an imminent danger of physical harm or illness, and/or
- any materials otherwise not properly in the possession of the student involved.

School lockers, desks, and student storage areas are school property, which the District has made available for use by students for educational purposes and school officials have the right to inspect lockers, desks, and student storage areas in discharge of their duties.

When there is reasonable suspicion that contraband, materials or items which present an immediate danger of physical harm or illness are present in a student automobile, District/school officials have the right to search the automobile when it is parked on or being operated on school property. When the owner of the automobile is other than the person in possession of the automobile, the owner will be notified that a search has taken place.

Reasonable efforts shall be made to notify the student's parent(s)/legal custodian(s)/guardian(s) and secure his/her presence before a search is made. When prior notification will result in a delay, which will impede the purposes of the search, or when efforts to notify are unsuccessful, the District/school official conducting the search shall notify the student's parent(s)/legal custodian(s)/guardian(s) of the search as soon after as practicable.

Personal searches may be conducted by a District/school official when there is reasonable suspicion that a particular student is in possession of contraband, materials, or items which present an immediate danger of physical harm or illness. The searches will be conducted out of the presence of other students and in a private room. Searches of the student shall be limited to:

- searches of the pockets, shoes and socks of the student
- any object in the student's possession such as a purse, backpack, or briefcase

When extreme emergency conditions require a more intrusive search of the student's person, the District/school official shall contact the local law enforcement agency.

Contraband materials as identified in the Introduction above may be seized when found in the course of a search. Any such items seized may be:

- returned to the parent or guardian of the student from whom the items were seized;
- offered as evidence in any suspension or expulsion proceeding if they are tagged for identification at the time seized;
- turned over to law enforcement officers; or
- destroyed

Search Warrants

If a search warrant is served, District/school officials shall not interfere with searches by law enforcement officers who have duly processed search warrants. Every reasonable effort should be made to cooperate with law enforcement officers.

Arrests

When a peace officer enters a campus providing a warrant or subpoena or expressing an intent to take a student into custody, the office staff shall request the peace officer establish proper identification, and complete and sign a form for signature of an arresting officer or interviewing officer. The school staff shall cooperate with the officer in locating the student within the school. Unless asked not to by a peace officer, school officials will notify parents/guardians about the arrest or may, if necessary, explain the relinquishment of custody by the school and the location of the student, if known.

Law Enforcement Presence on Campus

The Deer Valley Unified School District employs law enforcement officers to provide an added layer of safety on school grounds. Regular law enforcement presence at the high schools and middle schools began in 1997 and continues today. Law enforcement officers are commonly invited to elementary schools as classroom guests, to assist with traffic, or to assist with other law enforcement needs. It is expected that law enforcement officers will maintain a professional presence as law enforcement while on school facilities or attending school events. Additionally, it is expected that law enforcement officers will be professionally equipped with standard issued gear, and may use such equipment when necessary to maintain the safety of themselves and those they are employed to protect. (Reference: DVUSD Board Policy JIH, JIH-EB, JIH-EC)

Student & Staff Self Defense

Student Use of Physical Force in Self Defense

Reasonable use of physical force in self-defense, defense of others and defense of property will be considered as a mitigating factor in determining penalties for misconduct. The threat or use of physical force by a student is not reasonable:

- when made in response to verbal provocation alone;
- when assistance from a school staff member is a reasonable alternative;
- when the student has a reasonable opportunity to remove him/herself from the situation or otherwise flee;
- when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others, or to preserve property at risk.

Use of Physical Force by Supervisory Personnel

Any administrator, teacher or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order. Use of physical force shall not be construed to constitute corporal punishment. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel and in the

prevention and termination of the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

Victim Assistance

Deer Valley Unified School District is committed to providing a safe and orderly environment where students can focus on learning. Sometimes, students make inappropriate choices that interfere with the learning of others. The following information is provided to assist students who are victims of bullying, threats, intimidation, verbal or physical abuse, or any other action by another person that interferes with safety. Parents are encouraged to review this information with their child.

To help parents, community members and students report threats, rumors or information on criminal activity, Deer Valley established a Safe Schools hotline (623-376-3262). This number is always available as a discreet way to convey important information to educators. Other helpful information is available from the school or by searching online resources.

Whenever a student feels bullied or threatened, he/she should tell a parent, teacher, counselor, nurse or other school employee immediately. The most important step a victim must take to stop bullying is to report it. Students should not wait to see if someone else notices the bullying. The student should tell someone he or she trusts and who is able to help them. If the student does not feel that he or she can report the bullying or threat in person, he or she should write a note explaining the situation.

The student should:

- **Tell what happened** to him and his response to the event.
- **Tell who bullied** her and **who saw** it happen.
- **Tell where the incident happened** and **how** it happened.
- **Write down everything** that happened.
- **Get help from a person in authority** such as a teacher or counselor.
- **See the school nurse** if the bullying or threat is physical in nature.

Students may report an incident of bullying to any adult on the school campus. The person contacted will inform the school administration and an investigation will begin. Consequences for bullying are outlined on later pages of this handbook.

Court Unified Truancy Suppression Program (CUTS)

The CUTS program, administered by the Division of Community Services under the direction of the Maricopa County Juvenile Probation Department, is a diversion program designed for juveniles who commit a first or second truancy offense and are willing to take responsibility for their behavior. CUTS consists of a probation officer, school official, parent and student coming together to address truancy. The goal of the program is to increase school attendance. The philosophy of CUTS is that when a student's truant behavior is confronted by a team, including parents, school officials and a representative of the Court, the student is less likely to continue the behavior.

Students will be referred to the CUTS program on their fifth (5th) unexcused absence or when the student has been absent ten percent (10%) of the school year (18 school days).

The probation officer, with the help of school officials and parents, decides the consequences for the truant student. Consequences may include, but are not limited to, community service, an educational class for both student and parent and/or counseling. The parent will be assessed a fee. All consequences must be completed within 30 days following the CUTS meeting. Failure to comply with these sanctions results in the case being set for a court hearing in Juvenile Court.

Gang Activity or Association

Gangs that initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process. The use of hand signals, graffiti, pictures, drawings, etc., or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute indicates or implies membership or affiliation with such a group is prohibited because of the disruption to educational activities that results from such activities or dress. It is the District's position that such activities and dress also present a clear and present danger to other District students and to District staff members.

Any activity involving initiation, hazing, intimidation, assault, or other activity related to group affiliation that is likely to cause or does cause bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm to students or others is prohibited.

Any student wearing, carrying, or displaying gang paraphernalia and/or exhibiting behavior or gestures that symbolize gang membership, or causing and/or participating in activities that intimidate or adversely affect the educational activities of another student or the orderly operation of the schools shall be subject to disciplinary action.

Legal Ref.: A.R.S. 12-661(A)(B), 15-766, 12-2911, 15-767, 15-341(A)(1), 15-803, 15-342(1), 15-841, 15-507, 15-842, 15-521(A)(4), 1-843, 15-727 A.G.O., 78-218, 80-055, 84-36, A.A.C., R7-2-401, 7-2-405.

Medications

All prescription medications must be stored in the Health Center:

- Forms are available in the Health Center if medication is needed during the school day. Each bottle of medication must be in the original container and the medication form filled out and on file in the Health Center.
- Inhalers and self-administered "Epi-Pens" may be carried if the proper medication form has been filled out and placed on file in the Health Center.

All over-the-counter medications must be stored in the Health Center:

- Forms are available in the Health Center if medication is needed during the school day. Each bottle of medication must be in the original container and the medication form filled out and on file in the Health Center.

Medications needed during field trips must be furnished by the parent to the teacher. All medications must be in their original containers with label intact and will be kept with the teacher or trip leader for the duration of the field trip. A Field Trip Medical Permission Form must be filled out and returned to the teacher prior to the field trip.

Medication may not be shared with others. Failure to follow these rules could lead to consequences, including suspension or expulsion.

Safety Concerns

Rollerblades, skateboards, scooters, go peds, etc., are prohibited on all Deer Valley Unified School District campuses. Schools will not store them.

Student Dress Code

Any attire that detracts from the learning environment is not acceptable. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, safety, health and welfare of self and others.

- Clothing must cover the entire buttocks. Shirts and tops may not expose bare midriiffs, bare shoulders, nor be deeply or narrowly cut in the front, back, or under the arms. Halter tops, spaghetti straps, and strapless tops are not acceptable. Clothing that exposes undergarments will not be tolerated for males or females.
- Bare feet are never acceptable. In the interest of safety, shoes must be worn at all times. Closed shoes are to be worn for any type of physical activity, such as physical education, cheer practice, weight lifting, etc.
- Jewelry or ornamentation shall not be worn if it presents a safety hazard to self and/or others.
- No hats may be worn inside any campus buildings at anytime, except for properly approved occupational safety headgear required for special classes.
- Defamatory writing, obscene language or symbols, or symbols of drugs, sex, or alcohol on clothing or jewelry are expressly prohibited.
- Tattoos displaying defamatory writing, obscene language or symbols, or symbols of drugs, sex, or alcohol must be covered.

