



# THE ARIZONA COALITION

OF SCHOOL BOARD MEMBERS

# Policy Book

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**\*These policies have been prepared in substantial conformity to the statutes published in the Arizona Revised Statutes, as amended, updated to include the revised sections from the 55th Legislature, 1st Regular Session. The next update of those statutes will not take place until after the conclusion of the 55th Legislature, 2nd Regular Session, which convenes in January 2022, and these policies will be updated accordingly. Also, to the extent that conformity to regulations of any particular school board or of any state agency is at issue, the relevant regulation should be consulted for interpretive guidance.**

# I. General

## 1.1 District Goals

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to establish why the District exists – to educate students. The Board will annually establish or reaffirm existing District goals. The Superintendent performance goals will be aligned with the District overall goals and be specific, measurable, achievable, relevant and time-bound. Likewise, all departmental and employee goals will be aligned under the Superintendent goals for the purposes of performance evaluations.

A. The District will meet the needs of individual students by establishing specific district and school goals that at a minimum include, but are not limited to:

1. Achievement levels of pupils at the end of grade three, grade eight and grade twelve.
2. Dropout and high school graduation rates.
3. Postsecondary employment and college enrollment rate.

B. All students will be prepared with the knowledge and skills to achieve post-secondary success.

C. The District will recruit, train and retain high performing staff to cultivate a culture of student success.

D. The District will maximize resources to support student success.

E. The District culture will be a safe and secure environment to facilitate an environment of maximum student success.

### **LEGAL REF.:**

A.R.S.

15-741-01

Last Revision Date: June 25, 2022

## 1.2 District Legal Designation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “District” means a political subdivision of this state with geographic boundaries organized for the purpose of the administration, support and maintenance of the public schools or an accommodation school.

**Policy Objectives:** It is the intent of the Board to identify the Districts legal status, as required per statute.

The legal designation of the District is \_\_\_\_\_ (insert the name of the district)  
School District No. \_\_ (insert the number of the district) of \_\_\_\_\_ County (insert the name of the county).

### **LEGAL REF.:**

A.R.S.

15-101

15-441

Last Revision Date: June 25, 2022

## 1.31 Accountability – Parent Bill of Rights

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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The liberty of parents to direct the upbringing, education, health care and mental health of their children is a fundamental right.

This District shall not infringe on these rights without demonstrating that the compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored and is not otherwise served by a less restrictive means.

The Superintendent, in consultation with parents, teachers, and administrators, shall develop procedures for parental involvement in the school(s). These shall include:

- A. A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline. The plan shall provide for the administration of a parent-teacher satisfaction survey.
- B. A method by which parents may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.
- C. A procedure by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used and request an alternative assignment. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion or, because of sexual content, violent content, or profane or vulgar language.
- D. A procedure by which parents or guardians of students enrolled in the District shall have access in advance to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District.
- E. A procedure by which the District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that may be inappropriate for the age of the student.
- F. Procedures to prohibit the School District from providing sex education instruction to a student unless the student's parent provides written permission for the student to participate in the sex education curricula if the School District offers any sex education curricula pursuant to A.R.S. 15-711 on the requirement to include instruction to students in grades seven (7) through twelve (12) on laws relating to sexual conduct with a minor or 15-716 concerning instruction on immune deficiency syndrome, or pursuant to any rules adopted by the State Board of Education.

G. Procedures by which parents will be notified in advance of and given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula.

H. Procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs, and activities that have been approved by the school.

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

1. The right to opt in to a sex education curriculum if one is provided by the District.
2. Open enrollment rights pursuant to A.R.S. 15-816.01, relating to the District policies on open enrollment.
3. The right to opt out of assignments pursuant to A.R.S. 1-601, Parents Bill of Rights. [See Exhibit KB-EB]
4. The right to opt a child out of immunizations as authorized by A.R.S. 15-873, relating to an outbreak of a communicable disease.
5. The promotion requirements prescribed in A.R.S. 15-701 for students in grades one (1) through eight (8).
6. The minimum course of study and competency requirements for graduation from high school prescribed in A.R.S. 15-701.01.
7. The right to opt out of instruction on the acquired immune deficiency syndrome as provided by A.R.S. 15-716.
8. The right to review their child's standardized norm-referenced test results pursuant to A.R.S. 15-743.
9. The right to participate in gifted programs pursuant as prescribed by A.R.S. 15-779.01.
10. The right to access instructional materials as directed by A.R.S. 15-730.
11. The right to receive the school's annual report card pursuant to A.R.S. 15-746.
12. The school attendance and age requirements for children prescribed in A.R.S. 15-802, 15-803 and 15-821.
13. The right to public review of courses of study and textbooks in the common schools (preschool programs through grade eight [8]), as prescribed in A.R.S. 15-721, and in high schools, prescribed in A.R.S. 15-722.
14. The right to be excused from school attendance for religious purposes as described by A.R.S. 15-806.
15. Policies related to parental involvement pursuant to A.R.S. 15-102 and set out herein.
16. The right to seek membership on school councils pursuant to A.R.S. 15-351, describing the purpose, duties, and membership of a school council. [Subject to the exemption of certain school districts exempted as described in A.R.S. 15-352.]
17. The right to public review of courses of study and textbooks in the common schools (preschool programs through grade eight [8]), as prescribed in A.R.S. 15-721, and in high schools, prescribed in A.R.S. 15-722.
18. The right to be excused from school attendance for religious purposes as described by A.R.S. 15-806.
19. Policies related to parental involvement pursuant to A.R.S. 15-102 and set out herein.



20. The right to seek membership on school councils pursuant to A.R.S. 15-351, describing the purpose, duties, and membership of a school council. [Subject to the exemption of certain school districts exempted as described in A.R.S. 15-352.]
21. Information about the student accountability information system (SAIS) as prescribed in section 15-1042.
22. The right to access the failing schools tutoring fund pursuant to A.R.S. 15-241.
23. Access to the Arizona Department of Education (DOE) statutory handbook of parental rights, which is posted on the DOE website and is prominently posted on a publicly accessible portion of the District website with a link to the statutory handbook of parental rights with the title and sections as listed below.
  - a. Title 1, chapter 6.
  - b. Section 15-102.
  - c. Section 15-110.
  - d. Section 15-113.
  - e. Section 15-117.
  - f. Section 15-351.
  - g. Section 15-721.
  - h. Section 15-722.
  - i. Section 15-730.

The District plan under this policy may also include:

- A. Making parents aware of this District parental involvement policy, including:
  1. Rights under the Family Educational Rights and Privacy Act (FERPA) of 1974, as revised (20 U.S.C. 1232g) relating to access to children's official records.
  2. The parent's right to inspect the District policies and curriculum.
- B. Efforts to encourage the development of parenting skills.
- C. The communication to parents of techniques designed to assist the student's learning experience in the home.
- D. Efforts to encourage access to community and support services for children and families.
- E. The promotion of communication between the school and parents concerning school programs and the academic progress of the parents' children.
- F. Identifying opportunities for parents to participate in and support classroom instruction at the school.
- G. Efforts to support, with appropriate training, parents as shared decision makers and to encourage membership on school councils.
- H. The recognition of the diversity of parents and the development of guidelines that promote widespread parental participation and involvement in the school at various levels.

I. The development of preparation programs and specialized courses for certificated employees and administrators that promote parental involvement.

J. The development of strategies and programmatic structures at schools to encourage and enable parents to participate actively in their children's education.

K. Provide to parents the information in this policy in an electronic form.

Resumés of all current and former instructional personnel shall be maintained and available for inspection by parents and guardians of pupils enrolled. The resumé shall include individual educational and teaching background and experience in a particular academic content subject area.

For the purposes of this policy parent means the natural or adoptive parent or legal guardian of a minor child.

When a parent submits a written request for information to the Superintendent or a school principal during regular business hours:

A. The Superintendent or principal shall:

1. Deliver the requested information to the parent within ten (10) calendar days, or
2. Provide to the parent a written explanation for denial of the requested information.

B. If the requested information is denied or is not received by the parent within fifteen (15) calendar days:

1. The parent may submit to the Governing Board a request for the requested information, and
2. The Governing Board shall consider the request at the next scheduled meeting of the Board on which the request can be properly noticed. If the request cannot be properly noticed on the next scheduled meeting agenda, the Governing Board shall formally consider the request at the next subsequent public meeting of the Governing Board.

**LEGAL REF.:**

A.R.S.

1-601

1-602

15-101

15-102

15-110

15-113

15-117

15-249

15-341

15-351

15-721

15-722

15-730

Last Revision Date: June 25, 2022

## 1.32 Accountability - Community Involvement

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the governing board to ensure that the community is involved in the decision-making of the district.

- A. The Board shall minimize the need for Executive Sessions, except where prescribed by law.
- B. The Board shall meet at the most convenient public facility in the school district.
- C. At a minimum, the Board shall hold a regular meeting at least once each month during the regular school year and may hold other meetings as often as called.

**LEGAL REF.:**

A.R.S.

15-321

Last Revision Date: June 25, 2022

## 1.33 Accountability - General Complaints

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to strive to resolve public concern and complaints for all matters, including personnel.

A. Written, signed complaints, regardless of how they are received, will be referred to the Superintendent for study and resolution, if possible.

1. The Superintendent shall develop a complaint form requesting basic information.
2. The Superintendent shall forward the form to the complainant if the initial complaint was incomplete.

B. The Superintendent shall develop a procedure for logging, reviewing and recording disposition of received complaints. The Board may review this documentation at any time. The documentation may be destroyed after a period of 3 years. This is a public record, as permitted by law.

C. The Board will hear citizen complaints when they have not been resolved by the Superintendent.

1. The Board member(s) may contact the individual who initiated the complaint and provide the details of the investigation.

D. If a complaint involves a complex problem, and/or a lengthy investigation will be required, the investigating administrator shall make periodic reports to the Board.

E. The Board will not consider or act on anonymous complaints, or complaints that have not been explored at the appropriate administrative level.

F. This policy addresses all complaints except Instructional Resources.

Last Revision Date: June 25, 2022

## 1.34 Accountability - Complaints About Instructional Resources

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to strive to resolve public concern and complaints about Instructional Resources.

A. Written, signed complaints about Instructional Resources, regardless of how they are received, will be referred to the Superintendent for study and resolution, if possible.

1. The Superintendent shall develop a complaint form requesting basic information.
2. The Superintendent shall forward the form to the complainant if the initial complaint was incomplete.

B. The Superintendent shall develop a procedure for logging, reviewing and recording disposition of received complaints. The Board may review this documentation at any time. The documentation may be destroyed after a period of 3 years. This is a public record, as permitted by law.

C. The Board will hear complaints about Instructional Resources when they have not been resolved by the Superintendent.

1) The Board member(s) may contact the individual who initiated the complaint and provide the details of the investigation.

D. If a complaint involves a complex problem, and/or a lengthy investigation will be required, the investigating administrator shall make periodic reports to the Board.

E. The Board will not consider or act on anonymous complaints, or complaints that have not been explored at the appropriate administrative level.

**LEGAL REF.:**

A.R.S.

15-341

15-721

Last Revision Date: June 25, 2022

## 1.35 Accountability - Financial Reporting, Audits and Reviews

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in compliance with all state and federal requirements for financial monitoring and audits and to be stewards of taxpayer dollars.

A. The Superintendent shall implement procedures that assure compliance with all state and federal requirements for audits and financial reporting.

1)The financial records of the District shall be audited by an independent accounting firm in conformance with generally accepted auditing standards and legal requirements.

B. Every audit contract shall include a systematic review of average daily membership, as defined in section 15-901, using methodology that is consistent with guidelines established by the auditor general.

C. The Board shall publicly accept all audits and compliance questionnaires by roll call vote.

D. Every audit contract shall include a systematic review of average daily membership, as defined in section 15-901, using methodology that is consistent with guidelines established by the auditor general.

E. All final audit reports and reviews shall be presented to the Board and filed with appropriate state and other authorities.

F. The District shall prominently post on its website the Auditor General District Spending (Classroom Dollars) Report.

G. The Superintendent and/or Board, may contract with certified or registered public accountants, qualified management consultants, or other similar professional experts as reasonably necessary to conduct, or aid the performance of an audit.

1.An audit that is performed by contract must be conducted by persons who have no financial interests in the affairs of the District or its officers. Contracting for these audits will be awarded in accordance with federal and state procurement laws.

### LEGAL REF.:

A.R.S.

15-213

15-239

15-904

15-914

15-2111

41-1279.03

**LEGAL REF. (cont.):**

A.R.S.

41-1279.04

41-1279.05

41-1279.07

41-1279.21

41-1279.22

A.A.C.

R7-2-902

USFR - Audit Requirements

2 CFR Part 200 Appendix XI, Compliance Supplement

Last Revision Date: June 25, 2022

## 1.36 Accountability - Superintendent

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Superintendent” means a Superintendent, or principal, or both.

**Policy Objectives:** It is the intent of the Board that the administration of the school system is the responsibility of the Superintendent, whose functions shall be carried out in accordance with the policies of the Board.

A. The Board shall employ a Superintendent or principal, or both.

B. If the Board employs a Superintendent, the governing board shall determine the qualifications for the superintendent by action taken at a public meeting.

1. The Board shall require a superintendent to have a valid fingerprint clearance card that is issued pursuant to title 41, chapter 12, article 3.1.

C. The Superintendent shall enforce the statutes and rules of the state of Arizona and the federal government, and the policies of the Governing Board of the District.

D. The Superintendent may establish regulations for the administration of the District that are in compliance with applicable statutes or regulations of the Arizona Administrative Code and the policies of the Governing Board. These regulations are binding on the employees of this District and students in the schools.

E. The Board views Superintendent performance as identical to District performance so that District accomplishment of Board-prescribed District Goals will be viewed as successful Superintendent performance.

F. The Superintendent may make recommendations to the Board for changes in Board policies and the educational program.

### **LEGAL REF.:**

A.R.S.

15-342

15-503

38-201

41-1758 et seq.

A.A.C.

R7-2-603

Last Revision Date: June 25, 2022



# II. Local Governance

## 2.11 Board – Powers and Duties

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the governing board to ensure that the board acts as in substantial compliance with the applicable laws and regulations of the State of Arizona in carrying out the will of the people of the District in the matter of public education while deriving its authority from the Arizona Constitutions, Arizona Revised Statutes and the regulations of the Arizona Administrative Code.

A. Board powers and duties are identified in Arizona Revised Statutes Title 15, Article 3.

1. Mandatory duties (identified by “shall”) are detailed in ARS 15-341.

2. Discretionary powers (identified by “may”) are detailed in ARS 15-342.

### **LEGAL REF.:**

A.R.S.

Title 15, Article 3

Last Revision Date: June 25, 2022

## 2.21 Organization - Organizational Meeting

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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Definitions: "Vice President" means the elected board member who shall preside over meetings in the event the President is absent. This may also be referred to as "Clerk".

Policy Objectives: It is the intent of the Board that a new President and Vice President be elected from among the members between January 1 and January 15 of every year in a public meeting.

A. The Governing Board will hold an election of its Board President and Vice President, (from among its membership) who will serve as president in the absence of the president, between January 1 and January 15 every year. The term of office for each officer will be for the calendar year (one [1] year term). The officers will preside during and until an election of new officers takes place. Note: If a quorum is not attained during such regular meeting session during that period of time (January 1-15), then a "special Board meeting" will be called for and held as soon as possible for the purpose of conducting the election.

B. For the purpose of organization of the Governing Board, the Board shall meet at the most convenient public facility in the District. (If a public facility is not available within the District, the Board may meet at any available public facility convenient to all Board members, regardless of the county or school district in which the facility is located.)

C. The meeting shall be called to order by the President of the Board for the preceding year. If that person is not a member of the Board, the meeting shall be called to order by the Vice President for the preceding year. If the preceding year President and Vice President are not members of the Board, a temporary president shall be elected and the meeting shall be called to order by the temporary president. The person calling the meeting to order shall preside until a successor is chosen.

D. The Board President shall ask for nominations for the office of President. A member may nominate him or herself. The President shall ask for acceptance of nominations from those nominated. Immediately after electing a President the Board will take a brief recess. The meeting will resume with the new President conducting the balance of the meeting.

E. The New Board President shall ask for nominations for the office of Vice President. Process in Section D. shall be repeated. The elected Vice President will immediately assume the post and the meeting may resume with additional Board business.

F. Whenever there is a vacancy in the office of President or Vice President, the Board shall elect a new officer to fill the vacancy during the unexpired term of office.

**LEGAL REF.:**  
A.R.S.  
15-321  
38-431 et seq.

Last Revision Date: June 25, 2022

## 2.22 Organization - District Superintendent

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Superintendent” means a Superintendent, or principal, or both.

**Policy Objectives:** It is the intent of the Board that that the District organization, operations, administration, faculty, staff, methods, practices, and conduct, will be managed through the Superintendent.

- A. The Board determines qualifications of a District Superintendent, which include, but are not limited to background check and fingerprint clearance card. Certification is not required.
- B. The Superintendent shall supervise, either directly or through delegation, all activities and all personnel of the school system according to the laws of the state of Arizona, rules of the Arizona State Board of Education, and adopted policies of the Board.
- C. The Superintendent shall administer the policies of the Board.
- D. The Superintendent makes recommendations to the Board for changes in Board policies and the educational programs.
- E. The Superintendent is responsible to the Board for all functions of the District.

**LEGAL REF.:**

A.R.S.

15-503

15-802

38-201

41-1758

A.A.C.

R7-2-603

Last Revision Date: June 25, 2022

## 2.23 Organization - District Attorney

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to directly seek advice of legal counsel, as necessary, while being mindful of financial resources.

A. If a district lies in two or more counties, the county attorney of the largest county in which the district lies as determined by the last federal decennial census is the attorney for the district.

B. A district board may employ an attorney to represent the district if the county attorney consents. The district board shall state in writing the purpose for which it employs an attorney. The district attorney may report directly to the Board. Any Board member may be authorized to contact in-house counsel.

C. A district board may employ an attorney without the consent of the county attorney if it deems it advisable.

D. Compensation for an attorney whom the district board employs as provided in subsections B and C of this section is payable from district monies.

E. If a district board employs an attorney without the consent of the county attorney, the county attorney has no duty to represent the district with regard to any matter for which the attorney was employed and is not responsible to the district for any exercise of, or failure to exercise, professional judgment by the attorney in his representation of the district.

F. The county attorney is not required to assume the duty to represent the district on a matter for which the district board employs an attorney without the consent of the county attorney.

G. An attorney employed pursuant to subsection B or C of this section shall represent the district with the powers of and the duties otherwise performed by the county attorney pursuant to section 11-532, subsection A, paragraph 11.

H. Any county attorney who issues a legal opinion to a community college district shall promptly transmit a copy of the opinion to the attorney general who shall concur, revise or decline to review the opinion of the county attorney. If the attorney general does not concur, revise, or decline to review the county attorney's opinion within sixty days from its receipt, the opinion shall be deemed affirmed. If the attorney general revises the opinion, the opinion of the attorney general shall prevail.

I. The Board may choose to employ outside counsel, an attorney different than the attorney employed by the District. Compensation and purpose should be determined at the time of hire.

J. The Superintendent, or his or her designee, and the Board President may contact private counsel for Board business. The Superintendent, or his or her designee, and the Board may contact in-house counsel for Board business.

**LEGAL REF.:**

A.R.S.

11-532

15-1448

Last Revision Date: June 25, 2022

## 2.24 Organization - Advisory Committees

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all committees providing guidance, advice, or recommendations to the Board be established and authorized by the Board and follow Open Meeting Law requirements.

A. The Board may appoint committees which are advisory in nature only and shall be considered public bodies.

B. The Board shall approve guidelines for each committee prior to the first meeting of each committee and will include, but not be limited to:

1. Purpose of the committee.
2. Date or event upon which the committee will be terminated.

C. The Superintendent will ensure:

1. Each committee member will be briefed on the requirements of the Arizona Open Meeting Law (A.R.S. 38-431) as it applies to Board committees.
2. Notices and agendas of all meetings of the committee will be posted.
3. All meetings will be public meetings.
4. If an executive session is authorized, Executive Session requirements will be followed.

D. Minutes will be taken and made available for public inspection three (3) working days after the meeting and archived for public inspection.

1. The minutes shall also include the names of the members who propose each motion and the names of the persons, as given, who make statements or present material to the public body and a reference to the legal action about which they made statements or presented material.

**LEGAL REF.:**

A.R.S.

38-431 et seq.

Last Revision Date: June 25, 2022



## 2.31 Policy - Adoption, Revision, Suspension, and Repeal

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to adopt policies that prioritize students and academic achievement that meets the needs of individual students.

A. The Board shall prescribe and enforce policies and procedures to govern the schools that are not inconsistent with law or rules prescribed by the state board of education.

B. Suggestions regarding the content of policies may originate with a member of the Board, the Superintendent, a staff member, a parent, a student, a consultant, a civic group, or any resident of the District.

C. The Board will review policies annually.

1. The Board is responsible for identifying policies that are out of date or in need of revision.
2. The Board may engage a third party consulting service for policy revision or review.

D. Adoption of new policies or the revision, suspension, or repeal of existing policies is the responsibility of the Board.

1. Best practices suggest two meetings to discuss adoption of new policies or policy revision, suspension or repeal to allow for public review and comment.

E. The Superintendent shall develop administrative procedures, regulations and guidelines that execute Board policies.

1. The Superintendent shall ensure that the Board, employees, and all members of the public have access to a current policy manual that contains the policies, procedures, regulations and guidelines of the District.

F. All adopted policies will remain the property of the District.

### LEGAL REF.:

A.R.S.

15-321

15-341

Last Revision Date: June 25, 2022

## 2.32 Policy - Regulations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the Superintendent develop regulations that prioritize students and academic achievement that meets the needs of individual students.

A. The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board. The administrative regulations shall specify details and required actions which implement the Board approved policy in the spirit in which it was approved.

B. The Superintendent shall provide a copy of each District regulation and the related policy to each Board member prior to distribution. The Board reserves the right to review and provide feedback on all administrative regulations prior to distribution.

C. Before issuance, regulations shall be properly titled and coded in conformance with the policy classification system.

Last Revision Date: June 25, 2022

## 2.41 Ethics - Board Member Removal from Office

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to adhere to Arizona Revised Statutes regarding board member removal from office.

