

GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES (GSRR)

~~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, parents¹, 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
- ~~Administrative responsibilities for implementing discipline~~
- Responsibilities of administrators and teachers to implement discipline, which includes behavioral supports and interventions that promote safety and support student success.
- Administrative responsibilities for Due Process

~~You are encouraged to read and develop a thorough understanding of the details of these Guidelines.~~ Please read these Guidelines and develop a thorough understanding of the details. By following the Guidelines, you can help our school district become a safer and more supportive environment for the students and staff.

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. Students may also be subject to applicable civil and/or criminal penalties if they violate the law.

These Governing Board Policies and Administrative Regulations are available for review in the principal's office and online at www.tusd1.org. Copies of this booklet are available in Spanish on the reverse side of this booklet and can be obtained online at www.tusd1.org.

Estos Planes de Acción del Consejo Gobernante, y Reglamentos Administrativos se hacen disponibles para revisión en la oficina del director escolar y en www.tusd1.org. Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en www.tusd1.org.

TUSD Governing Board:

Adelita Grijalva, President; Kristel Ann Foster, Clerk; Michael Hicks; Cam Juarez; Dr. Mark Stegeman
Superintendent: Heliodoro Torres (H.T.) Sanchez, Ed.D.

¹ "Parents" as used throughout this document refers to parents and/or legal guardians
Guidelines for Students Rights & Responsibilities, approved July 23, 2013 (Accompanies Policy JK)

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QUICK-GUIDE TO OFFENSES

AGGRESSION (Page 21)	Verbal Provocation, Recklessness, Minor Aggressive Act, Other Aggression, Disorderly Conduct, Endangerment, Fighting, Assault, Aggravated Assault
ALCOHOL, TOBACCO AND OTHER DRUGS VIOLATIONS (Page 22)	Inappropriate use of Over the Counter Drugs, Inhalants, Unknown Drug, Substance Represented as of Illicit Drug, Inappropriate use of Prescription Drugs, Illicit Drug, Alcohol Violation, Tobacco Violation, Possession of Drug Paraphernalia
ARSON (Page 23)	Arson of a Structure or Property, Arson of an Occupied Structure
ATTENDANCE POLICY VIOLATION (Page 23)	Other Attendance Violations, Tardy, Unexcused Absence, Leaving School Grounds without Permission, Truancy
DISHONESTY (Page 24)	Cheating, Forgery, Lying, Plagiarism
HARASSMENT AND THREAT, INTIMIDATION (Page 24)	Threat or Intimidation, Bullying, Harassment (nonsexual), Hazing
HOMICIDE, KIDNAPPING (Page 25)	Homicide, Kidnapping
OTHER VIOLATIONS OF SCHOOL POLICIES (Page 25)	Dress Code Violation, Parking Lot Violation, Public Display of Affection, Other Violation of School Policies and Regulations, Contraband, Disruption, Gambling, Inappropriate Language, Defiance or Disrespect Towards Authority and Non Compliance, Negative Group Affiliation/Illegal Organization
SCHOOL THREAT OR INTERFERENCE (Page 26)	Fire Alarm Misuse, Other School Threat, Bomb Threat, Chemical or Biological Threat
SEXUAL OFFENSES (Page 26)	Sexual Harassment, Pornography, Sexual Harassment with contact, Indecent Exposure or Public Sexual Indecency, Sexual Assault or Rape, Sexual Abuse or Sexual Conduct with minor, or Child Molestation
IMPROPER USE OF TECHNOLOGY (Page 27)	Telecommunication Device, Other Technology, Computer, Network Violation
THEFT (Page 27)	Petty Theft, Theft – School Property or Non-School Property, Burglary or Breaking and Entering, Extortion, Robbery, Armed Robbery, Burglary (First Degree)
TRESPASSING, VANDALISM OR CRIMINAL DAMAGE (Page 28)	Trespassing, Graffiti or Tagging, Vandalism of Personal Property, Vandalism of School Property
POSSESSION OF WEAPONS AND DANGEROUS ITEMS (Page 29)	Dangerous Items, Other Weapons, Simulated Firearms, Firearms

SECTION A: PURPOSE

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 is committed to ~~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~~
- Strive to ensure consistent application of disciplinary actions so that students from school to school will receive similar actions for similar violations.
- 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. However, the procedures outlined in the Guidelines for Student Rights and Responsibilities apply to all students in Grades K through 12.

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 below), exclusionary consequences such as long-term suspension or expulsions must be limited to instances in which (a) the violation is a level 3, (b) student misbehavior is ongoing or escalating, and (c) only after the District has first implemented and documented that non-exclusionary interventions have been attempted. If exclusionary consequences are discipline is imposed, students will have fair due process that includes an opportunity to appeal (see Policy JK and accompanying regulations). 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 exclusionary consequences serious sanctions for low-level conduct (Action Levels 1-3 below), shall only involve School Safety and/or Law Enforcement in high-level student discipline (Action Levels 4-5 below), 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. “Involvement” of School Safety means that School Safety personnel will not participate in high-level student discipline in isolation, but only in conjunction with site leaders, and with the Department of Student Equity.

All district personnel administering discipline to students should be informed if a student is protected as a student with a disability under either Section 504 or IDEA or if the student is suspected of having a disability and is being considered for an evaluation for a disability. There are specific discipline procedures that must be followed for students who are considered disabled under these federal laws, including determining whether the misbehavior is a manifestation of the student's disability.

~~2. WHEN ARE THESE GUIDELINES IN FORCE?~~

2. WHEN DO THESE GUIDELINES APPLY?

~~The Guidelines are enforced:~~

During regular school hours

- While being transported on the school bus or other school district-sanctioned transportation
- At times and places where the principal or other school official or employee has jurisdiction over students
- During school-sponsored events
- During field trips
- During athletic functions
- When students are going to and from school (“portal to portal”)
- During other **school-related activities associated with the school in any way**

Additionally, the principal is authorized to begin disciplinary action when a student's misconduct away from school has a detrimental effect on the other students, or on the orderly educational process, because the violation is directly connected to prior violations at school, or threatens to produce further violations at school.

