

**Parent and Student Advisory:**

*This Code of Conduct complies with State of Arizona  
Department of Education requirements to use specific  
language to define certain prohibited acts and behaviors.*

*This language may not be suitable for all children.*

*Parental guidance and discretion is suggested.*

Amphitheater Unified School District is an Equal Opportunity employer and educational institution. The District does not discriminate on the basis of race, color, religion/religious beliefs, gender, sex, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, family, social or cultural background in its programs or activities and provides equal access to the Scouts USA, other designated youth groups or in its hiring or employment practices.

Amphitheater School District Career and Technical Education department does not discriminate in enrollment or access to any of the programs available, such as business, arts & design, computers & media, health science, hospitality education & human services, industrial technologies, public service, and science & engineering. The lack of English language skills shall not be a barrier to admission or participation in the District's activities and programs.

Inquiries concerning Title VI, Title VII, Title IX of the Civil Rights Act of 1964, may be referred to the District's Equity and Safety Compliance Officer and Title IX Coordinator, 701 W. Wetmore Road, Tucson, Arizona 85705, (520) 696-5164, [TitleIXCoordinator@amphi.com](mailto:TitleIXCoordinator@amphi.com).

Inquiries concerning Section 504 of the Rehabilitation Act of 1973, the Individuals with Disabilities Education Act (IDEA) and the Americans With Disabilities Act (ADA) may be referred to Kristin McGraw, Executive Director of Student Services, 701 W. Wetmore Road, Tucson, Arizona 85705, (520) 696-5230, [kmcgraw@amphi.com](mailto:kmcgraw@amphi.com) or to the Arizona Department of Education, Exceptional Student Services, 1535 West Jefferson Street, Phoenix, Arizona 85007, or the Regional Manager of the Office of Civil Rights, U.S. Department of Health and Human Services, 90 7th Street, Suite 4-100, San Francisco, CA 94103.

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## **Our Vision**

Amphitheater schools and facilities are places where students thrive academically; places parents want their children to go; places where highly skilled people work; and places community members respect because of the high student achievement, caring environment, and focus on individual needs.

## **Our Mission**

To empower all students to become contributing members of society equipped with the skills, knowledge, and values necessary to meet the challenges of a changing world.

## **We Value**

Achievement, caring, creativity, curiosity, diligence, diversity, fairness, honesty, kindness, respectfulness, responsibility, and service to the community.

## **We Believe**

- All students can learn and achieve.
- Everyone has unique strengths, talents, and needs.
- All students and staff should be responsible for and dedicated to educational excellence.
- Education requires cooperation, honesty, and respect among the students, parents, school, staff and community.
- The school community deserves a safe and caring environment.
- Our actions reflect our values and dedication to meet student needs fairly and equitably and
- Ample resources are essential to accomplish the Mission.

# Discover Amphi

*Excellence in Education*

## Governing Board



Vicki Cox Golder  
President



Deanna M. Day, M.Ed.  
Vice President



Scott K. Baker, Ph.D.  
Member



Matthew A. Kopec  
Member



Susan Zibrat  
Member

## District Administration

Todd A. Jaeger, J.D., Superintendent

Tassi Call, M.Ed., Associate Superintendent for Elementary Education

Matthew P. Munger, M.Ed., Associate Superintendent for Secondary Education

Michelle H. Tong, J.D., Associate to the Superintendent and General Counsel

Scott Little, MBA, Chief Financial Officer



Learn more about Amphitheater Public Schools at: [www.amphi.com](http://www.amphi.com)

## A LETTER FROM THE SUPERINTENDENT

August 2022



Dear Amphitheater Parents and Students:

It is my pleasure to welcome you to the 2022-2023 school year – a year which holds extraordinary promise as we continue to rebound from the impacts of the COVID-19 pandemic.

As we begin this new school year, I want to put the spotlight squarely on the core mission of our school district: our Portrait of a Graduate, which represents our commitment to helping students develop key characteristics that will prepare them to become citizens who can both reach for and achieve their dreams and goals. As depicted in the graphic below, the Amphitheater Portrait of a Graduate contains the following vital elements: Creative Thinking, Collaboration, Critical Thinking, Academic Content, Communication, Caring, Citizenship, and Problem Solving.

This Code of Conduct is one of the many strategies we use to help our students build the qualities embodied in the Portrait of a Graduate. While it does establish expectations, rules and consequences for student behavior, its ultimate purpose is to encourage learner citizenship – with all that entails. ***Please review this handbook together, as parents and students, so that you are familiar with the District's expectations for student behavior and, equally important, please discuss your family expectations for the same.***

On behalf of our elected District Governing Board and all the qualified, caring and dedicated staff in each of our schools, programs and facilities, I want to thank you for the opportunity to educate and nurture your learner. We are here to support you and your learner, and we look forward to working with you to ensure the success of your child. Please know that we feel honored to do so.

I wish you a safe and successful school year!

Sincerely,

A handwritten signature in black ink that reads "Todd A. Jaeger".

Todd A. Jaeger, J.D.  
Superintendent  
Amphitheater Public Schools



## **Introduction to the Student Code of Conduct**

A clear and specific Student Code of Conduct is an essential element in developing and maintaining a successful academic environment. As the expectations for student achievement increase, a Student Code of Conduct becomes increasingly important as a central element in the creation of the safe and caring environment necessary for student success. To be effective, a Code must explain expectations for behavior so that all members of the school community can fully understand them; it must also provide fair and consistent guidelines for consequences to be applied when behavioral incidents do occur to help ensure schools are safe places for students, staff, and the public.

This Code has been drafted to be as conversational as possible, but it is important to recognize that any code of conduct must comply with certain legal mandates for public schools and must be very clear about expectations, to include precise definitions where required. Therefore, this Code provides both “plain language” definitions for behavioral incidents as well as more technical definitions established by the State of Arizona Department of Education.

This Code of Conduct includes the following elements:

- Prohibited behaviors are organized into categories to help students understand the related nature of certain behaviors and their relative impacts upon the learning environment.
- Behavioral rules and potential consequences for violations of the rules are combined together in tables to improve understanding and for ease of reference.
- Because technology has become increasingly important for students both within the school setting and in society at large, this Code incorporates rules on the use and consequences for misuse of technology, including computers and the Internet.

## **The District Values: Basic Expectations for Positive Student Conduct**

The following pages outline eleven positive conduct standards for our student community. Examples are given for each standard; however, they are not intended to be a complete or exhaustive list of examples.

### **1. DIVERSITY**

- Be your own person and be proud of who you are.
- Recognize that you are different from others and that others will be different from you.
- Respect the differences in others.
- Try to understand the feelings of others.
- Enjoy the differences in people and learn from them.

### **2. CREATIVITY**

- Think.
- Imagine.
- Try new ways to do things.
- Have your own ideas. Give credit to others for theirs.
- Enjoy new ideas from others.

- Explore ideas in a thoughtful and positive manner.
- Be flexible and adaptable to meet changing demands.

### **3. CURIOSITY**

- Use technology appropriately and for school purposes.
- When you do not understand words, directions, information, or questions, always ask someone to explain their meaning. Ask the teacher, ask friends, or ask your parents.
- When you ask a question in class, other students probably are asking the same question in their heads. When you ask a question, you may be helping other students who are too shy to ask that question.
- Enjoy wondering about everything. Then, ask someone to help you find out more about what you are wondering about. Good helpers are your teacher, the librarian, your parents, and the Internet.
- Be an explorer. Think of new ideas. Think of new ways to understand yourself, others, and the world around you.

### **4. DILIGENCE**

- Attend school daily and be on time.
- When you have a job to do, do it until it is done.
- When you make a promise, keep it.
- When you are supposed to be somewhere at a certain time, be on time.
- Complete tasks on time.
- Make up all missed work, as permitted by your teacher.
- Keep commitments.
- Keep track of your schoolwork. Be responsible for doing classwork and homework. Always do your best.

### **5. ACHIEVEMENT**

- Always try to do your very best at whatever you do.
- Set challenging goals for yourself and go after them.
- Create plans and strategies you will need to achieve your goals.
- If you believe in a goal, stick to it.
- Seek help and assistance when you need it.
- Learn from mistakes. Try not to repeat them.
- Be proud when you improve.
- Be proud of what you can do at school, at home, and with your friends.

### **6. HONESTY:**

- Tell the truth.
- Respect and praise others who tell the truth.
- Do your own work.
- Take pride in admitting when you have made a mistake. Wise people learn from their mistakes.
- Give credit to others for their work and thoughts.

### **7. CARING AND RESPONSIBILITY:**

- Report bullying to a teacher or someone in the office.
- Keep your school safe; tell a teacher or someone in the office when you learn of something that threatens your safety or your school's safety, such as drugs, weapons, or scary behavior.

## **8. KINDNESS**

- Use kind, friendly words toward others.
- Do you like having friends? So do others. Be a friend to someone.
- Do you sometimes need help? So do others. Help someone.
- Do you appreciate someone sharing something with you? So do others. Share with others.
- Encourage others. See the good in them and praise them for it.

## **9. FAIRNESS**

- First, ask yourself, “Is this fair?” Then, ask yourself, “Am I being fair?”
- Expect fairness from others, and be fair to them.
- Fairness usually feels right; unfairness never does.

## **10. RESPECTFULNESS:**

- Ask yourself, “How do I want to be treated?” Then, treat others the way you want to be treated.
- Show respect for yourself and others through your actions and what you say.
- Respectful words and actions help when you are part of a group or team.
- You show respect for yourself and others by never using bad language and hand signals at school.
- You show respect when you get over conflicts without getting physical. Ask a grownup for help if you need it.
- You show respect when you take turns and allow others to do their work.
- You show respect when you follow the rules at sports and when you help others, rather than putting them down when they make a mistake.
- You show respect when you follow school dress rules.

## **11. SERVICE TO THE COMMUNITY:**

- Your community is the people around you at school and at home.
- Follow the rules of your community.
- Keep your school clean. Clean up after yourself.
- Recycle whenever possible.
- Be a leader when it helps the group.
- Be a follower when it helps the group.
- Share ideas that will help the group.
- Be a person who can be counted on by others.
- Participate in community projects.
- Help without being asked.

## **Shared Responsibilities for Student Behavior**

In order for our community’s children to maximize the benefits of a public education, everyone must share in the collective responsibility of promoting behavior that provides an environment in which all children can feel safe and learn. Certainly, all members of our community have a role to play as positive models for respectful behavior. The following paragraphs discuss basic responsibilities for students, parents, staff, and the community for ensuring a successful education for every child.

### **Students’ Responsibilities**

Students, you must take an active role in monitoring your own behavior and modeling appropriate behavior for your fellow students. In order to accomplish this, you must:



1. Become familiar with the conduct standards;
2. Strive to follow the conduct standards;
3. Accept and use feedback and/or discipline as resources to improve yourself; and
4. Set goals for improvement.

## **Parents' and Guardians' Responsibilities**

No role model is more powerful than a parent or guardian. Parents are “first and forever teachers” who set much of the direction for their child. Thus, parents and guardians must:

1. Become familiar with the conduct standards and discuss them with their children;
2. Support and reinforce behavior expectations and disciplinary policies of the school by assuming the primary responsibility for the discipline of their children;
3. Cooperate with and support teachers and staff;
4. Maintain regular communication with teachers regarding their children's school work and behavior;
5. Ensure that children attend school every day, unless ill, and that they arrive on time;
6. Teach their children to seek positive resolution to problems and to handle confrontation non-violently; and
7. Provide their children with a nurturing and healthy environment.