Electronic Devices

Many students want to have the privilege of carrying electronic devices on campus. With that privilege comes the responsibilities of ensuring that those items are not used inappropriately or at inappropriate times on campus or on a bus. If they are on and make a noise, vibrate or otherwise call attention to themselves, the device is creating a disruption. Unless approved by the teacher, these items must be in the off/silent position and be kept out of sight. Misuse of electronic devices may result in discipline procedures in addition to the confiscation of the device.

This is intended to promote the responsible use of all personally owned electronic devices in the Deer Valley Unified School District. Students are solely responsible for the proper use and security of any personally owned electronic device that they bring onto DVUSD property or to DVUSD sponsored activities. Students should not share or loan electronic devices. If they do, they may be held responsible for any misuse of that device by another just as though it had remained in their possession.

Students should understand that they bring an electronic device on campus at their own risk. DVUSD assumes no liability for the loss, theft, or damage of any personally owned electronic device on campus. The use of

personally owned electronic devices on campus will not be allowed to interfere with the learning process of any student or with the instructional process of a teacher while in the classroom or on campus. Any such interference will be considered a disruptive activity.

NOTE: For campuses participating in the Bring Your Own Technology program, please refer to that campus' student handbook for policies and procedures relating to carrying personal electronic devices on campus.

Personal Property

The Deer Valley Unified School District assumes no responsibility for student personal items that are lost or stolen on school property or at school sponsored events.

Public Concerns & Complaints

Most concerns and complaints can be resolved at the campus level. Therefore, it is the expectation that when a community member has a concern or complaint, the following chain of command guideline will be followed:

- Campus Level — If the concern involves a teacher, the community member will meet with the teacher to resolve the issue. The nature of that meeting will be documented.
- Campus Level — If the concern is not resolved at the teacher level, the campus administrator will meet with the community member and the teacher to resolve the issue. The nature of that meeting will be documented.
- Level I — If the concern is not resolved at the administrative level, the community member will contact School Operations. School Operations will meet with the community member and the campus administrator. (The teacher may be included in this meeting.) The nature of the meeting will be documented.
- Level II — If the concern is not resolved at the School Operations level, the community member will contact the appropriate associate superintendent, who then schedules a meeting with the community member and the District Office administrator/director. (The school administrator will be contacted, and the administrator and the teacher may be included in the meeting.) The nature of the meeting will be documented.
- Level III — If the concern is not resolved at the associate superintendent level, the party contacts the Superintendent, who then schedules a meeting with the party, the associate superintendent, and the District administrator/director. (The school administrator will be contacted, and the administrator and the teacher may be included in the meeting.) The nature of the meeting will be documented.
- Governing Board Level — If the concern is not resolved, the party may contact the members of the Governing Board.

Student Violence/Harassment/Intimidation/Bullying

The Governing Board of the Deer Valley Unified School District believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Governing Board further believes a

school environment that is inclusive of these traits maximizes student achievement, fosters student personal growth, and helps a student build a sense of community that promotes positive participation as citizens in society.

To assist in achieving a school environment based on the beliefs of the Governing Board, bullying in any form will not be tolerated.

Bullying: Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that:

- has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property,
- is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment,
- occurs when there is a real or perceived imbalance of power or strength, or
- may constitute a violation of law.

Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms including, but not limited to:

- verbal, written/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly, through another person or group, or through cyberbullying;
- exposure to social exclusion or ostracism,
- physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting, and
- damage to or theft of personal property.

Cyberbullying: Cyberbullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other internet communications, on school computers, networks, forums and mailing list, or other District-owned property, and by means of an individual's personal electronic media and equipment.

Harassment: Harassment is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual preference, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

Intimidation: Intimidation is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

Students are prohibited from bullying on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists.

Disciplinary action may result for bullying which occurs outside of the school and the school day when such acts result in a substantial physical, mental, or emotional negative effect on the victim, while on school grounds, school property, school buses, at school bus stops, or at school sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. All suspected violations of law will be reported to local law enforcement.

Students who believe they are experiencing being bullied or suspect another student is bullied should report their concern to any staff member of the District. School personnel are to maintain appropriate confidentiality of the reported information.

Reprisal by any student directed toward a student or employee related to the reporting of a case or a suspected case of bullying shall not be tolerated, and the individual(s) will be subject to the disciplines set out in applicable District policies and administrative regulations.

Students found to be bullying others will be disciplined up to and including suspension or expulsion from school.

Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies shall be followed.

Law enforcement authorities shall be notified when district officials have a reasonable belief that an incident of bullying is a violation of the law.

Forms are available to report all incidents of bullying at www.dvusd.org and on your child's school's website.

(Ref. Policy JICK, JICK-R, JICK-EA, JICK-EB)

Hazing

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a "student" until graduation, transfer, promotion or withdrawal from the District school.

"Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:

- The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an educational institution.
- The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.

"Organization" means an athletic team, association, order, society, corps, cooperative, club, or similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing.

In accordance with statute, violations of this policy do not include either of the following:

- Customary athletic events, contests or competitions that are sponsored by an educational institution.
- Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.

All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this policy.

Students and others may report hazing to any professional staff member. Professional staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to ~~timely~~ inform the school administrator or next higher administrative supervisor in a timely manner of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accordance with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices.

Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

All violations of this policy shall be treated in accordance with the appropriate procedures and penalties provided for in District policies related to the conduct and discipline of students, staff, and others.

Year-To-Year Progressive Discipline

Progressive discipline will be used in cases in which a student commits the same infraction repeatedly over the duration of the student's tenure in the District.

Progressive discipline is discipline that is carried over year to year. For example, if a student is disciplined once for Endangerment during his/her 6th grade year and then again for Endangerment during his/her 8th grade year, the later incident may be categorized as a second offense and may warrant a more severe consequence than the minimum consequence listed in the discipline matrix in this handbook.

Library Media Center (LMC)

The K-6, K-8, and middle school Library Media Centers are open 15 minutes before the school day starts and 15 minutes after the school day ends. For high school hours, check the Student Handbook, or the LMC website. The LMCs provide books, reference materials, and computers for students to use. Technology is used for school work only. Teachers schedule library times to bring classes to the LMC, and students may obtain individual passes from their teacher to take advantage of the library resources and space anytime during the school day.

Books are checked out for up to two weeks, with the option to renew one time (unless the book is on hold by another student). Students and parents are financially responsible for any books that are checked out in the student's name. No fines are assessed for overdue books in the K-6, K-8, and middle schools, but student's privileges to check out books will be suspended until the book(s) are returned in good condition. The DVUSD high schools charge fines for overdue materials, the cost varies by location. Any lost or damaged items must be paid for before the student will be allowed to borrow more books. Replacement book(s) are not accepted. At the end of the school year, if a K-6, K-8, or middle school student still has a book(s) on their library account, the student's report card will be held in the office or LMC for parents to pick up. The LMC is open one week after the student's last day of school. Refer to the high school Student Handbook for specifics on overdue fines, lost or damaged materials.

Students and parents may access the student's library account online at destiny.dvusd.org. Choose the school of attendance, click on **Login**, and use the student's DVUSD username and password. Click on the **My Info** tab to access the account information.

Boulder Creek High School (BCHS) has a dual purpose library managed by the Maricopa County Library District. It is open evenings and weekends. BCHS students need to apply to the Maricopa County Library for a library card, and may access the library website at www.mclldaz.org

Discipline Guidelines: Grades K-12

Note: Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An underlined infraction indicates that an administrator may opt to use an in school suspension as a possible disciplinary action in lieu of out of school suspension. All violations must be reported to ADE. An asterisk (*) indicates that the violation must also be reported to local law enforcement.