Students who believe they have experienced discrimination, harassment, hazing, dating abuse, 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/deseg

Parents who believe their student has experienced discrimination, harassment, hazing, dating abuse, 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/deseg

SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES

TUSD believes that educating a student is a collaborative effort with the student and parent. To support this collaboration we realize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive.** (See Policy JI “Rights and Responsibilities”)

1. STUDENTS HAVE A RIGHT TO:

- a. Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- b. Receive high quality instruction that is comprehensible and appropriate to their level of academic and linguistic development.
- c. Be expected to achieve at high levels.
- d. Receive differentiated instruction to meet individual needs: Be taught in ways that are responsive to students’ individual needs, and respond to students’ individual racial, ethnic, linguistic and cultural backgrounds
- e. Receive appropriate accommodations to meet individual needs (as supported by documentation)
- f. Express their ideas and perspectives on issues and topics relevant to their education, including school policies and procedures. ~~Express their ideas and perspectives on issues and various topics~~
- g. Participate in student activities, including extracurricular activities.
- h. Be treated with respect, and to be treated as a unique individual with differing needs, learning styles and abilities in a manner that encourages and enhances individual self-esteem.
- i. Be treated in a fair and equitable manner by teachers and administrators
- j. Privacy. (See the “Notification of Privacy Rights of Parents and Students” at page 32)
- k. Due process of law.
- 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.
- n. Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse. A victim of dating abuse has the right to transfer to another school. (See Policy JICL “Dating Abuse”).
- o. Receive disciplinary actions that are fair, equitable, non-discriminatory, and are in accordance with the Guidelines for Student Rights and Responsibilities (GSRR).
- p. Have teachers and administrators who will follow all District policies related to known allegations of Discrimination, Harassment, Hazing, Bullying, and incidents that require Mandatory Reporting. Such known allegations or incidents 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 (or other appropriate meetings) to communicate positive core values and behavioral expectations, and to explain the GSRR, Positive Behavioral Interventions and Supports (PBIS), and Restorative Practices (RP) in an age-appropriate manner.
 - hold informational sessions for parents at least twice per school year at each school, which shall include information regarding GSRR, PBIS, RP, due process and appeal procedures, and guidance for making parent complaints about student discipline.
 - make decisions regarding removing students and/or staff for safety reasons.
 - discipline students in accordance with the GSRR.

- Consistently and accurately report discipline consequences for students into the database
- s. Full access to opportunities within the educational environment without experiencing discrimination on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background. This includes the availability of all support services which promote the development of student potential (See Policy AC “Non-Discrimination”, ACA “Sexual Harassment”, and JB “Equal Educational Opportunities and Anti-Harassment”).
- t. Acquire English and such other languages as may be available at the school for students to study.
- u. Access to a classroom environment that encourages the use of English, promotes appreciation of other languages, and respects students’ right to use their native language to facilitate communication and enhance academic achievement.
- v. Access to books and other reading materials for supplementary and recreational use, including materials that may be available in other languages.
- w. Access to non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- x. Receive a copy of the Guidelines for Student Rights and Responsibilities (GSRR).
- e-y. Have access to quality learning resources, including learning technology
- z. Have access to their formal student records.
- aa. Have access to school assignments/homework while serving a disciplinary suspension for the duration of the suspension class period (quarter or semester) and have options for alternative instructional opportunities for any remaining suspension.

2. STUDENTS HAVE A RESPONSIBILITY TO:

- a. Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and to strive for their personal best.
- c. Participate fully in the classroom, curriculum and learning process during the entire class period.
- d. Make positive contributions to Uphold an environment that allows fellow students to have an equal access to educational opportunities.
- e. Make positive contributions to Uphold an environment that allows fellow students to be free from discrimination, harassment, hazing and bullying.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves properly 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.
- j. Follow discipline guidelines adopted by the school and district.
- k. Protect and take care of the school’s property.
- l. Abide by the governing board policies and regulations.
- m. Assist the school staff in running a safe school, and to help maintain the safety and cleanliness of the school environment.
- n. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook (GSRR).

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.**
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from teachers about their student's grades and disciplinary procedures.
- d. Access and Review school records pertaining to their student **(see Annual Privacy Notice, pg 33)**
- e. Receive a copy of the Guidelines for Student Rights and Responsibilities handbook (GSRR).
- f. Receive immediately an oral **and** a written notification anytime a student **receives in-school suspension,** or is sent home for any safety and/or disciplinary reason (including suspensions).
- g. Request an interpreter or translator at any step of the **disciplinary** process.
- h. Request a review of all disciplinary actions relating to their student.
- i. Non-instructional **(not related to instruction)** interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- j. Direct their student's education, upbringing and moral or religious training.
- k. Make health care decisions for the minor child.
- l. Access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.
- m. Consent in writing before:
 - a biometric scan **(i.e. eye scan)** of the minor child is made.
 - a record of the minor's blood or DNA is created, stored or shared.
 - genetic testing is conducted on the minor, unless required/authorized by law or court order.
 - the state makes a video or voice recording of the minor, unless made during: a court proceeding; a forensic interview in a criminal or child protective services investigation; or for use solely in any of the following: safety demonstrations, including the maintenance of order and discipline; a purpose related to a legitimate academic/extracurricular activity; a purpose related to regular classroom instruction; security or surveillance of buildings or grounds; or, a photo identification card.
- n. Obtain information about a child protective services investigation involving the parent.
- o. Be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notification of the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for TUSD to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.
- p. Express appropriately their ideas and perspectives on issues and topics relevant to their child's education, including school policies and procedures.
- q. Be treated in a manner that is respectful of and responsive to their cultural traditions.