A. A Board member may be removed from office for reasons included in A.R.S. 38-291:

1. Death of the person holding the office.
2. Insanity of the person holding the office, when judicially determined.
3. Resignation of the person holding the office and the lawful acceptance of the resignation.
4. Removal from office of the person holding the office, including the removal of a board or commission member by the appointing power before the expiration of the person's term of office.
5. If the office is elective, the person holding the office ceasing to be a resident of the state, or, if the office is local, or from a legislative or congressional district, the person holding the office ceasing to be a resident of the district, county, city, town or precinct for which the person was elected, or within which the duties of the person's office are required to be discharged.
6. Absence from the state by the person holding the office, without permission of the legislature, beyond the period of three consecutive months.
7. The person holding the office ceasing to discharge the duties of office for the period of three consecutive months.
8. Conviction of the person holding the office of a felony or an offense involving a violation of the person's official duties.
9. Failure of the person elected or appointed to the office to file the person's official oath within the time prescribed by law.
10. A decision of a competent tribunal declaring void the election or appointment of the person elected or appointed to the office.
11. Failure of a person to be elected or appointed to the office.
12. A violation of section 38-296 by the person holding the office.

B. Every public officer holding an elective office, either by election or by appointment, is subject to recall from such office by the qualified electors of the electoral District from which candidates are elected to that office.

### LEGAL REF.:

A.R.S.

19-201

19-202

19-202.01

19-209

19-217

38-291

38-431.07

Last Revision Date: June 25, 2022

## 2.42 Ethics - Board Member Conflict of Interest

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Refrain from participating in any manner" means not participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

"Dependent" has the same meaning prescribed by section 152 of the internal revenue code.

**Policy Objectives:** It is the intent of the Board that members avoid all impropriety and any appearance of impropriety.

A. It is unlawful for a board member to vote on a specific item that concerns the appointment, employment, or remuneration of the member or any person related to the member as a dependent as defined in A.R.S. 43-1001.

B. No dependent of a Board member may be employed in the District in which the person to whom such dependent is so related is a board member, except by consent of the Board.

C. No employee of the District, including a person who directly provides certified or classified services to the District as an employee of a third-party contractor, or the spouse of such employee may hold membership on the Board of the District by which the employee is employed.

D. Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase.

E. School district procurement rules are required for all purchases of service from Board members, regardless of the dollar amount. Purchases for services may only be made after public competitive bidding. Purchases of supplies, materials, and equipment from Board members are subject to the following:

1. Purchases for supplies, materials, and equipment do not exceed three hundred dollars (\$300) in cost in any single transaction
2. Total purchases do not exceed one thousand dollars (\$1,000), annually
3. The Board has, by majority vote, approved a policy authorizing such purchases annually.

F. The District shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to A.R.S. Title 38, Article 8.

**LEGAL REF.:**

A.R.S.

15-213

15-323

15-421

15-502

38-481

38-501 et seq

38-503

43-1001

A.G.O.

184-012

187-035

188-013

106-002

Last Revision Date: June 25, 2022

## 2.51 Meetings – Regular, Special, Study Session

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Meeting” means the gathering, in person or through technological devices, of a quorum of members of a public body to discuss, propose or take legal action, including any deliberations with respect to such action that has been properly noticed, pursuant to Arizona Revised Statutes. A meeting includes a one-way electronic communication by one member of a public body that is sent to a quorum of the members of a public body and that proposes legal action. A meeting also includes an exchange of electronic communications among a quorum of the members of a public body that involves a discussion, deliberation or the taking of legal action by the public body concerning a matter likely to come before the public body for action.

**Policy Objectives:** It is the intent of the Board to conduct all business of the District in the District, in public and with proper notice to maximize transparency and public participation.

A. The Board shall conduct all business at official meetings of the Board. These may be either regular meetings, special meetings, or study sessions, defined as follows:

1. Regular meeting - the usual official legal-action meeting, scheduled and held regularly.
2. Special meeting - an official legal-action meeting called between scheduled regular meetings to consider only specifically identified topics.
3. Study Session - an official non-action meeting called between scheduled regular meetings to study identified topics.

B. The Board shall hold a regular meeting at least once each month during the regular school year and may hold other meetings as often as called.

C. Every meeting of the Board shall be open to the public except for an executive session that is held in accordance with state law.

D. Notice of all Governing Board meetings, regular and special, shall be posted in compliance with the requirements prescribed by A.R.S. 38-431.02.

E. Votes on all motions and resolutions shall be ayes, nays, abstentions or recusals.

1. At the discretion of the Board President or on the request of a member, a show-of-hands or roll-call vote shall be made and the vote of members shall be recorded.
2. On all votes, an indication of how each member voted, the names of the members who propose each motion and the names of the person, as given, who make statements or present material to the public body and a reference to the legal action about which they made statements or presented material shall be recorded in the minutes.

F. All motions shall be carried by a majority of the members who vote, or as otherwise required by law.

**LEGAL REF.:**

A.R.S.

1-216

15-321

38-431 et seq.

A.G.O.

178-237

179-45

184-165

180-198

Attorney General Arizona Agency Handbook, Chapter 7, Open Meetings

ASLAPR General Retention Schedule for School Districts and Charter Schools

Last Revision Date: June 25, 2022

## 2.52 Meetings - Executive Session

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to minimize the occurrence of executive sessions and only meet in executive session in accordance with Arizona Revised Statutes.

A. The Board may enter into executive session, authorized by a vote of the members, pursuant to ARS Title 38 Article 3.1 and statutes referenced by ARS Title 38 Article 3.1.

B. Executive sessions will be conducted in compliance with ARS Title 38 Article 3.1 and statutes referenced by ARS Title 38 Article 3.1.

C. The Board shall reconvene the open meeting after an executive session prior to adjourning the meeting.

### **LEGAL REF.:**

A.R.S.

15-843

38-Article 3.1

A.G.O.

179-45

179-49

179-126

179-136

180-118

180-146

181-058

181-060

181-090

Last Revision Date: June 25, 2022



## 2.53 Meetings - Notice

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to transact all business of the district in the district, in public, and with proper notice to maximize transparency and public participation.

A. The Superintendent shall conspicuously post a statement on the district website stating where all public notices of their meetings will be posted, including the physical and electronic locations.

B. The Superintendent shall give additional public notice as is reasonable and practicable as to all meetings.

C. A technological problem or failure that either prevents the posting of public notices on a website or that temporarily or permanently prevents the use of all or part of the website does not preclude the holding of the meeting for which the notice was posted if the public body complies with all other public notice requirements.

D. Meetings shall not be held without at least twenty-four hours' notice to the members of the public body and to the general public.

1. The twenty-four (24) hour notice period includes Saturday if the public has access to the physical posted location in addition to any website posting, but excludes Sundays and other holidays prescribed in A.R.S. 1-301.

2. A twenty-four (24) hour meeting notice is not required in the case of an actual emergency, however, notice shall be given and procedures followed in accordance with the requirements of A.R.S. 38-431.02 as are appropriate to the circumstances.

3. A meeting may be recessed and resumed with less than twenty-four (24) hour notice when proper initial meeting notice was given and, before recessing, public notice is given specifying the time and place the meeting will be resumed or identifying the method by which such notice shall be publicly given.

E. In case of an actual emergency, a meeting, including an executive session, may be held on such notice as is appropriate to the circumstances. Public notice must be posted within twenty-four hours declaring that an emergency session has been held and setting forth the agenda discussed, including executive session agendas.

### LEGAL REF.:

A.R.S.

1-301

15-341

38-431

38-431.02

A.G.O.

179-45

Last Revision Date: June 25, 2022

## 2.54 Meetings - Agenda

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to prepare agendas in a timely, complete, and transparent manner, providing and to disseminate that agenda to board members in a timely, complete and transparent manner.

A. The Superintendent will prepare Board meeting agendas in consultation with the Board President and/or Vice President.

B. The Superintendent or Board members may place items on the agenda. Any Board member desiring to place an item on the agenda will notify the Superintendent or Board President in writing of the particular item of business at least five (5) working days before the meeting.

C. The agenda of each Board meeting may contain a consent agenda. Consent agenda items will be determined and indicated by the Superintendent, with the concurrence of the Board President, at the time agendas are prepared. All backup material relating to any consent agenda items will be included in the Board's agenda packets.

1. Consent agenda items may be removed for discussion and debate by any member of the Board at the Board meeting. If removed from the consent agenda, the item may be moved to action/discussion, or may be placed on the next Board meeting agenda.

D. The agenda and supporting materials shall be distributed to the Board members not less than twenty-four (24) hours prior to the meeting. Every reasonable attempt will be made to provide the agenda and supporting materials five (5) calendar days in advance of the meeting.

E. Persons with a disability or who need an interpreter may request a reasonable accommodation by contacting the Governing Board Secretary at least 48-hours in advance to arrange services.

F. Copies of the agenda and all documentation provided to the Board in the agenda packet shall be available to the public and the press at least twenty-four (24) hours prior to the meeting.

G. These procedures may be altered by the Superintendent and Board President during an emergency.

### **LEGAL REF.:**

A.R.S.

38-431 et seq.

Last Revision Date: June 25, 2022

## 2.61 Members - Qualifications

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Household of residence" means the place of abode during applicable time periods or the residence address used by an individual for voter registration or property tax purposes.

"Immediate family" means individuals who are married to each other and any children of those individuals.

**Policy Objectives:** It is the intent of the Board to ensure that all governing board members meet minimum qualifications as defined by law.

A. A person who is a registered voter of Arizona and has been a resident of the District for one (1) year immediately preceding the day of election is eligible for election to the office of Board member.

B. No employee of the District, including a person who directly provides certificated or support services to the District as an employee of a third-party contractor, or the spouse of such employee may hold membership on the Board of this District.

C. A person is not eligible to be a candidate for nomination or election to and is not eligible to serve simultaneously on more than one school district governing board, except that a member of a governing board may be a candidate for nomination or election for any other governing board if the member is serving in the last year of a term of office.

D. A member of a Board shall resign the member's seat on the Board before becoming a candidate for nomination or election to the Board of any other school district, unless the member of the Board is serving in the last year of a term of office.

E. Persons related as immediate family who have the same household of residence within four years prior shall not serve simultaneously on the Board of the same school district if the Board is composed of five members.

### **LEGAL REF.:**

A.R.S.

15-421

38-201

38-296.01

Arizona Constitution, Article VII, Section 15

Last Revision Date: June 25, 2022

## 2.62 Members - Oath of Office

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Officer " means any person elected or appointed either on a part-time or full-time basis, by this state or any of its political subdivisions or any county, city, town, municipal corporation, school district, public educational institution or any board, commission or agency of any county, city, town, municipal corporation, school district or public educational institution.

**Policy Objectives:** It is the intent of the Board to ensure that all governing board members are appropriately sworn into office and documents retained per statute.

A. Board members shall take and subscribe to the oath prescribed for public officers pursuant to A.R.S. 38-231.

B. The official oaths of all officers of school districts shall be filed of record in the school district office.

C. The official oath or affirmation required to be filed of record shall be maintained as an official record throughout the person's term or appointment plus a period of time to be determined pursuant to sections 41-151.15 and 41-151.19.

D. Any Board member having taken the oath of office, and knowingly at the time of subscribing to the oath, or at any time thereafter during the member's term of office, does commit or aid in the commission of any act to overthrow by force, violence or terrorism as defined in section 13-2301 the government of this state or of any of its political subdivisions, or advocates the overthrow by force, violence or terrorism as defined in section 13-2301 of the government of this state or of any of its political subdivisions, is guilty of a class 4 felony and, on conviction under this section, the Board member is deemed discharged from the office and is not entitled to any benefits which may have been incident or appurtenant to the office.

### LEGAL REF.:

A.R.S.

15-426

38-231

38-232

38-233

41-151.15

41-151.19

Attorney General Arizona Agency Handbook, Chapter 7, Open Meetings

Last Revision Date: June 25, 2022

## 2.63 Members - Resignation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure that all governing board member resignations are filed properly and with full transparency.

A. Any Board member who desires to resign from the Governing Board shall send a letter of resignation, in writing, to the Arizona Secretary of State with the effective date, with copies to the County School Superintendent, Superintendent and each member of the Board prior to the effective date of the resignation.

**LEGAL REF.:**

A.R.S.

38-294

Last Revision Date: June 25, 2022

## 2.64 Members – Communications with Employees

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to welcome the opinion and other input from employees and the public in general on all matters. This policy shall not prevent communications between the Board and all stakeholders, but all such communications must be made in compliance with the Arizona open meeting laws, to the extent applicable.

A. Official communication between the Board and employees will occur as follows:

1. An employee will first communicate on school or employment related matters at the administrative level.
2. Any employee who exhausts the opportunity of discussing an official matter at the various administrative levels may then communicate in writing with the Board on the matter, providing documentation of all prior communications with administration.
3. No anonymous communication will be considered by the Board.
4. Any employee who wishes to address the Board in the employee's capacity as a parent, District resident, or individual, rather than as an employee, may do so by following the procedures outlined in Board Communications with the Public.
5. Official communications, policies, directives, Board concerns, and Board action(s), as appropriate, will be communicated to employees by the Superintendent.

**LEGAL REF.:**

A.R.S.

15-321

15-341

38-431.01

38-431.02

Last Revision Date: June 25, 2022

## 2.65 Members - Communications with the Public

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to welcome the opinion and other input from the public on all matters. This policy shall not prevent communications between the Board and all stakeholders, but all such communications must be made in compliance with the Arizona open meeting laws, to the extent applicable.

- A. Official communication between the Board and the public will occur as follows:
1. The Board asks the public to follow the District's problem solving procedures which outline the concerns and complaint process followed by the District.
    - a. The Superintendent shall prominently display the problem solving procedures on the District website and in the parent handbook.
  2. Any community member who exhausts the opportunity of discussing an official matter at the administrative level may appeal the matter to the Board in writing. Communication should include the writer's name(s) and signature(s), date, full address, daytime phone number, relevant documentation and documentation of all prior communications with District administration and staff.
  3. No anonymous communication will be considered by the Board for formal action.
  4. Generally, neither the Board nor the administration will publicly comment on or publicly respond to anonymous letters that are received by the Board or the District.

Last Revision Date: June 25, 2022

## 2.64 Members - Appointed and Member Elect

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to afford an appointed board member or member-elect, prior to being seated, the Board's and the staff's fullest courtesy and cooperation.

A. The Board and staff will make every effort to assist the appointed board member or member-elect to become fully informed about the Board's functions, policies, and procedures.

B. In the interim between election or appointment and actually assuming office, the member-elect may be invited to attend appropriate meetings and functions of the Board and receive appropriate reports and communications normally sent to Board members.

C. The appointed board member or member-elect is to be provided access to appropriate publications and aids, including the Board's Policy Manual and Administrative Regulations.

D. Appointed board members or members-elect may be encouraged to attend meetings or workshops specifically designed for them. Their expenses at these meetings may be reimbursed by the District in accordance with law.

**LEGAL REF.:**

A.R.S.

15-342

38-431.01

Last Revision Date: June 25, 2022



## 2.65 Members - Training

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to encourage members to attend workshops and training.

A. Professional journals and books in the school libraries shall be available to every Board member upon request.

B. To control the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. Funds for participation at meetings and conferences will be budgeted on an annual basis and allocated equally to each board member.
2. When funds are limited, the Board will designate which of its members would be the most appropriate to participate at a given meeting.
3. With the prior approval of the Board, Board members may participate in meetings other than those authorized in the budget.
4. When a conference, convention, or workshop is not attended by the full Board, those who do participate will be requested to share information, recommendations, and material acquired at the meeting.

C. No public monies shall be used for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity or sex. This does not include any training on sexual harassment.

1. Blame or judgment on the basis of race, ethnicity or sex is defined in ARS 41-1494 statute by seven (7) concepts.

### **LEGAL REF.:**

A.R.S.

15-342

41-1494

Last Revision Date: June 25, 2022

## 2.66 Members - Expense Reimbursement

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to reimburse authorized board member expenses related to district business.

A. With prior Board authorization, board members may be reimbursed for expenses incurred in connection with any school business authorized by the Board.

B. Reimbursement amounts shall not exceed the maximum amounts established pursuant to ARS 38-624.

**LEGAL REF.:**

A.R.S.

15-342

38-621 et seq.

Last Revision Date: June 25, 2022

## 2.67 Members - Insurance/Liability Policy

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Self-insurance program" means programs established and wholly or partially funded by the school district governing board. Self-insurance programs shall not include a decision by the governing board not to carry insurance upon a particular risk or risks.

**Policy Objectives:** It is the intent of the Board to remain compliant with Arizona Revised Statutes regarding board member insurance and liability.

A. Board members are immune from personal liability with respect to all acts done and actions taken in good faith within the scope of their authority during duly constituted regular and special meetings.

B. Board members shall have no personal liability for acts done in reliance upon written opinions of the attorney general or upon written opinions of the county attorney:

1. Which are deemed to be affirmed by the attorney general pursuant to section 15-253.
2. With which the attorney general concurs.
3. Which the attorney general declines to review.
4. As revised by a written opinion of the attorney general.

C. The Board may procure insurance or may establish a self-insurance program for the management and administration of a system for direct payment of benefits, losses, or claims, or any combination of insurance and direct payments, including risk-management consultation, to provide payment of any property loss sustained or lawful claim of liability or fortuitous loss made against the District or its employees or officers, if the employees or officers are acting in the scope of their employment or authority.

D. Board members and their dependents are eligible to participate in health, accident, life, or disability insurance plans made available to employees of the District if the Board members pay the full premiums associated with such coverage and participation of the members and their dependents does not result in an expenditure of District funds. Former Board members, their spouses, dependents, and surviving spouses or dependents of Board members or former Board members may continue to participate in the health, accident, life, or disability insurance benefits provided to employees of the District if the following conditions are met:

1. Former Board members must have served at least four (4) consecutive years on the Board, must have been covered under the insurance plan while serving as Board members, and must pay the full premiums for the insurance coverage.
2. Such participation must not result in an expenditure of District funds.
3. The spouse and dependents of a Board member or former Board member may continue participation in the insurance plan if they pay the full premium for the insurance coverage and their participation does not result in any expenditure of District funds.

4. The surviving spouse and/or dependents of a deceased Board member who was eligible for coverage while in office will be eligible for continued coverage. For a surviving spouse or dependents of a Board member or former Board member to be eligible for continued coverage, the deceased Board member or former Board member must have served four (4) consecutive years and have been covered under the insurance plan while serving on the Board.

**LEGAL REF.:**

A.R.S.

15-341

15-381

15-382

15-387

A.G.O.

190-038

Last Revision Date: June 25, 2022

## 2.68 Members - Memberships

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to allow board members to participate in school board associations, coalitions, or other groups.

A. The district shall not spend monies for memberships in an association, coalition or group that attempts to influence the outcome of an election, as determined by state and federal law.

**LEGAL REF.:**

A.R.S.

15-342

Last Revision Date: June 25, 2022

## 2.71 Superintendent - Contract

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Superintendent” means a Superintendent, or principal, or both.

**Policy Objectives:** It is the intent of the Board that the administration of the school system is the responsibility of the Superintendent, whose functions shall be carried out in accordance with the policies of the Board.

A. The Board may employ a superintendent or principal, or both.

B. The Board may, jointly with another Board employ a superintendent or a principal, or both.

1. The Boards shall jointly determine the qualifications for the superintendent by action taken at a public meeting.

2. The Boards shall require a superintendent to have a valid fingerprint clearance card that is issued pursuant to title 41, chapter 12, article 3.1.

C. The term of employment of superintendents may be for any period not exceeding three years.

D. If the superintendent's contract with the District is for multiple years the District shall not offer to extend or renegotiate the contract until no earlier than fifteen months before the expiration of the contract.

E. The Board shall communicate the superintendent's duties with respect to the classroom site fund established by section 15-977.

F. The Superintendent shall enforce the statutes and rules of the state of Arizona and the federal government, and the policies of the Governing Board of the District.

G. The Superintendent may establish regulations for the administration of the District that are in compliance with applicable statutes or regulations of the Arizona Administrative Code and the policies of the Governing Board. These regulations are binding on the employees of this District and students in the schools.

H. The Board shall ensure that the contract for the superintendent is structured in a manner in which up to twenty percent (20%) of the total annual salary included for the superintendent in the contract is classified as performance pay.

1. This does not require school districts to increase total compensation for superintendents.

2. Unless the Board votes to implement an alternative procedure at a public meeting called for this purpose, the performance pay portion of the superintendent's total annual compensation shall be determined as follows:

- a. Twenty-five percent (25%) of the performance pay shall be determined based on the percentage of academic gain determined by the department of education of pupils who are enrolled in the school district compared to the academic gain achieved by the highest ranking of the fifty largest school districts in this state.
- b. Twenty-five percent (25%) of the performance pay shall be determined by the percentage of parents of pupils who are enrolled at the school district who assign a letter grade of "A" to the school on a survey of parental satisfaction with the school district.
- c. Twenty-five percent of the performance pay shall be determined by the percentage of teachers who are employed at the school district and who assign a letter grade of "A" to the school on a survey of teacher satisfaction with the school.
- d. Twenty-five percent (25%) of the performance pay shall be determined by other criteria selected by the governing board.

I. The Board views Superintendent performance as identical to District performance so that District accomplishment of Board-prescribed District Goals will be viewed as successful Superintendent performance.

J. The Superintendent may make recommendations to the Board for changes in Board policies and the educational program.

K. On or before May 15 the Governing Board shall offer a contract to the Superintendent for the next school year(s).

**LEGAL REF.:**

A.R.S.

15-341

15-342

15-503

38-201

41-1758 et seq.

A.A.C.

R7-2-603

Last Revision Date: June 25, 2022

## 2.72 Superintendent - Evaluation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District goals shall be the Superintendent's goals. The District goals shall be reviewed annually and be the basis for the areas of focus for the ensuing school year.

A. The Board shall establish a system for the evaluation of the performance of the superintendent.

B. The Board shall evaluate the Superintendent at least once each year. The evaluation(s) may relate to the Superintendent's duties, responsibilities, progress toward District goals and/or performance pay goals.