## **School Staff Responsibilities**

Each member of the school staff has the primary responsibility of providing for the educational needs of all students and for the safety of the school environment. The school staff members are responsible for:

1. Maintaining an atmosphere conducive to learning and good behavior;
2. Teaching and modeling the conduct standards;
3. Building close and productive relationships with students and their families by demonstrating respect, caring and effective communication;
4. Utilizing informal strategies to intervene with behavior when appropriate; and
5. Administering discipline in a fair and impartial manner to teach by example the principles of justice and citizenship by example.

## **Community and Family Service Organizations' Responsibilities**

Public, private, religious, secular organizations and businesses can support the prevention, intervention, and remediation of issues associated with student discipline when they:

1. Serve as mentors to help students develop positive social skills that foster safe school environments.
2. Assist in violence prevention, substance abuse education, and character development.
3. Serve as a resource for families of students unable to meet the behavioral expectations of the school and community;
4. Assist students and parents when students re-enter school following disciplinary exclusions; and
5. Become partners with schools to coordinate services which support the school system's disciplinary policies.

# Understanding the Code of Conduct – Q & A

## **Why does the District have a Student Code of Conduct?**

Preserving the safety and protecting the health and general welfare of students, District employees, visitors, and volunteers on school property and at school activities are the legal and moral responsibilities of the Governing Board and its Administration.

The Amphitheater Governing Board and Administration recognize that students should have and need a certain degree of freedom to express their individuality in school, but any such expression should never intrude upon or endanger the freedoms of others. The Governing Board has therefore established policies and directed the Superintendent to establish regulations for student conduct which will strike an appropriate balance between individual freedoms and safe schools.

While the District and its parents, students, and public have expectations for what student behavior should be like, and while we hope every student will strive to meet those expectations, we know that some students will violate those expectations and need some action to help ensure that the violation does not re-occur. The severity of these violations will vary, but many violations will warrant correction – some action to help ensure the violation does not recur. As a consequence, state law mandates that each school district governing board establish rules for student behavior, and include the range of consequences the District thinks will encourage more appropriate behavior in the future.

## **Do schools have their own rules for student conduct as well?**

The principal and faculty of each school may have established school-specific rules for student behavior and conduct. These school-based rules are in addition to those contained in this Code of Conduct, provided they are consistent with this Code of Conduct, the policies of the Governing Board, and applicable law.

Students must comply with both this District-wide Student Code of Conduct and with all rules established by the principal and faculty of the school they attend. A student's failure or refusal to comply with the rules of his or her school will subject the student to disciplinary action.

The principal of each school is required to ensure that copies of District and school rules pertaining to discipline, suspension, and expulsion of students are distributed to parents and students.

## **How does one interpret the Code of Conduct?**

Generally, words will be given their ordinary meaning, unless those terms are otherwise specifically defined. In the event of any conflict in interpretation, the determination of the Associate to the Superintendent shall be final. The interests of safety, and student and staff welfare, shall be paramount considerations in the interpretation of disciplinary rules.

## **What happens under the Code if a student only attempts to commit a prohibited act, or helps someone else to attempt or actually commit a prohibited act?**

When a student attempts to commit a prohibited act or participates in any way to help someone else to attempt a prohibited act, actually commits a prohibited act, or conceals the commission of a prohibited act, that student is subject to disciplinary action as if the student had committed the act. This ensures that students develop a sense of personal responsibility for behaviors they encourage or solicit in others. To be subject to discipline in any circumstance, however, the student must have, at a minimum, actively engaged in some behavior which facilitated, promoted, or protected the underlying behavior.

## **What does the Code mean by “possession?”**

A student will be considered to “possess” or “be in possession of” a substance or object if the student:

- (1) knows of the nature, existence, and location of the substance or object, or
- (2) takes control of the substance or object, regardless of the length of time of that control or their intention.

Students who “hold something for a friend” are responsible for possession.

## **What is the difference between criminal law and school district rules?**

Court proceedings relating to an incident at school are separate from the school’s disciplinary procedures. Courts take actions for violations of laws – usually criminal laws. Schools take disciplinary action for violations of school and District rules. Behavior which violates school rules may not violate criminal law. So, discipline may be imposed even if a court decides not to impose criminal penalties. The school administration may, however, be *required* to report certain kinds of student conduct to appropriate law enforcement officials if that conduct also constitutes a crime.

Student conduct matters are governed by District rules and policies, rather than criminal law or court procedures. Juvenile or criminal court matters are not controlled by school district rules or procedures. Schools may use different definitions of violations than used in criminal law. When making decisions, schools do apply a different burden of proof than the courts. To convict, the courts require evidence “beyond a reasonable doubt.” School decisions are based on the “preponderance of evidence.” A preponderance of evidence exists where there is a greater weight of evidence than the evidence offered in opposition to it (e.g. 50.1% vs. 49.9%).

## **Where and when does the Code of Conduct apply?**

This Code applies to students:

- During regular school hours;
- Whenever the student is being transported on a school bus or by other transportation arranged by the school District;
- When the student is traveling to and from school by any other means, including walking or personal travel;

- During school events, including off-campus events and activities such as field trips and athletic competitions;
- At other times where a school employee has jurisdiction or authority over students, including summer activities;
- During other activities associated with or supported by the school in any way; and
- On school or District grounds at any time, regardless of whether school is in session.

Additionally, the principal may take disciplinary action when a student's misconduct away from school has a detrimental effect on other students at school or on the orderly educational process of the District. Also, the principal may take disciplinary action if the violation is directly connected to prior violations at school or threatens to produce further violations or a risk of harm or injury at school.

## **What specific behaviors does this Code of Conduct prohibit?**

The tables which follow in the next section of this Code of Conduct list rules for student conduct (prohibited behaviors). Prohibited behaviors are classified by the following categories in the tables:

1. Aggression and Hostility
2. Alcohol, Tobacco, Medications, and Other Drugs
3. Arson and Combustibles
4. Attendance Violations
5. Harassment, Threats, Bullying, and Intimidation
6. Academic Dishonesty (Lying, Cheating, Forgery, or Plagiarism)
7. Disruptions to the Academic Process
8. Threatening the School Environment
9. Sexual Behaviors
10. Technology Abuses
11. Theft
12. Trespassing
13. Vandalism and Damage
14. Weapons and Dangerous Items

## **What specific consequences can be imposed for violations of this Code of Conduct?**

The tables which follow in the next section of this Code of Conduct list consequences for violations of the Code - the types of discipline which school District personnel are permitted or – in some situations – are required to impose.

The school principal or designee may determine the consequences from those listed. Multiple consequences may be selected by the principal. Principals can consider the age and developmental level of the student in setting disciplinary consequences.

Where a long-term suspension consequence is stated as “(Mandatory),” a principal must present the matter to a long-term suspension hearing officer appointed by the Governing Board for a formal hearing unless the principal requests and obtains a written waiver approved by the Superintendent or his designee. If granted, a mandatory expulsion consequence for the same violation may be waived at the same time.

If not waived as noted above, a “(Mandatory)” expulsion consequence likewise requires that the matter be presented to a hearing officer appointed by the Governing Board to hear the matter and make a recommendation to the Governing Board about expulsion. This expulsion consequence may be waived by the Superintendent (or his designee) upon the student providing proof that he/she has met any terms and conditions set forth by the Long-term Suspension Hearing Officer.

The disciplinary consequences include the following school level and District level actions:

### **School Level Disciplinary Actions:**

Where appropriate or required, school personnel may implement the following disciplinary actions:

- **Activity Restriction** – Restricting a student from participating in or attending school activities such as dances, performances, athletic contests, team practices, club meetings, events, parties, etc.
- **Bus Probation** – Establishing conditions with which the student must comply in order to continue riding the school bus.
- **Bus Suspension** – Denying the student the privilege of riding a school bus for violations of the Student Code of Conduct, even if the student is not denied the right to attend school.
- **Conference** – Meeting or contacting two or more of the following: the student, parent, counselor, principal, and other District staff members.
- **Detention** – Requiring that a student report to a specified location at certain times during school and before or after school, including "Saturday school."
- **In-Class/School Discipline** – Imposing consequences, which do not require suspension from school, such as loss of privileges, additional work assignments, temporary removal from class, and/or other classroom or school-based consequences.
- **In-School Suspension** – Assigning a student to attend a location in the school that is in an area removed from the regular education setting.
- **Probationary Contract** – Executing a written document setting out academic and/or behavioral stipulations for the student. Violation of the contract will result in additional, usually more severe, disciplinary action.
- **Reprimand** – Reprimanding the student, verbally or in writing, by a principal or other staff member.
- **Removal From Class** – Excluding the student from a classroom. The teacher is responsible for maintaining an appropriate learning environment in the classroom. Arizona law, therefore, permits a teacher to temporarily exclude a student from the teacher's class for serious disruption of the educational process within the teacher's classroom or for exhibiting persistent disobedient behavior. The teacher may also refuse to readmit the student to the classroom under certain circumstances. In the event of such a removal from class, the student will report to a location at school determined by the school principal. School-based procedures which determine whether the student may return to the class are then implemented.

- **Requests for District-Level Disciplinary Actions** (listed below).
- **Revocation of Automobile Privileges** – Revoking automobile privileges.
- **Revocation of Off-Campus Privileges** – Revoking off-campus privileges.
- **Short-Term Suspension** – Suspending a student from school for up to nine (9) school days. During the term of a short-term suspension, the student must remain away from all District schools and activities. If it is necessary for a student to come to a school during a short-term suspension, the student must make prior arrangements with the principal to do so. A short-term suspension imposed by the principal's designee may be appealed to the principal. A short-term suspension, which was imposed or approved by the actual school principal, is not subject to appeal.
- **Student Schedule or Curriculum Adjustment** – Changing the student's class schedule, teacher, courses, instruction, or access to components of curriculum.
- **Time Out** – Removing a student from instruction in the classroom or from other school activities for a period not to exceed three hours. During time out, the student is reassigned to a supervised area such as the principal's office, alternative or in-school suspension programs, or responsibility rooms.
- **Work Assignments/Community Service** – Providing the student, at the District's discretion, an opportunity to perform supervised activities related to the assistance of District personnel, or to the upkeep and maintenance of school facilities or other public properties, instead of serving or while serving a suspension or expulsion. The student and parent(s) may also request this alternative; however the final decision rests with the principal. Supervision by parents may be required for this alternative.

### **District-Level Disciplinary Actions:**

Where appropriate or required, District-level personnel may implement the following disciplinary actions:

- **Any of the School Level Disciplinary Actions (listed above)**
- **Long-Term Suspension** – Suspending a student from school for a term not to exceed the total number of school days in one school year (presently 178 school days). A long-term suspension may carry over from one school year into the next. The suspension hearing officer may provide an opportunity for the student to return early from suspension by meeting certain terms and conditions. During the term of a long-term suspension, the student must remain away from all District schools and activities. If it is necessary for a student to come to a school during a long-term suspension, the student must make prior arrangements with the principal to do so. A long-term suspension may only be imposed following a hearing held by a District-level hearing officer. A student or parent has a right to appeal the decision of the District hearing officer to the Governing Board in accordance with District policy and regulation. Suspensions remain in effect pending the Board's review of any appeal.
- **Expulsion** – Expelling a student from school until specifically permitted to return to school by the Governing Board, usually based upon the student's and the parent's compliance with certain terms and conditions. Expulsion can be permanent as well. During the term of an

expulsion, the student must remain away from all District schools and activities. If it is necessary for a student to come to a school during an expulsion, the student must make prior arrangements with the principal *and the hearing officer* to do so.