4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:

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

SECTION C: GENERAL INFORMATION

1. EQUAL EDUCATIONAL OPPORTUNITIES AND ANTI-HARASSMENT (POLICY JB)

It is the policy of the TUSD to prohibit discriminatory harassment based on real or perceived race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, parental status, status with regard to public assistance, limited proficiency in English, or family, social or cultural background, or any other reason not related to the student's individual capabilities or on the basis of association with others identified by these categories. TUSD shall act to investigate all complaints of discriminatory or other harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against anyone who is found to have violated this policy.

2. GOVERNING BOARD POSITION ON GANG BEHAVIOR AND ACTIVITY

The behaviors that have become associated with gang activity or membership, especially violence, intimidation, and disrespect will not be tolerated on or near school property or in activities associated with school. In accordance with this position, any students engaging in gang activities will be disciplined to the fullest extent of TUSD policies, and prosecuted, if applicable, according to local ordinances, and state and federal laws.

Gang: An ongoing formal or informal association of persons in which members or associates individually or collectively engage in the commission, attempted commission, facilitation or solicitation of any felony act and that has at least one individual who is a criminal street gang member.

Gang-Related Incident: An incident is considered gang-related when it involves gang recruitment, gang initiation, fights between rival gangs, or other similar behaviors, but does not include non-threatening behavior such as handshakes, signs, or wearing of particular colors. ~~the participants, whether perpetrators or victims, are identified as gang members or affiliates, and where a reasonable person would conclude that the incident was motivated, in whole or in part, by a desire to promote or otherwise impact gang interests.~~

Bias-Related and Hate-Related Incidents: An incident is considered bias-related or hate-related when a reasonable person would conclude that it was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics. Such characteristics include: ancestry or ethnicity, disability, sex, gender, immigration or citizenship status, race, religion or religious practices, or sexual orientation.

3. STUDENT ATTENDANCE (POLICY JE)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note or email must address the date/time and reason for the absence.

4. DATING ABUSE (POLICY JICL)

Dating abuse is a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's former or present dating partner. Behaviors used may include, but are not limited to, physical abuse, emotional abuse, sexual abuse, and/or threats. TUSD is committed to maintaining a school campus environment that is safe and secure for all students, and dating abuse will not be tolerated. TUSD employees aware of dating abuse shall respond in a manner consistent with District training. Students are encouraged to report all known or suspected instances of

dating abuse involving themselves or other students, either verbally or in writing, to a teacher, site administrator, or to the Office of Student Equity (225.6686). The District will investigate all such complaints.

5. BULLYING, INTIMIDATION AND HARASSMENT (POLICY JICK ~~HCFB~~)

Bullying is a form of harassment. Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted (including cyberbullying), or emotional abuse, or through attacks on the property of another (including verbal taunts, name-calling and put-downs, extortion of money or possessions, or spray-painting derogatory terms on a student's locker or vehicle). Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while en route to or from school, are subject to disciplinary action.

6. SCHOOL DRESS CODE (REQUIRED AT EVERY SCHOOL) (POLICY JICA)

The general guide to acceptable school dress is neatness, cleanliness and appropriateness. While the school cannot and does not dictate styles, it is expected that students will abide by the following rules demonstrating appropriateness in dress as though this were their daily place of business.

- Shoes are required to be worn in school.
- Hats and sunglasses may be worn outside in the sun for an extended period of time for protection from the sun. A principal in collaboration with School Safety may institute stricter requirements at a high school experiencing safety-related issues.
- No bandannas may be worn.
- Dark glasses may not be worn inside buildings unless a documented health problem exists.
- No gang related apparel or items are allowed (e.g., “wearing colors known to be affiliated with a particular gang, or wearing clothing with illustrations of known gang signs or symbols”).
- Students may not wear clothing or accessories in school buildings or on school grounds that are:
 - Hazardous, damaging, or presenting danger to school property or persons including but not limited to: extended belts (belts should fit proper length), choke chains, dog collars, wallet chains or any type of spiked apparel or jewelry;
 - Depicting and/or promoting and/or endorsing illegal or violent activities illegal drugs, tobacco or alcohol;
 - Vulgar, obscene, indecent, libelous, or degrading of others on the basis of race, color, religion, ancestry, national origin, sex, gender, sexual orientation or disability; and/or
 - Distracting so as to interfere with the teaching or learning process such as extremely revealing garments including but not limited to short shorts, short skirts, short dresses (must cover buttocks while standing and sitting), tube tops, net tops, swimsuits, strapless tops, spaghetti strap tops, halter tops, muscle shirts, basketball shirts without an accompanying T-shirt, no tights or leggings to be worn as pants, garments with plunging necklines, transparent and see through garments, (midsections must be covered and undergarments shall be completely covered with outer clothing).

Students who violate TUSD's dress standards may be asked to do any of the following depending upon the specific circumstances:

- Turn inappropriate clothing inside out.
- Change into clothing that may be provided by the school.
- Change into other clothing which has been brought to school.

- Remove the jewelry or other accessory.

*NOTE: These dress guidelines represent the minimum standards. Individual school sites may adopt additional guidelines, but may not apply exclusionary discipline without first giving the student an opportunity to address the alleged violation. Students wearing inappropriate clothing to school are given an opportunity to change clothing or they will be released from school in the company of the parent/guardian. Students who are unable to comply with the dress code may access TUSD's clothing bank (520) 232-7058.

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 (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, not to exceed 30 days.

Safety Precautions for Students

- Know the route to and from the bus stop, safety precautions and common courtesies to be maintained en route and at the bus stop.
- Know the correct bus route number.
- Discuss what to do if the bus is late in the morning or no one is home in the afternoon
- ALWAYS board/depart the bus at the correct stop as known and approved by the parent.

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

For purposes of this policy, "electronic devices" include, but are not limited to, cell phones, Mp3 players, iPods, personal digital assistants (PDA's), e-book readers, compact disc players, portable game consoles, cameras, digital scanners, lap top computers, tablet computers and other electronic or battery powered instruments which transmit voice, text, or data from one person to another.