C. The Superintendent's evaluation instrument, with specified performance targets and expectations, will be approved annually by the Board when the District goals are approved.

D. The Superintendent's contract may have up to twenty percent (20%) of the total annual salary classified as performance pay. Unless the school district governing board votes to implement an alternative procedure at a public meeting called for this purpose, the performance pay portion of the superintendent's total annual compensation shall be determined as follows and may be considered as part of the superintendent evaluation:

1. Twenty-five percent (25%) of the performance pay shall be determined based on the percentage of academic gain determined by the department of education of pupils who are enrolled in the school district compared to the academic gain achieved by the highest ranking of the fifty largest school districts in this state.
2. Twenty-five percent (25%) of the performance pay shall be determined by the percentage of parents of pupils who are enrolled at the school district who assign a letter grade of "A" to the school on a survey of parental satisfaction with the school district.
3. Twenty-five percent (25%) of the performance pay shall be determined by the percentage of teachers who are employed at the school district and who assign a letter grade of "A" to the school on a survey of teacher satisfaction with the school.
4. Twenty-five percent (25%) of the performance pay shall be determined by other criteria selected by the Board.

E. Any meetings of the Board to compile evaluative data or to discuss the evaluative feedback with the Superintendent shall be held in executive session unless the Superintendent requests that the meeting be held in open session.

F. The Superintendent will be given a copy of the written evaluation and another copy shall become a part of the Superintendent's confidential file. The Superintendent may respond in writing to the Board if there is disagreement with the evaluation.



**LEGAL REF.:**

A.R.S.

15-341

15-503

15-1325

Last Revision Date: June 25, 2022

## 2.73 Superintendent – Non-Renewal of Contract

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Superintendent” means a Superintendent, or principal, or both.

**Policy Objectives:** It is the intent of the Board to meet statutory deadlines on non-renewal of superintendent’s contract.

A. The Board may choose to not renew the superintendent’s contract effective at the end of the contract period.

B. The Board may adopt policies that establish reasons for non-renewal.

C. On or before April 15 preceding the expiration of the superintendent’s contract, if a majority of the board determines that the superintendent’s contract should be considered for non-renewal, the board shall give the superintendent written notice of the Board’s intention to offer or not to offer a new employment contract.

D. Notice of the Board’s intention not to reemploy the superintendent shall be delivered to the Superintendent by certified mail, postmarked on or before the deadline prescribed in Section A of this policy and directed to the place of residence as recorded in the agency’s records.

E. If the Board fails to give notice of proposed non-renewal within the time specified above, the Board shall employ the superintendent in the same professional capacity for the following school year.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022

## 2.74 Superintendent - Resignation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Superintendent” means a Superintendent, or principal, or both.

**Policy Objectives:** It is the intent of the Board to establish procedures related to Superintendent resignations and ensure proper documentation in Human Resource files.

A. A superintendent may leave the employment of the District at the end of the superintendent’s contract, without penalty, by filing a written resignation with the Board which will be placed in the employee file.

B. A superintendent may resign, with the approval of the Board, at any time.

C. A superintendent who resigns without Board approval will be deemed to commit an unprofessional act and, upon request of the Board, shall be subject to disciplinary action, as appropriately allowed within the law and will be documented in the employee file.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022

# III. Students

## 3.11 Equal Opportunity - Education

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure all students have access to equal opportunities to education.

A. The District will remain free of unlawful discrimination and ensure that students are not excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity of the District on the basis of race, color, national origin, religion, sex, age, or disability.

1. Student's rights to participate in extracurricular activities shall be dependent only upon standards set by the Board including academic, behavioral and ability as set by the Board.

### **LEGAL REF.:**

Arizona Constitution, Act XI, Sec. 6

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Educational Opportunities Act

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

## 3.12 Equal Opportunity - Complaints

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that students' constitutional rights and equal access to programs are upheld and that they have an educational environment that is safe and free from discrimination, harassment, intimidation, or bullying.

A. The Superintendent shall 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, harassment, intimidation, bullying or personal safety.

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

1. Violation of the student's constitutional rights
2. 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
3. Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability
4. Harassment of the student by another person
5. Intimidation by another student
6. Bullying by another student
7. Concern for the student's personal safety

C. 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.

D. The Superintendent shall post a notice of this policy and procedure shall be made a part of the rights and responsibilities section of the student handbook and parent handbook.

E. 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.

F. 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.

**LEGAL REF.:**

A.R.S.  
15-341

Last Revision Date: June 25, 2022

## 3.21 Attendance - Boundaries

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to establish attendance areas within the District.

A. Students will attend school in the attendance areas in which their respective residences are located. Exceptions to this policy may be made for:

1. Open enrollment and open enrollment policy
2. Unsafe school choice options
3. Special placements based on Individualized Educational Programs
4. Disciplinary actions
5. Available curricula/special programs
6. Continued attendance in homeless students' school of origin

### **LEGAL REF.:**

A.R.S.

15-341

15-461

20 U.S.C. 7912, Unsafe School Choice Option

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

Last Revision Date: June 25, 2022

## 3.22 Attendance – Student Attendance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to enforce laws regarding student attendance.

A. The parent or guardian is charged by law with responsibility for the student's consistent school attendance. The Superintendent shall provide procedures to enforce the laws regarding attendance.

### **LEGAL REF.:**

A.R.S.

15-239

15-346

15-771

15-802

15-804

15-805

15-806

15-807

15-826

15-843

15-872

15-873

15-901

Last Revision Date: June 25, 2022



## 3.23 Attendance – Compulsory Attendance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to enforce laws regarding compulsory attendance.

A. It is unlawful for any child who is at least six (6) but not yet sixteen (16) years of age to fail to attend school during the hours that school is in session, unless such child is excused pursuant to:

1. A.R.S. 15-802 and verifiable records are kept of the reasons for excuse from the duties prescribed.
2. A.R.S. 15-901 (for children with disabilities).
3. The child being provided instruction at home.
4. The child being accompanied by a parent or a person authorized by a parent.

### LEGAL REF.

A.R.S.  
15-802  
15-803  
15-901

Last Revision Date: June 25, 2022

## 3.24 Attendance – Unsafe School

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Persistently Dangerous School” is a school with recurring violent and/or dangerous crime that continues over time and does not use research based planning and prevention programming to ensure school safety. The State, of Arizona, with a representative sample of local educational agencies, must determine which schools are persistently dangerous.

“Victim of Violent Criminal Offense” is an individual against whom the crime is committed as listed in a police report that is not unfounded or exceptionally cleared, or who is an immediate family member of a crime victim that has been killed or incapacitated.

**Policy Objectives:** It is the intent of the Board to require that a student attending a persistently dangerous elementary or secondary school, as determined by the State in consultation with a representative sample of local educational agencies, or who becomes a victim of a violent criminal offense, as determined by State law, while in or on the grounds of an elementary or secondary school that the student attends, be allowed to attend a safe public elementary or secondary school within the local educational agency, including a public charter school.

A. All students attending a District school that is classified by the State as a persistently dangerous school shall be notified of this label and be offered the opportunity to transfer to any school within the District that is not labeled persistently dangerous and contains the same grade level the student is eligible to attend or a charter school.

B. Any student, while in or on the grounds of a District school the student attends, who is subjected to a violent criminal offense as defined in Arizona law or who is an immediate family member of one who has been killed or incapacitated by such defined violent criminal offense shall be offered the opportunity to transfer to any school within the District that contains the same grade level the student is eligible to attend or a charter school.

C. The number of individuals using the individual transfer option should be reported to the Arizona Department of Education (ADE) each year in the format and form required.

D. Schools are to report violations of rules regarding dangerous weapons in the "Safe and Drug-Free Schools Report," which is an annual requirement for all public schools in Arizona and is due to ADE by June 30 each year.

E. Referrals to law enforcement agencies for criminal offenses should be reported in the annual School Report Card.

**LEGAL REF.:**

A.R.S.

15-341

13-3726

20 U.S.C. 6301 et seq., Every Student Succeeds Act of 2015

20 U.S.C. 7912, Unsafe School Choice Option

Last Revision Date: June 25, 2022

## 3.25 Attendance – Withdrawal/Dropout

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to require written parent approval for withdrawals.

A. A withdrawal form shall be presented to the parent or legal guardian of a student who may or must withdraw from school.

1. The withdrawal form shall include space for the reason for withdrawal and the signature of an official of the school from which the student has withdrawn.

B. Reasons for withdrawal may include:

1. Parents or legal guardians moving from the District or to an area served by another school within the District.

2. Parents requesting the withdrawal of students who have passed their sixteenth birthday.

3. Expulsion or long-term suspension by the Board.

C. Upon withdrawal, the student shall check in all books and other District property through the office of the school that was attended.

### **LEGAL REF.:**

A.R.S.

15-827

15-828

15-829

Last Revision Date: June 25, 2022

## 3.26 Attendance – Absences

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to require regular school attendance of a school aged child as required by state law.

A. Absences shall be excused only for necessary and important reasons such as illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith.

B. In the event of a necessary absence known in advance, the parent is expected to inform the school; if the absence is caused by emergency, such as illness, the parent is expected to telephone the school office.

1. When a student returns to school following any absence, a note of explanation from the parent is required.

C. Students must attend each session of the class for the full period for 90% or more of the class sessions during the semester in order to be considered for credit in the course. (Ten or fewer absences per semester will make the student eligible to be considered for credit.)

D. School-approved activities such as field trips, performing groups, student government, and others will not be considered absences.

E. The Superintendent shall develop procedures to excuse, by appeal process, additional absences and loss of credit caused by extended illness, injury, or extenuating circumstances upon satisfactory verification of absence. Students must provide justification for all absences when submitting an appeal.

F. State law mandates the school record reasons for all student absences. Therefore, when a student is absent, parents must call the school on or before the day of the absence in order to advise the school as to the reason for the absence.

1. When it is impossible to call on the day of the absence, the school should be notified on the morning the student returns.

2. If a parent does not have access to a phone, either at home or at work, a note will be accepted for verification purposes.

G. All absences not verified by parental or administrative authorization will remain unexcused.

H. For absences greater than one (1) day in length, the school should be notified each day of the absence.

Last Revision Date: June 25, 2022

I. The school may require an appointment card or a letter from a hospital or clinic when the parent has not notified the school of an appointment of a medical or dental nature.

J. No record of a pupil's excuse for religious purposes shall be entered into the official student records maintained by the school.

**LEGAL REF.:**

**A.R.S.**

15-346

15-802

15-806

15-807

15-843

15-873

15-902

Last Revision Date: June 25, 2022

## 3.27 Attendance - Truancy

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Truant” means an unexcused absence for at least one (1) class period during the day. This includes absence from any class, study hall, or activity during the school day for which the student is scheduled.

**Policy Objectives:** It is the intent of the Board to deem A child between the ages of six (6) and sixteen (16) as truant if they fail to attend school during the hours school is in session, unless excused pursuant to ARS 15-802, 15-803, or 15-901.

A. Unexcused absence for at least five (5) school days within a school year constitutes habitual truancy. The Superintendent shall establish procedures to identify and deal with unexcused absences, beginning with notification of parents.

B. Continued violation may lead to discipline of the child and/or referral of the parent to a court of competent jurisdiction.

### LEGAL REF.

A.R.S.

8-201

15-802

15-803

15-804

15-805

15-841

15-843

Last Revision Date: June 25, 2022

## 3.28 Attendance – Religious Classes

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to grant release time for students to attend religion classes under certain conditions, per Arizona Revised Statutes.

A. Students may be granted released time to attend religion classes near the school campus under the following conditions and guidelines:

1. The person who has custody of the student has given written consent.
2. Any religious instruction or exercise takes place at a suitable place away from school property designated by a church or religious denomination or group.

**LEGAL REF.:**

A.R.S.

15-806

Last Revision Date: June 25, 2022



## 3.29 Attendance – Chronic Health Conditions

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to provide appropriate educational opportunities for students having a chronic health condition as defined by Arizona Revised Statutes.

A. The District will provide appropriate educational opportunities for any student identified by at least one health professional or registered nurse practitioner who is licensed pursuant to Title 32, chapter 7, 8, 13, 14, 15, 17 or 25 as having a chronic health condition that will affect regular school attendance.

B. Homework will be made available in a timely manner to ensure such students have the opportunity to successfully complete assignments and avoid losing credit because of their absence from school.

1. The assigned teacher(s) shall have the responsibility to provide, in a timely manner, homework for students designated as having chronic health conditions.

C. Students with chronic health conditions shall be provided flexibility in physical education activity requirements so they may participate in the regular physical education program to the extent their health permits.

1. Staff members responsible for physical education activities programs shall develop and implement such guidelines.

D. The Superintendent shall develop procedures for meeting the requirements of this policy.

### **LEGAL REF.:**

A.R.S.

15-346

15-761

15-843

15-902

32-801 et seq.

32-900 et seq.

32-1401 et seq.

32-1501 et seq.

32-1601 et seq.

32-1800 et seq.

32-2501 et seq.

Last Revision Date: June 25, 2022

### 3.31 Admission – Age Requirements

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to enforce laws regarding compulsory attendance.

A. A child evaluated and recommended for special services for a disability in accord with statute, and who has reached the third (3rd) birthday, may be admitted to preschool.

B. The District may admit a child who is within ninety (90) days of reaching age three (3) years if it is determined to be in the best interest of the individual.

C. Children five (5) years of age prior to September 1 of the current school year may be admitted to kindergarten. If a full-day kindergarten is provided, the parent of a student eligible for full-day kindergarten shall be offered the opportunity to choose either a half-day or a full-day kindergarten program.

D. The District shall provide an academically meaningful half-day kindergarten program in each District school where the half-day student enrollment is sufficient to fill a class with approximately the same number of students as the District-wide kindergarten classroom average.

E. A parent of a kindergarten pupil may choose either half (1/2)-day kindergarten instruction or full-day kindergarten instruction pursuant to A.R.S. 15-703.

F. Children who are six (6) years of age, or deemed six (6) years of age if they reach such age prior to September 1 of the current school year may be admitted to 1st grade.

G. The Superintendent may admit children who have not reached the required age as prescribed above if the children have completed kindergarten, if it is determined to be in the best interest of the children, and such children must reach the required age of six (6) for first grade by January 1 of the current school year.

H. A high school graduate with a recognized diploma may be refused admission.

I. Students between the ages of sixteen (16) and twenty-one (21) years shall be admitted to high school. A student under sixteen (16) years of age who does not hold an eighth-grade certificate of promotion may be admitted to high school if the student meets competency requirements in the adopted standards for promotion of students from the eighth (8th) grade as determined by the State Board of Education in the areas of reading, writing, mathematics, science, and social studies.

**LEGAL REF.:**

A.R.S.

15-701

15-701.01

15-703

15-766

15-767

15-771

15-821

15-901

15-901.02

Last Revision Date: June 25, 2022

## 3.32 Admission – Resident Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Residence” is the residence of the person having legal custody of the student, except as provided in A.R.S. §15-823 through A.R.S. §15-825. Residency of the parent/guardian or surrogate may be determined by showing the individual’s presence and intent to remain in the District.

**Policy Objectives:** It is the intent of the Board that a student who is a resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

A. The following students are residents of the District:

1. A student who is in the legal custody of a natural or adoptive parent or other person to whom custody has been granted by a court order and who resides with the parent or other person in the District.
2. A student who is an emancipated minor and whose place of residence is in the District. When determining whether a minor is emancipated, the Superintendent will consider such factors as whether the student is married, financially independent, and residing away from the family domicile with parental consent.
3. A student who is eighteen (18) years of age or older and whose place of residence is in the District.
4. A student who is homeless, and who attended a school in the District at the time of becoming homeless.
5. A student who resides with a family member living in the District while awaiting the outcome of a legal guardianship or custody proceeding if the family provides written documentary proof in accord with ARS 15-821.
6. A student whose parent is transferred to or is pending transfer to a military installation within this state while on active military duty pursuant to an official military order. The parent shall provide proof of residency in the District to the local education agency within ten (10) days after the arrival date provided on official documentation.

B. The residency of a student, natural or adoptive parent, or other person to whom custody of the student has been granted by court order shall be based upon evidence of the individual's physical presence and intent to remain in the District. Such evidence of residency will be determined by using verifiable documentation per ARS 15-802.

1. The documentation must be provided each time a student enrolls in a school district school in this state and reaffirmed during the annual registration process via the district annual registration form. The documentation supporting Arizona residency should be maintained according to the school’s records retention schedule. Proof of residency is not required for homeless students.

C. In general, students will fall into one (1) of two (2) groups:

1. Those whose parent or legal guardian is able to provide documentation bearing his or her name and address.

- a. The parent or legal guardian must complete and sign a form indicating his or her name, the name of the school district and school site in which the student is being enrolled, and provide one (1) of the following documents, which bear the parent or legal guardian's full name and residential address or physical description of the property where the student resides (no P.O. Boxes):
  - i. Valid Arizona driver's license or Arizona identification card
  - ii. Valid Arizona motor vehicle registration
  - iii. Valid Arizona Address Confidentiality Program authorization card. A public school shall accept the substitute address as the address of record and shall verify student enrollment eligibility through the secretary of state. The secretary of state shall facilitate the transfer of student records from one school to another.
  - iv. Property deed
  - v. Mortgage documents
  - vi. Property tax bill
  - vii. Rental agreement or lease (including Section 8 agreement or off-base military housing)
  - viii. Utility bill (water, electric, gas, cable, phone)
  - ix. Bank or credit card statement
  - x. W-2 wage statement
  - xi. Payroll stub
  - xii. Certificate of tribal (506 Form) enrollment or other identification issued by a recognized Indian tribe located in Arizona.
  - xiii. Other documentation from a state, tribal, or federal agency (Social Security Administration, Veterans' Administration, Arizona Department of Economic Security, etc.)
  - xiv. A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card. Temporary on-base billeting facility (for military families)
  - xv. Temporary on-base billeting facility (for military families)

2. Those whose parent/legal parent guardian cannot document his or her own residence because of extenuating circumstances including, but not limited to, the family's household is multi-generational.

- a. The parent or legal guardian must have an affidavit of shared residency form completed indicating his or her name, the name of the school district and school site in which the student is being enrolled, and submit a signed notarized affidavit bearing the name and address of the person who maintains the residence where the student lives attesting to the fact that the student resides at that address, along with a document from the bulleted list above bearing the name and address of the person who maintains the residence.

D. The Superintendent must retain a copy of the attestations or affidavits and copies of any supporting documentation presented for each student (photocopies acceptable) that school officials believe establish validity. Documentation is subject to audit by the Arizona Department of Education. Personally identifiable information other than name and address (SSN, account numbers, etc.) should be redacted from the documentation either by the parent/guardian or the school official prior to filing.

**LEGAL REF.:**

A.R.S.

15-802

15-816 et seq.

15-821

15-823

15-824

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

42 U.S.C. 11432

Last Revision Date: June 25, 2022

### 3.33 Admission – Non-Resident Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Non-resident pupil” means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides.

“Residence” is the residence of the person having legal custody of the student, except as provided in A.R.S. §15-823 through A.R.S. §15-825. Residency of the parent/guardian or surrogate may be determined by showing the individual’s presence and intent to remain in the District.

**Policy Objectives:** It is the intent of the Board that a student who is a non-resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

A. A student shall also be admitted to a school without tuition payment, if:

1. The student is the child of a United States resident who is not a resident of Arizona, if this is in the best interest of the student and the student is placed with a relative per ARS 15-823 and the placement is not to avoid tuition payment
2. The student is a resident of the United States and evidence indicates that because the parents are homeless or the child is abandoned, as defined in ARS 8-201, the child’s physical, mental, moral or emotional health is best served by placement with a person who does not have legal custody of the child and who is a resident within the school district, unless it is determined the placement is solely for the purpose of obtaining an education in this state without payment of tuition. Proof of residency is not required for homeless students.
3. The student presents a certificate of education convenience issued by the county School Superintendent pursuant to ARS 15-825.
4. The student is a child of a nonresident teaching or research faculty member of a community college district or state university or a nonresident graduate or undergraduate student of a community college district or state university whose parent’s presence at the district or university is of international, national, state, or local benefit.

B. The District shall admit the following students, charging tuition as prescribed in statute:

1. The child of an Arizona resident who is not a resident of the District, if the District provides a high school and the student is a resident of an Arizona common school district that is not in a high school district and that does not offer instruction in the student’s grade. Special circumstances may apply in accordance with ARS 15-2041 after three hundred fifty (350) students have been admitted.

2. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.

3. A pupil who is issued a certificate of education convenience to attend school in the School District or adjoining the school district to that in which the pupil is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in ARS 15-825.

C. The District shall admit a pupil who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with ARS 15-824(B)(3).

D. The District may admit nonresident foreign exchange students without payment of tuition, or as it may otherwise prescribe.

E. The District shall not include in its student membership count students who are not Arizona residents. The District is prohibited from obtaining state funding for any student who is not a resident of the state.

**LEGAL REF.:**

A.R.S.

8-201

15-802

15-816 through 15-816.07

15-821

15-823 through 15-825

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022



### 3.34 Admission – Foreign Exchange Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Non-resident pupil” means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides.

“Residence” is the residence of the person having legal custody of the student, except as provided in A.R.S. §15-823 through A.R.S. §15-825. Residency of the parent/guardian or surrogate may be determined by showing the individual’s presence and intent to remain in the District.

**Policy Objectives:** It is the intent of the Board that a student who is a non-resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

- A. A student shall also be admitted to a school without tuition payment, if:
1. The student is the child of a United States resident who is not a resident of Arizona, if this is in the best interest of the student and the student is placed with a relative per ARS 15-823 and the placement is not to avoid tuition payment
  2. The student is a resident of the United States and evidence indicates that because the parents are homeless or the child is abandoned, as defined in ARS 8-201, the child’s physical, mental, moral or emotional health is best served by placement with a person who does not have legal custody of the child and who is a resident within the school district, unless it is determined the placement is solely for the purpose of obtaining an education in this state without payment of tuition. Proof of residency is not required for homeless students.
  3. The student presents a certificate of education convenience issued by the county School Superintendent pursuant to ARS 15-825.
  4. The student is a child of a nonresident teaching or research faculty member of a community college district or state university or a nonresident graduate or undergraduate student of a community college district or state university whose parent’s presence at the district or university is of international, national, state, or local benefit.
- B. The District shall admit the following students, charging tuition as prescribed in statute:
1. The child of an Arizona resident who is not a resident of the District, if the District provides a high school and the student is a resident of an Arizona common school district that is not in a high school district and that does not offer instruction in the student’s grade. Special circumstances may apply in accordance with ARS 15-2041 after three hundred fifty (350) students have been admitted.

2. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.

3. A pupil who is issued a certificate of education convenience to attend school in the School District or adjoining the school district to that in which the pupil is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in ARS 15-825.

C. The District shall admit a pupil who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with ARS 15-824(B)(3).

D. The District may admit nonresident foreign exchange students without payment of tuition, or as it may otherwise prescribe.

E. The District shall not include in its student membership count students who are not Arizona residents. The District is prohibited from obtaining state funding for any student who is not a resident of the state.

**LEGAL REF.:**

A.R.S.

8-201

15-802

15-816 through 15-816.07

15-821

15-823 through 15-825

41-166

41-5001

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

### 3.35 Admission – Transfer Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that academic credit for students who transfer from private or public schools shall be determined on a uniform and consistent basis.

A. Academic credit for placement in elementary school subjects and grades shall be based upon teacher recommendations and previous grade level assignments subject to the determination that the student can meet the standards adopted by the State Board of Education for the grade level assignment.

B. Each student who enrolls and requests the transfer of academic credits shall be provided with a list specifying the courses for which credit has been accepted as core credit and those for which credit has been accepted as elective by the District.

C. When transfer credit is not accepted as a core credit within ten (10) school days, the student may request to take an examination on the course subject matter designed and evaluated by a teacher in the receiving school who is certificated in and teaches the subject matter of the course for which the credit was requested.

1. Upon receiving a satisfactory score as determined by the teacher, course credit will be awarded as core credit.

2. All core credit courses must meet the standards adopted by the State Board of Education where such standards exist.

a. Where standards have not been adopted by the State Board of Education, core credit courses must meet the standards established for the school to which the student has requested a transfer of credit.

D. The District welcomes students who were previously enrolled in a school outside of the District and wish to transfer to a District secondary school.

E. The District may evaluate the transcripts of transfer students for the assignment of credit pursuant to ARS 15-701.01.

F. Credits earned by a student in ninth (9th) grade or higher at a non-District school, with the exception of credits earned for religious study courses, will be accepted by the District secondary school as elective credits for graduation purposes under the following standards designed to ensure a course credit reflects the student's proficiency in the subject matter of the course.

1. The secondary school that issued the credit is fully accredited (excluding special programs) by accrediting agencies as determined by the Superintendent.

2. The post-secondary school is an accredited Arizona college or university.

3. The student has demonstrated competency in the subject matter of the course by an examination administered by the District.

**LEGAL REF.:**

A.R.S.

15-189.03

15-701.01

15-745

15-808

A.A.C.

R7-2-302.02

Last Revision Date: June 25, 2022

## 3.36 Admission – Homeless Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Homeless students” means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
- students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory students who qualify as homeless because the children are living in circumstances described above.

“School of origin” means the school the student attended when permanently housed or the school in which the student was last enrolled including preschool.

“Unaccompanied youth” includes a homeless child or youth not in the physical custody of a parent or guardian.

**Policy Objectives:** It is the intent of the Board to comply with Arizona state law, the Arizona Administrative Code, and the McKinney-Vento Homeless Education Assistance Improvements Act of 2001, as amended by the Every Student Succeeds Act (ESSA) of 2015, and should be read as consistent with those documents.

A. The Superintendent shall not fail to designate an appropriate staff person of authority as liaison for homeless students who will carry out duties as assigned.

B. In determining the best interest of the homeless student, the school shall:

1. To the extent feasible, keep a homeless student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian.
2. Provide a written explanation, including a statement regarding the right to appeal, to the homeless student's parent or guardian, if the homeless student is sent to a school other than the school of origin or a school requested by the parent or guardian.
3. In the case of an unaccompanied youth, the liaison for homeless students shall assist in placement or enrollment decisions, considering the views of such unaccompanied youth, and providing notice to such student of the right to appeal.
4. Enrollment preference may be given to children who are in foster care.

**LEGAL REF.:**

A.R.S.

15-816 through 15-816.07

15-821

15-823 through 15-825

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) or 2015

Last Revision Date: June 25, 2022

## 3.37 Admission – Open Enrollment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Resident transfer student” means a student who resides in the District and who is enrolled in or seeking enrollment in a school that is within the school district but outside the attendance area of the student's residence.

“Nonresident student” means a student who resides outside of the District but within the state and who is seeking enrollment in school(s) in the District.

**Policy Objectives:** It is the intent of the Board to offer open-enrollment program as set forth in ARS 15-816 and ARS 15-816.01 et seq. and that this open enrollment policy be placed on the District website and made available in English and Spanish to the public on request.

A. No tuition shall be charged for open enrollment, except as authorized by applicable provisions of A.R.S. 15-764, 15-797, 15-823, 15-824, and 15-825.

B. The district shall update on each school's website the school's capacity and whether the school is currently accepting open enrollment students, by grade level, at least once every twelve (12) weeks unless there are no changes to report for the individual school.

1. If a school has any other separate capacity by specialized program, the information required pursuant to this subsection shall also be posted by specialized program.

C. District schools shall accept pupils throughout the school year as capacity allows. Pupils who are denied access due to capacity shall be informed that they are on a wait list and of the details regarding the process prescribed in ARS 15-816.01(E).

1. Pupils shall be selected as seats become available.

D. The District shall enroll at any time any resident pupil who applies for enrollment to the school district.

E. The District shall give enrollment preference to and reserve capacity for all of the following:

1. Resident pupils
2. Pupils returning to the school from the prior year
3. Siblings of pupils already enrolled

F. The District may give enrollment preference to children who:

1. Are in foster care
2. Meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (P.L. 100-77; 101 Stat. 482; 42 United States Code Section 11434a)
3. Attend a school that is closing

G. If a school remains open as part of a boundary change and capacity is available, students assigned to a new attendance area may stay enrolled in their current school.

H. If excess capacity at a school, as determined by the Board, is insufficient to enroll all pupils who submit a timely request, the Superintendent shall select pupils through an equitable selection process such as a lottery (but not limited to a lottery), except that preference shall be given to the siblings of a pupil selected through an equitable selection process such as a lottery.

I. Except as provided in A.R.S. 15-816.01, a school that is operated by a school district may not limit admission based on any of the following:

1. Ethnicity or race
2. National origin
3. Sex
4. Income level
5. Disability
6. Proficiency in the English language
7. Athletic ability

J. Resident transfer students and nonresident students may apply for enrollment in schools within this District, subject to the procedures that follow.

K. The Superintendent shall develop an open enrollment application process and place this process on the District website or make it available to the public on request.

L. The Superintendent shall determine if nonresident students and resident transfer students will be admitted in accordance with the following criteria:

1. The school in which the student seeks to enroll has the capacity to serve the student without adversely impacting the educational opportunities for resident students attending their resident school.
2. The student's prior status in the educational and/or juvenile court system results in the student being ineligible for open enrollment due to the student being expelled from another educational institution or is in the process of being expelled from another educational institution.

M. The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils.

N. If the Board has determined there is excess capacity to enroll additional pupils, such pupils shall be from the pool of resident transfer students who were not enrolled in the school the previous year followed by the pool of nonresident students who were not enrolled in the school the previous year.

O. The Superintendent shall develop procedures to address the processing of applications when a school is at capacity under the admission criteria listed above.



P. The open enrollment status of each resident transfer student and nonresident student currently enrolled within a District school will be reviewed annually. The District will determine whether resident transfer students or nonresident students may continue in an open enrolled status based upon the admission criteria listed above. The District may deny continued open enrollment status for the following school year.

Q. The District shall notify the emancipated student, parent, or legal guardian in writing whether the applicant has been approved, or placed on a waiting list pending the availability of capacity. If notified of approval under the open enrollment policy, the emancipated student or parent/legal guardian must contact the school and complete an enrollment packet for that school within ten (10) business days after receiving notification. If the enrollment packet is not completed by the tenth business day after receiving notification, the open enrollment may automatically be withdrawn by the school. If the student's application is rejected, the reason for the rejection shall be stated in the notification.

R. The Superintendent shall develop procedures regarding the transportation of students admitted through open enrollment as required by law or as permitted by the District in its discretion.

S. As provided by ARS 15-816.07, the District and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

**LEGAL REF.:**

A.R.S.

8-371

15-341

15-764

15-797

15-816 et seq.

15-823

15-824

15-825

15-841

15-922

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

### 3.38 Admission – Revocation of Open Enrollment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to offer open-enrollment program as set forth in ARS 15-816 and ARS 15-816.01 et seq. and that this open enrollment policy be placed on the District website and made available in English and Spanish to the public on request.

- A. Both resident and non-resident open enrollment students must comply with District and school rules. Failure to comply with school rules is a breach of agreement and a cause for open enrollment revocation.
- B. Open enrollment status may be reviewed by the principal for continuation periodically based upon the following areas:
1. Academic: for high school, a student must be on track to graduate with his or her cohort within four (4) years
  2. Discipline: excessive disciplinary/behavioral infractions or student's failure to comply with the Code of Conduct, demonstrating a pattern of behavior that interferes with academic progress
  3. Attendance: excessive absences or tardies that interfere with academic progress.
- C. Open enrolled students may be required to sign attendance and/or behavior contracts.
- D. Before revocation for breach of agreement, a hearing with the student, parent/guardian and other appropriate persons will be conducted.
- E. An approved open enrollment may be revoked at any time if it is determined the provided information has been falsified or if information has been omitted from the application.

**LEGAL REF.:**

A.R.S.

8-371

15-341

15-764

15-797

15-816 et seq.

15-823

15-824

15-825

15-841

15-922

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

Last Revision Date: June 25, 2022

### 3.39 Admission – Grade Placement

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to place students with the priority on academic achievement continuation and success.

A. Students who apply for admission to grades two (2) through twelve (12) on the basis of prior schooling outside the District will be placed initially at the appropriate grade level as determined by the enrolling school.

1. The student may be assessed for further placement consideration once enrolled.
2. The Superintendent will develop procedures for parental involvement in placement decisions.

B. Assignment of a student to classes (classroom or subjects) shall be made based upon the student's grade-level assignment, completion of any prerequisites, student achievement, and any classroom limitations or class-size guidelines, in that order.

C. A student who enrolls in a kindergarten program or grades one (1) through twelve (12) after receiving instruction in a home school program shall be tested using State Board standards in order to determine the appropriate grade level for educational placement of the student.

**LEGAL REF.:**

A.R.S.

15-342

15-745

Last Revision Date: June 25, 2022

## 3.41 Conduct – Student Rights

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to establish reasonable rules and regulations for the conduct of students of the District without depriving any student of equal treatment and equal access to the educational program, due process, and free expression and association.

A. Students shall have the responsibility to respect for the rights of others, obedience to properly constituted school authority, and compliance with the rules and regulations of this District.

B. Students who have reached the age of eighteen (18) years possess the full rights of adults and may authorize school matters previously handled by their parents.

C. The Superintendent shall develop procedures consistent with law and Board policy to ensure student rights under varying conditions are properly described.

### **LEGAL REF.:**

A.R.S.

15-341

15-841

15-842

15-843

15-844

Last Revision Date: June 25, 2022

## 3.42 Conduct – Student Conduct

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Student” means any person who is enrolled in an educational program provided by or approved by the District and carried on in premises owned or controlled by the District.

**Policy Objectives:** It is the intent of the Board that students properly conduct themselves in school, traveling to and from school, at school functions, or affecting the school order.

A. The Superintendent shall establish procedures for governing the conduct of students in school, traveling to and from school, at school functions, or affecting the school order.

B. Students are expected to comply with all rules and procedures adopted by the Board, and to comply with any order given by a member of the faculty or staff relating to school activities.

C. Students shall not engage in improper behavior, including but not limited to the following:

1. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative or disciplinary functions, or any activity sponsored or approved by the Board.
2. Threatening an educational institution by interference with or disruption of the school per ARS 13-2911 and 15-841.
3. Physical abuse of or threat of harm to any person on District owned or controlled property or at District sponsored or supervised functions.
4. Damage or threat of damage to property of the District, regardless of the location, or to property of a member of the community or a visitor to the school, when such property is located on District controlled premises.
5. Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
6. Unlawful use, possession, distribution, or sale of tobacco, alcohol, or drugs or other illegal contraband on District property or at school-sponsored functions.
7. Conduct or speech that violates commonly accepted standards of the District and that, under the circumstances, has no redeeming social value.
8. Failure to comply with the lawful directions of District officials or any other law enforcement officers acting in performance of their duties, and failure to identify themselves to such officials or officers when lawfully requested to do so.
9. Knowingly committing a violation of District rules and procedures. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and procedures shall be sufficient proof that the violation was done knowingly.
10. Engaging in any conduct constituting a breach of any federal, state, or city law or duly adopted policy of the Board.
11. Carrying or possessing a weapon on school grounds.

D. Any student who violates these policies and procedures may be subject to discipline up to expulsion, in addition to other civil and criminal prosecution. These punishments may be in addition to any customary discipline the District presently dispenses.

E. Local law enforcement shall be notified by the Superintendent regarding any suspected crime against a person or property that is a serious offense as defined in ARS 13-706, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury to employees, students or others on school property.

**LEGAL REF.:**

A.R.S.

13-105

13-2911

15-341

15-507

15-521

15-841

15-842

15-843

Last Revision Date: June 25, 2022

### 3.43 Conduct – Student Dress

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to 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.

A. The Superintendent shall develop requirements for student dress.

**LEGAL REF.:**

A.R.S.

13-105

15-110

15-341

Last Revision Date: June 25, 2022

### 3.44 Conduct - Damage to District Property

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that students take pride in and care of District property.

A. No student shall damage or deface District property.

B. Teachers and students should be observant at all times to prevent damage or destruction of District property. Any marking or marring of District property should be reported to the office at once.

C. Students may be subject to discipline for willful damage or destruction of District property.

D. If any minors engage in conduct that results in damage to District property, the District may institute formal charges for the purpose of having the court order the minors, or their parents, to make full or partial restitution to the District in accordance with law.

**LEGAL REF.:**

A.R.S.

12-661

15-727

15-842

Last Revision Date: June 25, 2022



### 3.45 Conduct – Freedom of Expression

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District not infringe on students' inalienable rights to develop, believe, and follow personal viewpoints and beliefs to the extent their viewpoints and beliefs do not infringe upon nor denigrate the same rights of others.

A. The District shall not discriminate against students or parents on the basis of a religious viewpoint or religious expression.

B. If a student includes in an assignment a viewpoint expression, an evaluation of the student's work shall be based on ordinary standards of substance and relevance to the course curriculum or requirements of the coursework or assignment, and shall not penalize or reward the student on the basis of religious content or viewpoint.

C. Students shall be permitted to pray or engage in religious activities or expression in the same manner and to the same extent as students are permitted to engage in nonreligious activities or expression, before, during, and after the school day.

D. To the extent and in the manner other types of clothing, accessories, and jewelry displaying messages or symbols are permitted, students are permitted to wear clothing, accessories, and jewelry that display religious messages or symbols.

E. Acknowledging and permitting the above freedoms is not to be interpreted to mean the District is requiring any person to participate in prayer or other religious activities nor attempting to violate the constitutional rights of any person.

F. The District does retain its rights to:

1. Maintain order and discipline on District property in a content and viewpoint neutral manner.
2. Protect the safety of students, employees, and visitors on District property.
3. Adopt and enforce procedures concerning student speech while on District property in a manner that does not violate a student's state and federal constitutional rights.
4. Adopt and enforce policies and procedures that ban student clothing, accessories, and jewelry worn to convey affiliation with a criminal street gang.

G. A student or a student's parent is barred by statute from initiating legal action to enforce the student rights set out in this policy unless the student or the parent has:

1. Submitted to the school principal a written complaint containing specific facts of the alleged violation.

- a. The Superintendent shall investigate the complaint and provide a written response within fifteen (15) days of receiving the complaint describing any action taken by the principal to resolve the complaint.
- b. If the Superintendent's actions do not resolve the complaint, the student or the student's parent shall:
  - i. Submit a written complaint containing specific facts of the alleged violation to the Board.
    1. The Superintendent shall provide a written response within twenty-five (25) days of receiving the complaint describing any action taken by the Superintendent or other designated administrator to resolve the complaint.

**LEGAL REF.:**

A.R.S.

13-105

15-110

15-341

15-720

15-841

15-843

15-844

20 U.S.C. 4071 et seq. Equal Access Act, (Section 801)

Last Revision Date: June 25, 2022

## 3.46 Conduct – Gang Activities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District adopt a zero-tolerance policy with respect to gang activities.

A. 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.

B. 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.

C. 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, including, but not limited to suspension and expulsion.

D. The Superintendent shall develop procedures to address gang activity.

### LEGAL REF.:

A.R.S.

12-661

13-105

13-1202

13-2911

15-341

15-342

15-507

15-521

15-841

15-842

15-843

A.A.C.

R7-2-401

R7-2-405

A.G.O.  
178-103  
178-218  
180-055  
184-036

Last Revision Date: June 25, 2022

## 3.47 Conduct - Hazing

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "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:

1. The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution.
2. 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 other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

"Student" means any person who is enrolled, has been promoted or accepted for enrollment or intends to enroll at or be promoted in the District within the next twelve calendar months. A person who meets the definition of a student for purposes of this policy shall continue to be defined as a student until the person graduates, transfers, is promoted or withdraws from the District.

**Policy Objectives:** It is the intent of the Board that there 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.

- A. Hazing is strictly prohibited.
- B. Solicitation to engage in hazing is strictly prohibited.
- C. Aiding and abetting another person who is engaged in hazing is strictly prohibited.
- D. It is not a defense to a violation of this hazing prevention policy if the hazing victim consented to or acquiesced in the hazing activity.
- E. All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this hazing policy.
- F. Students and others may report hazing to any professional staff member.
- G. Staff members must report the incident to Superintendent, in writing, with details as may have been provided.

1. 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.
2. 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.
3. 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.

H. The Superintendent shall conspicuously post this notice in each school building, the student handbook, and the parents handbook.

I. The Superintendent shall develop procedures for enforcing this policy.

J. 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.

**LEGAL REF.:**

A.R.S.

15-341

15-2301

Last Revision Date: June 25, 2022

### 3.48 Conduct – Tobacco, Drugs, Alcohol

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Non-medical” means a purpose other than the prevention, treatment, or cure of an illness or disabling condition”, consistent with accepted practices of the medical profession.

“Drugs” includes, but is not limited to:

- All dangerous controlled substances prohibited by law.
- All alcoholic beverages.
- Any prescription or over-the-counter drug, except those for which permission to use in school has been granted pursuant to Board policy.
- Hallucinogenic substances.
- Inhalants
- Synthetic, counterfeit or imitation drugs
- A compound or substance, regardless of its contents, compound or substance, that produces in the user an experience, effect and/or display of effects that mimic the experience, effect and/or display of effects produced by substances controlled or prohibited by law, or that is represented as producing in the user such experiences or effects.

**Policy Objectives:** It is the intent of the Board that disciplinary penalties for the possession or use of tobacco or similar products (including any inhaled tobacco substitute), drugs and alcohol may include, but are not limited to, suspension or expulsion.

A. The possession or use of tobacco products, tobacco substitutes, electronic cigarettes, other chemical inhalation devices, or vapor products, or non-medical drugs, synthetic drugs, counterfeit drugs, imitation drugs or alcohol is prohibited in the following locations:

1. School grounds
2. School buildings
3. School parking lots
4. School playing fields
5. School buses and other District vehicles
6. Off-campus school-sponsored events

B. The Superintendent shall establish procedures necessary to implement this policy.

C. Disciplinary penalties for the possession or use of tobacco or similar products, (including any inhaled tobacco substitute), drugs or alcohol may include, but are not limited to, suspension or expulsion.

D. The conditions which follow are applicable to a District student who holds an identification as a medical marijuana cardholder issued by the Arizona Department of Health Services for the medical use of marijuana as set out in the Arizona Revised Statutes.

1. The District will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana cardholder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.
2. A student medical marijuana cardholder shall not possess or engage in the use of marijuana on District property, in a District vehicle, or at a District sponsored event.
3. A student medical marijuana cardholder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all District students.
4. If District officials have a reasonable belief a student may be under the influence, in possession of or distributing medical marijuana in a manner not authorized by the medical marijuana statutes, law enforcement authorities will be informed,
5. Any student who violates the above may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to other civil and criminal prosecution.

E. Under the provisions of ARS 36-798.03, a person who violates the prohibition is guilty of committing a petty offense.

**LEGAL REF.:**

A.R.S.

4-101

4-241

4-244

13-3401 through 13-3461

13-3622

15-341

15-345

36-2801 et seq., Arizona Medical Marijuana Act

36-798.03

20 U.S.C. 6083

Last Revision Date: June 25, 2022



## 3.49 Conduct – Weapons

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Public right-of-way," A.R.S. 13-2911(k)(5) means any highway, street, road, thoroughfare, path, alley or other right-of-way that is publicly accessible and that is established and maintained by this state or a political subdivision of this state. Public right-of-way does not include property of an educational institution.

**Policy Objectives:** It is the intent of the Board that no student shall carry or possess a weapon or simulated weapon on District property.

A. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

B. Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter a school administrator.

1. A school administrator who observes or receives a report of a student possessing a weapon on school premises shall immediately take appropriate safety and disciplinary actions in accordance with District policies and shall immediately report a violation of this policy to a peace officer, pursuant to ARS 15-515, if the weapon is a deadly weapon or the student is a minor in possession of a firearm.

C. A student who violates this policy by carrying or possessing a firearm shall be placed in an alternative education program for a period of not less than one (1) year, suspended for a period of not less than one (1) year, or expelled and not be readmitted within a one-year period, if ever.

1. The Board, in its sole discretion, may modify the one-year duration of such disciplinary action on a case-by-case basis.