Following a long-term suspension hearing, the hearing officer may provide an opportunity for the student to avoid an expulsion hearing by meeting certain terms and conditions. If this action is not appropriate based on the circumstances surrounding the student's Code violation(s), or the terms and conditions are not met, whether or not the student should be expelled, and if so, under what conditions (if any) the student might be able to re-apply for admission to the District. **Only the Governing Board can make the final determination of whether a student should be expelled and under what conditions the student might be able to re-apply for admission to the District.** Before making its decision, the Board will consider the reports of both hearing officers and the statements of the student, his/her family, and their lawyer if any are present and choose to speak in accordance with District policy and regulation.

## **Are educational services provided to suspended and expelled students?**

In some circumstances, the District will offer ongoing educational services to students who are suspended or expelled. Whether the District does so depends upon the length of the exclusion from school, the student's status as a disabled student, and the nature of the student's offense.

Where students are eligible for and are offered continuing services by the District, the student's active participation in the alternative education services offered may be considered as a factor in reducing the level of discipline normally appropriate for the offense involved. For example, if a student is suspended for possession of illegal drugs and is being considered for expulsion as well, the fact that the student has enrolled in and is actively pursuing his/her education in the alternative program offered by the District may result in waiver of the requirement under this Code for expulsion or may even serve to reduce the term of the long-term suspension.

## **Are there special considerations for athletes and extracurricular participants?**

Students participating in interscholastic activities for their schools do so as representatives of their school community and as role models for other students. Their involvement with tobacco, drugs, and alcohol at any time can therefore negatively reflect upon their community and convey a poor example to their peers. In addition, the use of tobacco, drugs or alcohol by athletic or activity participants can lead to an increased risk of harm or severe injury to themselves or others during those activities.

The Amphitheater District therefore maintains a zero tolerance "24/7" policy on the use of tobacco, drugs, or alcohol by interscholastic participants. Any interscholastic participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during their active season of competition will be immediately removed from the activity for the balance of the season. This rule applies 24 hours a day, seven days a week, regardless of a student's location.

Similarly, other behaviors by student representatives can reflect upon their team, school, and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a team event, a school activity, a community function, or on the internet, student representatives must always observe

appropriate decorum, behavior, and etiquette when acting in any way that is connected to the school or team.

## **How does this Code of Conduct apply to students of different ages and developmental factors?**

The rules and procedures outlined in this Student Code of Conduct apply to all District students. The age, maturity, and developmental factors of students may be considered in determining the type of disciplinary action to be taken in the event of violations. Generally speaking, the older and more mature a student is and/or the more serious the infraction, the more personal responsibility the student will carry for his or her actions.

District personnel who administer student discipline will follow appropriate disciplinary procedures for disabled students when dealing with students in special education programs, with those receiving Section 504 accommodations, and with those who are pending evaluation.

# **Conduct Rules and Consequences**

## **School-Level Actions**

Code of Conduct Rule violations may result in one or more of the following School-Level Actions:

Activity Restriction	Removal from Class
Bus Probation/Suspension	Reprimand
Community Service	Revocation of Automobile Privileges
Conference	Revocation of Off-Campus Privileges
Detention	Schedule or Curriculum Adjustment
In-Class/School Discipline	Short-term Suspension
In-School Suspension	Time Out
Probationary Contract	Work Assignment

Each School Level Action involves a conference with the student to review appropriate conduct.



<u>Prohibited Behavior</u>  <b>Aggression and Hostility</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>1A. Provocation</b>  Use of any form of communication (verbal or written) or gestures, including exhibiting gang signs, that may cause others to fight or engage in other hostilities; challenging someone to fight.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension
<b>1B. Minor Aggressive Act</b>  Inappropriate physical contact (non-sexual) which does not cause serious injury.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension

Examples of **MINOR AGGRESSIVE ACT** include, but are not limited to, spitting, tripping, hitting, poking, pulling, or pushing.

<b>1C. Fighting</b>  Mutual participation by two or more students in an incident involving physical violence, where there is no major injury.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
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A verbal confrontation alone does not constitute **FIGHTING**. Students should avoid fighting at all times. If provoked, the first response should be to walk away.

“Mutual participation” for **FIGHTING** may exist if physical violence continues longer than reasonably necessary.

Self-defense is NOT a defense if excessive force is used to defend.

<u>Prohibited Behavior</u>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>Aggression and Hostility</b>		
<b>1D. Assault</b>  Causing any physical injury to another person; making another person reasonably fearful of physical injury; knowingly touching another person with the intent to hurt, insult or provoke that person.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>1E. Aggravated Assault</b>  Committing assault which: <ul style="list-style-type: none"> <li>• Causes serious physical injury to another; or</li> <li>• Involves a deadly weapon or dangerous instrument; or</li> <li>• Is inflicted upon someone 15 years or younger by someone 18 years old or older; or</li> <li>• Is an assault of a police officer; or</li> <li>• Is an assault of a school employee.</li> </ul>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion

<u>Prohibited Behavior</u>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>Alcohol, Tobacco, Medications and Other Drugs</b>		
<b>2A. Alcohol Use or Possession</b>		
Using or being under the influence of alcohol; possession of an alcohol beverage.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>2B. Alcohol Distribution</b>		
Providing or selling an alcohol beverage to another.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions, Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>

**ALCOHOL** includes substances represented to be alcohol or believed to be alcohol, regardless of whether they are actually alcohol.

**Special 24/7 Rule for Interscholastic competitors and athletes**

Interscholastic participants, who use, possess or distribute tobacco, drugs or alcohol at any time during their season of competition will be removed from the activity for the balance of the season. This rule applies 24 hours a day, seven days a week, regardless of a student's location.

<u>Prohibited Behavior</u>  <b>Alcohol, Tobacco, Medications and Other Drugs</b>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>2C. Drug Use or Possession</b>  Use or possession of any drug or narcotic substance;  Being under the influence of any drug at school or at any school-related event.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>2D. Drug Paraphernalia Possession</b>  Possession of any paraphernalia.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>2E. Drug or Paraphernalia Distribution</b>  Making, distributing, selling, buying, or giving any drug, narcotic substance or paraphernalia to another person;  Transporting or holding drugs or paraphernalia for another;  Providing prescription or over-the-counter medication to another student.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>

To prevent accidental injuries and protect others, students must obtain written permission from the principal to possess or use any form of **MEDICATION**, including over-the-counter substances like pain relievers, vitamins, and supplements at school.

Over-the-counter **cough drops** and **sunscreen** are permissible to bring to school, without written permission from the Principal, for self-administration at school, but **may not be shared**.

**DRUG** means any narcotic drug, dangerous drug, marijuana, or peyote (A.R.S. §13-3415) and may include:

- Prescription Drugs (Inappropriately Used);
- Over-the-Counter Drugs (Inappropriately Used);
- Illicit Drugs, including but not limited to, Methamphetamines; Ecstasy, Cocaine or Crack, Hallucinogens, or Heroin.
- All parts of any plant of the genus *Cannabis*, including, but not limited to, extracted resin, salt, compound, derivative, mixture or preparation.
- Cannabinoids (synthetic or natural) commonly called marijuana, THC, “fake weed,” “spice,” “K2,” “bath salts,” etc.; and/or

- Any substance represented to be a drug.

**PARAPHERNALIA** means all equipment, products and materials of any kind which are used, intended for use, or designed for use in producing, testing, packaging, storing, concealing, ingesting, inhaling or otherwise introducing a drug into the human body, including a vapor releasing device such as an electronic cigarette or parts from a vapor releasing device, such as an adapter, cartridge or charger.

<u>Prohibited Behavior</u>  <b>Alcohol, Tobacco, Medications and Other Drugs</b>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>2F. Tobacco Possession</b>  Possession of tobacco and related products.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>2G. Tobacco</b>  Use, distribution or sale of tobacco and related products other than liquid nicotine*.  <i>* Liquid nicotine is addressed under Rule 2I as Vaping.</i>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>2H. Medication Violation</b>  Use or possession of prescription, over-the-counter or herbal medications at school without prior written permission of the principal.*	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>2I. Vaping</b>  Use or possession of an inhalant product from a vapor-releasing device.  <i>Inhalant</i> includes liquid nicotine or other liquid substances for inhaling in a vapor form through an electronic cigarette or similar device.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion

Examples of **TOBACCO** and **TOBACCO-RELATED PRODUCTS** include: cigars, cigarettes, and other nicotine delivery devices, cigarette papers, and smoking or chewing tobacco, except that any substance inhaled through a vapor releasing device (including liquid nicotine) is classified as “**VAPING**” under Rule 2I.

<u>Prohibited Behavior</u>  <b>Arson and Combustibles</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>3A. Arson</b>  Damaging a structure or property by knowingly causing a fire or explosion.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>3B. Combustibles</b>  Possession or use of something capable of causing bodily harm or property damage if ignited;  Possession or use of a smoke bomb or something similar that is capable of causing others to believe a fire is occurring.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory in situations of serious risk of harm to persons or property)</b>

When a student uses a combustible to cause a fire, he/she has committed **ARSON**.

**COMBUSTIBLES** include, but are not limited to:

- Matches
- Lighters
- Flammable substances
- Firecrackers, Fireworks
- Poppers
- Smoke/Stink bombs
- Flash paper
- Sparklers
- Caps
- Ammunition (live or blank)

<u>Prohibited Behavior</u>  <b>Attendance Violations</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>4A. Tardy</b>  Arriving at school or to class after the scheduled start time.	School Level Actions	School Level Actions Short-term Suspension
<b>4B. Excessive Tardies</b>  Arriving at school or to class after the scheduled start time five percent (5%) or more of the time.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion*
<b>4C. Off Campus/Unauthorized Area Violation</b>  Leaving school grounds or being in an “off limits” area during regular school hours without permission of the Principal.	School Level Actions	School Level Actions Short-term Suspension
<b>4D. Unexcused Absence</b>  Failing to attend school without parent or legal guardian permission.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension*
<b>4E. Excessive Absences / Truancy</b>  Failing to attend school, unless excused, for more than ten percent (10%) of the number of required attendance days.	School Level Actions	School Level Actions Short-term Suspension Long-term Suspension* Expulsion
<b>4F. Leaving Class Without Permission</b>  Leaving class without teacher permission.	School Level Actions	School Level Actions Short-term Suspension Long-term Suspension* Expulsion*

\* when combined with other offenses



<u>Prohibited Behavior</u>  <b>Harassment, Threats, Bullying, and Intimidation</b>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>5A. Nonsexual Harassment</b>  Any form of communication or conduct that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed, or harassed due to their race, color, religion/religious beliefs, creed, gender, identity, age, national origin, citizenship status, marital status, political beliefs/affiliation, disability, home language, family, social or cultural background.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>5B. Bullying and/or Cyberbullying</b>  Acting toward someone in an unwelcome and unprovoked manner, repeated over time, which exerts power over that person on or off District property;  Actions that contribute to a substantial risk of potential injury, mental harm, degradation, or societal exclusion or causes physical injury, mental harm or personal degradation.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>5C. Threats and Intimidation</b>  Threatening or suggesting, by words or conduct, the intention to cause physical injury or serious damage to a person or their property;  Associating with or participation in a group which exhibits negative attitudes and actions toward others.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>5D. Hazing</b>  Acting against another student, where both of the following apply:  The act is in connection with initiation into, affiliation with, or membership in any school organization; and  The act poses a risk of or causes injury, mental harm or degradation.	School Level Actions Short-term Suspension <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion

**BULLYING** requires an imbalance of power (real or perceived), repeated over time, between one or more persons and the victim. Actions may include:

- physical (pushing, hitting, kicking, spitting, stealing);

- verbal (making threats, taunting, teasing, name-calling); or
- psychological (spreading rumors, social exclusion, manipulating social relationships).

