

# 2013-14 RECOMMENDED CHANGES TO THE STUDENT RIGHTS HANDBOOK

Guidelines for Student Rights and Responsibilities “GSRR”

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## 2013-14 Handbook Changes

1. Background
2. Legal, Staff, and Committee Changes
3. USP-Related Changes
4. Next Steps

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## 2013-14 Handbook Changes Background

### Legal Review

### Community and Staff Review

### Unitary Status Plan (USP) Review

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## 2013-14 Handbook Changes Background

### USP Review Guidelines

Principle 1: Do not consider policies and practices in isolation

Principle 2: Disciplinary actions must align to the Handbook, and with Restorative Practices and PBIS

USP Language:

*“By June 1, 2013, the District shall, in consultation with an external consultant experienced in implementing (PBIS and Restorative Practices), evaluate and revise the Guidelines for Student Rights and Responsibilities (“GSRR”)”*

*“By July 1, 2013, the District shall, in consultation with relevant experts, evaluate and revise, as appropriate, its due process protections for student discipline...”*

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## 2013-14 Handbook Changes Background

### Review Timeline

Internal	USP Phase 1				USP Phase 2		USP Phase 3	
Legal, Staff, Community Review	Equity and Deseg Dep't Review	Cabinet Review	Expert Review	District Revision based on Cabinet and Expert Comments	Board, Party, and Special Master Review  July 9: Study	District Revision based on Board, Party, and Special Master Review	Final Board Review	Final Board Vote
February through May	May	May 30 and June 6	June 7 to June 17	June 17	June 17 to July 17	July 17 to July 18	July 18 to July 23	July 23

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## 2013-14 Handbook Changes

1. ~~Background~~
2. Legal, Staff, and Committee Changes
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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Front Cover, ¶4]

Student discipline is subject to the provisions of Governing Board policies and state and federal laws. Students will be disciplined in accordance with Governing Board Policy JK and its accompanying regulations. **Students with disabilities shall be disciplined in accordance with the Individuals with Disabilities Education Act (IDEA), Section 504, and applicable Governing Board Policies and Regulations – JK, Student Discipline; JK-R5, Discipline Of, and Alternative Interim Educational Placements For, Special Education Students; and JK-R6, Discipline, Suspension, Expulsion for 504 Students—as applied to these Guidelines for Student Rights and Responsibilities.**

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section C, General Information, Page 11]

### 7. BUS RULES

#### **Student Behavior Policy**

Proper student behavior contributes to the overall safety and comfort of the ride to and from school. Following driver directions and all ridership rules is paramount to maintain a safe and enjoyable ride for all. Infractions will be dealt with through the District-approved Student Conduct policies which include driver interventions, the student's principal, and other administrators as deemed appropriate.

**Riding is a privilege;** parents and students should discuss and make sure they know the rules:

- Always comply with bus driver's/monitor's directions
- Use classroom voice only (no profanity/loud noises/threats/intimidation)
- Remain seated; keep hands, feet, and head inside bus
- All personal possessions must be under control at all times
- Keep unauthorized materials and substances off bus (~~snacks~~, animals, glass objects, weapons, illegal substances, or large objects that occupy a seat space)
- **No eating or drinking on the bus**

As a last resort, violations of these bus rules may result in the loss of bus privileges for a limited time.

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section C, General Information, Page 11]

### 8. STUDENT USE OF CELL PHONES AND ELECTRONIC DEVICES (POLICY JICJ)

[entire policy omitted]

This addition was made to align the Handbook with Policy JICJ, adopted in July 2012

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section C, General Information, Page 12]

### 9. HAZING (POLICY JICFA)

[entire policy omitted]

This addition was made to:

- (1) align the Handbook with Policy JICFA, adopted December 2012, and
- (2) align the Handbook with State Statute ARS 15-2301(A) “Every public educational institution in this state shall adopt, post and enforce a hazing prevention policy. The hazing prevention policy shall be printed in every student handbook for distribution to parents and students.”