D. A student who violates this policy by any means other than carrying or possessing a firearm shall be subject to disciplinary action, including but not limited to expulsion. Disciplinary action against a student with one (1) or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

E. The Board of an educational institution may not adopt or enforce any policy or rules that prohibits the lawful possession or carrying of a deadly weapon on a public right-of-way by a person or on or within a person's means of transportation.

**LEGAL REF.:**

A.R.S.

13-2911

13-3102

13-3111

15-341

15-342

15-515

15-713

15-714

15-714.01

15-841

15-843

20 U.S.C. 7151 et seq., The Gun-Free School Act of 1990

Last Revision Date: June 25, 2022

## 3.51 Discipline – Interviews, Searches and Arrests

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that safety of students and staff is paramount. Therefore students may be interviewed, detained, searched and/or arrested in accordance with Arizona Revised Statutes.

A. School officials may question students regarding matters incident to school without limitation.

1. The parent will be contacted if a student interviewed is then subject to discipline for a serious offense.
2. A student may decline at any time to be interviewed by the School Resource Officer (SRO) or another peace officer.

B. If a child protective services worker or peace officer enters the campus requesting to interview a student attending the school, the school administrator shall be notified. Access to interview shall be granted when the child to be interviewed is the subject of or is the sibling of or is living with the child who is the subject of an abuse or abandonment investigation.

1. The personnel of the District shall cooperate with the investigating child protective services worker or peace officer.
2. The child protective services worker or peace officer shall be requested to establish proper identification and complete and sign a "Form for Signature of Interviewing Officer."
3. Six (6) hours following the relinquishment of custody by the school, school personnel may respond to inquiries about the temporary custody of the child and may, if considered necessary, call the parent.

C. If a peace officer enters the campus requesting to interview a student attending the school on an issue other than upon request of the school or for abuse or abandonment, the school administrator shall be notified.

1. If the officer directs that parents are not to be contacted because the interview is related to criminal activity of the parent(s)/guardian, the school official shall comply with the request.
2. Unless these circumstances exist the parent will be contacted and will be asked if they wish the student to be interviewed.
3. If the parent consents the parent will be requested to be present or to authorize the interview in their absence within the school day of the request.
4. Where an attempt was made and the parent(s) could not be reached or did not consent within the school day of the request, the peace officer will then be requested to contact the parent(s) and make arrangements to question the student at another time and place.

D. When a peace officer is present on the campus to interview students at the request of school authorities due to concerns for the safety of the students in the school population, parent contact shall only be made if a student is taken into custody or following the determination that the student may be subject to discipline for a serious offense.

1. The SRO, present at the request of the school for the continued maintenance of safety and order, may interview students as necessary regarding school related issues as determined by school officials and parents will be contacted if the student is to be taken into custody or if the student is subject to discipline for a serious offense.

E. Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property.

1. All such reports shall be documented and communicated to the Superintendent who shall be responsible for reporting to local law enforcement. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy 10.66 as required in A.R.S. 15-341(A)(36).

F. The Superintendent is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described above, subject to the requirements of federal law.

G. School officials have the right to search and seize property, including school property temporarily assigned to students, when there is reason to believe that some material or matter detrimental to health, safety, and welfare of the student(s) exists.

1. Disrobing of a student is overly intrusive for purposes of most student searches and is improper without express written concurrence from District counsel.

H. Students have no reasonable expectancy of privacy, and lockers, desks, storage areas, et cetera, may be inspected at any time with or without reason, or with or without notice, by school personnel.

I. When a peace officer enters a campus providing a warrant or subpoena or expressing intent to take a student into custody, the office staff shall request the peace officer establish proper identification, complete, and sign a form for signature of an arresting officer or interviewing officer.

1. The school staff shall cooperate with the officer in locating the child within the school.

2. School officials may respond to parental inquiries about the arrest or may, if necessary, explain the relinquishment of custody by the school and the location of the student, if known, upon contact by the parent.

**LEGAL REF.:**

A.R.S.

1-215

8-303

8-304

8-802

8-821

**LEGAL REF.:**

A.R.S.

8-823

13-3881

13-3883

15-153

15-341

15-342

A.G.O.

104-003

177-211

182-094

188-062

191-035

Last Revision Date: June 25, 2022

## 3.52 Discipline – Corporal Punishment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that corporal punishment is not allowed.

A. The District does not allow corporal punishment.

B. Reasonable force is not the equivalent of corporal punishment. Any administrator, teacher, or other school employee may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain discipline.

C. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on District premises.

D. The threat or use of physical force is not justified in response to verbal provocation alone, nor when the degree of physical force used exceeds that necessary to avoid injury to persons or to preserve property at risk.

**LEGAL REF.:**

A.R.S.

15-843

Last Revision Date: June 25, 2022

## 3.52 Discipline – Corporal Punishment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Suspension” means the temporary withdrawal of the privilege of attending a school for a specific period of time. Any suspension must be for good cause and reported to the Board within five working days of imposition.

“Expulsion” means the permanent withdrawal of the privilege of attending all schools in the District unless the Board reinstates the privilege. Only the Board has authority to expel a student.

**Policy Objectives:** It is the intent of the Board that the Superintendent develop suspension and expulsion procedures for both regular and special education students that maximize student safety and result in minimized disruption to the educational environment.

- A. A student may be removed from contact with other students as a temporary measure.
- B. The building administrator has the authority to impose a short suspension (ten school-days or less) following appropriate due-process. Members of the superintendency have the authority to impose a long suspension (11 school-days or more) following appropriate due-process.
- C. The Superintendent will develop procedures, in accordance with Arizona State law, for the suspension of students, including appeal of a long suspension to the Board.
- D. The Superintendent will develop procedures, in accordance with Arizona State law for the expulsion of students, including appeal to the Board.
  - 1. The student may not return to school pending Board action.
  - 2. The decision of the Board is final and binding. If an expulsion is imposed, it will take effect after the Board considers the hearing officer's recommendation and determines that expulsion is the appropriate disciplinary action.
- E. The Superintendent will develop procedures for readmission after expulsion by the District Board or another district/school or the juvenile justice system.
- F. The Superintendent will develop modify the above expulsion procedures for the expulsion of special education students, as modified by Federal and State special education law.
- G. The Superintendent will post all suspension and expulsions procedures in the parent and student handbook.

**LEGAL REF.:**

**A.R.S.**

13-3401

13-3411

15-342

15-766

15-767

15-841

15-842

15-843

**A.A.C.**

R7-2-401

R7-2-405

**A.G.O.**

I78-103

I78-218

I80-055

I84-036

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 7151 et seq., The Gun-Free School Act of 1990

29 U.S.C. 794 Rehabilitation Act of 1973, (Section 504)

Last Revision Date: June 25, 2022



## 3.54 Discipline – Bullying, Harassment and Intimidation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Bullying” means when a student is exposed repeatedly and over time to negative actions (physical, emotional or social) on the part of one or more other students.

“Cyber bullying” means 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” means the 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, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

“Intimidation” means the 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.

**Policy Objectives:** It is the intent of the Board that bullying, harassment, or intimidation 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 be prohibited.

A. Disciplinary action may result for bullying, harassment, or intimidation which occurs outside of the school and the school day when such bullying, harassment, or intimidation 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.

B. 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.

C. The Superintendent shall develop procedures related to this policy, including procedures designed to protect the health and safety of students who are physically harmed as the result of bullying, harassment or intimidation and post in the student and parent handbook.

D. The Superintendent shall ensure all staff are trained on this policy and related procedures.

E. Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion.

**LEGAL REF.:**

A.R.S.

13-1202

13-1203

13-1204

13-2321

13-2916

13-2921

13-3506.01

15-341

A.A.C.

R7-2-1308

Last Revision Date: June 25, 2022

## 3.55 Discipline – Restraint and Seclusion

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Restraint" means any method or device that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

- Methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.
- The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to a safe location.
- The brief holding of a student by one adult for the purpose of calming or comforting the student.
- Physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

"Seclusion" means the involuntary confinement of a student alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or individualized education program that involves the student's separation from a larger group for purposes of calming.

**Policy Objectives:** It is the intent of the Board that restraint and seclusion not be used as disciplinary consequences.

- A. Restraint or seclusion techniques on any student if both of the following apply:
  1. The student's behavior presents an imminent danger of bodily harm to the student or others.
  2. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.
- B. If a restraint or seclusion technique is used on a student:
  1. School personnel shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
  2. The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger to the student or others.
  3. The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon trained personnel.
  4. The restraint technique employed may not impede the student's ability to breathe.
  5. The restraint technique may not be out of proportion to the student's age or physical condition.

C. The Superintendent shall establish procedures, including all statutory requirements for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual student.

D. School resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

E. The Board is not prohibited from adopting policies which include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others and defense of property per ARS. 15-843.

**LEGAL REF.:**

A.R.S.

13-403 et seq.

13-2911

15-105

15-341

15-342

15-841

15-842

15-843

15-844

Last Revision Date: June 25, 2022

## 3.56 Discipline – Fines

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to hold students accountable for loss or damage to District property.

A. Students will be responsible and accountable for loss of or damage to school property, including textbooks and library books.

1. The Superintendent shall establish procedures through which students may be held responsible and accountable for loss of or damage to school property, including textbooks and library books.

### LEGAL REF.:

A.R.S.

15-116

15-342

15-719

15-724

15-727

15-728

15-729

43-1088

43-1089

43-1089.01

43-1089.03

Last Revision Date: June 25, 2022

## 3.61 Activities – Clubs Grades 7 and Above

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that student meetings may be held in the school(s) of the District that offer instruction in grades seven (7) and eight (8) or above under a "limited open forum" if requested by a pupil in grade seven (7) or above.

A. The Superintendent shall establish procedures under "limited open forum" in compliance with Arizona Revised Statutes.

1. Under the provisions of Title VIII, the Equal Access Act, Section 901 et seq., the District shall offer to students a fair opportunity to conduct meetings using school facilities whereupon:
  - a. Such meetings are voluntary and student initiated
  - b. There is no sponsorship of such meetings by the District, District employees or governmental entities, or employees of governmental entities
  - c. District employees present at religious meetings will be present only in a non-participatory capacity
  - d. Such meetings shall not materially and substantially interfere with the orderly conduct of the educational activities of the District
  - e. Non-school persons shall not be permitted to direct, conduct, control, or regularly attend such student group meetings
2. Neither the District, any employee, agent of the District, nor of any State or federal governmental entity shall be permitted to:
  - a. Influence the form or content of any prayer or other religious activity connected with student meetings
  - b. Require any person to participate in prayer or other religious activity
  - c. Expend public funds beyond the incidental cost of providing the space for such student-initiated meetings
  - d. Compel any employee of the District to attend a school meeting that is contrary to the beliefs of the employee
  - e. Sanction meetings that are otherwise unlawful
  - f. Limit the rights of groups of students to avail themselves under the provisions of this policy to a specified numerical size
  - g. Abridge either Arizona or U.S. constitutional rights of any employee, official, or student of the District

B. Nothing in this policy shall be construed to limit the authority of the school or its agents or employees to maintain order and discipline on school premises, to protect the well-being of students and employees, and to assure that attendance of students at such meetings is voluntary.

C. Parents shall be notified that such meetings will be occurring, prior to the meeting.

**LEGAL REF.:**

A.R.S.

15-720

20 U.S.C. 4071 et seq. Equal Access Act, (Section 801)

Last Revision Date: June 25, 2022

## 3.62 Activities – Finances

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to comply with Arizona Revised Statutes with respect to Student Activity finances and funds.

A. The Superintendent shall develop procedures whereby all persons having any duties relating to student activity funds are advised of the requirements and responsibilities.

1. All such persons shall be held strictly accountable for the manner in which these procedures are followed.

B. The Superintendent shall establish procedures to ensure that an accurate, detailed record of all revenues and expenditures of the student activities fund is kept.

1. Copies of the record shall be presented to the Board not less than once during each calendar month.

C. Fund-raising activities by students District property or elsewhere as representatives of the school will be permitted only for pre-approved fundraising activities and when connected with specific school activities.

1. The Superintendent shall not fail to develop procedures for the approval of fundraising activities.

D. The proceeds of all fund-raising activities shall be deposited in the Student Activity Fund, and funds from such activities shall be used only as specified in the Uniform System of Financial Records.

E. The Superintendent shall establish and maintain a "Student Activity Fund" as defined in ARS 15-1121 through ARS 15-1124.

**LEGAL REF.:**

A.R.S.

15-1121 et seq.

Last Revision Date: June 25, 2022



### 3.63 Activities – Contests

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that student participation in contests be limited to the educational needs and interests of students.

A. Student participation in contests shall be limited to activities and events that relate to the educational needs and interests of students and do not promote private or commercial interests.

B. The Superintendent shall establish procedures related to contests.

**LEGAL REF.:**

A.R.S.

15-1241

A.A.C.

R7-2-313

Last Revision Date: June 25, 2022

## 3.64 Activities – Government

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that student government represents the students in the school.

A. Student government is expected to be "of the students, by the students, for the students," representing the students in the school in communications with the administration and in the organization of student activities.

B. Members of student councils are to be elected democratically. The rights and responsibilities of the council should be clearly set forth by each school.

C. Each student council must have a faculty advisor.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022

## 3.65 Activities – Interscholastic Sports

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that District sports programs are always conducted with the best interests of the participants.

- A. District participation in interscholastic athletics shall be subject to approval by the Board.
  - 1. This shall include approval of membership in any leagues, associations, or conferences, and of any new agreements with other schools for a series of games or events.
- B. The following rules shall be observed for participation by individual students:
  - 1. For each type of sport in which the student engages, the parents or guardian must give written consent.
  - 2. The student must be determined by a physician to be physically fit for the sport.
- C. The Superintendent shall set up other rules for participation, such as those governing academic standing, in accordance with policies of the District and pertinent regulations and recommendations of the state interscholastic athletic association.
- D. The Superintendent shall prescribe and enforce policies and procedures relating to the health and safety of all pupils participating in District-sponsored practice sessions or games or other interscholastic athletic activities.

**LEGAL REF.:**

A.R.S.

15-341

15-802.01

A.A.C.

R7-2-808

A.G.O.

186-095

Last Revision Date: June 25, 2022

### 3.66 Activities – Extracurricular Eligibility

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all interscholastic activities in grades seven (7) through twelve (12) that are [1] of a competitive nature and involve more than one (1) school where a championship, winner, or rating is determined and [2] endeavors for which no credit is earned in meeting graduation or promotion requirements that are of a continuous and ongoing nature, organized, planned, or sponsored by the District, consistent with District policy, shall be conducted under the provisions of this policy.

A. Students who, upon having their work checked on a cumulative basis at the end of each two (2) -week period, show they are not working to capacity and have one (1) or more failing grades will be removed from any athletic teams or extracurricular activities. After improving their respective grades such that they are passing on a cumulative basis, they shall be reinstated to the teams or extracurricular activities until a subsequent check is performed unless ineligible for some reason other than academic performance.

B. The eligibility criterion for extracurricular participation shall be a passing grade in all classes in which the student is enrolled, and the student shall maintain progress toward promotion or graduation.

C. The Superintendent shall notify students and parents of these requirements and for establishing procedures in accordance with this policy.

D. Students whose behavior presents a problem or jeopardizes school discipline may be ineligible for participation in extracurricular activities until such time as their behavior warrants reinstatement.

E. The same general standards shall apply for special education students except that such eligibility shall be determined on a case-by-case basis in relationship to the respective students' individual education programs.

F. The Superintendent shall notify students and parents of these requirements and for establishing procedures in accordance with this policy.

**LEGAL REF.:**

A.R.S.

15-347

15-705

15-802.01

A.A.C.

R7-2-808

Last Revision Date: June 25, 2022

## 3.71 Health - Wellness

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Recess," as defined in statute, means a period of time during the regular school day, including time during a scheduled lunch period, during which a pupil is able to engage in physical activity or social interaction with other pupils.

**Policy Objectives:** It is the intent of the Board to promote healthy students by supporting wellness, good nutrition, and physical activity as part of the total learning environment.

A. Guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law.

B. Ensure all foods made available on each school campus during the school day will comply with the current United States Department of Agriculture (USDA) Dietary Guidelines for Americans and the Arizona Department of Education (ADE) Nutrition Standards.

C. Provide students with a school environment that is safe, clean, comfortable, and allows adequate time and space for consumption of meals.

D. The Superintendent shall provide at least two (2) recess periods during the school day for pupils in kindergarten programs and grades one (1) through three (3). From and after August 1, 2019, the District shall provide at least two (2) recess periods during the school day for pupils in kindergarten programs and grades one (1) through five (5).

1. A school that offers a half-day kindergarten program is required to provide at least one (1) recess period during the school day for pupils in that kindergarten program.
2. The District is not required to extend the school day to meet this recess requirement.
3. This recess requirement does not apply to middle schools, junior high schools, high schools, Arizona online instruction or schools in which the lowest grade of instruction offered is grade five (5).

E. The Superintendent shall develop procedures to implement this policy.

### LEGAL REF.:

A.R.S.

15-118

15-159

15-242

42 U. S. C. 1751 et seq. (National School Lunch Act)

42 U. S. C. 1771 et seq. (Child Nutrition Act)

Last Revision Date: June 25, 2022

## 3.72 Health – Insurance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** The Board may provide or make available a student health benefits insurance program for the District. .

A. If the Board provides or makes available a student health benefits insurance program for the District, the program will be conducted at no expense to the District.

B. The District shall develop procedures to provide to parents or guardian’s information on student health benefits insurance if such insurance is available.

**LEGAL REF.:**

A.R.S.

15-384

A.G.O.

186-095

Last Revision Date: June 25, 2022

### 3.73 Health – Immunizations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to follow federal and state law with respect to student immunization requirements.

A. Subject to the exemptions as provided by law, immunization against diphtheria, tetanus, pertussis, poliomyelitis, rubeola (measles), mumps, rubella (German measles), hepatitis B, haemophilus influenzae b (Hib), and varicella, meningococcal and Hepatitis A for a child one (1) through five (5) years of age in a day care program in Maricopa County is required for attendance of a student in District schools/programs.

B. A student's immunization record must be submitted prior to attendance, although a student may be conditionally enrolled provided that necessary immunizations have been initiated and a schedule has been established for completion of the required immunizations.

C. A student shall not be allowed to attend school without submitting documentary proof of compliance to the school administrator unless the student is exempted from immunization.

D. A student who fails to comply with the immunization schedule shall be suspended from school attendance until documentary proof of compliance is provided to the school administrator, except that a homeless student shall not be suspended from attendance until the fifth (5th) calendar day after enrollment.

E. Any student with serologic confirmation of the presence of specific antibodies against a vaccine-preventable disease shall not be subject to immunization against that disease as a condition for attending school.

F. As stipulated in A.R.S. 15-342.05, the District may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

G. Parents' permission must be secured, in writing, before a student may participate in such immunization projects.

**LEGAL REF.:**

A.R.S.

15-342.05

15-871

15-872

15-873

15-874

**LEGAL REF.:**

A.A.C.

R9-6-203

R9-6-313

R9-6-350

R9-6-353

R9-6-356

R9-6-365

R9-6-368

R9-6-372

R9-6-388

R9-6-701 through 707

Last Revision Date: June 25, 2022



## 3.74 Health – Infectious Diseases

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to follow federal and state law with respect to infectious and communicable diseases.

A. Any student with, or recovering from, a communicable disease will not be permitted in school until the period of contagion is passed or until a physician recommends a return, in accordance with ARS 36-621 et seq., appropriate regulations of the State Department of Health Services, and policies of the County Health Department.

B. Parents will be requested to provide a history of the communicable diseases for each student, and such records will be kept and maintained by the District.

C. A student suffering from a communicable disease shall be excluded from school to protect the student's own welfare and also to protect other students from illness. Early recognition of a communicable disease is of prime importance. The administrator or county health director shall make the decision for exclusion and readmission.

D. Students with pediculosis (lice infestation) shall be excluded from school until treated with a pediculocide. The Superintendent shall develop procedures to guide the school in addressing student attendance as it relates to lice infestation.

### **LEGAL REF.:**

A.R.S.

15-871

15-872

36-621

A.A.C.

R9-6-202 et seq.

R9-6-301

R9-6-342

R9-6-355

Last Revision Date: June 25, 2022

## 3.75 Health – AIDS and Immunodeficiency Viruses

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to follow federal and state law with respect to AIDS and immunodeficiency viruses.

A. Students ill with HIV virus or acquired immune deficiency syndrome (AIDS) have a right to receive a public education.

1. Infected students shall receive a public education
2. Information shall be provided for parents, faculty and staff members, and other concerned persons concerning the actual and potential dangers of transmission of the disease
3. Decisions concerning the educational placement of infected students shall be determined upon the best medical knowledge available and on a case-by-case basis
4. Restrictions may be placed upon a student as required by the Department of Health Services' regulations, advice of the County Health Department, and advice of a physician selected by the District.
5. Rights of privacy of each infected student shall be a primary consideration.

B. Decision(s) regarding the type of educational setting for the student who is infected with HIV virus shall be based upon the behavior, neurologic development, and physical and mental condition of the student. Recommendations will be made upon consultation with public health personnel, school officials, the student's physician and parents, and, at the discretion of the District, a physician selected by the District.

### LEGAL REF.:

A.R.S.

15-871

15-872

A.A.C.

R9-6-331

R9-6-702 et seq.

Last Revision Date: June 25, 2022

## 3.76 Health – Medicine

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to cooperate with parents and family physicians in dispensing medicine, subject to the requirements of this policy.

A. Under certain circumstances, when it is necessary for a student to take medicine during school hours, the District will cooperate with the family physician and the parents if the following requirements are met:

1. There must be a written order from the physician stating the name of the medicine, the dosage, and the time it is to be given.
2. There must be written permission from the parent to allow the school or the student to administer the medicine. Appropriate forms are available from the school office.
3. The medicine must come to the school office in the prescription container or, if it is over-the-counter medication, in the original container with all warnings and directions intact.

B. In the case of a minor student, administration of medication shall only occur on the written request or authorization of a parent or legal guardian, except for an emergency administration pursuant to A.R.S. 15-157 (epinephrine) or A.R.S. 15-158 (Inhalers) or A.R.S. 15-341, subsection A, paragraph 43, (naloxone hydrochloride/any other opioid antagonist).