**NONSEXUAL HARASSMENT** is different from **BULLYING** in that the reason for the negative comment or act is due to a person being a part of a particular category of identity/group which has the legal protections, or for which the District's policies provide protections, such as race, ethnicity, gender, sexual orientation or identity, or disability. It also does not require the conduct to be repeated over time.

**NONSEXUAL HARASSMENT** is different from **SEXUAL HARASSMENT** due to a lack of connection between the comment/actions to a desired sexual relations, sexual act, or romantic involvement of the parties.

**CYBERBULLYING** includes behavior that occurs through direct and indirect electronic acts (electronic mail, text messages, instant messaging, digital pictures or images, website / social media / blog postings, etc.).

An example of **HAZING** includes using hand signals, graffiti, apparel, accessory, or manner of dress or grooming which by color, arrangement, trademark, symbol, or other attribute indicates or implies membership or affiliation with such a group.

A "**SCHOOL ORGANIZATION**" means an athletic team, association, order, society, corps, cooperative, club, or similar group that is affiliated with a District school and whose membership consists primarily of students.

<u>Prohibited Behavior</u>  <b>Academic Dishonesty</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>6A. Cheating</b>  Claiming someone else's information or school work for your own;  Recording and/or transferring information about tests or quizzes to another person.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>6B. Forgery</b>  Falsely and fraudulently making or altering a document;  Modifying a school-related document by any means without written permission.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>6C. Lying</b>  Making an untrue statement with intent to deceive; creating a false or misleading impression.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>6D. Plagiarism</b>  Stealing and passing off the ideas or words of another as one's own.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Long-term Suspension Expulsion

<u>Prohibited Behavior</u>  <b>Disruptions to the Academic Process</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>7A. Disruption</b>  Engaging in behavior which causes an interruption in a class, activity, or school business;  Any behavior that requires the involvement of law enforcement personnel.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension
<b>7B. Dress Code Violation</b>  Wearing clothing or accessories which do not comply with the dress code guidelines stated by school or District policy;  The failure to wear or display student identification.	School Level Actions	School Level Actions Short-term Suspension Long-term Suspension
<b>7C. Insubordination</b>  Refusal to follow directions of school personnel;  Delivering socially rude comments or conduct toward school personnel.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>7D. Inappropriate Language or Gestures</b>  Verbal swearing, name-calling, making racial, ethnic, religious or gender slurs, exhibiting gang signs, or the use of words in an offensive or demeaning manner;  Making gestures toward others intended to offend or annoy the other person;  Making gestures that communicate a hostile or sexual message.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension

A **DISRUPTION** may include, but is not limited to:

- sustained talk or verbal outbursts; horseplay or roughhousing; being out of your seat repeatedly; or
- an act that occurs off campus, including online or through social media, which has a disruptive impact on the learning environment of a school campus.

<u>Prohibited Behavior</u>  <b>Disruptions to the Academic Process (cont.)</b>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>7E. Parking Violation</b>  Parking on school grounds or near school in a manner or location contrary to the school's parking rule;  Not displaying proper and required permits as may be issued by the District or the Arizona Department of Motor Vehicles.	School Level Actions	School Level Actions
<b>7F. Gambling</b>  Playing games of chance for money or property.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension
<b>7G. Pranks</b>  Any act of mischief that disrupts or distracts from a class, school activity or school event.	School Level Actions	School Level Actions Short-term Suspension Long-term Suspension
<b>7H. Probation Violation</b>  Violation of any term or condition of academic and/or disciplinary probation contract assigned by a school administrator or District hearing officer.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>7I. Safety Violation</b>  Acting in a manner that endangers the well-being of yourself or other person(s).	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>7J. Gang-related Clothing or Accessories</b>  Wearing or displaying clothing items, images or accessories that represent gang affiliation or membership.	School Level Actions Short-term Suspension <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b>

<u>Prohibited Behavior</u>  <b>Threatening the School Environment</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>8A. Bomb Threat</b>  Threatening to cause harm to property or person using a bomb, dynamite, explosive, or arson-causing device.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>8B. Chemical or Biological Threat</b>  Threatening to cause harm using dangerous chemicals or biological agents.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>8C. False Fire Alarm</b>  Intentionally ringing a fire alarm when there is no fire;  Falsely reporting a fire.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>8D. Other Threat to School</b>  Any threat (not listed in Rules 8A, 8B or 8C above) to cause damage to a school building or school property, or to harm students or staff.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>

<u>Prohibited Behavior</u>  <b>Sexual Behaviors*</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>9A. Sexually Inappropriate Materials</b>  Possession of materials containing sexually explicit depictions.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension
<b>9B. Inappropriate Physical Contact</b>  An isolated incident of unwelcome contact of a sexual nature.	School Level Actions Short-term Suspension Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>9C. Sexual Harassment</b>  Unwelcome conduct or comment of a sexual nature toward another person associated with their gender/sex, sexual orientation, gender identity, or gender expression which is: <ul style="list-style-type: none"> <li>• Severe; AND</li> <li>• Pervasive; AND</li> <li>• Objectively offensive so it interferes with another person's full participation in the educational process or any school program or activity.</li> </ul> Sexual Assault, Dating Abuse/Violence and Domestic Abuse/Violence are considered Sexual Harassment.  Comments and contact toward anyone due to their sexual orientation, gender identity, or gender expression may be considered Sexual Harassment.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>9D. Sexual Harassment With Bodily Contact</b>  Sexual Harassment (defined above) that includes unwanted physical contact of sexual or non-sexual body parts.  Any bodily contact linked to dating abuse/violence or domestic abuse/violence.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>

**SEXUALLY INAPPROPRIATE MATERIALS** includes, but is not limited to, photographs, drawings, recordings, and written language.

**SEXUAL HARASSMENT** includes, but is not limited to, unwelcome sexual advances, requests for sexual favors, teasing, jokes, and other verbal, nonverbal, or physical

conduct of a sexual nature; coercion of a third party to commit harassment towards another person.

**SEXUAL ORIENTATION** means romantic attraction to a certain gender.

**GENDER IDENTITY** means a person's deeply-felt, inherent sense of being male, female or an alternative gender.

**GENDER EXPRESSION** is how the person shows their gender identity in their mannerisms, dress, or ways of communication.

*\*Federal law imposes limitations on school district discipline pertaining to allegations of sexual behavior. See Policy ACAA and Regulation ACAA-R in the appendix.*



<u>Prohibited Behavior</u>	<u>Consequences</u>	
<b>Sexual Behaviors (cont.)</b>	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>9E. Indecent Exposure</b>  Exposure of a person's own genitals, buttocks or female areola.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions, Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>9F. Inappropriate Public Display of Affection</b>  Affectionate behavior between two consenting students that would reasonably offend another person.	School Level Actions Short-term Suspension Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>9G. Public Indecency</b>  Displaying one's private parts or engaging in sexual acts.	School Level Actions Short-term Suspension Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion

**INDECENT EXPOSURE** requires the presence of another person and disregard about whether that other person would be reasonably offended or alarmed by the act.

<u>Prohibited Behavior</u>	<u>Consequences</u>	
<b>Technology Abuses</b>	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>10A. Inappropriate Use of Technology</b>  Using District computers, network or other technology to post, send, or share personal information, on or off District property, about one's self or about others without prior permission from a teacher and parent to do so.	School Level Actions	School Level Actions Short-term Suspension Long-term Suspension Expulsion

**PERSONAL INFORMATION** includes names, pictures, addresses, telephone numbers, school address, etc.

<u>Prohibited Behavior</u>  <b>Technology Abuses (cont.)</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>10B. Misuse of Technology</b>  Making or attempting unauthorized access to any Amphitheater Information System (AIS): <ul style="list-style-type: none"> <li>• Using or attempting to use the AIS to:</li> <li>• Access any other computer system;</li> <li>• Access District-prohibited website;</li> <li>• Bypass firewall or access proxy accounts;</li> <li>• Perform any illegal or inappropriate acts; and/or</li> <li>• Disrupting or modifying the AIS or data by spreading viruses or by any other means.</li> </ul>	School Level Actions Short-term Suspension Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>10C. Misuse of Personal Technology</b>  Using personal technology, on or off District property, in a manner that has a disruptive impact in class, on a school campus or at school activities.	School Level Actions Short-term Suspension Long-term Suspension Revocation of BYOD (Bring Your Own Device)	School Level Actions Short-term Suspension Long-term Suspension Expulsion

**MISUSE OF TECHNOLOGY / PERSONAL TECHNOLOGY** includes, but is not limited to:

- a student logging in through another person's account or accessing their files without their written permission;
- drug or alcohol purchase, distribution, or sale;
- criminal or related gang activities;
- threatening conduct, bullying;
- searching and/or posting obscene, lewd, vulgar, rude, inflammatory, threatening or disrespectful language, or pictures;
- posting false or defamatory information about a person or organization;
- posting a donation request which inaccurately represents that the District, or any of its schools, clubs, or activities, are a beneficiary of the request;
- posting or sending harassing messages or chain letters;
- engaging in "spamming" (sending unnecessary messages to a large number of people);
- unauthorized use of a cell phone or other form of technology;
- installation of unauthorized hardware, software or code on any AIS or on any personal device at school.

<u>Prohibited Behavior</u>	<u>Consequences</u>	
<b>Theft</b>	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>11A. Theft of School Property</b> Taking District money or property with the intent to deprive the District of the money or property.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>11B. Theft of Non-School Property</b> Taking money or property belonging to someone other than the District with the intent to deprive the victim of the money or property.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion
<b>11C. Extortion</b> Obtaining or trying to obtain someone else's property by threatening to do any of the following: <ul style="list-style-type: none"> <li>• Causing physical injury to someone;</li> <li>• Causing damage to property;</li> <li>• Accusing someone of a crime; or</li> <li>• Exposing a secret which may subject someone to contempt, hatred, or embarrassment.</li> </ul>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>11D. Robbery</b> Using force to take money or property belonging to someone else with the intent to deprive the victim of the money or property.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>

<u>Prohibited Behavior</u>  <b>Theft</b>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>11E. Breaking and Entering</b>  Entering or remaining unlawfully in or on property that does not belong to you with the intent to commit theft.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion
<b>11F. Burglary with a Dangerous Instrument or Weapon</b>  Entering or remaining unlawfully in or on property that does not belong to you with the intent to commit theft while in possession of a dangerous instrument or weapon.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>

<u>Prohibited Behavior</u>  <b>Trespassing and Loitering</b>	<u>Consequences</u>	
	1 <sup>st</sup> Incident	2 <sup>nd</sup> (or more) Incident
<b>12A. Trespassing</b>  Entering or remaining on a school campus or other District facility (other than where you are enrolled) without authorization, invitation or lawful purpose.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>12B. Loitering</b>  Being on school property without a legitimate reason for being there;  Refusing or failing to identify yourself while on school property.	School Level Actions Short-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion

**TRESPASSING** includes students under suspension/expulsion; and those students who enter, or remain at, a school campus or facility after being directed to leave.