Students may possess and use cellular telephones and/or other electronic signaling devices subject to limitations of this and other policies of the District under the following conditions and guidelines:

- Cell phones and/or electronic devices are to be kept out of view in a student's locker, pocket, or a carrying bag.
- Such devices shall not be turned on or used during instructional time, except as authorized by the teacher.

- The principal shall establish additional guidelines appropriate to campus needs.
- Students violating the policy may have the electronic device confiscated and be subject to disciplinary action. Any search of the contents of an electronic device shall be by an administrator in accordance with the Guidelines for Students Rights and Responsibilities.

Reasonable efforts will be taken to secure property that has been confiscated (i.e. lock the item in a drawer, take the item to the office to be secured in a locked area, etc.); however, neither the School District nor the School District Staff is responsible for loss, damage, or theft of any electronic device including but not limited to cell phones, laptops, tablet computers, portable media player brought to school, even if loss, damage or theft results from the device being confiscated.

9. HAZING (POLICY JICFA)

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 education 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 accord with statute, violations of this policy do not include either of the following:

- Customary athletic events, contests or competitions 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 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 accord 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 accord with the appropriate procedures and penalties provided for in District policies related to the conduct and discipline of students, staff, and others.

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 an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices: focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends. See Section D(8) below for a description of Restorative Practice strategies that may be used by sites.

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.

SECTION D: KNOW THE ACTIONS

ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES

The Arizona Department of Education 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 Guidelines for Student Rights and Responsibilities 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. For instance, restorative circles should not be isolated events at a campus, but should instead become part of the everyday process in addressing behavior. At the elementary level, the age and developmental level of the child may be considered in interpreting the severity of the discipline imposed. Student services personnel, such as counselors, social workers, learning support coordinators, or psychologists, play a vital role in assisting the student in resolving any problems influencing the student's behavior.

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. The law requires s~~School officials~~ Principals, Assistant Principals, or Designees 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 <u>serious</u> 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	<u>Bomb threats</u>

Additionally, pursuant to A.R.S. § 13-3620, school personnel are required to immediately report any reasonable belief of non-accidental physical injury, neglect, or sexually related offense against a minor. "Physical injury" means the impairment of physical condition, and may include any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare. (See A.R.S. § 13-3623(F)(4))

2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT

Additionally, Principals, Assistant Principals, or Designees **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:

Possession, sale or distribution of dangerous substances, including alcohol, tobacco or legal drugs
Demonstration by students which is likely to create unsafe conditions

Threats	Setting off a false fire alarm	Assault	Vandalism
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3. DUE PROCESS ~~FOR GENERAL EDUCATION STUDENTS~~

Any student whose conduct may warrant suspension or expulsion will be provided due process. This is a legal safeguard that protects the rights of students and their parents and is constitutionally guaranteed.

Due process steps include:

- Oral or written notice **to the student** of the charges **against** ~~presented to the student~~;
- An opportunity to present the student's side of the story in an informal hearing or meeting;
- The allowance, for safety considerations, for a student to be removed from the school prior to an informal hearing with that hearing to follow as soon as practical;
- Adequate notification and an opportunity for a fair hearing;
- ~~Written notification to parents about suspension of student;~~
- That parents will be informed in writing of all suspensions and that they have the right to a conference with the principal;
- That if parents are not satisfied with any school official's decision they are entitled to request a review by the school official's immediate supervisor;
- Formal due process **(including a hearing officer)** in long-term suspension and expulsion proceedings
- **A right to appeal disciplinary decisions** to the Principal, Assistant Principal, Designee, or the Department of Student Equity (see above, page 6)

4. DUE PROCESS FOR STUDENTS WITH 504 PLANS OR IEPs

Students with disabilities under Section 504 or IDEA (and students suspected of having a disability) may be disciplined in the same manner as any other student and may be suspended for up to 10 cumulative days of school per school year. If a suspension beyond 10 cumulative days is contemplated, special procedures must be followed.

A manifestation determination conference must be held prior to the 11th day of suspension

- If the manifestation determination conference concludes that the student's behavior is a manifestation of the student's disability, then no further disciplinary action can be taken. The 504 or IEP team should convene to develop an appropriate behavior plan for the student.
- If the manifestation determination conference concludes that the student's behavior is not a manifestation of the student's disability, the District may impose whatever long-term suspension or expulsion it would impose under the same circumstances if a non-disabled student were the offender. The District has no obligation to continue to provide educational services to a 504 student during the period of a long-term suspension or expulsion. However, the District must continue to provide educational services for students eligible under IDEA. Please refer to the appropriate Governing Board regulations JKA and JKAB and to the Exceptional Education Handbook for specific procedures.

A student with a disability under IDEA may be referred to an Interim Alternative Educational Settings in certain circumstances regarding the use or possession of drugs, weapons, or serious bodily injury. Refer to the Exceptional Education Handbook for specific procedures.

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 Level 2, 1-3 days, Action Level 3, 1-10 days). 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 an opportunity to complete their coursework to ensure that they do not fall behind academically. Governing Board Policy Regulation JK-R1, Short Term Suspension states: “The student is allowed access to class assignments and to make up tests upon return to school. Homework must be made available for the parent to pick up at the school office.” Or, when feasible, homework shall be made available online. It shall be the parent’s and student’s School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. During the term of the suspension, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

Long-Term Suspension – Hearing Officers are used to investigate facts and make determinations regarding an administrator’s recommendation about a long-term suspension or expulsion. 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. Hearing Officers may Principals take this action only after the site administration has when they have 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 must be are 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. “Life Skills” alternative to suspension program provides an alternative setting for students to continue to receive instruction during the period of suspension.