Infraction	Definition	Consequence	
		Minimum	Maximum
*Aggravated Assault	An assault accompanied by circumstances that make the situation severe, such as the use of a deadly weapon or dangerous instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, the victim is a peace officer or a school employee engaging in a school-related activity. (A.R.S. 13-1204)	Long Term Suspension	Expulsion
<u>Aggression, Other</u>	Any aggressive act that cannot be coded in one of the other categories but demonstrates aggression towards others.	Conference	Long Term Suspension
Alcohol Violation (sale or distribution)	The sale or distribution of alcohol as defined below.	Long Term Suspension	Expulsion
Alcohol Violation (use possession, under the influence)	The 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.	10 Day Suspension	Expulsion
*Armed Robbery	A person commits armed robbery if, in the course of committing robbery as defined above, is armed with a deadly weapon or a simulated deadly weapon or uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (A.R.S. 13-1904)	Expulsion	
*Arson of an Occupied Structure	Damaging an occupied structure or property by knowingly causing a fire or explosion. (A.R.S. 13-1704) An occupied structure means any structure in which one or more human beings either is or is likely to be present or so near as to be in equivalent danger at the time the fire or explosion occurs. (A.R.S. 13-1701)	Long Term Suspension/ Restitution	Expulsion/ Restitution
*Arson of a Structure or Property	Damaging a structure or property by knowingly causing a fire or explosion. (A.R.S. 13-1703)	Long Term Suspension/ Restitution	Expulsion/ Restitution

Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		Minimum	Maximum
Assault	A person commits assault by: (1) intentionally, knowingly or recklessly causing any physical injury to another person; or (2) intentionally placing another person at risk of imminent physical injury; or (3) knowingly touching another person with the intent to injure. (A.R.S. 13-1203)	K-6: 3 Day Suspension 7-12: 5 Day Suspension	K-6: Expulsion 7-12: Expulsion
Attendance Violation, Other	Being absent from class or school ten percent of the school year, or having five unexcused absences.	Detention	3 Day Suspension
*Bomb Threat	Threatening to cause harm using a bomb, dynamite, explosive, or arson-causing device.	Up to 10 Day Suspension	Expulsion
Bullying	Repeated acts over time that involve a real or perceived imbalance of power with the more powerful child or group attacking those who are less powerful. Bullying can be physical in form, verbal, or psychological. Cyber-bullying includes bullying through the misuse of technology.	Conference	Expulsion
*Burglary (First Degree)	A person commits burglary in the first degree if such person knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. (A.R.S. 13-1508)	10 Day Suspension/ Restitution	Expulsion/ Restitution
* <u>Burglary or Breaking and Entering (Second or Third Degree)</u>	Entering or remaining unlawfully in or on school property with the intent to commit any theft or any felony therein. (A.R.S. 13-1506 and A.R.S. 13-1507)	Restitution	Expulsion/ Restitution
<u>Cheating</u>	Knowingly using information or property of another, or knowingly sharing academic information to gain an unfair advantage.	Loss of Credit	5 Day Suspension/ Loss of Credit
*Chemical or Biological Threat	Threatening to cause harm using dangerous chemicals or biological agents.	Up to 10 Day Suspension	Expulsion
<u>Combustible</u>	Student is in possession of a substance or object that is readily capable of causing bodily harm or property damage, i.e., matches, lighters, firecrackers, gasoline, and lighter fluids.	1 Day Suspension	Long Term Suspension

Discipline Guidelines: Grades K-12

Note: Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An underlined infraction indicates that an administrator may opt to use an in school suspension as a possible disciplinary action in lieu of out of school suspension. All violations must be reported to ADE. An asterisk (*) indicates that the violation must also be reported to local law enforcement.

Infraction	Definition	Consequence	
		Minimum	Maximum
<u>Computer/ Network Infraction/ Telecommunication Device</u>	Failure to use hardware, software, electronic devices, web pages and networks for the intended educational use or in a manner that causes disruption at a campus or any District facility. This includes tampering or unauthorized access of any computer, computer system, or network.	Conference/ Restitution	10 Day Suspension/ Restitution
<u>Contraband</u>	Any item whose use, possession, sale or distribution is prohibited because it may disrupt the learning environment.	Conference	Long Term Suspension
Dangerous Items	Any device 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. These may include but are not limited to air soft guns, bb guns, knife with a blade length less than 2.5 inches, laser pointer, letter opener, mace, pepper spray, paintball gun, pellet gun, razor blade or box cutter, simulated knife, taser or stun gun, tear gas, and other dangerous items. NOTE: A dangerous item used to cause bodily injury or to threaten or intimidate another person may be classified as a dangerous instrument and must be reported to law enforcement.	3 Day Suspension	Expulsion
<u>Defiance or Disrespect Towards Authority</u>	Treating district personnel or any others with contempt or rudeness. Intentionally resisting or disregarding the authority of district personnel.	Conference	Long Term Suspension
<u>Disorderly Conduct</u>	Any act which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others. (A.R.S. 13-2904)	3 Day Suspension	10 Day Suspension

Discipline Guidelines: Grades K-12

Note: Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An underlined infraction indicates that an administrator may opt to use an in school suspension as a possible disciplinary action in lieu of out of school suspension. All violations must be reported to ADE. An asterisk (*) indicates that the violation must also be reported to local law enforcement.

Infraction	Definition	Consequence	
		Minimum	Maximum
<u>Disruption</u>	Creating disturbances in class, on campus, or at school-sponsored events. Continual or repeated disruptions may warrant more severe consequences. (A.R.S. 13-2911)	Conference	Long Term Suspension
<u>Dress Code Violation</u>	Clothing that does not fit within the dress code guidelines stated in school or district policy.	Change of Clothes	3 Day Suspension
<u>Drug Paraphernalia</u>	Any equipment, products or materials of any kind which are used, intended for use or designed for use in growing, processing, packaging, concealing, containing or ingesting a drug as defined below. (A.R.S. 13-3415)	10 Day Suspension	Expulsion
<u>Drug Violation (over the counter)</u>	Over the counter non-prescription pharmaceuticals fall into this definition, unless the student has complied with the school district's policy for such medication. Medication for cessation of smoking must be checked through the health center; otherwise, it will be considered a drug. Supplements and/or nutritional supplements shall be considered a look-alike drug. The term "drugs" includes anything that looks like drugs.	K-6: 5 Day Suspension 7-12: 10 Day Suspension	K-6: Expulsion 7-12: Expulsion
* <u>Drug Violation (use, possession, under the influence)</u>	Chemical substances, narcotics, prescription medications, inhalants, controlled substances, synthetic substances, or substances that students represent to be chemical substances, narcotics, or controlled substances. (A.R.S. 13-3451)	K-6: 10 Day Suspension 7-12: Long Term Suspension	K-6: Expulsion 7-12: Expulsion
* <u>Drug Violation (sale or distribution)</u>	Sale, distribution, or intent to sell drugs including over the counter drugs as defined above.	Long Term Suspension	Expulsion
<u>Endangerment</u>	Recklessly or intentionally creating a risk of injury or imminent injury or death to another. Consequence depends on the potential severity of harm.	1 Day Suspension	Expulsion

Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		Minimum	Maximum
<u>Extortion</u>	The act of knowingly obtaining or seeking to obtain property or services, or causing or seeking to cause another to act in a manner by means of a threat to do any of the following: (1) cause physical injury; (2) cause damage to property; (3) engage in illegal conduct; or (4) make false accusations. (A.R.S. 13-1804)	3 Day Suspension	Long Term Suspension
<u>Fighting</u>	When two or more persons engage in any violence toward each other in an angry or quarrelsome manner.	K-6: 3 Day Suspension 7-12: 5 Day Suspension	K-6: Expulsion 7-12: Expulsion
*Fire Alarm Misuse	Intentionally ringing a fire alarm when there is no fire.	3 Day Suspension	10 Day Suspension
*Firearms	Any loaded or unloaded handgun, pistol, shotgun, rifle, starter gun, or destructive device (including bombs and grenades) or other firearm or destructive device 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. This includes explosive, combustible or poisonous gas. (A.R.S. 13-3101 and A.R.S. 13-311)	Expulsion	
<u>Forgery</u>	The act of falsely or fraudulently marking or altering a document or a verbal, written, or electronic communication, or any verbal or written communication that is knowingly false or fraudulent. This includes identity theft.	1 Day Suspension	10 Day Suspension
<u>Gambling</u>	Playing games of chance for money or to bet a sum of money.	1 Day Suspension	5 Day Suspension
<u>Graffiti or Tagging</u>	Writing on walls, drawings or words that are scratched, painted or sprayed on walls or other surfaces in public places.	3 Day Suspension/ Restitution	Expulsion/ Restitution
<u>Harassment, Nonsexual</u>	The persistent or repeated annoying or tormenting of another person. To frighten, compel, or deter by actual or implied threats. (A.R.S. 13-2921)	Mediation	Expulsion

Discipline Guidelines: Grades K-12

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Infraction	Definition	Consequence	
		Minimum	Maximum
*Harassment, Sexual	The unwelcome conduct of a sexual nature that denies or limits a student's ability to participate in or to receive benefits, services, or opportunities in the school's programs. It can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.	3 Day Suspension	Expulsion
*Harassment, Sexual with Contact	Sexual harassment that includes unwanted physical contact of non-sexual body parts.	3 Day Suspension	Expulsion
<u>Hazing</u>	Any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply: (a) The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an education institution, and (b) The act contributes to a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. (A.R.S. 13-2301)	Mediation	Expulsion
*Homicide	Intentionally or recklessly causing the death of another person (A.R.S. 13, Chapter 11)	Expulsion	
* <u>Indecent Exposure or Public Sexual Indecency</u>	For definition of Indecent Exposure, refer to A.R.S. 13-1402 For definition of Public Sexual Indecency, refer to A.R.S. 13-1403	3 Day Suspension	Expulsion
<u>Language, Inappropriate</u>	The use of profanity or any derogatory language stated publicly.	K-6: 1 Day Suspension 7-12: 3 Day Suspension	K-6: 10 Day Suspension 7-12: 10 Day Suspension

Discipline Guidelines: Grades K-12

Note: Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An underlined infraction indicates that an administrator may opt to use an in school suspension as a possible disciplinary action in lieu of out of school suspension. All violations must be reported to ADE. An asterisk (*) indicates that the violation must also be reported to local law enforcement.