A **LOITERING** student includes one visiting any School District campus (other than where the student is enrolled) while school is in session without first receiving permission from the principal of the campus being visited.

<u>Prohibited Behavior</u>  <b>Vandalism and Damage</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>13A. Vandalism</b>  Destroying or defacing school or personal property.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension Expulsion
<b>13B. Graffiti or Tagging</b>  Making drawings or writing words or symbols on the property of another by scratching, painting or other means.	School Level Actions Short-term Suspension Long-term Suspension	School Level Actions Short-term Suspension Long-term Suspension

<u>Prohibited Behavior</u>  <b>Weapons and Dangerous Items</b>	<u>Consequences</u>  1 <sup>st</sup> Incident                      2 <sup>nd</sup> (or more) Incident	
<b>14A. Weapon (Other Than Firearm)</b>  Possession, transfer, concealment, sale or use of any item that may be used for attack or defense that is capable of causing death or serious injury;  Use of a dangerous item to threaten, intimidate, attack or harm another.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>14B. Firearm</b>  Possession, transfer, concealment, sale or use of any weapon that is designed to expel a projectile by the action of an explosive or which may readily be converted to expel a projectile by the action of an explosive.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion <b>(Mandatory)</b>
<b>14C. Dangerous Item</b>  Possession, transfer, concealment, sale or use of anything that is readily capable of causing death or serious physical injury.	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension Expulsion	School Level Actions Short-term Suspension <b>(Mandatory)</b> Long-term Suspension <b>(Mandatory)</b> Expulsion

A **WEAPON (NON-FIREARM)** includes, but is not limited to:

- Knives with locking blades and/or blades longer than two and one-half (2 ½) inches);
- Brass knuckles;
- Explosive or destructive device intended for use as weapon;
- Any dangerous or hazardous object or substance intended for use as weapon;
- Nunchakus; and
- Poisonous gas.

A **FIREARM** includes, but is not limited to: handgun, pistol, revolver, rifle, shotgun, starter pistol.

A **DANGEROUS ITEM** includes, but is not limited to:

- B.B. or pellet guns,
- simulated firearms,
- knives with blade length of less than 2.5 inches,
- laser pointers,
- letter openers,
- mace/pepper spray,
- paintball guns,
- razor blades,
- box cutters,
- simulated knives,
- tasers or stun guns,
- tear gas, or
- unauthorized use of a drone/UAS/unmanned aerial systems.

# Special Disciplinary Rules

## Weapons and Drugs

In the case of *weapon* or *drug distribution* violations, long-term suspensions, and expulsion hearings are (MANDATORY), with limited exceptions.

Possession of weapons is a particularly serious matter. Federal and state law require the school District to expel any student – for no less than one school year - who brings a firearm to school or to a school activity. The law provides for very limited exceptions to this strict rule, which can only be determined by the Governing Board of the District on a case-by-case basis.

## Special Rule for Athletic and Activity Participants

Students participating in interscholastic activities for their schools do so as representatives for their school community and as role models for other students. When those students engage in drug or alcohol related behavior, it can negatively reflect upon their school community and can jeopardize their safety or that of other participants. Such involvement by these student leaders also sets a poor example for their peers.

As a consequence, the Amphitheater District maintains a “24/7” policy on the use of drugs or alcohol by interscholastic activity participants. Any participant who uses, possesses or transfers tobacco, alcohol or drugs at any time during a season will be immediately removed from the activity for the balance of that season. This rule applies 24 hours a day, seven days a week, regardless of a student’s location.

Other (non-drug or alcohol related) behaviors by student representatives can also reflect upon their team, school and community. Students participating in interscholastic activities should be mindful at all times of the important role they play in their school community and how their behavior can negatively impact their fellow teammates, their fellow students, and the school in general. Whether at a team event, a school activity, a community function, or on the internet, student representatives must always observe appropriate decorum, behavior, and etiquette when acting in anyway that is connected to the school or team.

## Threatening an Educational Institution

Arizona law prohibits any person, including students, from threatening the safety and security of a public school or school district.

In accordance with Arizona Revised Statutes Section 15-841(H), a student who threatens a school must be expelled for a period of no less than one full year. The School District Governing Board may only rarely modify this strict expulsion requirement on a case-by-case basis.

A student subject to this expulsion requirement may also be assigned to an alternative educational program if the student participates in mediation, community service, restitution, or other programs in which the student takes responsibility for the results of the threat. The District may require the student’s parent(s) to participate in such programs with the student as a condition to the student’s reassignment to an alternative educational program.

## Behaviors that Must be Reported to Law Enforcement

Regardless of disciplinary action taken (or not taken) by a school, certain student behaviors must be reported to appropriate law enforcement authorities under the law. In accordance with law, school officials will report the following behaviors to law enforcement authorities:

- Aggravated assault
- Arson
- Bomb threats
- False fire alarms
- Non-accidental injuries to student.
- Assault
- Possession of weapons
- Possession, sale, or distribution of drugs; dangerous items, or alcohol
- Sexual assault/misconduct
- Threatening an educational institution

The District will also report any person's involvement in illegally removing a student from the school or other places where the Principal has jurisdiction over the student, such as on school buses, on field trips, at athletic functions, and during school-sponsored events.

Additionally, the Principal may report to the law enforcement agencies other potentially disruptive incidents occurring within the regular operation of the school. Such incidents include, but are not limited to, the following:

- Demonstration by students which could create unsafe conditions
- Extortion
- Theft/possession of stolen property
- Trespassing
- Vandalism

The District may also report any person's disruption or interference with any school function.

The foregoing lists are not exclusive and exhaustive. Other conduct MAY be reported to law enforcement officials if deemed necessary by the Principal or other administration of the District.



# District Policies of Importance Regarding Student Behavior

Policies are adopted by the Amphitheater Governing Board for the safety and welfare of the District's students, staff, and community and, in some cases, as required by law.

The following policies and regulations are particularly significant in guiding students and parents as to the conduct and behavior expected while attending school-related activities. Policies may be revised at any time. The most current policies are maintained on, and available through, the District's website.

## **Amphitheater Information System Electronic User Requirements**

All District students are required to abide by the following:

### **Acceptable Uses**

The Amphitheater Unified School District provides students with access to information systems and educational technology resources consisting of: stand-alone computers and peripheral equipment, computer workstations connected to local area networks, server and networked peripheral equipment, a wide area network which includes access to the Internet, voice communication system, and electronic communication systems which include audio and video capability.

The Amphitheater Information System (AIS) may only be used for educational purposes. The term "educational purposes" includes classroom activities, career or professional development, limited high-quality personal research and other work related purposes. Students may not use the system for entertainment purposes, commercial purposes, or political lobbying. Students are expected to follow the rules set forth in the District's disciplinary code and the law. In addition to these Requirements, students' use of the AIS is governed by Governing Board Policy IJNDB copies of which are available at each school office or online.

The AIS has not been established as a public access service or a public forum. Therefore, the District has the right to place reasonable restrictions on the material accessed or posted through the system. Students are expected to follow the rules set forth in the District's Policies and Administrative Regulations and the law and realize that information accessed, created, sent, received, or stored on the network is not private. It is subject to review by network system administrators and system administrators may investigate complaints regarding inappropriate or illegal material.

### **Unacceptable Uses**

To prevent against unacceptable use of the AIS, students must comply with the following:

#### **To ensure their personal safety and that of others, Students shall:**

- not post personal contact information about themselves, or others (i.e. names, addresses, telephone numbers, school address, etc.), without prior written permission from a teacher and/or parent to do so.
- not personally meet with someone they contact online without their parent's approval.
- promptly tell their teacher or school principal if they receive any message that is inappropriate or makes them feel uncomfortable.

#### **It is illegal for Students to do the following:**

- Attempt to gain unauthorized access to the AIS or any other computer system through the AIS.

- Attempt to log in through another person's account or access their files without their written permission.
- Attempt to disrupt the AIS or destroy data by spreading viruses or by any other means.
- Use the AIS to engage in any other illegal or inappropriate acts (drug or alcohol purchase, distribution or sale, criminal gang activity, threatening conduct, etc.).
- Plagiarize, misuse, or reproduce copyrighted works.

**In their use of the AIS, Students shall observe the following language standards:**

- No obscene, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
- No posting of information that could cause damage or danger of disruption to the educational environment or operations of the District.
- No personal attacks, including prejudicial or discriminatory attacks on individuals or groups. No harassment.
- No sending someone messages if they have told you to stop.
- No knowingly or recklessly posting false or defamatory information about a person or organization.
- No posting chain letters or engaging in "spamming" (sending unnecessary messages to a large number of people).

**Students must be mindful of the following security matters:**

- They are responsible for their email and/or network account. They should not provide their password to another person or use another person's password.
- They should not permit another person to use their account.
- They should immediately notify their teacher if they have identified a possible security problem.
- They should not download software or load software on the network or hard drive of any computer.
- They should not attempt to harm or destroy data of another user or any other agencies or networks connected to the AIS. This includes, but is not limited to, uploading or creating computer viruses.
- They should not move, harm, destroy, or deface any District-owned hardware.
- They should not attempt to repair District-owned equipment without prior written approval.
- They should have all personally-assigned District computer equipment at school during school hours.
- They should notify their teacher if a password is lost or stolen, or if there is a reason to believe that someone has obtained unauthorized access to the system.
- They should not attempt to use any personal electronic devices (i.e. PDAs, Blackberries, cell phones, etc.) to disrupt or damage the District's network.
- Wireless networks will not be permitted without written authorization of the Executive Director of Technology.
- No personal equipment (i.e., computers, laptops, PDA's) shall be connected to District network systems without written permission of the Executive Director of Technology.

**Inappropriate Access to Material**

- Students may not access material that is profane or obscene, that advocates illegal acts, or that advocates violence or discrimination towards others (i.e. hate literature). A special exception may be made for teachers or high school students who must access hate literature for the purpose of a school assignment. In this situation, a student must obtain written teacher consent.
- If a student mistakenly accesses inappropriate information, they must immediately tell a teacher.
- Students will not use free, web-based mail, instant messaging, and video conferencing or chat services, which are not permitted on school networks unless expressly authorized.
- Development and posting of all web pages must be in a manner specified by the District's Department of Informational Technology. Material placed on web pages must relate to school and career preparation activities and be used to inform, communicate, and educate.

**Student Information and Rights**

- Use of the District's AIS is not private. Parents can request to see the contents of student files at any time (applies to students under 18 years).
- Routine maintenance and monitoring of the AIS may lead to discovery of violations of District policies or the law.

- An individual search will be conducted if there is a reasonable suspicion that the student has violated this District policy or the law.
- The District will cooperate fully with local, state or federal officials in any investigation related to any illegal activities conducted using the AIS.
- The District reserves the right to restrict or revoke use of the AIS at any time, if deemed within the District's best interest.