Make-up Work (Long-Term Suspension)

If students are suspended, they are entitled to an opportunity to complete their coursework to ensure that they do not fall behind academically. School administrators should assist parents and students with the shared responsibility to make arrangements to obtain such class assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up at the school office. Or, when feasible, homework shall be made available online. Students on suspension who successfully

complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. Homework will be made available by the student's teachers for the remainder of the grading period. However, because of the difficulty in students keeping up with class work through homework alone, without an instruction component, after the end of a grading period, students will receive academic support through a TUSD alternative program such as distance learning. During the term of the suspension, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

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

An administrator may offer to not immediately impose the assigned out-of-school suspension if (1) the administrator believes it is in the best interest of the student and the school community, (2) the student admits to committing the infraction, (3) the student and parent/legal guardian agree to certain conditions, and (4) the student and parent/legal guardian sign a contract, called an abeyance contract. The term of the abeyance contract may not exceed the maximum suspension term for the offense level. If a student violates his/her abeyance contract with a suspendable offense, 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.)

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.

8. RESTORATIVE PRACTICES RESTORATIVE CIRCLES/CONFERENCES

Restorative Practices actions range from informal to formal. In schools, these actions include:

- *Small impromptu circles:* a few people meet to briefly address and resolve a problem; facilitated by teachers, administrators, and/or learning supports coordinators.
- *Group or classroom circles:* a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.

- *Formal restorative conferences*: address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.

*sites may also elect to utilize “Teen Court” (aka “Peer Juries”)

9. APPEALS

Students and parents/guardians have the right to appeal short-term and long-term suspension decisions; however, there is no **school-district-based** appeal from the Governing Board’s final decisions regarding long-term suspension appeals or its expulsion decisions. (See Policy JK and its accompanying regulations for details).

10. EXPULSION

Expulsions will only be recommended for Level 5 violations. Expulsion is defined as the permanent withdrawal of the privilege of attending a TUSD school unless the Governing Board reinstates the privilege. A principal may or, in some cases, must request that the Superintendent recommend to the Governing Board the expulsion of a student. This is the most serious disciplinary step available. As part of its decision to expel, the Governing Board may permit the student to apply for readmission through the Office of Student Equity and Intervention after any period of time it may set. The Governing Board, or designee, may establish further conditions within the readmission process with which the student must comply prior to their admission to the instructional process. During the term of the expulsion, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

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

11. PRINCIPAL APPLICATION FOR WAIVER OF MANDATORY ACTIONS

For violations requiring Action Level 4 or 5 consequences, the principal has the prerogative to seek the waiver of any portion or all of the mandatory disciplinary action through the appropriate Assistant Superintendent. The principal may seek the waiver and, if granted, the parties directly involved shall be informed of the reasons the waiver was granted.

Waivers may **not** be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.

ACTION LEVELS

The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. **Actions listed in bold are the minimum or mandatory action for that level of violation.** Multiple actions may be applied to a single violation. Action Levels are developed with input from students, parents, teachers and community members. **For all violations, parent notification and student conference are mandatory.**

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.

It will be the policy of TUSD to implement Restorative Practices wherever practicable.

LEVEL 1	<ul style="list-style-type: none"> <u>○ Parent Notification and Conference Request</u> ○ Student Conference ○ Restorative Circle ○ Restorative Conference ○ Confiscation of Contraband ○ Student Verbal Apology ○ Student Written Apology ○ Warning 	<ul style="list-style-type: none"> ○ Referred to Outside Agency ○ Community Service ○ Detention (before or after school) ○ Peer mediation ○ Privileges Suspended ○ Restitution ○ Saturday School ○ Teen Court ○ Functional Behavioral Assessment ○ Behavior Learning Packets ○ Time Out ○ Reflective Essay 	<ul style="list-style-type: none"> ○ Meeting With School Counselor ○ Reassignment To A Different Class ○ Behavior Contract ○ Work Detail ○ Behavior Intervention Group ○ Threat Assessment ○ Behavior Intervention Plan ○ Lunch Detention ○ <u>Monitoring of selected problem behaviors</u> ○ Other Action
LEVEL 2	<p>Any mandatory action from the prior level(s) must also be imposed. Both mandatory actions from Level 1 must also be imposed. Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> <u>○ Restorative Conference and/or Restorative Circle</u> ○ Behavior Contract <u>○ Social Skills Groups and/or Mentoring</u> ○ In School Suspension – Short-Term (1-3 Days) ○ Out Of School Suspension and/or Abeyance – Short-Term (1-3 Days) 		
LEVEL 3	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> <u>○ Short-Term In School Action and/or Abeyance</u> <u>○ Restorative Conference and/or Restorative Circle</u> ○ In School Suspension – Short-Term (1-10 Days) ○ Out Of School Suspension and/or Abeyance – Short-Term (1-10 Days) <u>○ Department of School Safety may be contacted in Appropriate Circumstances</u> 		
LEVEL 4	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> <u>○ Out of School Suspension and/or Abeyance – Long-Term (11-30 45 Days)</u> <u>○ Restorative Conference and/or Restorative Circle (upon re-entry to school)</u> ○ Restorative Conference and/or Restorative Circle ○ Removal By Hearing Officer For Likely Injury To Self Or Others ○ Removal By Student’s IEP Team To An Interim Alternative Education Setting 		
LEVEL 5	<p>Any Action from the prior level(s) may also be imposed.</p> <ul style="list-style-type: none"> <u>○ Out- of School Suspension and/or Abeyance – Long-Term (11-180 Days)</u> <u>○ Restorative Conference and/or Restorative Circle (upon re-entry to school)</u> ○ Expulsion 		

- All parent conferences will be made in a timely manner ~~the timeliest manner~~. Parents may participate in a conference via phone or another accessible mode of communication. Students will not be disciplined further merely because their parent cannot participate in a conference.
- A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation.
- Attempted violations may require Actions. Administrators will determine the appropriate level of Action to take for an attempted violation. The Action will generally be at a level less than that of the actual violation.
- For repeated and/or multiple offenses, Administrators may apply an action that is one level higher than that listed, but only after approval from the Department of Student Equity and Intervention. 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.
- When determining the appropriate level of action to take, administrators may consider a student's claim of self defense, defense of others or defense of property.
- When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5th Grade) may consider all violations, *with the exception of possession of firearms or any incidence of threat to an educational institution*, at one level lower than that of the actual violation.
- Administrators may not withdraw a student's open enrollment or magnet status during the school year as a consequence for a discipline violation.
- Students will not receive out of school any suspension for attendance violations.
- 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. "Involvement" of School Safety means that School Safety personnel will not participate in high-level student discipline in isolation, but only in conjunction with site leaders, and with the Department of Student Equity.