C. The Superintendent shall prescribe and enforce procedures for the emergency administration of auto-injectable epinephrine by a trained employee of the School District pursuant to section A.R.S. 15-157 and subsequent to the adoption of rules by the State board of Education pertaining to annual training in the administration of auto-injectable epinephrine, recognition of anaphylactic shock symptoms and the procedures to follow when anaphylactic shock occurs and the requirements of A.R.S. 15-203(A)(40).

D. The District reserves the right, in accordance with procedures established by the District, to circumscribe or disallow the use or administration of any medication on school premises if the threat of abuse or misuse of the medicine may pose a risk of harm to a member or members of the student population.

E. The Board directs the Superintendent to prescribe and enforce regulations and procedures for the emergency administration of naloxone hydrochloride or any other opioid antagonist approved by the United States Food and Drug Administration by an employee of a school district pursuant to Section 36-2267.

**LEGAL REF.:**

A.R.S.

15-157

15-341

15-344

15-344.01

32-1601

32-1901

Last Revision Date: June 25, 2022

## 3.76 Health – Vision Screening

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to provide vision screening services.

A. The Superintendent shall establish procedures to provide vision screening as follows:

1. Upon initial entry to school and not more than two (2) additional grade levels as prescribed by the Department of Health Services by rule.
2. To students who are being considered for special education services and have not been screened in the last year.
3. To students for whom a teacher has requested a screening and who have not been screened in the last year.
4. To students who are not reading at grade level by the third (3rd) grade pursuant to the state assessment required in A.R.S. 15-741.

B. The Board shall provide annual data submissions that complies with student privacy laws.

C. A student is not required to submit to any vision screening if a parent or guardian of the student objects and submits a statement of the objection to the school for any reason including that the student received a comprehensive eye and vision examination in the last year or if the student has a current diagnosis of permanent vision loss.

**LEGAL REF.:**

A.R.S.

36-899.10

Last Revision Date: June 25, 2022

## 3.78 Health – Psychological Services

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Parent” means the parent or legal guardian of a minor child.

**Policy Objectives:** It is the intent of the Board that parental consent must be explicitly given prior to the District procuring, soliciting or arranging for the mental health screening of a minor child, except in the case of an emergency to prevent serious injury or save a life of a minor child.

A. Except as otherwise provided by law or a court order, the Superintendent shall ensure that the District nor its employees or vendors shall procure, solicit, arrange, or perform any mental health screening for a minor child without explicit oral or written consent.

1. This does not apply when an emergency exists that requires a person to perform mental health screening or provide mental health treatment to prevent serious injury to or save the life of a minor child.
2. Violations are a class 1 misdemeanor.

**LEGAL REF.:**

**A.R.S.**

**36-2272**

Last Revision Date: June 25, 2022

## 3.81 Safety – Supervision

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that students are to be supervised at all times.

A. Teachers will be responsible for their classes at all times.

B. Students are not to be sent on errands from the school premises.

C. Teachers have the authority to prohibit the use of and/or to confiscate any article that is a hazard to a student or that may damage school property.

D. Every student, teacher, and visitor shall wear appropriate protective eyewear while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to items as listed in A.R.S. §15-151.

E. No student will be removed from the school grounds, from any school building, or from any school function during school hours except by a person authorized to do so by the student's parent or by a person who has legal custody of the student, except as A.R.S. §8-303, §8-304, and §8-802 shall apply. Before a student is removed, the person seeking to remove the student must present, to the satisfaction of the Superintendent or her/his designee, evidence of proper authority to remove the student. If any police or court official requests the dismissal of a student during school hours, parents should be notified as soon as possible.

F. For purposes of the Arizona Medical Marijuana Act, no person may be denied custody of or visitation or parenting time with a minor, and there is no presumption of neglect or child endangerment for conduct allowed under the Act, unless the person's behavior creates and unreasonable danger to the safety of the minor as established by clear and convincing evidence.

G. The Superintendent shall develop procedures regarding student release requirements.

### LEGAL REF.:

A.R.S.

8-303

8-304

8-802

13-1302

15-151

15-341

Last Revision Date: June 25, 2022

## 3.82 Safety – Sex Offender Notification

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to create and maintain a safe environment for the District's students and staff members.

A. The Superintendent shall communicate information received from the local law enforcement agency regarding adult and juvenile registered sex offenders present in the District and to notify appropriate personnel as required by ARS 8-350.

### LEGAL REF.:

A.R.S.

8-208

8-321

8-350

8-371

13-1405

13-1406

13-1410

13-1417

13-3821

13-3825

13-3826

20 U.S.C. 1232g(b)(7)

42 U.S.C. 14071(d)

Last Revision Date: June 25, 2022



## 3.83 Safety – Child Abuse

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that District employees immediately report suspected child abuse, in compliance with federal and state law.

A. Any school personnel or any other person who has responsibility for the care or treatment of a minor and who reasonably believes a minor is or has been the victim of physical injury, child abuse, a reportable offense, or neglect that appears to have been inflicted upon the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature or who reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under ARS 36-2281 shall immediately report or cause reports to be made of such information to a peace officer or to the Division of Child Safety and Family Services, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only.

B. This reporting obligation may not be delegated.

C. All emergency situations where a child faces an immediate risk of abuse or neglect that could result in serious harm must be reported by calling 911 or local law enforcement.

D. Any employee or Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of A.R.S. §13-3620 shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

E. The Superintendent shall develop procedures for reporting child abuse, in accordance with law.

### LEGAL REF.:

A.R.S.

8-201

13-1404 et seq.

13-1410

13-3019

13-3212

13-3506

13-3506.01

13-3552

**LEGAL REF.:**

13-3553

13-3608

13-3619

13-3620

13-3623

15-160.01

15-514

46-451

46-454

Last Revision Date: June 25, 2022

### 3.84 Safety - Automobiles

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to comply with federal and state law regarding search and seizure of student property.

A. The Superintendent shall establish procedures for registration, parking, and use of motorized vehicles and for searches for and seizures of illegal material contained therein.

**LEGAL REF.:**

A.R.S.

15-341

28-4836

Last Revision Date: June 25, 2022

### 3.91 Records – Privacy

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that this policy and related procedures be implemented immediately. Copies of the policy and procedures will be available for parent and eligible student review in the District office and on the District website.

A. Student records will be prepared in a manner consistent with State and federal laws, the requirements of the Arizona Uniform System of Financial Records and those of the Arizona Department of Libraries, Archives and Public Records.

B. The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA), the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT), and the Every Student Succeeds Act of 2015 in the establishment, maintenance, correction, and disposition of student records.

C. The Superintendent shall establish procedures for such compliance, including informing parents, students, and the public of the contents.

D. If a parent or eligible student believes that the District is violating the FERPA, that person has a right to file a complaint with the U.S. Department of Education. The address is:

The Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Telephone number: (202) 260-3887

E. The right to inspect and review education records and the release of or access to such records, other information, or instructional materials will be consistent with federal law in the Family Educational Rights and Privacy Act, Title 20, United States Code, Sections 1232g and 1232h, the USA PATRIOT ACT, NCLB, and with federal regulations issued pursuant to such act.

F. Within the first three (3) weeks of each school year, the District will publish in a District communication a notice to parents and eligible students of their rights under the FERPA and this policy. This notice will also be provided to each parent of new students enrolling after school begins.

C. If the School District permits the release of directory information relating to pupils, the information shall be released on or before October 31 of each year. The District shall develop procedures to communicate to students and their parents in a timely manner information relating to access to the Arizona Department of Education form which is designed to allow pupils to request that directory information not be released pursuant to the elementary and Secondary Education Act as reauthorized by the Every Student Succeeds Act of 2015.

**LEGAL REF.:**

A.R.S.

15-141

15-142

15-828

15-829

25-403.06

44-1373

10 U.S.C. 503

20 U.S.C. 1232

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 6301 et seq. Every Student Succeeds Act of 2015

20 U.S.C. 7908

34 C.F.R. 300

Last Revision Date: June 25, 2022

## 3.92 Records – Transfer

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to comply with federal and state law regarding student records transfer requests.

A. The Superintendent shall develop procedures that comply with federal and Arizona law related to the request for, and the response to such request for, records of students who transfer into or out of the schools of the District from or to another school.

**LEGAL REF.:**

A.R.S.

15-141

15-828

15-829

41-1354

20 U.S.C. 1232

Last Revision Date: June 25, 2022

### 3.93 Records – Surveys

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that student surveys will be prepared, administered, and retained consistent with state and federal laws and that parents will be notified of all student surveys, with an option to opt out, prior to the survey.

A. The Superintendent shall comply with all statutes pertaining to surveys including the requirement that notwithstanding any other law, the District shall obtain written informed consent from the parent of a student before administering any survey including, but not limited to:

1. Surveys retained for longer than one (1) year
2. Surveys that solicits personal information about the student including, but not limited to any of the information listed in ARS 15-117.

B. Third-party surveys require Board approval prior to the survey being conducted.

**LEGAL REF.:**

A.R.S.

15-101

15-102

15-104

15-117

15-141

15-142

15-249

15-741

20 U.S.C. 1232g, the Family Educational Rights and Privacy Act

20 U.S.C. 1232h, the Protection of Pupil Rights Amendment

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 7908

34 C.F.R. 98

34 C.F.R. 300

Last Revision Date: June 25, 2022

### 3.94 Records – Biometric Data Collection

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definition:** "Collect biometric information" means the noninvasive electronic measurement and evaluation of any physical characteristics that are attributable to a single person, including fingerprint characteristics, eye characteristics, hand characteristics, vocal characteristics, facial characteristics and any other physical characteristics used for the purpose of electronically identifying that person with a high degree of certainty.

**Policy Objectives:** It is the intent of the Board that student biometric information will NOT be collected without the express written consent of the parent.

A. The Superintendent shall not collect biometric information from a student without express written permission from the parent before the information is collected.

B. At least sixty days before the District intends to ask parents for written permission to collect biometric data, the Superintendent shall present the request for approval to and by the Board in a public meeting.

C. At least thirty days before the District intends to collect biometric information, the District shall provide written notice to the parents and guardians of the students of the intent to collect biometric information. The notice shall include a statement in eighteen point bold-faced capital letters that the parent or guardian must give written permission to collect biometric information from the pupil before the school may collect biometric information.

**LEGAL REF.:**

A.R.S.

15-109

Last Revision Date: June 25, 2022



# IV. Community and Other Organization Relations

## 4.11 Community Relations - Involvement in the District

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure that the community is involved in the decision-making of the district.

A. For the purposes of regular meetings of the Board, the Board shall meet at the most convenient public facility in the school district. If a public facility is not available within the district, the Board may meet at any available public facility that is convenient to all Board members, regardless of the county or school district in which the facility is located.

B. The Board shall prescribe rules for its own government. It shall hold a regular meeting at least once each month during the regular school year and may hold other meetings as often as called. If action has been taken and documents approved at a meeting, they may be signed subsequently by individual Board members.

**LEGAL REF.:**

A.R.S.

15-321

Last Revision Date: June 25, 2022

## 4.12 Community Relations – Ballot Initiatives

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in compliance with all Arizona Revised Statutes regarding ballot initiatives.

A. The Board will provide factual information to the public about priority needs.

B. The Board and District may not use District funds to advocate "yes" votes on ballot initiatives.

**LEGAL REF.:**

A.R.S.

15-481

15-482

15-491

15-493

A.G.O.

179-192

183-117

Last Revision Date: June 25, 2022

## 4.13 Community Relations – Gifts, Grants and Donations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to reserve the right to refuse or accept gifts and donations to the District.

A. The Superintendent will report to the Board all gifts that have been offered to the District, for their review and action.

B. The Board has the authority to refuse or accept gifts, grants and donations to the District.

C. The Superintendent shall credit the gifts, grants or donations as designated in the uniform system of financial records.

### **LEGAL REF.:**

A.R.S.

15-341

15-1224

A.G.O.

180-156

Last Revision Date: June 25, 2022

## 4.14 Community Relations - Communications

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to keep the public informed in all aspects of District operations with accurate, timely and reliable information to achieve cooperation with the community to further improve the District.

A. The Superintendent has the responsibility to develop procedures to keep the public informed with specific, accurate, and timely information.

B. The Superintendent will develop procedures for staff to communicate directly with the parents or legal guardians of a particular student in areas affecting that student's academic progress or safety.

**LEGAL REF.:**

A.R.S.

15-342

Last Revision Date: June 25, 2022

## 4.15 Community Relations - Use of District Assets

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Reasonable Use Fee” means an amount that is at least equal to the cost for utilities, services, supplies or personnel provided to the lessee pursuant to the terms of the lease.

**Policy Objectives:** It is the intent of the Board to strive to maximize legal use of the taxpayer to taxpayer funded assets.

A. A person acting on behalf of a school district or a person who aids another person acting on behalf of a school district shall not spend or use school District resources, including the use or expenditure of monies, accounts, credit, facilities, vehicles, postage, telecommunications, computer hardware and software, web pages, personnel, equipment, materials, buildings or any other thing of value of the District, for the purpose of influencing the outcomes of elections.

1. Notwithstanding this section, the District may distribute informational pamphlets on a proposed budget override election as provided in section 15-481, or informational pamphlets on a proposed bond election as provided in section 15-491, if those informational pamphlets present factual information in a neutral manner, except for those arguments presented as prescribed in section 15-481.

B. Nothing in this policy precludes a District from reporting on official actions of the Board.

C. District resources, including facilities and equipment, may be used for government-sponsored forums or debates if the government sponsor remains impartial and the events are purely informational and provide an equal opportunity to all viewpoints.

D. The rental and use of a public facility by a private person or entity that may lawfully attempt to influence the outcome of an election is permitted if it does not occur at the same time and place as a government-sponsored forum or debate.

E. The Superintendent, with Board approval, may lease District property, including school buildings, grounds, buses and equipment, to any person, group or organization for any lawful purpose, including recreational, educational, political, economic, artistic, moral, scientific, social, religious or other civic or governmental purpose in the interest of the community, including extended day resource programs.

F. The Superintendent shall charge a reasonable use fee for the lease of the school property, which may include goods contributed or services rendered by the person, group or organization to the District.

C. The Superintendent, with the approval of the Board, may permit the uncompensated use of school buildings, grounds, buses, equipment and other school property by any school related group, including student political organizations, or by any organization whose membership is open to the public and whose activities promote the educational function of the school district as determined in good faith by the Board.

H. A person, group or organization that is otherwise eligible to lease District property shall not be denied use of or charged differentiated fees for District property on the basis of the person's, group's or organization's beliefs, expression of beliefs or exercise of the rights of association that are protected under the laws of this state, the Constitution of Arizona, the laws of the United States or the United States Constitution.

I. The Board shall annually approve a reasonable use fee schedule for the lease of school property. The fee schedule shall include a designation of the persons, groups or organizations that shall have uncompensated use of the District property, and a procedure for determining the value of goods and services being provided as compensation for the use of District property.

J. The Superintendent shall require proof of liability insurance for such use or lease of school property.

K. The lessee of school facilities must affirm knowledge of and enforce the requirements and restrictions set out in Chapter 28.1 of A.R.S. Title 36 related to medical marijuana.

**LEGAL REF.:**

A.R.S.

15-481

15-491

15-511

15-1105

36-2801 et seq., Arizona Medical Marijuana Act

Last Revision Date: June 25, 2022

## 4.16 Community Relations - Visitors

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to properly safeguard students and staff and minimize disruption to the academic learning environment.

A. The Superintendent shall establish procedures for persons other than District staff or students to enter District property.

1. Any person, present on District property, after a reasonable request to leave shall be removed from District property unless:
  - a. The person has a reason or relationship involving custody of or responsibility for a student.
  - b. The person has any other specific legitimate reason for being there.
  - c. The person has written permission to be there from a District representative.
2. A person who enters District property may be required to display the person's driver's license or another form of identification containing the person's photograph issued by a governmental entity.
3. The District may establish an electronic database for the purpose of storing information concerning visitors to district campuses. Information stored in the electronic database may be used only for the purpose of school district security and may not be sold or otherwise disseminated to a third party for any purpose.
4. The District may verify whether a visitor to District property is a sex offender.
5. The Superintendent will develop procedures regarding action to be taken when a visitor is identified as a sex offender.

B. No person shall engage in conduct that may cause interference with or disruption of district business or the education of children. A person commits interference with or disruption by:

1. Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of the District by either:
  - a. Threatening to cause physical injury to any employee or student or any person on District property.
  - b. Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
2. Intentionally or knowingly entering or remaining on District property for the purpose of interfering with or denying lawful use of the property to others.
3. Intentionally or knowingly refusing to obey a lawful order given by the Superintendent or a person designated to maintain order.

C. A person may also interfere with or disrupt the District function by committing any of the following:



1. Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.
2. Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
3. Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
4. Illicit use, possession, distribution, or sale of tobacco, alcohol, or drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
5. Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
6. Failure to comply with the lawful directions of District officials or of District security officers or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
7. Knowingly violating a District rule and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such rules and regulations shall be sufficient proof that the violation was done knowingly.
8. Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
9. Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

D. Any member of the general public considered by the Superintendent, or a person authorized by the Superintendent, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. § 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.

**LEGAL REF.:**

A.R.S.  
 13-709  
 13-2905  
 13-2911  
 13-3102  
 13-3411  
 15-341  
 15-342  
 15-507  
 35-802  
 36-2801 et seq.

Last Revision Date: June 25, 2022

## 4.17 Community Relations - Public Solicitation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to safeguard the students and their parents from money-raising plans of outside organizations, commercial enterprises, and individuals

A. District employees shall not influence parents or students to purchase merchandise, except for materials approved by the Superintendent for use in the classroom.

B. Solicitation of employees and/or students by any profit, nonprofit, or charitable groups, institutions, or organizations must have the advance approval of the Superintendent.

C. The District shall not use an automated system that plays recorded messages or sends text messages to solicit persons to purchase goods or services or requests survey information.

D. This policy shall apply particularly to ticket sales and sales of articles or services except those directly sponsored by school authorities or school organizations.

**LEGAL REF.:**

A.R.S.

13-2919

Last Revision Date: June 25, 2022

## 4.18 Community Relations - Relations with Other Organizations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to cooperate with state educational agencies, colleges, universities, and other recognized research agencies in promoting potentially useful research to achieve the best academic outcomes for students, subject to the restrictions in this policy.

A. The Superintendent may cooperate with colleges, universities, and other recognized research agencies in promoting potentially useful research.

B. The Superintendent will develop procedures to ensure the requests are of educational value and do not create an undue burden on District staff.

C. Data derived from school records, interviews, or questionnaires that have potential for invasion of the privacy of students or their families must have advance written authorization of parents or guardians even though the collecting and reporting of data are to be conducted under conditions of anonymity.

D. Instructional activities will not be interrupted.

E. All research data collected from District students and employees are the property of the District.

F. A waiver from any administrative rule may be requested, in accord with A.A.C. R7-2-801, by submitting such request to the State Superintendent of Public Instruction for approval by the State Board of Education. Such request shall include, at a minimum, the following:

1. Evidence that the school or the District is currently in compliance with all state laws and State Board of Education rules.
2. A statement identifying goals that will be accomplished and how the waiver will assist in enhancing school improvement.
3. A three-year plan for school improvement.
4. Identification of the specific rules for which the waiver is requested.
5. Evidence of a public hearing held by the school or the District that provided for parental and public involvement and input into the proposed three (3) year plan.

G. A school within the District, as represented by the principal, may request approval of a waiver by submitting to the District Superintendent a proposal containing the minimum requirements as indicated above.

H. Proposals submitted by a school will be forwarded by the Board to the State Superintendent of Public Instruction within thirty (30) days.

I. A waiver approved by the State Board of Education may be renewed.

J. A completed renewal request may be submitted to the Superintendent. The Board will forward such renewal request to the State Superintendent of Public Instruction within thirty (30) days from receipt.

K. The Superintendent shall arrange for the supervision and training of an appropriate and reasonable number of student teachers and interns each year and to establish procedures for such activity.

1. Before providing services directly to students, a person in a teacher preparation program who participates in a student teaching or other field experience shall obtain a fingerprint clearance card.

**LEGAL REF.:**

A.R.S.

11-952

15-141

15-203

15-205

15-239

15-342

15-365

15-534

15-1371

15-1640

15-1641

A.A.C.

R7-2-801

Last Revision Date: June 25, 2022

## 4.21 Public - Meetings and Records

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Public records” means any recorded information that is made, maintained, or kept by, or is in the possession of, the District.

**Policy Objectives:** It is the intent of the Board that business of the District will be conducted in open meetings, except as exempted by law.

- A. The official business of the Board shall be conducted in open meetings (except as exempted by law), which the press, the public, and school employees are welcome to attend, and at which time communications, both verbal and written, may be received and considered when placed on the agenda.
- B. The Board will maintain written minutes and, additionally, video/audio tape record of all meetings which will be considered public record, (except as exempted by law).
- C. Public records of the District will be open for inspection by any person as provided by law.
- D. Requests for access to records shall be made in writing and directed to the office of the Superintendent.
- E. All persons requesting inspection and/or copying of public records must attest that they have not requested the public records of the District for a commercial purpose. If the records are requested for a commercial purpose, the requester must provide a statement, verified by the requester, setting forth the commercial purpose for which the materials will be used.
- F. The Superintendent must permit access to, or provide for the copying of, the records requested within a reasonable period of time following receipt of the signed request or will provide an explanation of a cause for further delay and will give notification of the time the records will be available, or, if access is denied, the Superintendent will provide a written statement of the grounds for denial.
- G. Requirements of access and inspection apply only to existing records and do not require creation of new records. Public inspection of a document that otherwise would be a public record may be denied by the Superintendent if:
  - 1. the record is made confidential by statute
  - 2. the record involves the privacy interests of persons

**LEGAL REF.:**

A.R.S.

38-431 to 38-431.09

**LEGAL REF.:**

39-101

39-103

A.G.O.

183-006

184-179

185-023

186-090

191-004

Last Revision Date: June 25, 2022

## 4.22 Public - Smoking on District Property

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to prohibit the use of tobacco products on/in District property.