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section D, Know the Actions, Page 14]

### 1. CONDUCT WHICH MUST BE REPORTED TO LAW ENFORCEMENT

It is important for all staff, students, and parents to understand that, in addition to taking disciplinary action at the school level, certain criminal behavior must be reported to appropriate law enforcement agencies. **School officials are required to report the following incidents:**

Use or threat to use a deadly weapon or dangerous instrument	Homicide	Burglary in the first degree
Aggravated Assault resulting in physical injury	Sexual Assault	Arson of an occupied structure
Sexual conduct with a minor under 15 years of age	Armed Robbery	Any dangerous crime against minors
Possession, use, sale, or attempted sale of illegal drugs	Kidnapping	<b>Bomb threats</b>

**This addition was made to align the Handbook to State Statute.**

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section D, Know the Actions, Page 15]

### 4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs

[description omitted]

**This addition was made to highlight specific differences in due process when a 504 or ExEd student is involved. This section follows Section D.3 which deals with Due Process in general.**

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section D, Know the Actions, Page 17]

### 6. ABEYANCE CONTRACTS (REGULATION JK-R4)

#### [Changes include]

- A student must admit to committing the infraction (new requirement #2)
- The abeyance term was maxed out at 90 days, now it may not exceed the maximum suspension term for the offense level.
- A student can only violate an abeyance contract by committing a suspendable offense.
- Upon violation, the student must serve the remaining term of the initial offense plus the suspension for the additional offense. These two suspensions would be served concurrently. (The last days of the first suspension would also be the first days of the additional suspension.)

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Section D, Know the Actions, Page 18]

### 10. EXPULSION

Added "Students with disabilities eligible under IDEA will continue to be offered educational services, although in an alternative setting."

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

### [Action Levels, Pages 19-29]

[Important Information, pg 20] For repeated and/or multiple offenses, Administrators may apply an action that is one level higher than that listed, but only after ~~consultation with~~ **approval from** the Department of Student Equity **and Intervention**.

[Important Information, pg 20] **Law Enforcement Officers, including School Resource Officers, School Safety Officers, and other law enforcement and security personnel shall not be involved in low-level student discipline. Low level offenses are levels 1, 2 and 3. An administrator must immediately notify an Assistant Superintendent or Director and the Department of Student Equity and Intervention when law enforcement is contacted. Law Enforcement may be contacted in cases of vandalism where the District is seeking restitution for damage to school property.**

[Disorderly Conduct, pg 21] Added **"Recording/distributing fights on any social media outlet."**

[Inhalants, pg 22] Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation. **This does NOT include e-cigarettes or hookah sticks.**

[Tobacco Violation, pg 23] The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine **such as e-cigarettes, nicotine patches and hookah sticks**), at school-sponsored events and on school-sponsored transportation.

[Simulated Firearm, pg 29] Possession of a simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm. **If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.**

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## 2013-14 Handbook Changes

- ~~1. Background~~
- ~~2. Legal, Staff, and Committee Changes~~
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## 2013-14 Handbook Changes USP-Related Changes

### 12 Guiding Principles from the USP

1. Do not consider policies and practices in isolation
2. Disciplinary actions must align to the Handbook, and with Restorative Practices and PBIS
3. Strengthen implementation of “Restorative Practices” and “PBIS” as school-wide approaches to classroom management
4. Reduce racial and ethnic disparities in the administration of school discipline
5. Consequences must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student’s misbehavior
6. Consequences must be paired with meaningful instruction and supportive guidance so students can learn from their behavior and continue to participate in the school community

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## 2013-14 Handbook Changes USP-Related Changes

### 12 Guiding Principles Continued...

7. Always protect student safety, as appropriate
8. Discourage the punitive use of serious sanctions for low-level offenses
9. Keep students in the classroom setting when practicable
10. Limit exclusionary consequences to instances in which misbehavior is ongoing or escalating, and the District has first documented the types of intervention(s) used
11. Before exclusionary discipline or punishment is imposed, ensure fair due process including an opportunity to appeal
12. Do not involve School Safety or Law Enforcement in low-level student discipline

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## 2013-14 Handbook Changes USP-Related Changes

[FRONT COVER, ¶1-2]

~~The purpose of the Guidelines is to assist students, parents, teachers, staff, and principals in creating and sustaining an environment which will enhance the achievement of a positive learning process. To be fully effective, the Guidelines for Student Rights and Responsibilities addresses:~~

Together, students, parents, teachers, staff, and principals share the responsibility in creating and sustaining an environment that enhances student achievement in the Tucson Unified School District. We ask for the support of students and parents to achieve this goal. The Guidelines for Student Rights and Responsibilities (GSRR) addresses:

- The rights and responsibilities of students and parents
- Conduct which may require discipline
- Responsibilities of administrators and teachers to implement discipline, which includes behavioral supports and interventions that address problems and support student success
- Administrative responsibilities for Due Process