Infraction	Definition	Consequence	
		Minimum	Maximum
*Kidnapping	Knowingly restraining another person with the intent to (1) hold the victim for ransom, as a shield or hostage, or (2) hold the victim for involuntary servitude; or (3) inflict death, physical injury or a sexual offense on the victim or to otherwise aid in the commission of a felony; or (4) place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person; or (5) interfere with the performance of a governmental or political function; or (6) seize or exercise control over an airplane, train, bus, ship or other vehicle. (A.R.S. 13-1304)	Expulsion	
<u>Leaving School Grounds Without Permission</u>	Leaving school grounds or being in an “out-of-bounds” area during regular school hours without permission of the principal or principal designee.	Detention	5 Day Suspension
<u>Lying</u>	To make an untrue statement with intent to deceive.	Conference	10 Day Suspension
<u>Minor Aggressive Act</u>	The behavior of rough boisterous play or tussles, minor confrontations, pushing and/or shoving.	Conference	Long Term Suspension
<u>Negative Group Affiliation</u>	Specific attitudes and actions of a student affiliated with a negative group which manifests malice towards others based on their race, gender, or ethnicity. This includes hate speech and gang activity.	Conference	Long Term Suspension
<u>Parking Lot Violation</u>	Improper driving or parking of a vehicle on school district property without permission and/or parking in prohibited areas.	Revocation of Parking Privileges	Long Term Suspension
<u>Plagiarism</u>	To steal and pass off the ideas or words of another as one’s own.	Loss of Credit	10 Day Suspension/ Loss of Credit
<u>Pornography</u>	The use or possession of pictures, devices or electronic images that offends or disturbs the educational environment.	Detention	Expulsion
<u>Public Display of Affection</u>	Kissing, hugging, fondling or touching in public.	Warning	5 Day Suspension
<u>Recklessness</u>	Unintentional, careless behavior that may pose a safety or health risk for others.	Conference	Long Term Suspension

Discipline Guidelines: Grades K-12

Note: Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An underlined infraction indicates that an administrator may opt to use an in school suspension as a possible disciplinary action in lieu of out of school suspension. All violations must be reported to ADE. An asterisk (*) indicates that the violation must also be reported to local law enforcement.

Infraction	Definition	Consequence	
		Minimum	Maximum
<u>*Robbery</u>	Taking, or attempting to take, any property of another from his person or immediate presence and against his will. Such person threatens or uses force against any person with intent either to coerce surrender of property, or to prevent resistance to such person taking or retaining property. (A.R.S. 13-1902)	5 Day Suspension/ Restitution	Expulsion/ Restitution
<u>School Policy, Other Violation of</u>	An incident that cannot be coded in one of the other categories but did involve a school, school-sponsored event or school-sponsored transportation.	Conference	Long Term Suspension
School Threat, Other	An incident that cannot be coded in one of the other categories but did involve a school threat. This includes death threats.	Mediation	Expulsion
<u>*Sexual Abuse or Sexual Conduct with a Minor or Child Molestation</u>	For definition of Sexual Abuse, refer to A.R.S. 13-1404 For definition of Sexual Conduct with a Minor, refer to A.R.S. 13-1405 For definition of Child Molestation, refer to A.R.S. 13-1410	3 Day Suspension	Expulsion
<u>*Sexual Assault (Rape)</u>	For definition, refer to A.R.S. 13-1406	Expulsion	
Simulated Firearm	Any simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm or any object such as a stick or finger concealed under clothing and is being portrayed as a firearm.	3 Day Suspension	Long Term Suspension
<u>Tardy</u>	Failure to be at a designated location at a specified time.	Detention	3 Day Suspension
<u>Technology, Other</u>	The misuse of a cell phone, pager, media player or other electronic item, whether operational or non-operational.	Conference	10 Day Suspension
<u>Theft</u>	Taking property that belongs to another without personal confrontation, threat, violence, or bodily harm. Theft does not include confiscation by school authorities of property not permitted at the school. <u>NOTE</u> : In the event of theft or damage, personal items brought to school, such as musical instruments, radios, electronics, etc., are not covered by district insurance. (A.R.S. 13-1802)	3 Day Suspension/ Restitution	10 Day Suspension/ Restitution

Discipline Guidelines: Grades K-12

Note: Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below. An underlined infraction indicates that an administrator may opt to use an in school suspension as a possible disciplinary action in lieu of out of school suspension. All violations must be reported to ADE. An asterisk (*) indicates that the violation must also be reported to local law enforcement.

Infraction	Definition	Consequence	
		Minimum	Maximum
<u>*Threat or Intimidation</u>	When a person indicates by word or conduct the intent to cause physical injury or serious damage to a person or their property. (A.R.S. 13-1202)	Mediation	Expulsion
<u>Tobacco Violation</u>	Refers to smoking tobacco (e.g. cigarettes, cigars), smokeless tobacco (e.g. dip, chew, snuff, or twist) and any and all delivery devices (e.g. e-cigarettes, hookahs, water pipes). NOTE: Possession of tobacco products on K-12 public, charter, or private school grounds, buildings, parking lots, playing fields and vehicles, and at off-campus school-sponsored events, is a petty criminal offense. "Petty" offense is punishable by a fine of up to \$300. (A.R.S. 36-798)	3 Day Suspension	10 Day Suspension
<u>Truancy</u>	An unexcused absence of at least one class period during the day. NOTE: This definition pertains to students ages 6 to 16. (A.R.S. 15-803)	Detention	3 Day Suspension
<u>Trespassing</u>	To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students serving a suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function. (A.R.S. 15-1503)	1 Day Suspension	10 Day Suspension
<u>Unexcused Absence</u>	An unexcused absence of at least one class period during the day. NOTE: This definition pertains to students over the age of 16.	Detention	3 Day Suspension
<u>*Vandalism of Personal Property</u>	Willful destruction or defacement of personal property.	3 Day Suspension/ Restitution	Expulsion/ Restitution
<u>*Vandalism of School Property</u>	Willful destruction or defacement of school property.	3 Day Suspension/ Restitution	Expulsion/ Restitution
<u>Verbal Provocation</u>	Use of language or gestures that may incite another person or other people to fight.	Conference	Long Term Suspension
<u>*Weapons, Other</u>	May include but are not limited to billy clubs, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus, and other prohibited items as listed in A.R.S. 13-3101.	Long Term Suspension	Expulsion

Bus Discipline Procedures

Transportation is extended to students in the District as determined by District Policy EEAA. It is not a legal requirement except for transportation of special needs students as required by their individual education program. The Governing Board requires students to conduct themselves on the bus, prior to boarding the bus, and leaving the bus, in a manner consistent with established standards for classroom behavior. Bus misconduct may result in suspension from the bus and/or school, and/or discipline consequences for behavior on any other school property as defined in this Discipline Handbook. Students who have their bus privileges suspended are expected to be in attendance as per the State's compulsory attendance law.

The driver of a school bus is legally responsible for the orderly conduct and safety of all passengers being transported. All passengers are under the authority of the school bus driver (ADOT R17-9-104). If there is a serious violation or safety concern on the bus, the driver may bring the bus to the school or the Transportation Facility where there is adult supervision. Student(s) may be removed from the bus and the parents will be notified to pick up their child. Bus suspensions that occur at the end of the school year may carry over into the next school year.

Suspension from the bus may also result in other disciplinary consequences. All suspensions start only after parent contact. Every attempt will be made to contact the parent by phone. If unsuccessful, written notice will be mailed and/or sent home with the student. Transportation suspensions are progressive. Schools are notified of bus suspensions.