The Arizona Department of Education has identified the following violations:

AGGRESSION	
<i>Violation</i>	<i>Action Level</i>
<p>Verbal Provocation</p> <p>Use of language or gestures that may incite another person or other people to fight.</p>	1
<p>Recklessness</p> <p>Unintentional, careless behavior that may pose a safety or health risk for yourself or for others.</p>	1
<p>Minor Aggressive Act</p> <p>Student engages in non-serious but inappropriate physical contact.</p> <p>Examples: hitting, poking, pulling, tripping, or pushing.</p>	2
<p>Other Aggression</p> <p>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact.</p> <p>Examples: pulling a chair out from underneath another person, or other behaviors that demonstrate low-level hostile behaviors.</p>	3
<p>Disorderly Conduct</p> <p>A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:</p> <ol style="list-style-type: none"> Engages in violent or seriously disruptive behavior. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession. Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904) Recording/distributing fights on any social media outlet. 	3
<p>Endangerment</p> <p>A person commits endangerment by endangering themselves or another person with a substantial risk of imminent death or physical injury. (see A.R.S. § 13-1201)</p>	3
<p>Fighting</p> <p>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</p>	3
<p>Assault</p> <p>A person commits assault by intentionally, knowingly, or recklessly causing physical injury to another person; knowingly touching another person with the intent to injure, insult or provoke such person., or by threatening to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. §13-1203)</p> <p>Examples: Restraining, barricading (e.g. blocking a door so another student cannot get out of a room).</p> <p>Only if the administrator forms a reasonable belief that a student has suffered a non-accidental physical injury is a report to law enforcement mandatory.</p>	4
<p>Aggravated Assault</p> <p>A person commits aggravated assault if the person:</p> <ol style="list-style-type: none"> Causes serious physical injury to another. Uses a deadly weapon or dangerous instrument. Commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part. Commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired. Commits assault and the person is in violation of an order of protection. Commits the assault knowing or having reason to know that the victim is any of the following: law enforcement officer, prosecutor, firefighter, EMT/Paramedic engaged in official duties, teacher or any school employee on school grounds, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes, teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds. (see A.R.S. § 13-1204) 	5 Mandatory report to law enforcement

ALCOHOL, TOBACCO AND OTHER DRUG VIOLATIONS		
<i>Definitions</i>		
Drug Violation: Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Includes over-the-counter medications if abused by the student.		
Possession: knowing exercise of dominion or control over an item.		Use: the act of using.
Sale: to transfer or exchange an item to another person for anything of value or advantage, present or prospective.		
Share: to allow another person to use or enjoy something that one possesses.		
<i>Violation</i>		<i>Action Level</i>
Over the Counter Drugs, Inappropriate use of Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.		
	Possession	2
	Use	2
	Sale	3
	Share	3
Inhalants Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation. <u>This does NOT include e-cigarettes or hookah sticks.</u>		
	Possession	4
	Use	4
	Sale	5
	Share	5
Unknown Drug		
	Possession	4
	Use	4
	Sale	5
	Share	5
Substance Represented as of Illicit Drug A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.		
	Possession	4
	Use	4
	Sale	5
	Share	5
Prescription Drugs, Inappropriate use of Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.		Mandatory report to law enforcement
	Possession	4
	Use	4
	Sale	5
	Share	5
Illicit Drug Illicit drugs include dangerous drugs, narcotic drugs, marijuana, and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc.		Mandatory report to law enforcement
	Possession	4
	Use	4
	Sale	5
	Share	5
Alcohol Violation The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.		
	Possession	4
	Use	4
	Sale	5
	Share	5

Tobacco Violation		
The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine- <u>such as e-cigarettes, nicotine patches and hookah sticks</u>), at school-sponsored events and on school-sponsored transportation. (see A.R.S. §36-798.03).		
	Possession	2
	Use	2
	Sale	3
	Share	3
Possession of Drug Paraphernalia		
Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. (see A.R.S. § 13-3415)		
	Possession	2
	Use	2
	Sale	3
	Share	3

ARSON	
<i>Definitions</i>	
Structure: a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage	
Occupied structure: any structure in which one or more persons is, or is likely to be present, or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.	
Property: anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).	
Damage: as used here, means a tangible or visible impairment to a surface.	
Reckless Burning: recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property. (see A.R.S. § 13-1702).	
<i>Violation</i>	<i>Action Level</i>
Arson of a Structure or Property A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. (see A.R.S. § 13-1703) <i>NOTE: Burning one's own property is not arson, with the exception of burning one's own property with the knowledge that it will ignite another's property or a structure. Burning one's own property may, where appropriate, be considered reckless burning.</i>	4
Arson of an Occupied Structure A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. (see A.R.S. § 13-1704) <i>NOTE: Administrators may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100, at Level 3. Please see the definition of Reckless Burning above.</i>	5 Mandatory report to law enforcement

ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)	
<i>Violation</i>	<i>Action Level</i>
Other Attendance Violations Examples: leaving school, without signing out in the main office; leaving school at lunch, without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school, but not attending classes.	1
Tardy Arriving at school or class after the scheduled start time.	1
Unexcused Absence When a student is not in attendance for an entire day and does not have an acceptable excuse.	1
Leaving School Grounds without Permission Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.	1