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## 2013-14 Handbook Changes USP-Related Changes

[Section A, Purpose, Page 4]

1. WHAT ARE THE "GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES" AND WHY ARE THEY NEEDED?

~~Students need an environment that is safe and positive for learning. To help provide and maintain that environment, the Guidelines for Student Rights and Responsibilities.~~ TUSD is committed to partnering with students and parents to provide an environment that is safe, supportive, and conducive to learning, and strives to reduce racial and ethnic disparities in the administration of school discipline. To help promote and maintain that environment, the Guidelines for Student Rights and Responsibilities:

- Specify the rights and responsibilities of students and parents
- Describe conduct which violates those rights and responsibilities
- Provide guidance and instruction to help students resolve discipline problems in a manner that supports their development
- Strive to standardize those procedures that the schools will use in responding to violations of those rights and responsibilities
- Assure the rights of students and parents when disciplinary action is taken

At different age levels, students have different needs for safety, support, and learning. As students progress through our public schools, it is reasonable to assume that an increase in age and maturity carries with it a greater responsibility for their actions. Differences in age and maturity are recognized in determining the type of disciplinary action to be taken and the appropriate supports and interventions.

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## 2013-14 Handbook Changes USP-Related Changes

[Section A, Purpose, Page 4]

Disciplinary consequences must be non-discriminatory, fair, age-appropriate, and correspond to the severity of the student's misbehavior. When considering responses to violations, the District strives to keep students in the classroom whenever practicable. For all but the most severe offenses (Levels 4 and 5 in the "Action Levels" section of this document), exclusionary consequences such as long-term suspension or expulsions must be limited to instances in which student misbehavior is ongoing or escalating, and only after the District has first implemented and documented that non-exclusionary interventions have been attempted. If exclusionary discipline is imposed, students will have fair due process that includes an opportunity to appeal. For all offenses, disciplinary consequences must be paired with meaningful instruction and supportive guidance (e.g. constructive feedback and re-teaching) so students are offered an opportunity to learn from their behavior and, where practicable, offered an opportunity to continue to participate in the school community.

While prioritizing student, staff, and public safety, the District shall not use serious sanctions for low-level conduct (Action Levels 1-3), shall only involve School Safety and/or Law Enforcement in high-level student discipline (Action Levels 4-5), such as when a student is a danger to self or others (to the extent permitted by law), and shall keep students in the classroom setting whenever practicable as members of the school community.

This addition was made to align the Handbook with Revised Policy JK, proposed adoption July 2013, and to align the Handbook with the "USP Guiding Principles"

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## 2013-14 Handbook Changes USP-Related Changes

[Section A, Purpose, Page 4]

*Students who believe they have experienced discrimination, harassment, hazing, bullying, or unfair disciplinary actions, may file a complaint with the site Principal, Assistant Principal, the Department of Student Equity at 225-6686, or online at [www.tusd1.org/deseq](http://www.tusd1.org/deseq)*

*Parents who believe their student has experienced discrimination, harassment, hazing, bullying, or unfair disciplinary actions, may file a complaint with the site Principal, Assistant Principal, the Department of Student Equity at 225-6686, or online at [www.tusd1.org/deseq](http://www.tusd1.org/deseq)*

These revisions were made to"

- (1) increase the visibility of this information,
- (2) add "Hazing" to align with State Law and with the USP
- (3) Reinforce contact points at the Site, Centrally, and Online

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## 2013-14 Handbook Changes USP-Related Changes

[Section B, Student and Parents Rights and Responsibilities, Pages 6-8]

### 1. STUDENTS HAVE A RIGHT TO:

- c. **Be expected to achieve at high levels.**
- d. Receive differentiated instruction to meet individual needs.
- e. **Receive appropriate accommodations to meet individual needs (as supported by documentation)**
- f. Express their idea/perspectives on issues/topics relevant to their education, including school policies and procedures.
- i. Be treated in a fair and equitable manner by teachers and administrators
- l. **Have school rules that are enforced in a consistent, fair and reasonable manner.**
- m. Be free to request an interpreter or translator at any step of the disciplinary process.
- o. **Receive disciplinary actions that are fair, equitable, non-discriminatory, and are in accordance with the GSRR**
- p. Allegations of Discrimination, Harassment, Hazing, Bullying, and incidents that require Mandatory Reporting...must be reported by teachers to the site administration immediately.
- q. **Be treated in a manner that is respectful of and responsive to their cultural traditions**
- r. Administrators who will:
  - model appropriate behavior and expect appropriate behavior from students and teachers.
  - hold students and teachers accountable for student learning.
  - expect parents to be collaborative partners regarding student achievement.
  - work collaboratively with the Department of Student Equity and Intervention.
  - host student assemblies to communicate positive core values and behavioral expectations, and to explain the GSRR
  - hold info sessions for parents at least twice per school year at each school (re due process and complaints)
  - make decisions regarding removing students and/or staff for safety reasons.
  - discipline students in accordance with the GSRR.