Students are afforded due process/appeals of disciplinary action. Contact the Transportation Department for details.

Glass, animals, insects, balloons, and motorized scooters are not allowed on the bus. Electronic devices may not be used on the bus or at school.

Students are required to ride their assigned bus. If a student needs to ride another bus due to an emergency, parents must write a note to take to the school office. The school will then complete the appropriate form that allows the student to board the bus. Notes to the driver are unacceptable.

Video cameras may be on the buses. (Cameras are used by the District primarily for aiding student discipline on the buses.)

Bus Suspensions/Expulsions Due Process:

In disciplinary cases, each student is entitled to due process. This means students:

- Must be informed of accusations against them.
- Must have the opportunity to accept or deny the accusations.
- Must have explained to them the factual basis of the accusations.
- Must have an opportunity to present an alternative factual position if the accusation is denied.

Step 1:

If the regional supervisor decides that the alleged misconduct warrants a consequence of a bus suspension, notice shall be provided to the parent/guardian that the student is being suspended from the bus. A suspension cannot be imposed unless the infraction was seen by the driver, the student confessed, or an investigation by the regional supervisor/campus administrator has been performed to verify the facts. All parents/guardians are entitled to a meeting at their request.

Step 2:

If the regional supervisor decides that the alleged misconduct is sufficiently serious so that the consequence should be a bus suspension in excess of ten (10) days, the parents/guardians may request a hearing within 48 hours to appeal the decision to the Director of Transportation. The Director of Transportation will conduct a hearing at which a reasonable amount of time will be given to allow all parties to present written and verbal information relating to the decision. After the appeal, the Director of Transportation will make the final decision.

Bus Discipline Guidelines: Grades K-12

Note: **Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.** All of the infractions and consequences listed in these discipline guidelines and the discipline guidelines on pages 16-24 are in effect for all school vehicles. Depending on the location and severity of the infraction, the consequence may be served on the vehicle and/or school. For example, fighting may result in a suspension from school as well as a loss of bus riding privileges. Some of the more common infractions are listed below.

Infraction	Definition	Consequence	
		Minimum	Maximum
Disrespect/Defiance/ Non-Compliance	<p>Treating district personnel or any others with contempt or rudeness. Intentionally resisting or disregarding the authority of district personnel.</p> <p>Examples of common occurrences are:</p> <ul style="list-style-type: none"> • Exiting the bus at other than the regular stop or school • Improper boarding • Out of, not in, or improperly seated • Shouting 	Conference	Long Term Suspension
Horseplay/ Roughhousing	<p>Rough boisterous play or behavior.</p> <p>Examples of common occurrences are:</p> <ul style="list-style-type: none"> • Spitting • Shooting or throwing objects • Hanging on to, standing in front of, or interfering with the movement of the bus • Extending any part of the body or object out of the window 	Conference	3 Day Suspension

Student Due Process-Suspension/Expulsion Disciplinary Record Keeping

1. **Discipline**—Discipline is administered by the principal/designee, the faculty and the staff.
2. **Referral**—Students will be referred to the principal/designee for violations outlined in the foregoing sections "Discipline Guidelines" and when their disruptive behavior interrupts the educational process.
3. **Due Process**—Students in the District have certain rights. They also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. In disciplinary cases, each student is entitled to due process. This means students:
 - must be informed of accusations against them;
 - must have the opportunity to accept or deny the accusations;
 - must have explained to them the factual basis for the accusations; and
 - must have a chance to present an alternative factual position if the accusation is denied.
4. **Short Term Suspension**—Short Term Suspension is defined as any suspension of ten (10) days or less. If the principal or designee decides that the alleged misconduct warrants a consequence of a suspension for ten (10) days or less, the principal/designee shall give the student an informal hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights including the opportunity to present to the principal/designee his or her defense or position concerning the alleged violation. After the termination of the hearing, the principal/designee, upon the basis of all facts and information learned, shall determine the guilt or innocence of the student. If the student is found to be guilty, a consequence or suspension may be imposed for a period of time not to exceed ten (10) days. If a suspension is imposed, the principal/designee imposing the suspension shall keep a record of the aforesaid proceedings.

There is no appeal process for a short term suspension of 10 days or less. However, a parent may request a campus administrative review of the campus procedures that resulted in discipline.

After the administration's review is complete, the principal's/designee's decision is final.

5. **Long Term Suspension**—Long Term Suspension is defined as any suspension in excess of ten (10) days. If the principal/designee decides that the alleged misconduct is sufficiently serious so that the consequence should be suspension in excess of ten (10) days or expulsion, the accused student shall be afforded his or her due process rights. There shall be an investigation to determine if there is sufficient probable cause to charge the student with an act of misconduct, which may result in a suspension in excess of ten (10) days or an expulsion. When a student is charged by the principal/designee with misconduct, which may result in suspension in excess of ten (10) days or expulsion, the parent(s) or guardian of the student shall be informed within a reasonable time period by telephone or letter of the charges against the student. The suspension shall be in accord with pertinent Arizona Revised Statutes. The ability to make up work for credit during long term suspension is at the discretion of the hearing officer or the Governing Board and will only be allowed in exceptional circumstances.

If a school administrator believes that a long term suspension may be warranted as a result of alleged misconduct of a student, the administrator/designee will notify the parent(s) in writing. The school administrator/designee shall also notify the School Operations Specialist to schedule a long term suspension hearing.

If a long term suspension hearing is scheduled, the District will send by certified mail, or deliver, or cause to be mailed or delivered, notice of the hearing to the student's parent(s) at least five (5) working days prior to the hearing. The notice shall contain:

- The time, date and place of the hearing.
- The name of the hearing officer.
- A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline.
- A copy of Policy JKD and A.R.S. 15-840 through 15-844.
- A statement that the student and his or her parent(s) are entitled to various procedural rights as described in this policy.
- A statement that notice must be given to the superintendent/designee at least 24 hours before the hearing if the student or his parent(s) will have an attorney present.

The hearing shall be held at the time and place stated in the notice unless all interested parties agree otherwise. In the event the District is unable to contact the parents or guardians after taking reasonable steps to do so, the District may proceed to hold a hearing or take other steps regarding the discipline of the student.

At the conclusion of the hearing, the hearing officer shall determine whether discipline will be imposed, and, if deemed appropriate by the hearing officer, a long term suspension may be imposed immediately. Written confirmation of the hearing officer's decision shall be mailed or delivered to the student's parent(s) within five (5) days after the hearing. A copy of the written decision shall be delivered or mailed to the superintendent. If the decision is to impose a long term suspension, the written decision shall:

- Name the student.
- Describe the behavior that resulted in the long term suspension.
- State the beginning and ending dates of the suspension and the restrictions of the student's presence on campus and at school activities.
- Inform the parent(s)/guardian about suspension appeal procedures. Absent extenuating circumstances, once a due process hearing has concluded, no new testimony or documents may be presented.

6. **Suspension Due to Clear and Present Danger**—If in the best judgment of the principal/designee after reasonable investigation, the facts indicate that the presence of the alleged offender constitutes a clear and disruptive influence to the educational processes on campus, the principal or designee may suspend the student from the school pending a hearing and disposition of the case.

7. **Long Term Suspension Appeal**—If the hearing officer recommends a long term suspension, the Governing Board will be informed, in writing, of that decision. Parent(s)/legal guardian(s) may appeal the decision for long term suspension based on one of the following reasons:

- There was substantial non-compliance with policy JKD.
- The pupil's legal rights, including the right to receive due process, were violated by the hearing or the hearing officer's decision.
- The discipline imposed by the hearing officer was unreasonable considering the circumstances present.

To appeal the decision of the hearing officer, parents must deliver a letter to the superintendent within five (5) working days after receiving notice of the decision of a long term suspension. The letter must describe in detail all objections to the hearing or the decisions rendered at the hearing. The Governing Board will review written material forwarded to them by the hearing officer and the parent's/legal guardian's letter of appeal. If the board feels more information is necessary, they will conduct another hearing. No new evidence can be admitted at the appeal hearing. The Governing Board will review the material in executive session. Unless

requested in writing by the parents, the executive session will be closed. Upon review of the written material in executive session, the Governing Board may uphold, modify, or rescind the hearing officer's decision.

8. **Expulsion**—Expulsion is defined as permanent removal from school and all school activities. The hearing officer may recommend that a student be expelled from the school District. That recommendation will be forwarded to the Governing Board, who will act on it. Parent(s)/legal guardian(s) may appeal the recommendation for expulsion based on one of the following reasons:

- There was substantial non-compliance with policy JKD.
- The pupil's legal rights, including the right to receive due process, were violated by the hearing or the hearing officer's decision.
- The discipline imposed by the hearing officer was unreasonable considering the circumstances present.