## **Governing Board Policy JICK**

### **STUDENT VIOLENCE / HARASSMENT / INTIMIDATION / BULLYING**

The Governing Board believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Board further believes a school environment inclusive of these traits maximizes student achievement, fosters student personal growth, and helps students build a sense of community that promotes positive participation as members of society.

The District, in partnership with parents, guardians, and students, shall establish and maintain a school environment based on these beliefs. The District shall identify and implement age-appropriate programs designed to instill in students the values of positive interpersonal relationships, mutual respect, and appropriate conflict resolution.

To assist in achieving a school environment based on the beliefs of the Governing Board, bullying, harassment or intimidation as defined by this policy will not be tolerated.

#### **Definitions**

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

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

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

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

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

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

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

### **Prohibitions and Discipline**

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

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

### **Reporting Incidents of Bullying**

A student who is experiencing bullying, or believes another student is experiencing bullying, is to report the situation to the principal or another school employee. A school employee who becomes aware of or suspects a student is being bullied shall immediately notify the school administrator. School personnel shall maintain confidentiality of the reported information.

The initial notification of an alleged incident may be provided verbally. A detailed written description of the incident and any other relevant information must be provided on form(s) made available by the school and submitted to the principal within one (1) school day of the verbal report. Should the principal be the employee who observes, is informed of, or suspects a student is experiencing bullying, the principal shall document the incident or concern in writing. Failure by an employee to report a suspected case of bullying may result in disciplinary action up to suspension without pay or dismissal pursuant to Board Policies GCQF and GDQF.

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

At the time a student reports alleged bullying the principal shall provide to the student who has allegedly been bullied a written copy of student rights, protections and support services available to the student and shall notify the student's parent(s) of the report.

The principal shall investigate *all* reports of bullying. If the principal determines that bullying has occurred, discipline will be administered pursuant to Board Policies JK, JKD, and JKE. Regardless of the outcome of the investigation, the principal will meet with the involved students to review the findings of the investigation. Subject to the restrictions of the Family Educational Rights and Privacy Act (FERPA) set out in policy JR, the parent(s) or guardian(s) of the involved students shall also be informed of the findings of the investigation.

Documentation related to reported bullying and subsequent investigation shall be maintained by the District for not less than six (6) years. In the event the District reports incidents to persons other than school officials or law enforcement all individually identifiable information shall be redacted. Restrictions established by FERPA on disclosure of personally identifiable student information must be observed at all times.

The Superintendent shall establish procedures for the dissemination of information to students, parents, and guardians. The information will include, but not be limited to, Governing Board policies, incident reporting, support services (proactive and reactive) and student's rights. The dissemination of this information shall:

- occur during the first (1st) week of each school year,
- be provided to each incoming student during the school year at the time of the student's registration,
- be posted in each classroom and in common areas of the school, and
- be summarized in the student handbook and on the District website.

The Superintendent shall establish procedures for the dissemination of information to District employees including, but not limited to:

- Governing Board policy,
- preventive measures,
- incident reporting procedures,
- available support services for students (both proactive and reactive), and
- student rights.

Information will be provided to staff members at the beginning of each instructional year and on the first day of employment for new employees.

The Superintendent shall establish procedures designed to protect the health and safety of students who are physically harmed as the result of bullying. These will include, when appropriate, procedures for contacting emergency medical services, law enforcement agencies, or both.

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

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying is a violation of the law.

## **Governing Board Policy Regulation JICK-R STUDENT VIOLENCE / HARASSMENT /INTIMIDATION / BULLYING**

The District does not tolerate bullying in any form. Further, the District shall investigate each complaint of bullying and will take appropriate, timely, and responsive action.

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

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

Any student who feels he or she has been the victim of bullying or suspects other students of being bullied should file a complaint with the principal or the principal's designee or other school employee. The student's report may be provided verbally or in writing. A student's verbal report will be documented in writing by the employee receiving the report.

Any staff member who becomes aware of or suspects that a student is experiencing bullying shall immediately notify the principal or the principal's designee. Employees may initially give verbal notice to the principal or the principal's designee, but shall submit a written report to the principal or the principal's designee within one (1) school day of the verbal report.

Reprisal directed toward a student or employee for the reporting of a case of bullying or a suspected case of bullying will not be tolerated. Students involved directly or indirectly in reprisal will be disciplined pursuant to Board Policies JK, JKD, and JKE. Any suspected violation of the law will be reported to law enforcement authorities.

Investigation of submitted complaints shall be initiated by the principal or the principal's designee as soon as is feasible, but not later than two (2) school days after the initial report. Each investigation will be comprehensive to the extent determined appropriate by the principal or the principal's designee. In investigating the complaint, the principal or the principal's designee will maintain confidentiality to the extent reasonably possible, subject to the restrictions pertaining to disclosure of personally identifiable student information established in the Family Educational Rights and Privacy Act (FERPA).

Each investigation will be documented by the principal or the principal's designee. Documentation will be maintained by the District for at least six (6) years. In the event the District must report incidents to persons other than school officials or law enforcement, all individually identifiable information shall be redacted.

Should the principal or the principal's designee determine that bullying has occurred discipline will be administered pursuant to Board Policies JK, JKD, and JKE. Regardless of the outcome of the investigation, the principal or the principal's designee will meet with the student who reported or was reported as being bullied to review the findings of the investigation. Additionally, the parent(s) or guardian(s) of the involved students will be informed of the findings of the investigation.

The Superintendent is responsible for determining the methods of information delivery to employees and students. The Superintendent shall provide to the school principals, supervisors and all other District employees the information necessary to comply with Governing Board policy JICK. The information related to bullying is to include but not be limited to preventive measures, incident reporting, related support services available (proactive and reactive), student rights, employee responsibilities, and the ramifications of not reporting a bullying incident or suspicion of bullying. The information shall be disseminated to District personnel at the beginning of each year and as the Superintendent otherwise determines to be appropriate.

The principal or the principal's designee is responsible to ensure information related to bullying is disseminated to students, and parents and guardians. The information shall include but not be limited to Governing Board policy, incident reporting, support services (proactive and reactive) and student's rights. The dissemination of this information will

- occur during the first (1st) week of each school year,
- be posted in each classroom and in common areas of the school,
- be summarized in the student handbook and on the District website, and
- be provided to each incoming student during the school year at the time of registration.

The principal or the principal's designee is also responsible to ensure information is disseminated to all students who report bullying, including, at the time the incident is reported, a written copy of student rights, protections and support services available to the student; a copy of the report shall also be given to the student's parent(s)/guardian(s).

The principal or the principal's designee is responsible for the maintenance of documentation related to bullying.

## **Governing Board Policy Exhibit JICK-EB**

### **STUDENT VIOLENCE / HARASSMENT / INTIMIDATION / BULLYING**

(To be displayed in school buildings and in student handbooks)

The Governing Board of the Amphitheater School District believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Governing Board further believes a school environment that is inclusive of these traits maximizes student achievement, fosters student personal growth, and helps a student build a sense of community that promotes positive participation as citizens in society.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying is a violation of the law.

## **Governing Board Policy JICF SECRET SOCIETIES / GANG ACTIVITY**

Gangs that initiate, advocate, or promote activities that threaten the safety or well-being of persons or property on school grounds or disrupt the school environment are harmful to the educational process.

The use of hand signals, graffiti, or the presence of any apparel, jewelry, accessory, or manner of dress or grooming that, by virtue of its color, arrangement, trademark, symbol, or any other attribute indicates or implies membership or affiliation with such a group is prohibited because of the disruption to educational activities that results from such activities or dress. It is the District's position that such activities and dress also present a clear and present danger to other District students and to District staff members.

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

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

## **Governing Board Policy Regulation JICF-R SECRET SOCIETIES / GANG ACTIVITY**

For the purpose of District policy, a gang is a group of three (3) or more people who:

- Interact together to the exclusion of others;
- Claim a territory or area;
- Have a name;
- Have rivals/enemies; and
- Exhibit antisocial behavior - often associated with crime or a threat to the community.

The type of dress, apparel, activities, acts, behavior or manner, or grooming displayed, reflected, or participated in by the student shall not:

- Lead school officials to believe that such behavior, apparel, activities, acts, or other attributes are gang related or would disrupt or interfere with the school environment or activity and/or educational objectives;
- Present a physical safety hazard to self, students, staff members, or other employees.
- Create an atmosphere in which the well-being of a student, staff member, or other person is hindered by undue pressure, behavior, intimidation, overt gesture, or threat of violence; or
- Imply gang membership or affiliation by written communication, marks, drawing, painting, design, or emblem upon any school or personal property or on one's person.

If the student's dress is in violation of this regulation or a District policy, the principal will ask the student to make the appropriate correction. If the student refuses, the parent/guardian may be notified and asked to make the necessary correction. The principal will take appropriate corrective and disciplinary action.

## **Governing Board Policy JICFA HAZING**

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

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

- The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an 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 that are sponsored by an educational institution.
- Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.

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

Students and others may report hazing to any professional staff member.

Professional staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor 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.

## **Governing Board Policy Regulation JICFA-R HAZING**

A person who reports or complains regarding hazing may report or complain directly to the school administrator or to a professional staff member. The professional staff member receiving the report/complaint shall retrieve sufficient detail from the person to complete the form designated for such purpose. At a minimum the report/complaint shall be put in writing containing the identifying information on the complainant and such specificity of names, places and times as to permit an investigation to be carried out. When a professional staff member receives the information, the staff member will transmit a report to the school administrator or supervising administrator not later than the next school day following the day the staff member receives the report/complaint.

The report/complaint will be investigated by the school administrator or a supervising administrator. The procedures to be followed are:

- An investigation of the reported incident or activity shall be made within ten (10) school days when school is in session or within fifteen (15) days during which the school offices are open for business when school is not in session. Extension of the time line may only be by necessity as determined by the Superintendent.

- The investigator shall meet with the person who reported/complained at or before the end of the time period and shall discuss the conclusions and actions to be taken as a result of the investigation. Confidentiality of records and student information shall be observed in the process of making such a report.
- The investigator shall prepare a written report of the findings and a copy of the report shall be provided to the Superintendent.

Where disciplinary action is necessary, District policies shall be followed.

## **Governing Board Policy EEAEC STUDENT CONDUCT ON SCHOOL BUSES**

Students are required to conduct themselves in the bus, prior to boarding the bus, and subsequent to leaving the bus in a manner consistent with established standards for classroom behavior.

When a student fails to practice proper conduct, the bus driver will inform the principal of the misconduct, which may then be brought to the attention of the parents.

Students who become serious disciplinary problems related to school transportation may have their riding privileges suspended. In such cases, the parents of the students involved become responsible for seeing that their children get to and from school safely.

Students riding on special-activity buses are under the direct supervision of the bus driver in cooperation with sponsor(s). Students who do not conduct themselves properly will be denied the privilege of riding on special-activity buses.

### **NOTICE**

**To facilitate investigation of bus infractions and protect bus occupants, buses may be equipped with hidden cameras, which will visually and audibly record events.**

## **Governing Board Policy Regulation EEAEC-R STUDENT CONDUCT ON SCHOOL BUSES (OR OTHER SCHOOL DISTRICT VEHICLES)**

The following regulations shall apply to all school buses or other School District vehicles operated by the District for student transportation:

- The driver is in complete charge of the vehicle and must be obeyed by all passengers. The driver's authority includes the loading and unloading of passengers.
- Each driver is provided a bus route schedule. Unscheduled stops shall not be made without authorization by the transportation manager, except in case of an emergency.
- Every student must be seated while riding in a school bus, and must remain seated while the bus is in motion.
- Every student must wear a seat belt, when provided.
- A student shall not extend hands, arms, head, feet, or any object through the window of the bus or other vehicle.
- Generally, a student shall not eat or drink any kind of food or beverage while in a school bus or other school vehicle.
- A student shall not throw, shoot, or project any type of object while in a school bus or other school vehicle.
- Animals, insects, or reptiles shall not be transported in a school bus.