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## 2013-14 Handbook Changes USP-Related Changes

[Section B, Student and Parents Rights and Responsibilities, Pages 6-8]

### 2. STUDENTS HAVE A RESPONSIBILITY TO:

- d. Uphold an environment that allows fellow students to have equal access to educational opportunities.
- e. Uphold an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- h. Conduct themselves in an appropriate and respectful manner while on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn and to contribute to a safe and orderly environment that is conducive to learning.
- i. Display behavior that does not compromise the safety of other students and/or staff.

### 3. PARENTS AND GUARDIANS HAVE A RIGHT TO:

- a. Receive official reports (quarterly or more frequently) of the student's academic progress, attendance and behavior on a consistent basis.
- q. Express appropriately their ideas and perspectives on issues and topics relevant to their child's education, including school policies and procedures.
- r. Be treated in a manner that is respectful of and responsive to their cultural traditions.

### 4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:

- a. Work with teachers to support student achievement.
- b. Attempt to participate and be active at their student's school.

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## 2013-14 Handbook Changes USP-Related Changes

[Section C, General Information, Page 13]

### 10. POSITIVE BEHAVIORAL INTERVENTIONS AND SUPPORTS; RESTORATIVE PRACTICES

Positive Behavioral Interventions and Supports (“PBIS”) is an evidence-based, proactive, data driven framework that includes a range of tiered interventions designed to prevent problem behavior while teaching socially appropriate behaviors. The focus of PBIS is creating and sustaining school environments for all students in which appropriate behavior is supported and problem or disruptive behavior is redirected. This culture is created by

- Defining and teaching behavioral expectation
- Monitoring and acknowledging appropriate behavior
- Providing corrective and appropriate consequences for behavioral errors
- Providing appropriate services for students who need additional behavioral supports
- Using a team-based management system to oversee the PBIS program
- Using referral data for problem solving

Restorative Practices is ... [description omitted]

All sites shall have or share a Restorative and Positive Practices Site Coordinator (“RPPSC”). A school’s learning supports coordinator may be designated to serve as the RPPSC for the site. The RPPSCs shall be responsible for assisting instructional faculty and staff to: (a) effectively communicate school rules; (b) reinforce appropriate student behavior; and (c) use constructive classroom management, positive behavioral interventions and supports, and restorative practices strategies.

- **This revision reflects the dual-approach described in the USP**

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## 2013-14 Handbook Changes USP-Related Changes

[Section D, Know the Actions, Page 14]

### ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES

The [ADE] has developed a list of violations as well as a list of possible actions a school district may take in response to a violation. TUSD has categorized these possible actions into five levels and then assigned a level to each violation depending on the severity of the violation. In this way, students from school to school will receive similar actions for similar violations. A major consideration in the application of the [GSRR] is to identify the most appropriate disciplinary action necessary to bring about positive student behavior. **Actions are not to be considered in isolation but rather as part of the overall goal of creating inclusive and supportive environments for students.**

### 2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT

Additionally, the administrator MAY report to law enforcement agencies other potentially disruptive incidents **when necessary to maintain safety**. When appropriate, school officials should utilize supports and interventions that provide guidance and structure to the student and help them to improve their behavior without involving law enforcement. An administrator must immediately notify an Assistant Superintendent or Director, and the Department of Student Equity and Intervention, when law enforcement is contacted. Incidents that may be reported to law enforcement when necessary to **maintain safety** include, but are not limited to, the following: [list omitted]

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## 2013-14 Handbook Changes USP-Related Changes

[Section D, Know the Actions, Page 16]