The Governing Board will consider a hearing if there is an appeal of the hearing officer's recommendation for expulsion from the parent. The Governing Board will review the written material from the hearing officer and the parents and will hear testimony from the hearing officer, the school officials, and the student's family. No new evidence can be admitted at the appeal hearing.

The Governing Board will conduct the hearing in executive session. Unless requested in writing by the parent(s)/guardian(s), the executive session will be closed. If the parent(s)/legal guardian(s) disagree that the hearing, held by the board, should be held in executive session, it shall be held in an open meeting unless:

- If only one student is subject to the proposed action and disagreement exists between that student's parent(s)/legal guardian(s), then the board, after consultation with the student's parent(s)/legal guardian(s), shall decide in executive session whether the hearing will be in executive session.
- If more than one student is subject to the proposed action and disagreement exists between the parents of different students, then separate hearings shall be held subject to the provisions of A.R.S. 15-843.

Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parent(s)/legal guardian(s) and legal counsel from attending any executive session pertaining to the proposed disciplinary action or from having access to the minutes and testimony of such executive session or from recording such a session at the parent's/legal guardian's expense.

9. **Readmission**—When a student is expelled, the student's parent(s)/legal guardian(s) may request that the student be readmitted no sooner than one year after the date of the expulsion. The readmission of an expelled student can only be granted by the Governing Board, in its discretion, and may begin the semester following the decision to readmit.

10. **Student Disciplinary Record-Keeping**—Each principal or designee shall keep and retain complete records of pupil disciplinary actions and procedures. Records regarding pupil disciplinary actions shall be retained for at least four (4) years after graduation or withdrawal. The kinds of disciplinary actions for which an accounting shall be kept shall include, but not be limited to, suspension, placement in special classes and referrals of cases to police and juvenile authorities.

The accounting for pupils subject to disciplinary action shall contain an entry of:

- Pupil's full name.
- Time, place and date of the offense or offenses, behavior observed.
- Specific measures taken by person(s) reporting the offense to effect an adjustment, including the specialized help secured before referral, i.e., conferences with parent(s)/legal guardian(s), conference with principal, conferences with other school personnel, referrals to department of pupil, personnel services, etc.

- Final disposition of the case.
- Name of person(s) imposing the action or actions.
- Statement of clarification by student or parent(s)/legal guardian(s) if either wishes.

11. **Principal/Designee Review**—In case of a suspension which is for ten (10) days or less, and there has been no recommendation for long term suspension, the student/parent may request, in writing, a review of the situation/discipline. Once the principal/designee reviews the stated concern(s), the principal/designee shall notify the student/parent of the final determination.

Retention & Promotion-Parent or Legal Guardian Information

The Statutes

The statutory authority to retain or promote a student in an elementary grade or to pass or fail a student in high school is set forth in A.R.S. 15-701.

A.R.S. 15-701 (E) states:

A teacher shall determine whether to promote or retain a pupil in grade in a common school as provided in section 15-521, paragraph 3 on the basis of the prescribed criteria. The governing board, if it reviews the decision of a teacher to promote or retain a pupil in grade in a common school as provided in section 15-342, paragraph 11, shall base its decision on the prescribed criteria.

Parental or Legal Guardian Rights

A.R.S. 15-102 (F) states:

Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:

(e) The promotion requirements prescribed in section 15-701.

Process for Parents or Legal Guardians

If a parent or legal guardian chooses to contest the teacher's decision to retain or promote a student:

1. Within five days from the notification of intent to retain or promote, parent or legal guardian will complete a Retention Appeal form or Promotion Appeal form, submit it to the school principal and schedule a meeting.
2. The appeal process will start immediately upon the parent/legal guardian's completion and submission of an Appeal form.
3. The teacher must fill out a Teacher Promotion or Teacher Retention Justification Form and attach the required documentation.
4. The principal collects all forms, with the required documentation, and forwards the packet to the Associate Superintendent for Teaching and Learning for review.
5. If warranted, the Associate Superintendent for Teaching and Learning will then schedule a hearing conference with the Governing Board.

Annual Notification to Parents Regarding Confidentiality of Student Education Records [34 C.F.R. 300.561 and 300.572]

Dear Parent:

The Family Educational Rights and Privacy Act (FERPA), affords parents and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. The Governing Board has established written policies regarding the collection, storage, retrieval, release, use, and transfer of student educational information collected and maintained pertinent to the education of all students to ensure the confidentiality of the information and to guarantee parents’ and students’ rights to privacy. These policies and procedures are in compliance with:

- The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act;
- Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT);
- No Child Left Behind Act of 2001 (NCLB);
- The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and
- Arizona Revised Statutes, Title 15, sections 141 and 142.

Student education records are collected and maintained to help in the instruction, guidance, and educational progress of the student, to provide information to parents and staff members, to provide a basis for the evaluation and improvement of school programs, and for legitimate educational research. The students’ records maintained by the District may include—but are not limited to—identifying data, report cards and transcripts of academic work completed, standardized achievement test scores, attendance data, reports of psychological testing, health data, teacher and counselor observations, and verified reports of serious or recurrent behavior patterns.

These records are maintained by the District under the supervision of the school administrator at the school the student attends or last attended and are available only to the teachers and staff members working with the student. Upon request, the school discloses education records without consent to officials of another school District in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies, persons or organizations without prior written consent of the parent [34 C.F.R. 99.7].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for four (4) years after the date your child was last enrolled in this school District.

You have the right to inspect and review any and all records related to your child within forty-five (45) days of the day of receiving a request for access, including a listing of persons or organizations who have reviewed or have received copies of the information [34 C.F.R. 99.7]. Parents who wish to review their children’s records should contact the principal for an appointment or submit to the principal a written request that identifies the record(s)

you wish to inspect. School personnel will make arrangements for access and notify you of the time and place where the records may be inspected. School personnel will be available to explain the contents of the records to you. Copies of student education records will be made available to parents when it is not practicable for you to inspect and review the records at the school. Charges for the copies of records will be costs of copying unless the fee prevents the parent from exercising rights to inspect and review those records.

You have the right to request that an amendment be made to the student's education records and to add comments of your own if you believe information in the record file is inaccurate or misleading [34 C.F.R. 99.7(a)(1)]. You should write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the school decides not to amend the record as requested by you, the school will notify you of the decision and advise you of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of a right to a hearing.

You have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on a school board; a person or company with whom the school has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or 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.

You have the right to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., concerning alleged failures by the school to comply with the requirements of FERPA [34 C.F.R. 99.7]. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605

Copies of the District student education records confidentiality policies and procedures may be reviewed in the assigned office of each school [34 C.F.R. 99.7(a) (5) and 99.7(b)].

Student Records Directory Information

During the school year, District staff members may compile non-confidential student directory information specified below.

According to state and federal law the below-designated directory information may be publicly released to educational, occupational or military recruiting representatives without your permission. If the Governing Board permits the release of the below-designated directory information to persons or organizations who inform students of educational or occupational opportunities, by law the District is required to provide the same access

on the same basis to official military recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them, unless you request in writing not to release the student's information without your prior written consent. *If you do not opt out of releasing the below-designated information, then the District must provide military recruiters, upon request, directory information containing the students' names, addresses and telephone listings.*

If you *do not* want the below-designated information about your son/daughter to be released to any person or organization without your prior written consent, you must notify the District through the School Principal in writing of that fact, either by marking the appropriate box on the Acknowledgements & Verifications Form accompanying this handbook or under separate cover. If the School District does not receive this notification from you within the prescribed time, *it will be assumed that your permission is given* to release your son's/daughter's designated directory information listed below:

- The student's name.
- The student's grade level.
- The student's major field of study.
- The student's dates of attendance.
- The student's enrollment status (e.g., part time or full time).
- The student's participation in officially recognized activities and sports.
- The student's weight and height if a member of an athletic team.
- The student's honors and awards received.
- The student's most recently attended educational agency or institution.

This information may also be used to compile such things as: newsletters, yearbooks, newspapers, articles, programs (dramatic and athletic), web pages, applications for scholarships and honors, and responses to military recruiters.

Please Note: School yearbooks are considered a source of Directory Information. If you do not give DVUSD permission to release Directory Information on your child, your child's class photo will not be published in his/her school's yearbook.