Truancy When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.	1
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<u>DISHONESTY</u>	
<i>Violation</i>	<i>Action Level</i>
Cheating To intentionally share with another, or take from another, intellectual property for the purpose of deceit or fraud, or to take or steal intellectual property from another with or without their knowledge and present it as the student's own.	2
Forgery Falsely and fraudulently making or altering a document, including hall passes and parent signatures.	2
Lying To make an untrue statement with intent to deceive or to create a false or misleading impression.	2
Plagiarism To steal and pass off the ideas or words of another as one's own, including material obtained online.	2

<u>HARASSMENT AND THREAT, INTIMIDATION</u>	
<i>Violation</i>	<i>Action Level</i>
Threat or Intimidation When a person indicates, by words or conduct, the intent to cause physical injury or serious damage to a person or their property, or intentionally places another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occurs online or through a telecommunication device. (see A.R.S. § 13-1202).	3
Bullying Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal/ cyber-bullying (e.g., text messages, email, social networking); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).	3
Harassment, nonsexual A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person: 1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses. 2. Follows another person in or about a public place for no legitimate purpose after being asked to desist. 3. Repeatedly commits an act or acts that harass another person. 4. Surveils or causes another person to surveil a person for no legitimate purpose. 5. On more than one occasion makes a false report to a law enforcement, credit or social service agency. (see A.R.S. § 13-2921) <i>NOTE: Bullying and Sexual Harassment are types of Harassment. Indicate Harassment, nonsexual if the violation is not specifically Bullying or Sexual Harassment, or if the specific type of harassment is not known.</i>	3
Hazing "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 <u>both</u> of the following apply: 1. 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. ("Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school.). 2. The act contributes a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. (see A.R.S. § 15-2301) *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	3

HOMICIDE; KIDNAPPING	
<i>Violation</i>	<i>Action Level</i>
Homicide Includes first degree murder, second degree murder, manslaughter or negligent homicide, and intentionally or recklessly causing the death of another person. (see A.R.S. § 13, Chapter 11)	5 Mandatory report to law enforcement
Kidnapping Knowingly restraining another person with the intent to hold the victim for ransom, as a shield or hostage; or hold the victim for involuntary servitude; or inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person. (see A.R.S. § 13-1304)	5 Mandatory report to law enforcement

OTHER VIOLATIONS OF SCHOOL POLICIES	
<i>Violation</i>	<i>Action Level</i>
Dress Code Violation Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.	1
Parking Lot Violation Examples: unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, or littering.	1
Public Display of Affection Inappropriate displays of affection (i.e. kissing)	1
Other Violation of School Policies and Regulations Other violations of written school, or district-wide, policy or regulation.	2 1
Contraband Items stated in school policy as prohibited because they may disrupt the learning environment.	2
Combustible Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)	2
Disruption Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior.	2
Gambling To play games of chance for money or to bet a sum of money.	2
Language, Inappropriate Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way.	2
Defiance or Disrespect Towards Authority and Non Compliance Student engages in refusal to follow directions, talks back, or delivers socially rude interactions.	2
Negative Group Affiliation / Illegal Organization Clubs, fraternities, sororities, anti-social organizations, secret societies, criminal street gangs, and other sets of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.	3

SCHOOL THREAT OR INTERFERENCE	
<i>Definitions</i>	
Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:	
<ol style="list-style-type: none"> 1. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution. 2. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution. 3. Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others. 4. Refusing to obey a lawful order to leave the property of an educational institution. 	
<i>NOTE: "interference with or disruption of" includes only those acts that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation or suspension is not required).</i>	
<i>Violation</i>	<i>Action Level</i>
Fire Alarm Misuse Intentionally ringing fire alarm when there is no fire.	4
Other School Threat An incident, not coded in the School Threat category, which involves threatening an educational institution.	5 Expulsion required by law
Bomb Threat Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.	5 Expulsion required by law
Chemical or Biological Threat Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.	5 Expulsion required by law

SEXUAL OFFENSES	
<i>Violation</i>	<i>Action Level</i>
Harassment, Sexual Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices), or physical conduct of a sexual nature.	3
Pornography Pornography is the sexually explicit and obscene depiction of persons, in words or images. Examples: viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value.	3
Harassment, Sexual with contact Sexual harassment that includes physical contact.	4
Indecent Exposure or Public Sexual Indecency A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts. Examples: public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse, or oral sex.	4
Sexual Assault or Rape A violation of A.R.S. § 13-1406 Sexual assault	5 Mandatory report to law enforcement
Sexual Abuse or Sexual Conduct with minor, or Child Molestation A violation of A.R.S. § 13-1404 Sexual abuse, § 13-1405 Sexual conduct with a minor, or § 13-1410 Child Molestation.	5 Mandatory report to

	law enforcement
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TECHNOLOGY, IMPROPER USE OF	
<i>Violation</i>	<i>Action Level</i>
<p>Telecommunication Device</p> <p>Examples: use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose</p>	1
<p>Other Technology</p> <p>Examples: Nintendo DS, iPods, MP3 players, etc.</p>	1
<p>Computer</p> <p>Examples: use of school computers for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of an administrator, vandalism of computers or computer equipment.</p>	2
<p>Network Violation</p> <p>Examples: use of computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.</p>	3