- Glass containers shall not be transported in a school bus.
- Elementary school students must have written permission to leave a school bus at a stop other than such students' usual stops.
- Any musical instrument carried by a student shall be under the student's control at all times or properly stored in a vacant seat.
- A student shall make every effort to:
  - Keep the school bus or other vehicle clean.
  - Be courteous to the driver and other students/passengers in the school bus or other vehicle.
  - Practice safe habits in waiting for a school bus at a scheduled stop, and in getting on and off the bus.
  - Never use loud, profane, or obscene language or obscene gestures while in a school bus or other school vehicles.
- When unloading from a school bus and crossing to the left side of a road or street, a student shall always pass in front of the bus.
- The use of tobacco, in any form, is prohibited on a school bus.
- *Riding on a school bus is a privilege, not a right.* A student who refuses to obey the directions of a bus driver promptly, or to obey these regulations, may be denied the privilege of riding to and from school on a school bus.

### **Consequences for Violations of Conduct Rules for School Bus or Other School District Vehicles**

The driver of a school bus or other School District vehicle has the legal responsibility to maintain passenger conduct that does not jeopardize the safety or welfare of the driver and the passengers. Therefore, it may be necessary for the driver to make judgments regarding appropriate consequences for violations of bus conduct rules.

The driver's discretion will be used in establishing the severity of the offense based on the descriptions listed below. Consequences will be administered consistent with the severity of the offense. For example, if the driver believes the behavior of the student was a 4th level (very serious) violation, it is not necessary that the consequences for levels 1 - 3 be imposed before suspension of riding privileges is imposed.

*At all levels of severity, the student will be provided with the opportunity to hear the specified charges and to respond to those charges.*

#### **Charge levels:**

- *1st level violations* are minor in nature, do not involve repeat violations of conduct rules, and do not immediately jeopardize the safety or welfare of other passengers.
  - A verbal warning will be given to the student by the driver, indicating the specific behavior that is inappropriate and requesting that such behavior not be repeated.
- *2nd level violations* are of moderate severity. They may include repetitions of minor violations, constitute a distraction sufficient to distract the attention from driving responsibilities, and/or compromise the safety or welfare of the driver or other passengers.
  - The driver will hold a conference with the student and may change the seat assignment of the student. The driver shall keep a record of 2nd level offenses. The name of the student, the behavior, and action taken should be recorded.
- *3rd level violations* are serious in nature. They include, but are not limited to, repeated violations that have been addressed by the driver, at either the first or second levels, and disruptions that compromise the safety or welfare of the driver or other passengers.
  - The bus driver will submit a written report to the school principal or designee, who will arrange a conference, either in person or by telephone, with the driver and the person responsible for the student. The driver will recommend a consequence, which may include, but not be limited to, change of bus seat, behavioral contract, or home support and involvement.
  - The final determination of consequence will be made jointly by the principal or designee and the transportation manager.
  - A student may have no more than two (2) 3rd level referrals before a loss of riding privileges will occur.

- *4th level violations* are very serious in nature. They include chronic violations of bus conduct rules, vandalism to the bus or School District vehicle, any violation of the District's weapons, drugs, and alcohol policies, assault, extortion, or arson, and any other offense that the driver deems of sufficient severity as to jeopardize the safety or welfare of the driver or passengers.
  - The bus driver will submit a written report to the school principal or designee, who will arrange a conference, either in person or by telephone, with the driver and the person responsible for the student. The driver will recommend a consequence, which will include a suspension or loss of bus riding privileges.
  - Generally, the first 4th level violation will carry a suspension of up to five days. Additional 4th level violations will carry a penalty of, at least, five days and may result in a loss of riding privileges for the remainder of the school year. However, a first 4th level offense may be of significant seriousness that the driver can recommend a longer or permanent suspension of riding privileges.

### **Suspension of Student from School Buses or Other District Vehicles**

A suspension from the bus may be appealed to the principal, if the suspension has been imposed by a designee. The final decision will be made jointly by the transportation manager and the principal or designee.

When it is necessary to suspend a student from a school bus or other School District vehicle, the person responsible for the student shall be given a *minimum* of twenty-four hours' notice so that the person responsible for the student may arrange alternate transportation for the student.

The principal or designee will inform the following persons of the specific length and inclusive dates of the suspension period, prior to enforcement of the suspension:

- The student involved.
- The person responsible for the student.
- The driver for the suspended student.

The student shall be advised that all concerned parties, as noted above, will be informed of the action taken.

### **Immediate Removal of Student from School Bus or Other District Vehicle**

Notwithstanding the progressive consequences described above, the driver of a school bus shall have the authority to remove a student from the school bus or other School District vehicle prior to a conference with the principal or designee and the person responsible for the student under the following conditions:

*Middle school and high school students.* If the student's behavior on the bus is such that the student is creating an immediate safety hazard, the driver may put the student off the bus. In such case, the driver must get the student's name and must instruct the student to remain outside the bus at the scene until a school official arrives. The driver must notify the transportation office immediately and must stay at the scene, until instructed differently by the transportation office. If the student refuses to stay at the scene, and leaves the area, the driver must report this immediately to the transportation office and must continue to stay at the scene until instructed differently by the transportation office.

*Elementary school students.* At no time and under no circumstances shall an elementary school student be put off the bus by a driver. If an uncontrollable situation should arise with a student or students in these grades, the driver must contact the transportation office immediately for instructions. If there is any behavioral situation on a bus that would immediately jeopardize the safety of the driver and/or the passengers on the bus, the driver should stop the bus and remain stopped while awaiting instructions.

### **Special Education Students - Suspension from School Bus or Other School District Vehicle**

Students enrolled in special education programs may be suspended for up to ten consecutive days per offense. For longer periods of time, or for frequent short-term suspensions, a responsibility conference must be convened to determine whether or not the behavior is a manifestation of the student's disability. If a causal relationship is not found, the student may be suspended for more than ten consecutive days. If the behavior is determined to be a manifestation of the student's disability, the student's IEP will be reviewed and modifications will be made if deemed necessary.

## **Governing Board Policy JICA STUDENT DRESS**

The Board recognizes that each student's mode of dress and grooming is a manifestation of personal style and individual preference. The Board will not interfere with the right of students and their parents to make decisions regarding their appearance except when their choices affect the educational program of the schools or the health and safety of others. This policy is intended to provide guidance for students, staff, and parents.

The Board authorizes the Superintendent to develop and enforce school regulations pertaining to student dress that promote safety and a positive learning environment. Student dress shall not:

- Present a hazard to the health or safety of the student or to others in the school.
- Materially and substantially interfere with school work, create disorder, or disrupt the educational program.
- Cause excessive wear or damage to school property.
- Include any type of clothing, accessories and/or jewelry that is worn with the intent to convey affiliation with a criminal street gang as defined in A.R.S. 13-105.

Discriminatory or obscene language or symbols, or symbols of sex, drugs, or alcohol on clothing are prohibited.

Students may wear clothing, accessories and jewelry that display religious messages or religious symbols in the same manner and to the same extent that other types of clothing, accessories and jewelry that display messages or symbols are permitted.

## **Governing Board Policy Regulation JICA-R STUDENT DRESS**

Students and parents are responsible to provide appropriate student attire. District personnel have the responsibility of protecting the health and safety of pupils and maintaining an environment conducive to learning. The choices of students and their parents shall not affect the educational program of the schools or the health and safety of others. The District encourages students to take pride in their attire as it relates to the school setting. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, safety, health, and welfare of self and others.

The type of attire or grooming displayed by students shall not:

- Present a physical safety hazard to self or others in the school. Examples of attire which are prohibited include, but are not limited to:
  - Spiked clothing or accessories, and
  - Clothing or accessories that may cause physical injury if caught by another object or pulled by others.
- Create an atmosphere in which the well-being of *others* is hindered by undue pressure, intimidation, or threat of violence. Examples of attire which are prohibited include, but are not limited to:
  - Clothing or accessories promoting criminal activity or illegal gangs.
  - Profane, defamatory writing or depictions on clothing, jewelry, backpacks, or other accessories.
  - Obscene language or pictures.
- Display profanity or profane/obscene gestures or promote alcohol, drugs, or tobacco in their logo.
- Materially interfere with school work, create disorder, or disrupt the educational program. Examples of prohibited attire include, but are not limited to:
  - Any clothing which exposes a student's bare midriff.
  - Muscle shirts or spaghetti strap tops.
  - Mesh sports jerseys without undershirts.
  - Exposed undergarments.
  - Clothing must cover the buttocks and extend down to cover at least three (3) inches of the legs.

Safety standards established for vocational education, physical education, and other lab classes shall be followed. Specific standards for dress and grooming may be established for extracurricular activities by those responsible for supervising such activities.

If a student's dress is in violation of this regulation, the principal or designee will ask the student to make an appropriate correction. If the student refuses, the parent/guardian may be notified and asked to make the necessary correction. The principal or designee will take corrective action in order to ensure compliance with the student dress code.

## **Governing Board Policy JII**

### **STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES**

The Superintendent is directed to establish procedures whereby students with sufficient concern may present a complaint or grievance regarding a violation of their constitutional rights, equal access to programs, discrimination, or personal safety provided that:

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

A complaint/grievance may be raised regarding one (1) or more of the following

- Violation of the student's constitutional rights.
- Denial of an equal opportunity to participate in any program or activity for which the student qualifies not related to the student's individual capabilities.
- Discriminatory treatment on the basis of gender, sexual orientation, race, color, creed, religion/religious beliefs, citizenship status, age, disability, marital status, political beliefs/affiliation, national origin, home language, family, social or cultural background.
- Concern for the student's personal safety.

Refer to Board Policy JICK for procedures applying to a complaint or grievance that alleges incidences of student violence, harassment, intimidation, or bullying.

The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint or grievance. The initial complaint or grievance should be made using form JII-EA; however, a verbal complaint or grievance may be made to any school staff member. The receiving staff member shall immediately inform an administrator of the complaint or grievance

When the initial complaint or grievance is submitted in a manner other than on the prescribed form, the administrator shall obtain from the student the particulars determined by the Superintendent to be necessary for the complaint/ or grievance to be investigated. Any question concerning whether a complaint or grievance falls within this policy shall be determined by the Superintendent.

A student or the student's parent or guardian may initiate the complaint process by completing Exhibit JII-EA.

A complaint or grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

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, staff and parents or guardians in the school offices.

Disposition of all complaints/grievances shall be reported to the Superintendent and the compliance officer for discrimination if other than 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.

The Superintendent shall develop procedures for the maintenance and confidentiality of documentation related to the receipt of a student's complaint or grievance, findings of the investigation, and disposition of the matter. The documentation shall not be used to impose disciplinary action unless the appropriate school official has investigated and determined there was an actual occurrence of the alleged incident.

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

When District officials have a reasonable belief or an investigation reveals that a reported incident may constitute an unlawful act, law enforcement authorities will be informed.