A. The possession or use of tobacco products is prohibited in the following locations:

1. District grounds
2. District buildings
3. District parking lots
4. District playing fields
5. District buses and vehicles
6. Off-campus school sponsored events

B. Under the provisions of A.R.S. 36-798.03, a person who violates the prohibition is guilty of committing a petty offense.

C. The prohibitions do not apply to an adult who employs tobacco products as a necessary component of a school sanctioned tobacco prevention or cessation program established pursuant to ARS 15-712.

D. No person shall, except as authorized by A.R.S. § 36-2801 et seq.: shall possess or engage in the use of medical marijuana in or on district property, including, but not limited to:

1. A school bus
2. The grounds of any preschool or primary or secondary school

### **LEGAL REF.:**

A.R.S.

15-341

15-712

36-2801

36-2802

36-798.03

20 U.S.C. 6083, 7281, 7183

Last Revision Date: June 25, 2022

## 4.23 Public - Promotional Materials

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to authorize the District to distribute or disseminate non-school promotional material of nonprofit organizations that provide education or enrichment activities and instruction for school age children.

A. The Board does not authorize the distribution or dissemination of any material that would promote a program, activity or event that does not provide education or enrichment activities for school age children.

B. The Superintendent shall develop procedures regarding distribution and posting of promotional materials.

### **LEGAL REF.:**

A.R.S.

15-110

20 U.S.C. 9134, The Children's Internet Protection Act

47 U.S.C. 254, Communications Act of 1934 (The Children's Internet Protection Act)

Last Revision Date: June 25, 2022



## 4.24 Public - Advertising

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Propaganda” means ideas, facts, or allegations spread deliberately to further a cause or to damage an opposing cause.

**Policy Objectives:** It is the intent of the Board to prohibit advertising on District property that is used for propaganda purposes.

A. Advertising is permitted:

1. In student publications
2. On school buses
3. At athletic facilities
4. On the District website or school websites

B. Advertisements shall be age appropriate and not contain promotion of any substance that is illegal for minors, such as alcohol, tobacco and drugs, or gambling. Advertisements shall comply with the state sex education policy of abstinence.

C. Advertising to promote the merit of any product by brand name or trademark are prohibited.

D. In matters of question relating to the appropriate content of advertising in schools, the Board maintains discretion to decline specific advertisements.

**LEGAL REF.:**

A.R.S.  
15-342

Last Revision Date: June 25, 2022

## 4.25 Public - Media Relations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to maintain a positive relationship between the District and the media.

A. The Superintendent shall provide information to the media concerning the programs and activities of the District as well as matters pending before the Board.

B. The Superintendent is responsible for developing procedures for communication with the media.

Last Revision Date: June 25, 2022

## 4.31 Relations With Other Organizations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to cooperate with other organizations where not expressly prohibited by law, where not disruptive to students, and where not overly exhaustive of taxpayer dollars.

A.The Board, by direct contract or agreement, may contract for services and may enter into agreements with one another for joint or cooperative action or may form a separate legal entity, including a nonprofit corporation, to contract for or perform some or all of the services specified in the contract or agreement or exercise those powers jointly held by the contracting parties.

B.The Board may release pupil attendance, disciplinary and other educational records to a law enforcement agency and county attorney and other state, local or tribal government agency pursuant to an intergovernmental agreement for the purpose of:

- 1)Providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.
- 2)Providing appropriate programs and services designed to deter at-risk juveniles from dropping out of school or other delinquent behavior.
- 3)Increasing the safety and security of the community and its children by reducing juvenile crime.

C.Educational records provided pursuant to an intergovernmental agreement shall be used solely for the purposes of the agreement and shall not be disclosed to any other party, except as provided by law.

### **LEGAL REF.:**

A.R.S.

11-952

15-203

15-239

15-141

15-205

15-342

15-365

A.A.C.

R7-2-801

Last Revision Date: June 25, 2022

# V. Employees

## 5.11 Equal Opportunity - Employment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be an equal opportunity employer.

A. Discrimination against an otherwise qualified individual with a disability or any individual by reason of race, color, religion, sex, age, or national origin is prohibited.

B. The Superintendent shall institute systems and procedures intended to ensure equal opportunity in employment for all qualified persons.

**LEGAL REF.:**

A.R.S.

13-904

41-1461

41-1463

41-1465

Last Revision Date: June 25, 2022

## 5.12 Equal Opportunity - Complaints

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Concerns and Complaints” are defined as expressions of dissatisfaction by an employee(s) regarding conditions or circumstances that do not allege a misinterpretation or violation of a Governing Board policy or procedure and are therefore not covered by the District's formal grievance procedure.

**Policy Objectives:** It is the intent of the Board that the procedure for addressing employee concerns and complaints is to settle matters fairly, confidentially (to the extent permitted by law), quickly, and at the lowest organizational level possible.

A. The Superintendent shall develop a procedure for personnel to present written concerns and complaints, and for achieving resolution of concerns and complaints. When the Superintendent must determine the resolution of a concern or complaint, the Superintendent's decision shall be final.

B. Effective communication between District employees, the administrative staff, the Superintendent and the Board is essential for proper operation of the schools. Therefore, the District shall establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level.

1. Such procedure shall provide that the Board may review any grievance that cannot be resolved at the administrative level.
2. The Superintendent also may request that the Board review a grievance. In such cases, the decision of the Governing Board is final.

### **LEGAL REF.:**

A.R.S.

38-532

Last Revision Date: June 25, 2022

## 5.21 Employment - Priorities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to employ staff dedicated to the academic achievement of students.

A. The Board recognizes that dynamic and efficient staff members dedicated to education are necessary to maintain a constantly improving educational program. The Board is interested in its personnel as individuals, and it recognizes its responsibility for promoting the general welfare of the staff members.

B. Personnel policies adopted by the Governing Board are to serve as guidelines for the efficient and successful functioning of the District.

C. The policies are framed and intended to be interpreted within the context of applicable laws and regulations. Changes in the laws and agency rules, as well as in the needs, conditions, purposes, and objectives of the District may result in revisions, deletions, and additions to the policies. Therefore, to the extent permitted or required by law, District personnel policies may be modified, amended, or repealed at any time as the Board determines to be in the best interest of the District. No person shall be deemed to have a vested right to continuing employment or benefits associated with District employment except as may be required by law and provided in the respective employee's written contract or employment agreement.

D. Wherever inconsistencies of interpretation arise, the law and regulations prevail.

E. The Superintendent shall outline and assign the duties of the staff in a job description.

F. The Superintendent will establish systems and procedures necessary to achieve the following personnel priorities:

1. Recruiting, selecting, and employing the best-qualified personnel to staff the school system.
2. An employee appraisal program that will contribute to the continuous improvement of staff performance.
3. Professional development and in-service training programs for employees that will improve their rates of performance and retention.
4. Deployment of the available personnel to ensure that they are utilized as effectively as possible within budgetary constraints.
5. Foster human relationships necessary to obtain maximum staff performance and satisfaction.
6. A staff compensation program sufficient to attract and retain qualified employees within the fiscal limitations of the District.
7. Equal opportunity for persons to seek, obtain, and hold employment regardless of race, color, religion, disability, national origin, sex, age, or socioeconomic status.

**LEGAL REF.:**

A.R.S.

15-341

15-342

15-502

15-503

15-546

Last Revision Date: June 25, 2022



## 5.22 Employment - Staff Positions

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to create staff positions only with the approval of the board through the budget process, with the objective of creating enough positions to accomplish the District's goals and objectives.

A. Before recommending the establishment of any new position, the Superintendent shall establish a job description for the position that specifies the qualifications, the performance responsibilities, and the method by which the performance of such responsibilities will be evaluated. The establishment of any new position will require Governing Board approval.

1. The Superintendent will provide prior year staffing count, by position, by building and budget staffing count, by position, by building.
2. Staff positions budgeted, but not filled, will be reported to the Board no less than 2 months after the start of the school year.

B. The District shall maintain a comprehensive and up-to-date set of job descriptions of all positions in the school system.

C. Where a mistake is due to a clerical error by District staff or to a mutual mistake by the parties:

1. If an employee has received more money than the employee is entitled for work performed, the employee shall at the District's option, 1) immediately repay any amount erroneously paid to the employee or 2) allow the District to reduce future payments to the employee to make up for any amount erroneously paid.
2. This remedy shall be in addition to any other remedy to which the District is entitled under policy or law.

### LEGAL REF.:

A.R.S.

15-501

15-502

15-503

Last Revision Date: June 25, 2022

## 5.23 Employment - Contracts and Compensation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that District salaries will be differentiated in relationship to duties and responsibilities and individual contracts will be offered to each member of staff.

A. The Superintendent shall provide recommendations on salaries and fringe benefits to the Board each year.

B. The Board will annually establish the salaries and benefits for all employees within the budgetary constraints of the District unless otherwise agreed upon.

C. Every fiscal year, each District employee will be provided a total compensation statement that is broken down by category of benefit or payment and that includes, for that employee, at least all of the following:

1. Base salary and any additional pay.
2. Medical benefits and the value of any employer-paid portions of insurance plan premiums.
3. Retirement benefit plans, including social security.
4. Legally required benefits.
5. Any paid leave.
6. Any other payment made to or on behalf of the employee.
7. Any other benefit provided to the employee.

D. Where a mistake is due to a clerical error by District staff or to a mutual mistake by the parties:

1. If an employee has received more money than the employee is entitled for work performed, the employee shall at the District's option, 1) immediately repay any amount erroneously paid to the employee or 2) allow the District to reduce future payments to the employee to make up for any amount erroneously paid.
2. This remedy shall be in addition to any other remedy to which the District is entitled under policy or law.

E. Pay for substitute teaching will be established by the Board.

F. The Superintendent shall recommend to the Board an extra-duty pay schedule each year for its review and action.

G. The Board will review staff fringe benefits each year during the budget process and may modify the benefits to meet the best interest of the District.

**LEGAL REF.:**

A.R.S.

15-187

15-341

15-502

15-503

15-544

15-941

15-952

15-977

Last Revision Date: June 25, 2022

## 5.24 Employment - Professional Staff Hiring

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to hire the best and most qualified personnel.

A. Anti-Discrimination Notice: It is illegal to discriminate against any individual (other than an alien not authorized to work in the U.S.) in hiring, discharging, or recruiting or referring for a fee because of that individual's national origin or citizenship status. It is illegal to discriminate against work eligible individuals. Employers cannot specify which documents(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

B. Effective January 1, 2008, Arizona schools must use the federal governments Basic Pilot Program to verify the employment authorization of all newly hired employees.

C. The Department of Homeland Security's (DHS U.S. Citizenship and Immigration Services Bureau (USCIS and the Social Security Administration (SSA)) are jointly conducting E-Verify, formerly known as the Basic Pilot. E-Verify involves verification checks of the SSA and the DHS databases, using an automated system to verify the employment authorization of all newly hired employees.

D. There are four (4) types of access to E-Verify: As an employer, as a designated agent for the employers, as a multi-location corporate administrator, or through a web service.

1. An employer's participation in E-Verify is voluntary and is currently free to employers.
2. To participate, an employer must register online and accept the electronic Memorandum of Understanding (MOU) that sets forth the responsibilities of the SSA, USCIS, and the employer.

E. The Immigration Reform and Control Act of 1986 (IRCA) requires that all new employees, both regular and casual, establish their eligibility for employment in the United States. This federal law applies to U.S. citizens as well as to foreign nationals. An employment Eligibility Verification (Form I-9) must be completed with three (3) business days of the employee's hire date. Employees who do not provide the necessary documentation within three (3) business days must be discharged.

F. The district may not employ either of the following in a position that requires a valid fingerprint clearance card:

1. A certificated person whose certificate has been suspended, surrendered or revoked, unless the State Board of Education has subsequently reinstated the person's certificate.
2. A noncertificated person who has been prohibited from employment at a school district or charter school by the State Board of Education pursuant A.R.S. 15-505.

C. Any employee's misstatement of fact that is material to qualifications for employment or the determination of salary shall be considered by the Board to constitute grounds for dismissal.

H. Before employment, schools or school districts shall verify the certification and fingerprint status of applicants who apply for school or school district positions that require certification.

I. Should the need arise to employ a teacher who meets the requirements for a conditional certificate before an applicant has obtained the appropriate valid fingerprint clearance card, the District may assist in obtaining the conditional certificate, and employ the teacher, by meeting all of the following conditions:

1. The District verifies in writing on a form provided by the Arizona Department of Education (ADE) the necessity for hiring and placing the applicant into service before a fingerprinting check is completed.
2. The District obtains from the Department of Public Safety state-wide criminal records check on the applicant. Subsequent criminal records checks must be completed every one hundred twenty (120) days until a permanent certificate is received.
3. The District searches the criminal records of all local jurisdictions outside Arizona where the applicant has lived in the previous five (5) years.
4. The District obtains references from the applicant's current employer and two (2) most recent previous employers, except that for applicants who have been employed for at least five (5) years by the most recent employer or most recent two (2) employers, only references from that employer are required.
5. The District provides general supervision of the applicant until permanent certification is issued by ADE.

J. The acceptance of the contract must be indicated with fifteen (15) business days from the date of the teacher's receipt of the written contract or the offer of a contract is revoked.

K. Receipt is considered to have occurred when the written contract is:

1. personally delivered,
2. placed in a school-provided mailbox, including electronic mail, or
3. sent as an electronic contract or
4. two (2) days after being placed in a United States Postal Service mail box.

L. The employee accepts the contract by signing the contract and returning it to the Board or by making a written instrument which accepts the terms of the contract and delivering it to the Board.

1. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the teacher fails to accept the contract.

**LEGAL REF.:**

A.R.S.

13-3716

15-153

15-502

**LEGAL REF.:**

15-503

15-505

15-512

15-536

15-538.01

15-539

15-550

23-211

23-212

23-1361

38-201

38-231

38-232

38-766.01

41-1750

41-1756

Last Revision Date: June 25, 2022

## 5.25 Employment - Personnel Records

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to maintain complete and current official personnel files for each District employee and to release to the public contents of the personnel file to the extent that disclosure is compelled as a public record.

- A. The Superintendent will maintain a complete and current official personnel file for each District employee which shall include, but not be limited to:
1. **Official Transcripts:** Professional employees are required to supply the District office with current and complete official transcripts of all college credits.
  2. **Current Certification:** It is the duty and responsibility of each certificated employee to keep their certification current.
  3. **Derogatory Information:** Employees will be advised of, and will be permitted to review and comment on, all information of a derogatory nature prior to placement in their respective personnel files. The employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file.
  4. **Disciplinary Records:** Records reasonably necessary or appropriate to maintain an accurate knowledge of disciplinary actions regarding staff members and the staff member's responses will be maintained. Disciplinary action records shall be open to inspection and copying unless such inspection and disclosure of records or information in the records is contrary to law.
- B. The Superintendent will ensure procedures exist to maintain confidentiality and access of personnel files, including, but not limited to:
1. Subfiles may be created within a personnel file as are appropriate to ensure confidentiality of those files made confidential by law and efficient use of the file.
  2. Access to personnel files will be limited to authorized District officials and employees authorized to handle personnel files.
  3. Individual Board members may only inspect confidential staff files when specifically authorized by the Board, as evidenced by action of a quorum of the Board in a legal meeting properly noticed.
  4. Employees may review their own files by making written requests to the Human Relations Department.
  5. Materials obtained prior to an employee's employment, such as confidential recommendations or interview notes, will not be available for review by the employee.
  6. Teacher evaluations are confidential, do not constitute a public record, and shall not be released or shown to any person except for the explicit purposes set out in A.R.S. §15-537.
  7. The Superintendent shall release to the public contents of the personnel file to the extent that disclosure is compelled as a public record.

C. Unless otherwise specifically provided by law, a school district shall not:

1. Use an individual's social security number on forms of identification.
2. Transmit to another individual material that contains both the individual's social security number and the individual's financial institution account number. This does not preclude the transmission of documents of enrollment, amendment, termination, or contracting for financial services nor does it preclude transmitting documents confirming the accuracy of the numbers previously submitted.

D. The Superintendent shall prepare procedures to implement this policy and A.R.S.§44-1373 which restricts use of personal identifying information.

**LEGAL REF.:**

A.R.S.

15-302

15-502

15-537

23-926

23-1361

23-1362

38-233

39-121 et seq.

41-1482

Last Revision Date: June 25, 2022



## 5.26 Employment – Certificated Employee Requirements

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that certificated staff meet mandatory requirements outlined in this policy.

A. Certificated staff are personnel who must possess a certificate as a condition of employment and who, as a condition of their certification are required to have a valid fingerprint clearance card pursuant to A.R.S. §15-1330.

1. Certificated employees shall submit a notarized affidavit consistent with requirements of A.R.S. §15-1330 (referencing A.R.S. §41-1758.03).

B. Certificated employees shall certify on the prescribed notarized forms whether they are awaiting trial on or have ever been convicted of or admitted in open court or pursuant to a plea agreement committing any of the following criminal offenses in Arizona or similar offenses in any other jurisdiction, including a charge or conviction that has been vacated, set aside or expunged:

1. Sexual abuse of a minor.
2. Incest.
3. First- or second-degree murder.
4. Kidnapping.
5. Arson.
6. Sexual assault.
7. Sexual exploitation of a minor.
8. Felony offenses involving contributing to the delinquency of a minor.
9. Commercial sexual exploitation of a minor.
10. Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs.
11. Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs.
12. Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.
13. Burglary in the first degree.
14. Burglary in the second or third degree.
15. Aggravated or armed robbery.
16. Robbery.
17. A dangerous crime against children as defined in A.R.S. 13-604.01.
18. Child abuse.
19. Sexual conduct with a minor.
20. Molestation of a child.
21. Manslaughter.
22. Aggravated assault.
23. Assault.
24. Exploitation of minors involving drug offenses.

C. A person who makes a false statement, representation, or certification in any application for employment with the School District is guilty of a class 3 misdemeanor.

D. The Superintendent shall develop procedures in accordance with this policy.

**LEGAL REF.:**

A.R.S.

13-705

15-183

15-503

15-512

15-534

15-782.02

15-1330

15-1881

23-1361

41-1750

41-1758.07

Last Revision Date: June 25, 2022

## 5.27 Employment - Oath of Office

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that every District take the statutory oath of office.

A. Every school employee shall take and subscribe to the oath prescribed for public officers pursuant to A.R.S. 38-231. The person taking the oath shall file a copy of the acknowledged oath in the District office.

1. The Superintendent shall keep such copy on file as long as the employee remains employed by the District and for a period of five (5) years after termination of employment with the District.

**LEGAL REF.:**

A.R.S.

38-231

Last Revision Date: June 25, 2022

## 5.31 Conduct - General

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all employees of the District conduct themselves in a manner consistent with effective and orderly education and to protect students and District property.

A. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption.

B. No employee, other than one who has obtained authorization from the Superintendent, shall carry or possess a weapon on school grounds.

C. All employees shall at all times attempt to maintain order, abide by the policies, rules, and mandates of the District, and carry out all applicable orders issued by the Superintendent.

D. Potential consequences to employees of the District who violate these rules may include, but are not limited to:

1. Removal from school grounds.
2. Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
3. Warning.
4. Reprimand.
5. Suspension.
6. Dismissal.
7. Having consideration given to any such violations in the determination of or establishment of any pay or salary in later contracts or employment, if any.

E. Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property.

1. All such reports shall be documented and communicated to the Superintendent who shall not fail to report such incidents to local law enforcement.
2. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy 10.66 as required in A.R.S. 15-341(A)(36).

F. The Superintendent is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described above, subject to the requirements of federal law.

G. The District may post a link to the policy and procedures manual with a reference to the appropriate policies and procedures.

H. A person who violates the reporting requirements may be disciplined for violating the policies of the Board pursuant to A.R.S. 15-341 and notwithstanding A.R.S. 15-341, may be subject to dismissal. Each Board shall prescribe and enforce policies and procedures that require the Superintendent to maintain a record on any person who is disciplined pursuant to this policy and, on request, shall make that record available to any public school, school district governing board or charter school governing body that is considering hiring that person.

I. A person who is employed by the District or is an applicant for employment with the District, who is arrested for or charged with any non-appealable offense listed in section 41-1758.03, subsection B and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of unprofessional conduct and the person shall be immediately dismissed from employment with the School District or immediately excluded from potential employment with the School District. A person dismissed from employment for failure to report being arrested for or charged with a non-appealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection G. Prior to an action to terminate for failure to report, an employee will be given the opportunity to provide a written explanation of circumstances or events which they believe mitigate the failure to report.

J. Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order and safety. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

K. The threat or use of physical force is not justified as a response to verbal provocation alone, nor when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

**LEGAL REF.:**

A.R.S.  
13-2911  
13-3102  
13-3111  
13-3411  
15-153  
15-341  
15-342  
15-507  
15-509  
15-511

**LEGAL REF.:**

15-512

15-514

15-539

15-550

38-531

38-532

41-770

41-1758.03

A.A.C.

R7-2-205

Last Revision Date: June 25, 2022

## 5.32 Conduct - Ethics

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to maintain high standards for all staff that may reasonably apply to all staff members.

A. Employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. Every employee assumes responsibility for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards:

1. The school employee:

- a. Makes the academic achievement of students the fundamental value of all decision making and actions.
- b. Maintains just, courteous, and proper relationships with students, parents, staff members, and others.
- c. Strives for the maintenance of efficiency and knowledge of developments in the employee's field of work.
- d. Fulfills job responsibilities with honesty and integrity.
- e. Supports the principle of due process and protects the civil and human rights of all individuals.
- f. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
- g. Implements the Board's policies and administrative rules and regulations.
- h. Refrains from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- i. Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.
- j. Avoids using position for personal gain through political, social, religious, economic, or other influence.
- k. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
- l. Stresses the proper use and protection of all school properties, equipment, and materials.
- m. Honors all contracts until fulfillment or release.

B. In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure serves District purposes or is required by law.

**LEGAL REF.:**

A.A.C.

R7-2-205

Last Revision Date: June 25, 2022

## 5.33 Conduct - Conflict of Interest

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Refrain from participating in any manner" means more than just refraining from making a final decision. It means participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

"Make known" means the filing of a paper which is signed by a public officer or employee and which fully discloses a substantial interest or the filing of a copy of the official minutes of a public agency which fully discloses a substantial interest. The filing shall be in the special file established pursuant to §38-509. The Superintendent shall establish procedures for filing of the paperwork.