Internet & E-Mail User Agreement

The Network is provided for students/users to conduct research and communication for academic purposes only as determined by the District curricula. Independent access to network services is provided to students/users who agree to act in a considerate and responsible manner. Access is a privilege, not a right, and entails responsibility. Students are responsible for appropriate behavior/communication on school computer networks, just as they are in classrooms or school buildings. Network storage areas may be treated like school lockers. All network administrators/teachers may review files and communications to maintain system integrity and ensure responsible use of the Internet by requesting a search history of websites visited to ensure that such use meets the District's intent as a tool for academic purposes. Files stored on District servers are not private. Communications are public and often uncensored and students may come in contact with materials that are controversial or inaccurate from all around the world. The District uses an internet filtering mechanism that promotes the safety and security of the use of the District's online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications. The District is not responsible for the accuracy or appropriateness of information retrieved, or for lost, damaged or unavailable

information. Outside of school, families must bear the responsibility for such guidance as they also must do with information sources such as television, telephone, movies, radio and other potentially offensive media. Parents may revoke their students' Internet/E-Mail privileges at any time by notifying the school in writing.

The following are not permitted:

1. Send, access, download or display offensive messages or pictures
2. Use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language
3. Harass, insult or attack others
4. Damage computers, systems or networks
5. Violate copyright laws and regulations
6. Use passwords of others
7. Share passwords with others
8. Trespass in others' folders, work or files
9. Employ the network for commercial purposes
10. Provide personal information, i.e., names, addresses, phone numbers, card numbers, etc.
11. Tamper as defined in A.R.S. 13-2316 and as described under the infraction Computer/Network Infraction/Telecommunication Device and in the DVUSD Student Rights and Responsibilities handbook
12. Students may not install, copy, or download games, music, movies, and any unauthorized software or violate any copyright laws
13. Post chain letters or engage in "spamming"
14. Unauthorized access to District network resources

Sanctions:

1. Violations of the above may result in a loss of access
2. Violations of the above may be subject to disciplinary action including expulsion/dismissal
3. When applicable, law enforcement agencies will be involved

By not signing the Internet and E-Mail User Agreement, you must be aware your child may:

1. Observe other students using the Internet
2. Witness classroom teachers using the Internet as an instructional tool
3. Witness other campus staff using the Internet for instructional purposes

Reference DVUSD Board Policy IJNDB

Section 504 of the Rehabilitation Act of 1973

It is the responsibility of the District to identify and evaluate students who may need special services or programs in order that such students may receive the required free appropriate education.

A student who may need special services or programs under Section 504 of the Rehabilitation Act of 1973 is one who:

- Has a physical or mental impairment that substantially limits one or more major life activities, including learning; or
- Has a record of such impairment; or
- Is regarded as having such impairment.

Students may be eligible for services under the provisions of Section 504 even though they do not require services pursuant to the Individuals with Disabilities in Education Act (IDEA). Students who are identified as individuals with exceptional needs, according to IDEA criteria, are not addressed under this policy. The needs of such students are provided for under Policy IHB and its regulations and under state and federal laws and regulations.

Students with accommodations under Section 504 are subject to disciplinary procedures outlined for K-6 and 7-12 students.

Individuals with Disabilities Education Act – IDEA Special Instructional Programs

The District will ensure that all children, including children attending private schools, within the District's jurisdiction who have suspected disabilities are identified, located, and evaluated. The process of identifying, locating, and evaluating students with disabilities is important to the provision of educational opportunities for all students. Children, aged birth through three years, suspected of having a disability will be referred to the Arizona Early Intervention Program for evaluation and, if appropriate, services. Children aged 2.9 years – 5 years are screened by the school District. It is the process of identification, evaluation, and development of program, placement, and the provision of services – its sensitivity, its accuracy – that will determine much of what happens with students during the remainder of their educational lives.

This process is guided by a variety of laws and regulations regarding identification, evaluation, development of program, placement, and the provision of services enacted at both the state and federal levels.

Procedural Safeguards:

Children with disabilities and their parents are guaranteed procedural safeguards with respect to the provision of free appropriate public education. A copy of the procedural safeguards notice shall be given to the parent upon initial referral for evaluation. If you suspect your child of having a disability, birth – age 22, contact the administration at the local campus.

If the District and parents or guardian do not agree on the identification, evaluation, education placement of a child with a disability, and provision of FAPE (free appropriate public education), either the District or parent/guardian may request any of the following through the Arizona Department of Education - Exceptional Student Services:

- Mediation – The Arizona Department of Education (ADE) will provide a facilitator trained in the mediation process to assist both the District and parent/guardian in resolving the issues.
- Early Resolution – The Arizona Department of Education will provide trained staff to assist both the District and parent/guardian in resolving the issues. This is normally handled by phone and the final resolution provided in writing by ADE.
- State Complaint – The Arizona Department of Education provides trained investigators to review all records when a parent/guardian files a state complaint in writing. ADE will determine if the District is or is not in compliance and issue the findings in writing.
- Due Process – A parent/guardian or the District may initiate a due process hearing. A due process hearing is overseen by a hearing officer and is the most formal method of resolution.

Individuals with Disabilities Education Act – IDEA Student Discipline

When a student is receiving special education services, is being considered for special education services, or has received special education services in the past, and violates the discipline code of the school and/or school District and is recommended for a suspension of more than ten (10) days during the school year (a possible change in placement), a manifestation determination review conference must be held.

A recommended suspension of a special education student for more than ten (10) consecutive days, or a series of suspensions totaling more than ten (10) days, may constitute a change of placement and shall require a manifestation determination review conference. Such a conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability. The parent(s)/legal guardian(s) is notified in writing that a possible suspension and/or expulsion is being considered.

For the manifestation determination review conference to occur, a manifestation determination review (MDR) team is convened. The MDR team is comprised of members of the IEP team on the school staff that are knowledgeable about the nature of the student's disability and, if possible, about the student. Prior written notice and procedural safeguards are given to the student and parent(s)/legal guardian(s) per IDEA (Individual with Disabilities Education Act) and ADE/ESS (Arizona Department of Education/Exceptional Student Services). The student and the student's parent(s)/legal guardian(s) are invited. At the conference, the following will occur:

- Student's explanation of the incident.
- Professionals' explanation of the incident (those who were involved in the investigation of the incident).
- Review of the current IEP if student is receiving special education services.
- Review of the behavior plan; if there is no behavior plan, a functional behavioral analysis must be done.
- Review of any other data or information relevant to the situation.
- Determination of the relationship of the behavior to the disability (manifestation determination).
- Consideration of the necessity for further assessment and/or evaluation is discussed. If further evaluation is necessary, decisions concerning the relationship of the behavior to the disability will be on hold until the completion of the evaluations.
- Need for interim placement is discussed.

After the decision has been made, prior written notice and procedural safeguards are given to the student and parents/legal guardian(s) per IDEA and ADE/ESS, the team must develop, review, and/or revise the behavior plan within ten (10) days of the action. If the behavior is caused by, or substantially related to the disability, then suspension and/or expulsion cannot occur. However, the student's educational program will be reviewed and revised and the multidisciplinary evaluation team may determine a change of placement/location of services. (34 C.F.R. 300.519 – 300.526)

If the behavior is not caused by, or substantially related to the disability, suspension and/or expulsion can occur; however, an education program must be delivered to the student who is on an IEP. The IEP team develops this program. The delivery of the educational program can occur through placement on an alternative campus, self-contained public, self-contained private and/or residential setting, or home setting, as determined by the IEP team.

If there are any questions, the administrator should contact the Director of Student Support Services. The findings and all conference notes are forwarded to the District's hearing officer. If necessary, special education staff may be invited to the hearing.

If the parent(s)/guardian(s) do not agree with the findings of the IEP conference, they can pursue administrative remedies available to them under IDEA. The District, if it is deemed that the student is a threat to the educational environment, may remove the student from the educational environment until due process has been served. An interim placement will be activated while the due process is taking place. (34 C.F.R. 300.519 – 300.526)

Safe Schools Threat Management Procedure

In general, a threat situation will be deemed to exist when, following investigation by school administration, a student has been determined by admission or by reliable informant(s)/evidence) to have:

- Communicated a death threat against self or others,
- Communicated a threat of mass violence,
- Communicated a threat involving weapons or explosive devices,
- Communicated a threat against school property, or
- Engaged in behaviors that suggest a substantial risk of lethal violence, with or without direct communication of a threat.

Steps to follow with a Threat:

The following description of the DVUSD Threat Management Procedure (TMP) is intended only as an overview of the procedures to be followed in assessing threat situations. DVUSD recognizes that the competent management of threat, risk, and potential for dangerous and violent behavior requires ongoing training and education in these procedures.

Step 1: The TMP referral form is immediately completed by reporting staff member and delivered to the school administrator or designee.

Step 2: The school administrator or designee reviews the referral and makes an initial determination as to whether the situation presents ANY potential for harm.

- If NO potential for harm exists, the student is given an appropriate discipline outcome and is returned to class in accordance with that outcome.