## **Governing Board Policy Regulation JII-R STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES**

A student who complains or grieves regarding constitutional rights, equal access to programs, discrimination or personal safety issues may complain directly to a school administrator or to a school staff member within thirty (30) days of an alleged occurrence. The initial complaint or grievance should be made using form JII-EA, however, a verbal complaint or grievance may be made. When a school staff member receives the information, the staff member will immediately inform a school administrator. If the complaint or grievance involves a school administrator the staff member shall forward the complaint or grievance to the next administrative level.

Complaints and grievances related to student violence, harassment, intimidation or bullying are to be filed in accordance with Governing Board Policy JICK.

At a minimum the complaint or grievance shall contain the identifying information on the complainant and such specificity of names, places and times as to permit an investigation to be carried out. The written complaint or grievance should contain a requested solution and the submission should be signed and attested to by the complainant. However, an unsigned form will be processed in the same manner as a signed form.

The complaint/grievance will be investigated by a school administrator or a supervising administrator, or another person approved by the Superintendent. The student shall be contacted not later than the school day following the date the school administrator or the administrator's immediate supervisor receives the information. The procedures to be followed are:

- An investigation of the reported incident or activity shall be made within ten (10) school days when school is in session or within fifteen (15) days during which the school offices are open for business when school is not in session. Extension of the time line may only be by necessity as determined by the Superintendent.
- The investigator shall meet with the student who submitted the complaint or grievance at or before the end of the time period and shall discuss the conclusions and actions to be taken as a result of the investigation. Confidentiality of records and student information shall be observed in the process of making such a report.
- The investigator shall prepare a written report of the findings and a copy of the report shall be provided to the principal and/or the Superintendent.
- A confidential record of each concern, complaint, and grievance made pursuant to Policy JII shall be maintained at the District office. The record shall include a copy of the concern, complaint, or grievance filed by a student, findings of the investigation, and the disposition of the matter.

- Unless a determination has been made by the appropriate investigating school official that the reported incident actually occurred, the record shall not be used for the imposition of discipline.

Where disciplinary action is necessary, District policies shall be followed.

When District officials have a reasonable belief or an investigation reveals that a reported incident may constitute an unlawful act, law enforcement authorities will be informed.

## **Governing Board Policy Exhibit JII-EB**

### **STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES**

(To be displayed in school buildings and in student handbooks)

Students may present a complaint or grievance regarding one (1) or more of the following:

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

Complaints and grievances related to allegations of student violence, harassment, intimidation or bullying are to be filed in accordance with Board Policy JICK.

Provided that:

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

The guidelines to be followed are:

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

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

A student or the student's parent or guardian may initiate the complaint process by completing Exhibit JII-EA.

A complaint or grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident. False or unproven complaint documentation shall not be maintained.

Retaliatory or intimidating acts against any student who has made a complaint under the District policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.



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

When District officials have a reasonable belief or an investigation reveals that a reported incident may constitute an unlawful act, law enforcement authorities will be informed.

## **Governing Board Policy AC NONDISCRIMINATION/EQUAL OPPORTUNITY**

The Board is committed to a policy of nondiscrimination in relation to race, color, religion/religious beliefs, gender, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, family, social or cultural background. The Board's position on nondiscrimination is set forth in Policy AC, which applies to students, staff, the public, educational programs and services, and individuals with whom the Board does business. District Regulation AC-R establishes procedures for prompt and equitable resolution of student and employee complaints alleging discrimination, including discrimination based on sex or disability. There is a complaint form available for discrimination complaints at Exhibit AC-E. All of these documents are available on the District website.

## **Governing Board Policy ACAA TITLE IX SEXUAL HARASSMENT**

Title IX of the Federal Education Amendments Act protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. The District does not discriminate on the basis of sex and is required by Title IX not to discriminate in such a manner. The District adheres to all conditions established by Title IX by recognizing the right of every student who attends school in the District and every employee who works in the District to do so without the fear of sexual harassment.

The District accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the District conditioning the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct;
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity; or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30).

The District also accepts and shall employ the definition of a complainant as an individual who is alleged to be the victim of conduct that could constitute sexual harassment, and a respondent as an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

The District shall designate and authorize an employee as the "Title IX Coordinator" to comply with its responsibilities pertaining to sexual harassment under Title IX. Inquiries about the application of Title IX may be referred to the District's Title IX Coordinator.

Any person may report sex discrimination, including sexual harassment, regardless of whether the person reporting is the person alleged to be the victim of the reported conduct or not. A report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address, listed for the Title IX Coordinator. The District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.

The District will respond promptly when any school employee has notice of sexual harassment. Upon receipt of notice of sexual harassment, the District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the District's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the District shall respond. The District is committed to investigating each formal complaint submitted and to taking appropriate action on all confirmed violations of policy. The District shall follow grievance procedures that provide for the prompt and equitable resolution of complaints from students and employees alleging sexual harassment.

The District shall, to the extent reasonably feasible, keep confidential the identity of any individual who has made a report or filed a formal complaint of sexual harassment, any complainant, any individual who has been reported to be the perpetrator of sex discrimination, any respondent, and any witness, except as is necessary to carry out the grievance process and as may otherwise be permitted by law.

Title IX sexual harassment complaints may include violations covered by Arizona's mandatory reporting statute, A.R.S. §13-3620. Any abuses classified by statute as "reportable offenses" must be reported as such to the authorities because not reporting a reportable offense is classified as a Class 6 Felony.

### **Retaliation Prohibited**

Neither the District nor any person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by Title IX, or because the individual has in good faith made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing. Intimidation, threats, coercion, or discrimination, including charges against an individual for violations that do not involve sex discrimination or sexual harassment, but arise out of the same facts or circumstances as a report or complaint of sex discrimination or a report or formal complaint of sexual harassment, for the purpose of interfering with any right or privilege secured by Title IX, constitutes retaliation.

## **Governing Board Policy Regulation ACAA-R TITLE IX SEXUAL HARASSMENT**

### **Title IX Coordinator**

The Superintendent shall appoint an employee as the "Title IX Coordinator. "If the Title IX Coordinator is the respondent, the complaint shall be filed with the Superintendent.

#### ***Title IX Coordinator:***

Title:	Equity and Safety Compliance Officer and Title IX Coordinator
Address:	701 W. Wetmore Road Tucson, AZ 85705
E-mail:	TitleIXCoordinator@amphi.com
Telephone:	(520) 696-5164

### **Response to Sexual Harassment**

When the District has actual knowledge of sexual harassment in an education program or activity of the District against a person in the United States, it shall respond promptly in a manner that is not deliberately indifferent.

- "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a District's Title IX Coordinator or to any employee.
- An "education program or activity" includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the District.
- A District is "deliberately indifferent" only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

The District's initial response to any report of sexual harassment must treat complainants and respondents equally by offering supportive measures to both and must follow the established grievance process before disciplining a respondent.

Even if no formal complaint has been filed, the Title IX Coordinator or their designee shall promptly:

- Contact the complainant to discuss the availability of supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Inform the complainant of the availability of supportive measures with or without the filing of a formal complaint; and
- Explain to the complainant the process for filing a formal complaint.

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, and other similar measures. The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The District may remove a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

### **Response to a Formal Complaint**

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed above, and by any additional method designated by the District that results in the Title IX Coordinator receiving the complaint.

The District may place a non-student employee respondent on administrative leave during the pendency of a grievance process in response to a formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

For the purpose of addressing formal complaints of sexual harassment, this grievance process shall comply with the following basic elements:

- Provide written notice to all parties upon receipt of complaint, which must include:
  - Notice of the District's formal grievance process, including any informal resolution process;
  - Notice of the allegations, including sufficient details to allow respondent to prepare a response (such as the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident);
  - A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
  - Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and

- Notice of any provision in the District's code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.
- Treat complainants and respondents equitably;
- Require an objective evaluation of all relevant evidence;
- Require that the Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process, be properly trained and not have a conflict of interest against complainants and respondents generally or against the particular complainant and respondent;
- Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process;
- Include reasonably prompt timeframes for the conclusion of the grievance process;
- Describe or list the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility;
- State that the District uses a preponderance of evidence standard to determine responsibility;
- Include the procedures and permissible reasons for appeal by a respondent or a complainant;
- Describe the range of supportive measures available to complainants and respondents; and
- Not require, allow, or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

If the conduct alleged in a formal complaint does not meet the Title IX definition of sexual harassment as established in Governing Board policy, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District shall dismiss the allegations for purposes of Title IX but may still address the allegations in any manner the District deems appropriate under other District policies.

The District may dismiss a formal complaint or any allegations therein, if at any time:

- The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein;
- The respondent is no longer enrolled or employed by the District; or
- Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint or any allegations therein, the District shall promptly send written notice of the dismissal, including the reasons for the dismissal, simultaneously to the parties.

When investigating a formal complaint and throughout the grievance process, the District shall:

- Ensure that the burden of proof and the burden of gathering evidence rests on the District and not on the parties, except that certain treatment records cannot be obtained without voluntary, written consent of a party;
- Provide an equal opportunity for the parties to present witnesses and evidence;
- Not restrict the ability of either party to discuss the allegations or to gather and present evidence;
- Provide the parties with the same opportunities to have others present during any meeting or grievance proceeding;
- Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of any meeting or grievance proceeding, with sufficient time for the party to prepare to participate;
- Provide both parties an equal opportunity to inspect and review any evidence so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation (prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, a copy of all evidence gathered during the investigation and will allow the parties at least ten (10) days to submit a written response to any of the evidence); and
- Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a determination of responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-makers(s) shall afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence are offered to prove consent.

The decision-maker(s), who cannot be the same person(s) as the Title IX Coordinator or the investigator(s), shall apply the District's established standard of evidence and shall issue a written determination regarding responsibility that includes:

- Identification of the allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity shall be provided by the District to the complainant; and
- The District's procedures and permissible bases for the complainant and respondent to appeal.

The District shall provide the written determination to the parties simultaneously. The Title IX Coordinator is responsible for effective implementation of any remedies.

The District shall offer both parties the right to appeal from a determination regarding responsibility and from a dismissal of a formal complaint or any allegations therein, on the following bases:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-makers(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affect the outcome of the matter.

As to all appeals, the District shall:

- Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- Ensure that the decision-maker(s) for the appeal does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
- Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- Issue a written decision describing the result of the appeal and the rationale for the result; and
- Provide the written decision simultaneously to both parties.

The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of sexual harassment. Similarly, the District may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. However, at any time prior to reaching a determination regarding responsibility during a formal complaint process, the

District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:

- Provides to the parties a written notice disclosing:
  - The allegations;
  - The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - Any consequences resulting from participating in the informal resolution process, including the records that shall be maintained or could be shared;
- Obtains the parties' voluntary, written consent to the informal resolution process; and
- Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

The District shall maintain for a period of seven (7) years records of:

- Each sexual harassment investigation including:
  - Any determination regarding responsibility;
  - Any disciplinary sanctions imposed on the respondent; and
  - Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom; and
- All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website, or if the District does not maintain a website the District shall make these materials available upon request for inspection by members of the public.

The District shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures taken in response to a report or formal complaint of sexual harassment. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If a District does not provide a complainant with supportive measures, then the District shall document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

***REVERSE THIS BOOKLET***  
***FOR IMPORTANT***  
***PARENT AND STUDENT INFORMATION***