### 5. OUT OF SCHOOL SUSPENSIONS

**Short-Term Suspension** – A principal or principal’s designee may suspend a student from school for up to ~~ten (10)~~ **from one (1) to ten (10)** school days due to misconduct, **depending on the severity of the misconduct.** However, principals may take this action only after they ~~have exhausted informal disciplinary strategies~~ **have identified, implemented, and documented appropriate behavior interventions for a reasonable duration. (See interventions listed under Action Level 1 for examples of appropriate strategies).** Such efforts must be made before principals may suspend students for low-level conduct (Action Levels 1-3). Only after implementing interventions with fidelity may a principal reject them as inappropriate in a given situation, and resort to short-term suspension as a consequence. Conferences to resolve the problem must be scheduled with the parent, student, and other appropriate school staff members **as part of the continuum of supports and interventions implemented to support student success.**

**Make-up Work (Short-Term Suspension)**

**If students are suspended, they are entitled to complete their coursework to ensure that they do not fall behind academically.** [remaining language is unchanged, omitted]

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## 2013-14 Handbook Changes USP-Related Changes

[Section D, Know the Actions, Page 16]

### 5. OUT OF SCHOOL SUSPENSIONS

**Long-Term Suspension** – A Hearing Officer may suspend a student from school for up to 180 days. Long-term suspensions of more than 45 days shall not be imposed except for Violations at Level 5. ~~Principals~~ **Hearing Officers** may take this action ~~when they have~~ **only after the site administration has** exhausted other disciplinary strategies (see interventions listed under Action Level 1 for examples of appropriate strategies), or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. Conferences to resolve the problem ~~are~~ **must be** scheduled with the parent, student, and other appropriate school staff members **at appropriate times as part of the continuum of supports and interventions implemented to support student success.** Students suspended more than 20 days may have an option to enroll in the “Life Skills” alternative to suspension program.

**Make-up Work (Long-Term Suspension)**

**If students are suspended, they are entitled to complete their coursework to ensure that they do not fall behind academically.** [remaining language is unchanged, omitted]

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## 2013-14 Handbook Changes USP-Related Changes

[Section D, Know the Actions, Page 17]

### 7. POSITIVE BEHAVIOR INTERVENTION SUPPORT (PBIS)

~~Positive Behavior Intervention Support: builds relationships by focusing on accountability for actions, allowing all voices to be heard and having the opportunity to repair damage by making things right in a fair and restorative way.~~

In the Positive Behavior Intervention Support (PBIS) system, students, who do not respond to the school wide or classroom supports that are in place for all students, may be evaluated to determine the function of the misbehavior through Functional Behavioral Assessment (FBA) and an intervention may be matched to their circumstance. Interventions which have been shown to be successful across age and grade levels include: mentoring, social skills groups, interest-based clubs, daily monitoring of selected problem behaviors. In a handful of situations, when these group supports are not sufficient, highly individualized interventions involving multiple systems and based on data may be implemented. If the situations involve a victim or multiple victims, Restorative Practices are complimentary.

**This revision reflects the dual-approach described in the USP**

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## 2013-14 Handbook Changes USP-Related Changes

[Action Levels, Pages 19-29]

Mandatory Actions now include:

- Parent Notification and Conference Request, and Student Conference
- Restorative Conference and/or Restorative Circle is always a required action for Levels 2-5
- Out of School Suspension and/or Abeyance – Long-Term is defined as 11-30 days
  - Currently is 11-45 days
- The Department of Student Equity and Intervention will review whether the teachers and/or administrators have attempted to effectively implement interventions to address any underlying or unresolved issues, and will not permit a single type of behavior to be elevated more than one level, regardless of the frequency of occurrence.
- Administrators must immediately notify an Assistant Superintendent or Director and the Department of Student Equity and Intervention when law enforcement is contacted.

**Changes to Action Levels reflect the USP guiding principles of increased parent engagement, and an increased role in using positive and restorative practices to keep students in school, and in classrooms.**

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## 2013-14 Handbook Changes Legal, Staff, Committee Changes

[Action Levels, Pages 19-29]

[Hazing, pg 24] \*Administrators may treat incidents of hazing at a Level 4 as appropriate to the situation, and in conjunction with the Department of Student Equity and Intervention

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## 2013-14 Handbook Changes

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## 2013-14 Handbook Changes Next Steps

USP Phase 2		USP Phase 3	
Board, Party, and Special Master Review	District Revision based on Board, Party, and Special Master Review	Final Board Review	Final Board Vote
July 9: Study			
June 17 to July 17	July 17 to July 18	July 18 to July 23	July 23

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## 2013-14 Handbook Changes

# Questions

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