Step 3: If ANY potential for harm exists, the school administrator determines whether the situation represents an obvious clear and imminent danger (e.g., possession of firearm, detailed threats of lethal and targeted violence, or other threat situations deemed potentially lethal). Suicide threats are immediately referred to Psychologist, Counselor, Behavioral Professional or Nurse for individual suicide assessment and appropriate interventions.

- If clear and imminent danger obviously exists, the school administrator or designee initiates an immediate protective response to secure and stabilize the threat situation. Protective responses may include (but are not limited to) making a 911 emergency call/police notification, notifying mental health crisis teams, and/or implementing the DVUSD Safe Schools Procedures (e.g., lockdown, evacuation, etc.).
- The school administrator or designee immediately notifies the Director of School Operations for threats of targeted violence.

Step 4: If potential for harm exists, but clear and imminent danger is not obvious, the school administrator or designee initiates a Threat Management Inquiry by the Campus Safe School Team (CSST).

- The school administrator or designee convenes the CSST within one (1) school day of the determination that a potential threat situation exists.

Step 5: The CSST chairperson delegates tasks and responsibilities to CSST members, oversees the information gathering phase, convenes the team to review the case, oversees the completion of the inquiry summary and Risk Management Plan (RMP), and is responsible for the determination of risk category for the threat situation under consideration.

- The CSST inquiry is to be completed as soon as possible, but in no case later than three (3) school days following the determination that a threat situation exists.
- The CSST makes a determination of risk category.
- A RMP for the student is determined. If the level of risk is manageable on-site, the RMP will remain at the school site.

Step 6: Determination of the Risk Level.

- If the CSST's determination of risk finds a student at category 1 (no risk), the school administrator or designee provides an appropriate discipline outcome and the student is returned to class in accordance with that outcome.
- If the CSST determines that a student's level of risk can be safely managed on-site at the school, a category 2 or 3 risk, the district threat management procedure is deemed unnecessary.
- The school administrator or designee will insure that the RMP is adequate to insure the safety of their school environment.
- Once the plan is developed and implemented, the school administrator or designee may, at their discretion, rescind any days remaining in the on-campus reassignment or suspension period (if any) and the student may return to class at that time under the provisions of the RMP.
- The school administrator or designee forward all information gathered by the CSST to the Director of School Operations.
- Upon receiving the referral and inquiry, the Director of School Operations will contact the Psychologist Coordinator and will forward the information.
- The Psychologist Coordinator will then evaluate the initial material within 24 hours.

Level II: District Threat Management Procedure (Risk categories of 4 or 5)

Step 7: If the Inquiry finds a student at a category 4 or 5, and the CSST concludes that the existing risk cannot be safely managed on-site, the student will be referred for a level II district threat management inquiry. (The student will not normally be referred for a level II district threat management inquiry if suicidal).

- The school administrator or designee immediately notifies the Director of School Operations.
- The school administrator or designee forwards all information gathered by the CSST to the Director of School Operations.
- The Director contacts the Psychologist Coordinator for a review of material. The Psychologist Coordinator assigns an Advisor to work with the CSST.
- The Psychologist Advisor will then evaluate the initial material within 24 hours.
- If a need is determined, the Director of School Operations will set a District Safe School Team (DSST) meeting for a level II threat management inquiry.
- The school administrator or designee re-establishes the student's status during the level II threat management inquiry. At their discretion, they may place/extend the student in an on-campus reassignment status for ten (10) days, immediately suspend/extend the student off-campus for a period of ten (10) days, or place the student into an appropriate alternative placement setting, whichever is

more appropriate. At this level, the student must be placed in a restrictive setting and may not remain in class.

- Law enforcement may be notified.
- Victim notification may be initiated.

Review of the District's Safe School Team Process of Risk Categories 4 or 5

Step 1: The Director of School Operations will assemble and convene a DSST appropriate to the student's needs.

- The Director will convene the DSST to conduct a review of the case. The DSST will determine whether further inquiry and/or an evaluation is necessary and, if so, what kind of evaluation. The DSST will review all the information and will make recommendations to the district administration for legal and administrative management of the student. The DSST may revise the risk category level and pursue referrals to outside agencies for needed services. The DSST will advise the CSST on a RMP.
- If further inquiry or an evaluation is indicated, the DSST coordinates with the CSST the requirements and logistics of the evaluation, including obtaining informed consent from the parents.
 - (1) If parents refuse to cooperate, the case is immediately referred to the district administration for further legal and/or disciplinary action, as appropriate.
 - (2) Every effort will be made to conduct the evaluation as a priority in an expedited manner and to complete it within a 10-day period. If this cannot be accomplished, students suspended off-campus will remain on off-campus suspension or in an alternative placement setting pending completion of the evaluation.

Step 2: If a formal evaluation is conducted, the DSST will convene as soon as possible upon completion of the evaluation for a post-evaluation conference to review results. Results will be communicated by the DSST to the CSST, the Director of School Operations, the parents, and, if appropriate, district legal counsel.

- Results will include:
 - (1) Final determination of risk category.
 - (2) Determination of danger/ threat posed by student.
 - (3) Determination of eligibility for special education and related services.
 - (4) Recommendations to the district administration for legal and administrative management of the student.
 - (5) Referrals to outside agencies for needed services.
 - (6) Development of a RMP.
- A Multidisciplinary Evaluation Team conference (MET) will be scheduled by the home school if a student meets the criteria of disability under special education regulations. The MET team members will include the school administrator or designee, district threat manager, intervention specialist, school psychologist, parents, regular education teacher, special education teacher, and other personnel as appropriate (e.g., district administrator, speech/language pathologist, counselor, social worker, nurse, school resource officer, etc.).
 - (1) Special education laws and regulations regarding parent participation at multidisciplinary evaluation team meetings will govern the conduct of the meeting, attendance at this meeting by parents, and Prior Written Notice of the outcome of the meeting.
 - (2) DSST members will participate in manifestation determination reviews on students undergoing Level II inquiry procedures, as appropriate.
 - (3) DSST members will testify at discipline hearings, due process hearings, or other legal proceedings at the request of the district's Director of School Operations, hearing officer, or legal counsel on students undergoing Level II inquiry procedures, as appropriate.

Step 3: If initially placed in on-campus reassignment or off-campus suspension, the student will remain in that status until cleared to return to class by the DSST and CSST. This procedure applies to both general education and special education students. However, for a special education student that is suspended off-campus, a Manifestation Determination Review and, if appropriate, IEP review must be conducted. In carrying out these procedures with special education students, care must be exercised to insure that the district maintains compliance with all provisions of special education law and regulations regarding discipline procedures. For the purposes of these procedures, suspension of special education students for threatening behavior when weapons, illicit drugs, or serious bodily injury is involved under this procedure will be deemed to meet the criteria of IDEA §300.530(g) and will constitute, after 10 cumulative days of suspension have occurred, a change of placement of a child with a disability to an appropriate Interim Alternative Educational Setting (IAES) for the same amount of time that a child without a disability would be subject to discipline, but for not more than 45 school days.

Step 4: Based upon the results of the Level II district threat management, the school administrator or designee, in consultation with the DSST, will make the final determination of student's status. The school administrator or designee will insure that the RMP is adequate to insure the safety of the school environment. Once the plan is developed and implemented, the school administrator or designee may, at their discretion, rescind any days remaining in the OCR or suspension period (if any) and the student may return to class at that time under the provisions of RMP.

MTSS-B Deer Valley Unified School Model

The Deer Valley Unified School district mission states that, as a district in partnership with families and the community, we will ensure that all students graduate with the knowledge, skills, and habits needed for success. In order to fulfill this mission, each campus must provide educational, emotional and social opportunities which enable students to recognize and strive to reach their full potential. Providing a school environment in which every member feels healthy, safe, engaged, supported and challenged offers the support required to meet the varied needs of all. A systematic approach to address the physical, emotional, intellectual and social wellbeing of staff and students is vital. A District wide Multi-Tier Support System for Behavior (MTSS-B) will allow for district and campus administration to aggressively review, implement, and revise policies, procedures and activities which will protect and promote a healthy and engaged community.

MTSS-B Vision

The Deer Valley Unified Schools will provide a positive social and emotional environment for all their students and staff.

We believe:

- our campuses will promote a positive culture;
- that students will feel emotionally safe to learn and that teachers will be enabled to provide instruction within a positive atmosphere;
- in a 3 tier intervention program of support that will be followed by all schools;
- in staff development on procedures for positive programs on campus;
- in positive behavior strategies that will promote a loving and caring classrooms for all students and teachers; and
- in positive social and emotional programs that will identify students at risk and provide them with a safe environment to learn.