THEFT	
<i>Violation</i>	<i>Action Level</i>
<p>Petty Theft</p> <p>Thefts for cash, or property, valued under \$100.</p>	2
<p>Theft – School Property or Non-School Property</p> <p>A person commits theft if, without lawful authority, the person knowingly:</p> <ul style="list-style-type: none"> b. Controls property of another with the intent to deprive the other person of such property; or c. Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant’s possession for a limited, authorized term or use; or d. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or e. Comes into control of lost, mislaid or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person’s own or another’s use without reasonable efforts to notify the true owner; or f. Controls property of another knowing or having reason to know that the property was stolen; or g. Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another’s services to the person’s own or another’s benefit without authority to do so. (see A.R.S. § 13-1802) 	3
<p>Burglary or Breaking and Entering</p> <p>Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard or a nonresidential structure or in a fenced commercial property with the intent to commit any theft or any felony therein. (see A.R.S. § 13-1506 - § 13-1507)</p>	4
<p>Extortion</p> <p>A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:</p> <ul style="list-style-type: none"> 1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument. 2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection. 3. Cause damage to property. 4. Engage in other conduct constituting an offense. 5. Accuse anyone of a crime or bring criminal charges against anyone. 6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person’s credit or business. 7. Take or withhold action as a public servant or cause a public servant to take or withhold action. 8. Cause anyone to part with any property. (see A.R.S. § 13-1804) 	4

<p>Robbery</p> <p>A person commits robbery if in the course of taking 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. (see A.R.S. § 13-1902)</p>	<p>4</p>
<p>Armed Robbery</p> <p>A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice;</p> <ol style="list-style-type: none"> 1. Is armed with a deadly weapon or a simulated deadly weapon; or 2. Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. § 13-1904) 	<p>5</p> <p>Mandatory report to law enforcement</p>
<p>Burglary (First Degree)</p> <p>A person commits burglary in the first degree if such person or an accomplice enters or remains unlawfully in or on a residential structure or yard or a nonresidential structure or in a fenced commercial with the intent to commit any theft or any felony therein (see A.R.S. §13-1506-07) and knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. (see A.R.S. § 13-1508)</p>	<p>5</p> <p>Mandatory report to law enforcement</p>

TRESPASSING; VANDALISM OR CRIMINAL DAMAGE	
<i>Definitions</i>	
<p>Criminal damage: Willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Administrators may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.</p> <p>Examples: Substantial destruction of copy machines, school vehicles, student vehicles, or certain technology, science, or computer equipment.</p>	
<i>Violation</i>	<i>Action Level</i>
<p>Trespassing</p> <p>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 under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.</p>	<p>2</p>
<p>Graffiti or Tagging</p> <p>Writing on walls; drawings or words that are painted or sprayed on walls and/ or other surfaces that can be easily removed with soap or cleaner.</p>	<p>2</p>
<p>Vandalism of Personal property</p> <p>Willful destruction or defacement of personal property.</p>	<p>3</p>
<p>Vandalism of School Property</p> <p>Willful destruction or defacement of school property.</p> <p>Examples: Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles.</p>	<p>3</p>

WEAPONS AND DANGEROUS ITEMS (POSSESSION OF)	
<i>Violation</i>	<i>Action Level</i>
<p>Dangerous Items</p> <p>Knife with a blade length of less than 2.5 inches, air soft gun, b.b.gun, laser pointer, letter opener, mace/pepper spray, paintball gun, pellet gun, razor blade/box cutter, simulated knife, taser or stun gun, tear gas, firecrackers, smoke and stink bombs, gas, lighter fluid, and other dangerous items (anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury).</p> <p>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</p>	3
<p>Other Weapons</p> <p>Examples: Billy club, brass knuckles, knife with a blade length of at least 2.5 inches, nunchakus.</p> <p>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</p>	4
<p>Simulated Firearm</p> <p>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.</p> <p><u>If the simulated firearm is used to threaten or intimidate, the violation will be considered a level 4.</u></p>	3
<p>Firearms</p> <p>Firearm means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. (see A.R.S. § 13-3101)</p> <p>Other Firearms – As defined for the Gun-Free Schools Act (GFSA) – includes - the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas; Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. (see 18 U.S.C. 921)</p> <p><i>NOTE: This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, and pellet guns)</i></p>	<p>5</p> <p>Expulsion required by law</p> <p>Mandatory report to law enforcement</p>

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TUSD ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS

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

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

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

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

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

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

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

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests. A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

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

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

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:

The Family Policy Compliance Office
U.S. Dep’t of Education
400 Maryland Avenue, SW
Washington, D.C. 20202
(202) 260-3887

Directory Information

FERPA requires that TUSD, with certain exceptions, obtain a parent’s/guardian’s written consent prior to the disclosure of personally identifiable information from your child’s education records. However, TUSD may disclose appropriately designated “directory information” without written consent, unless you have advised TUSD to the contrary in accordance with TUSD procedures (see Administrative Regulation 5130). The primary purpose of directory information is to allow TUSD to include this type of information from your child’s education records in certain school publications, such as:

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

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

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

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

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

TUSD ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

(1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Dep’t of Education (ED) –

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

(2) Receive notice and an opportunity to opt a student out of –

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

(3) Inspect, upon request and before administration or use –

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

These rights transfer from the parents to a student who is 18 yrs old, or an emancipated minor under State law.

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

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

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

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

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education

***YOUR SCHOOL IS A
SAFE-T-ZONE***

IF YOU SEE IT

- | | |
|-------------------|-----------------------|
| ↪ <i>DRUGS</i> | ↪ <i>VIOLENCE</i> |
| ↪ <i>FIGHTS</i> | ↪ <i>WEAPONS</i> |
| ↪ <i>GANGS</i> | ↪ <i>NON-STUDENTS</i> |
| ↪ <i>ASSAULTS</i> | ↪ <i>GRAFFITI</i> |
| ↪ <i>TRUANCY</i> | ↪ <i>THREATS</i> |

REPORT IT!

CONFIDENTIALITY GUARANTEED

TELL A SCHOOL OFFICIAL OR CALL

TUSD SAFETY MESSAGE LINE
584-7680

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

DISCRIMINATION STATEMENT: Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, , creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background in admission or access to, or treatment or employment in, its educational programs or activities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD’s EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444, or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado

80204. See Board Policies AC “Non-Discrimination,” and ACA “Sexual Harassment” for more information.