"Relative" means the spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse.

"Gift or benefit" means a payment, distribution, expenditure, advance, deposit or donation of monies, any intangible personal property or any kind of tangible personal or real property. "Gift or benefit" does not include food or beverage or expenses or sponsorships relating to a special event or function to which individuals are invited.

**Policy Objectives:** It is the intent of the Board to maintain high standards for all staff that may reasonably apply to all staff members.

A. No person employed by the District may be directly supervised by a relative (spouse, child, child's child, parent, grandparent, brother or sister of the whole or half blood and their spouses and the parent, brother, sister or child of a spouse).

1. This policy will apply for summer or part-time work as well as for full-time employment.

B. A dependent of a Board member (a person more than half of whose support is obtained from a Board member) cannot be hired in the District except by consent of the Board.

C. The spouse of a Board member cannot be employed by the District.

D. Any employee who has, or whose relative (A.R.S. 38-502) has, a substantial interest in any decision of the District shall make known this interest in the official records of the District, and shall refrain from participating in any manner as an employee in such a decision.

E. No employee of the District will accept a gift or benefit from any person, group, or entity doing, or desiring to do, business with the District.



F. The District is required to follow the school district procurement rules for all purchases of goods or services from District employees regardless of dollar amount. The District may acquire equipment, material, supplies, or services from its employees only under an award or contract let after public competitive bidding [A.R.S. 38-503; A.G.O. 106-002]. The requirement applies to any purchase using District monies, including extracurricular activities fees, tax credit contributions, and monies held in trust by the District such as student activities monies, when a District employee acts as the vendor. Oral and written quotations do not satisfy the public competitive bidding requirements.

G. The Board may require annual employee training to ensure District conflict of interest policies are communicated to employees and acknowledged as received and understood. Each employee shall complete and sign the conflict of interest form, 7.3.F.1, as determined by the District.

H. The District will investigate allegations of inadequate disclosure of substantial interests and/or inappropriate participation when a substantial interest may exist.

**LEGAL REF.:**

A.R.S.

15-323

15-421

15-502

38-481

38-501 et seq.

38-502

38-503

38-509

A.G.O.

183-111

103-005

106-002

Attorney General Arizona Agency Handbook, Appendix 8.1,  
Conflict of Interest Disclosure Memorandum

Last Revision Date: June 25, 2022

## 5.34 Conduct - With Students

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all employees of the District conduct themselves in a manner consistent with effective and orderly education and to protect students and District property.

A. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption.

B. Employees are expected to exercise general supervision over the conduct of students, not only while in the classroom, but also before and after school and during recess. At all times teachers and other staff members will accord students the dignity and respect that they deserve, and avoid embarrassing any student unnecessarily.

C. Students are expected to regard all school employees as individuals who are employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall be required to respect the rights of all school employees and other students, and interference with those rights will not be tolerated.

D. Students shall not have the right to interfere with the efforts of instructional staff members to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students. No student shall have the right to interfere with or disrupt any employee's work activities.

E. All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with community standards and acceptable professional conduct.

F. Relationships between staff members and students that include "dating," "courtship," or "romantic involvement" are prohibited. These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and contrary to the expectations of District governance.

G. Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process.

H. Violations of the above shall be considered serious and may result in severe disciplinary action.

**LEGAL REF.:**

A.R.S.

15-321

15-341

15-514

Last Revision Date: June 25, 2022

## 5.35 Conduct – Gifts

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that employees not regularly receive gifts, offer gifts or solicit gifts.

- A. Students, parents, and other patrons of the District shall be discouraged from the routine presentation of gifts to employees.
- B. Gifts to students by staff members shall be discouraged. Simple remembrances on certain occasions to all students in a class or section shall not be regarded as a violation of this policy.
- C. District staff shall not influence parents or students to purchase books or other merchandise, except for materials approved by the District for use in the classroom.
- D. Staff-member solicitation(s) of other employees and/or students for any profit, nonprofit, or charitable groups, institutions, or organizations must have the approval of the District in advance.
- E. No other solicitations shall be made by or of staff during official duty time.

**LEGAL REF.:**

A.R.S.

15-321

Last Revision Date: June 25, 2022

## 5.36 Conduct – Drug Free Workplace

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that any employee who violates this policy in any manner is subject to discipline, which may include, but is not limited to, dismissal.

A. No employee shall violate the law or District policy in the manufacture, distribution, dispensing, possession, or use, on or in the workplace, of alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1308.11 through 1308.15.

B. Workplace includes any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport staff members or students to and from school or school activities or on school business. Off school property, the workplace includes any school-sponsored or school-approved activity, event, or function where students or staff members are under the jurisdiction of the District. In addition, the workplace shall include all property owned, leased, or used by the District for any educational or District business purpose.

C. Any employee who has been convicted under any criminal drug statute for a violation occurring in the workplace, as defined above, shall notify the supervisor within five (5) days thereof that such conviction has occurred.

D. As a condition of employment, each employee shall abide by the terms of the District policy respecting a drug-free workplace.

### LEGAL REF.:

A.R.S.

13-2911

13-3401 et seq.

15-341

41 U.S.C. 702, Drug-free workplace requirements for Federal grant recipients.

21 C.F.R. 1308.11 et seq.

34 C.F.R. Part 85

Last Revision Date: June 25, 2022

## 5.37 Conduct - Non-Medical Use/Abuse of Drugs/Alcohol

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that non-medical possession, use or abuse of drugs and/or alcohol is forbidden on school property or at school sponsored activities away from school property. Any employee who violates this policy in any manner is subject to discipline, which may include, but is not limited to, dismissal.

A. Employees determined to be in possession of, using, or abusing drugs or using alcohol shall be reported immediately to the principal or other person in charge. The Human Relations Department shall be notified immediately.

B. The Superintendent shall conduct an investigation in consultation with legal counsel as necessary.

1. If the investigation shows sufficient evidence to suggest that the employee was involved with distribution or otherwise in violation of the law, law enforcement authorities shall be notified.
2. If the results of the investigation show that the employee's actions endangered the health and/or safety of students or other employees, the District shall take disciplinary action or recommend disciplinary action to the Board in accordance with existing policies and statutes. If the results of the investigation suggest that the employee be provided options under the provisions of this policy, the District shall direct the immediate supervisor of the employee.

C. For the purpose of this policy, pursuant to Arizona Revised Statutes (A.R.S.) §36-2801, a qualified medical marijuana cardholder means:

1. A qualifying patient,
2. A designated caregiver, or
3. A nonprofit medical marijuana dispensary agent

Who has an identification card issued by the Arizona Department of Health Services related to the medical use of marijuana to treat or alleviate an individual's debilitating medical condition or symptoms associated with the debilitating medical condition.

D. Unless the District would lose a monetary or licensing related benefit under federal law or regulations, the District may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person solely:

1. on the basis of the person's status as a medical marijuana cardholder, or
2. for a positive test for marijuana components or metabolites,
  - a. unless the person used, possessed or was impaired by marijuana on the premises of the place of employment or during the hours of employment.

E. The District shall not be penalized or denied any benefit under state law for employing a registered qualifying patient or a registered designated caregiver. [A.R.S. §36-2811].

F. Subject to A.R.S. §36-2802, no person is authorized to engage in:

1. undertaking any task under the influence of marijuana that would constitute negligence or professional malpractice,
  2. possessing or engaging in the medical use of marijuana
    - a. on a school bus,
    - b. on the grounds of any preschool, elementary school or secondary school,
  3. smoking marijuana,
    - a. on any form of public transportation, or
    - b. in any public place
  4. using marijuana in any manner not authorized by Chapter 28.1 of Arizona Revised Statutes Title 36.
5. operating, navigating or being in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana,
  - a. except that a registered qualifying patient shall not be considered to be under the influence of marijuana solely because of the presence of metabolites or components of marijuana that appear in insufficient concentration to cause impairment.

G. While performing any duty in the capacity of District employee, an employee may be disciplined, up to and including suspension or termination for ingesting marijuana in the workplace or working under the influence of marijuana.

H. Wherever inconsistencies of interpretation arise, the law and regulations prevail.

I. When District officials have a reasonable belief an employee may be under the influence, in possession of or distributing marijuana in a manner not authorized by the medical marijuana statutes law enforcement authorities will be informed.

**LEGAL REF.:**

A.R.S.

13-2911

13-3401 et seq.

15-321

15-341

41 U.S.C. 702, Drug-free workplace requirements for Federal grant recipients.

34 C.F.R. Part 85

Last Revision Date: June 25, 2022

## 5.38 Conduct - Smoking

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that, other than for demonstration purposes of educational value, the possession or use of tobacco products, tobacco substitutes, e-cigarettes, other chemical inhalation devices or vapor products is prohibited.

A. The possession or use of tobacco products, tobacco substitutes, electronic cigarettes, other chemical inhalation devices, or vapor products is prohibited in the following locations:

1. School grounds
2. School buildings
3. School parking lots
4. School playing fields
5. School buses and other District vehicles
6. Off-campus school-sponsored events

B. Under the provisions of A.R.S. 36-798.03, a person who violates the prohibition is guilty of committing a petty offense.

C. The prohibitions do not apply to an adult when possession or use of the tobacco products are for demonstration purposes as a necessary instructional component of a tobacco prevention or cessation program that is:

1. Approved by the school
2. Established in accord with Arizona Revised Statute 15-712

### **LEGAL REF.:**

A.R.S.

13-3622

15-341

15-712

36-798.03

20 U.S.C. 6083

Last Revision Date: June 25, 2022



## 5.39 Conduct - Reprisals

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Unlawful Reprisal” means an action taken by a governing board that results in:

- Disciplinary action.
- Transfer or reassignment.
- Suspension, demotion, or dismissal.
- An unfavorable performance evaluation.
- Other significant changes in duties or responsibility that are inconsistent with the employee's salary or employment classification.

**Policy Objectives:** It is the intent of the Board to prohibit District employees from taking reprisals against another employee for a disclosure of a matter of public concern, provide that concern meets certain criteria, per statute.

A. It is a prohibited personnel practice for any District employee, who has control over personnel actions, to take reprisals against another employee for a disclosure of a matter of public concern, by that other employee, to a public body when the employee believes there has been:

1. A violation of law.
2. Mismanagement, a gross waste of monies, or an abuse of authority.

B. An employee, or former employee, who believes that an adverse personnel action taken is the result of such person's disclosure of information under A.R.S. 38-532, shall make a complaint to the Board. The Board shall make a determination pursuant to the rules under A.R.S. 41-785.

C. A Board member or school district employee who has control over personnel decisions shall not take unlawful reprisal against an employee for good-faith reports about professional staff personnel engaged in conduct involving minors that is reportable under A.R.S. 13-3620 (Reporting Child Abuse).

D. Effective communication between District employees, the administrative staff, the Superintendent and the Board is essential for proper operation of the schools. Therefore, the District shall establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level.

1. Such procedure shall provide that the Board may review any grievance that cannot be resolved at the administrative level.
2. The Superintendent also may request that the Board review a grievance. In such cases, the decision of the Governing Board is final.

### LEGAL REF.:

A.R.S.  
15-514  
23-425  
38-532  
41-785  
38-532

Last Revision Date: June 25, 2022

## 5.41 Discipline – Suspensions and Terminations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that employees be disciplined for any conduct that is in violation of policy, law or is inappropriate.

A. Employees may be disciplined for any conduct that, in the judgment of the District, is inappropriate.

B. Minor disciplinary action includes, without limitation thereto, verbal or written reprimands, suspension with pay, or suspension without pay for a period of five (5) days or less.

C. The employment of an employee may be suspended without pay for a period of more than five (5) days by action of the Superintendent for any conduct by the employee that, in the judgment of the Superintendent, is inappropriate.

D. The employment of an employee may be terminated by action of the Board.

E. The Superintendent will develop procedures in accordance with this policy.

### **LEGAL REF.:**

A.R.S.

13-2911

15-153

15-341

15-502

41-770

Last Revision Date: June 25, 2022

## 5.51 Activities - Political

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to recognize the right of its employees, as citizens, to engage in political activity. However, school time, personnel, equipment, supplies, materials, buildings, or other resources may not be used to influence the outcomes of elections.

A. A staff member, a person acting on behalf of the District or a person who aids another person acting on behalf of the District shall be guided by the following:

1. No employee shall engage in political activities upon property under the jurisdiction of the Board.
  - a. Employees in their individual capacities may exercise their political liberties on property leased from the school for that purpose.
2. The prohibition on the use of public resources to influence the outcome of bond, budget override and other tax-related elections includes the use of School District-focused promotional expenditures that occur after an election is called and through Election Day. This prohibition does not include routine District communications which are messages or advertisements that are germane to the functions of the District and that maintain the frequency, scope and distribution consistent with past practices or are necessary for public safety.
3. Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity or representing the District, and without the participation of District employees or students acting in the capacity of District or school representatives.
4. Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be permitted only when such invitations are extended to all candidates for the office.
  - a. The rental use of District property by a private person or entity that may lawfully attempt to influence the outcome of an election is permitted if it does not occur at the same time and place as a related District-sponsored forum or debate.
5. Political circulars or petitions may not be posted or distributed in school.
6. The collection of campaign funds and/or the solicitation of campaign workers are prohibited on school property.
7. Students may not be given written materials to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.
8. Students may not be involved in writing, addressing, or distribution of material intended to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.

B. Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

C. District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

D. The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, are not precluded under the provisions of this policy.

E. District employees shall be permitted time as provided in statute, if required, to vote in the primary or general election.

F. The District may distribute informational reports on a proposed budget override election as provided in A.R.S. 15-481 and on a proposed bond election as provided in A.R.S. 15-491, if those informational reports present factual information in a neutral manner, except for those arguments allowed under A.R.S. 15-841.

G. Nothing in this policy shall preclude the District from producing and distributing impartial information on elections other than District budget override elections or reporting on official actions of the Governing Board.

H. The District shall not make expenditures for literature associated with a campaign conducted by or for a District official.

**LEGAL REF.:**

A.R.S.

15-481

15-491

15-511

15-903

16-402

A.G.O.

115-002

Last Revision Date: June 25, 2022

## 5.52 Activities – Overtime

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the typical workweek for classified staff will not exceed forty (40) hours per week.

A. There may be occasions when it is necessary to require employees to work beyond previously established work hours. For such situations, the Board authorizes overtime payments and compensatory time off at the discretion of the superintendent or designee in accordance with the federal Fair Labor Standard Act (FLSA) guidelines.

B. Individual employee work schedules will be based on the position held by the respective employee and on District needs as identified during the employment process.

C. A workweek is a regular recurring period of one hundred sixty-eight (168) hours in the form of seven (7) consecutive twenty-four (24) hour periods. For the purpose of calculating regular and overtime hours in accordance with wage and hour requirements, the District's designated workweek shall begin Saturday at 12:00 a.m. and conclude Friday at 11:59 p.m.

D. The Superintendent shall develop procedures in accordance with this policy.

### **LEGAL REF.:**

A.R.S.

23-391

Arizona Constitution, Article 18, Section 1

29 U.S.C. 207, Fair Labor Standards Act

29 C.F.R. 516 et seq., Fair Labor Standards Act

Last Revision Date: June 25, 2022

## 5.53 Activities – Performance Evaluations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that regular performance evaluations be completed on every employee.

- A. All employees shall be evaluated by the appropriate supervisor or administrator.
- B. A written evaluation of effectiveness of each employee shall be completed not later than ninety (90) days after the first day of work.
- C. A second first-year evaluation will be not later than May 1.
- D. At least once each year thereafter, an evaluation will be conducted. The evaluation will be used to increase job proficiency and for recommending continued employment.
- E. The Superintendent shall develop procedures in accordance with this policy.

**LEGAL REF.:**

A.R.S.

15-341

15-1326

Last Revision Date: June 25, 2022

## 5.54 Activities – Support Staff Resignations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that support staff resignations are compliant with Arizona Revised Statutes.

A. Support staff employees voluntarily terminating their service with the District are expected to give advance notice of not less than ten (10) working days.

This notice should be submitted to the supervisor in writing and should specify both the last day of work and the reason for terminating.

B. Authorized unused vacation will be paid to employees with the last paycheck.

**LEGAL REF.:**

A.R.S.

23-352

23-353

Last Revision Date: June 25, 2022

## 5.55 Activities – Training

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that employees shall not engage in training that presents any form of blame or judgment on the basis of race, ethnicity, or sex.

A. The District shall not require an employee to engage in and shall not use public monies for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity, or sex. This does not preclude any training on sexual harassment or lessons on recognizing and reporting abuse as defined in ARS 15-717.02.

B. For each violation of A.R.S.15-717.02, including subsequent or continued violations, a court may impose a civil penalty not to exceed five thousand dollars (\$5,000) per school district, charter school or state agency where the violation occurs.

**LEGAL REF.:**

A.R.S.

41-1494

Last Revision Date: June 25, 2022



## 5.56 Activities - Tutoring

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that employees not tutor their own students and rent district facilities, when appropriate.

A. Employees are not permitted to provide tutoring for pay to any students who attend or are registered in any of the staff member's own classes except in connection with a District sponsored program.

B. District facilities are not to be used for private tutoring or classes for which students pay a fee to employees unless a rental contract has been entered into with the District.

**LEGAL REF.:**

A.G.O.

R97-023

Last Revision Date: June 25, 2022

## 5.57 Activities – Professional Staff Resignations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that professional staff resignations are compliant with Arizona Revised Statutes.

A. All resignations or requests to be released from contract shall be presented in writing to the Board for approval.

B. A release from an uncompleted contract may be granted contingent upon the availability of a well-qualified, certificated teacher as a replacement. Fines may be assessed.

C. A teacher who resigns contrary to this policy shall be deemed to have committed an unprofessional act and shall be subject to the penalty as provided under Arizona statutes and State Board of Education regulations.

**LEGAL REF.:**

A.R.S.

15-545

23-353

A.A.C.

R7-2-205

Last Revision Date: June 25, 2022

## 5.61 Health - Wellness

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that employees take responsibility for their own health and wellness. In so doing, staff models a positive image to students and the community.

A. It shall be a condition of employment that, unless exempted, all employees, including substitutes, shall present proof of immunity to rubeola (measles) prior to reporting for work.

1. Evidence of immunity to measles shall consist of:

a. A record of immunization against measles with a live virus vaccine given on or after the first birthday or a statement, signed by a licensed physician or a state or local health officer that affirms serologic evidence of having had measles.

b. Anyone born prior to January 1, 1957 shall be considered to be immune to measles. (Rubeola)

B. Similarly, unless exempted, all employees, including substitutes, shall present proof of immunity to rubella (German measles) prior to reporting for work.

1. Evidence of immunity to rubella shall consist of:

a. A record of immunization against rubella given on or after the first birthday or a statement, signed by a licensed physician or a state or local health officer that affirms serologic evidence of having had rubella.

C. Exempted employees include those with medical contraindications for receiving vaccines and those who refuse immunization for religious reasons.

D. Non-immune employees, including those who utilize the exemption, shall, in the event of an outbreak of either disease, be put on leave without pay, or they may use accumulated sick leave during the period they are excluded from work due to the outbreak. If a staff member does not have any earned sick leave, a salary deduction of one (1) contract day will be made for each day of authorized leave used.

### LEGAL REF.:

A.R.S.

36-624

A.A.C.

R9-6-347

R9-6-360

R9-6-704

A.G.O.

188-037

Last Revision Date: June 25, 2022

## 5.62 Health – Infectious Diseases

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to take reasonable and lawful measures to protect students and staff members from the transmission of communicable diseases. The Superintendent shall develop procedures as are necessary to implement this policy in a manner consistent with state and federal laws.

A. A staff member who has a communicable disease shall be excluded from school only if the staff member presents a direct threat to the health or safety of others in the school workplace.

1. The outbreak control measures and other directives of the Department of Health Services (DHS) and local health agencies shall be acted upon as the best medical knowledge and judgments with regard to the exclusion of a staff member who has a communicable disease that is addressed by DHS regulations. The communicable diseases specifically addressed by DHS regulations are listed at A.A.C. R9-6-203 et seq.

B. A staff member who has a chronic communicable disease, such as tuberculosis or HIV/AIDS, shall not be excluded unless a significant risk is presented, to the health and safety of others, which cannot be eliminated by reasonable accommodation.

1. The Superintendent shall consult with legal counsel and health professionals, as necessary, to ensure that exclusion of a staff member with a chronic communicable disease will not violate the staff member's rights under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act.

C. The school nurse or other person designated by the Superintendent must reassess a staff member who is excluded from school because of a communicable disease before the staff member returns to work.

1) The Superintendent may require a physician's written medical release as a condition for the staff member's return to work.

D. The District shall report by telephone to its local health agency each diagnosed and suspected case of a communicable disease.

E. If an outbreak of a communicable disease occurs in a school setting, the Superintendent or the school nurse shall promptly inform staff members who are known to have special vulnerability to infection. The District does not assume any duty to notify an employee of health risks caused by the presence of a communicable disease in the school setting unless the at-risk employee has notified the District of the conditions when notification is needed.

F. The District shall make reasonable efforts to maintain the confidentiality of staff members' medical conditions. All medical information relating to employees is confidential. The identity

of a staff member who has a communicable disease and/or the nature of the communicable disease may be disclosed only to:

- Staff members who must have such information to carry out their duties under this policy;  
or
- Staff members or students (or their parents/guardians) who must have such information to protect themselves from direct threat to their health or safety.

G. Inquiries or concerns by staff members or others regarding communicable diseases or a staff member who is known or believed to have a communicable disease shall be directed to the Superintendent or the school nurse.

H. The Superintendent shall follow the "Universal Precautions Standard" set forth in District guidelines, 7.13.P.1 - Staff Health and Safety Communicable Diseases, to protect employees who are at risk of being exposed to blood and body fluids in the course of their work.

I. The Superintendent shall follow the guidance of the U.S. Department of Health and Human Services concerning infectious and communicable diseases transmitted through the handling of food, and special precautions required for food services workers.

J. Current medical information indicates that HIV can be transmitted by sexual intercourse with an infected partner, by injection of infected blood products, and by transmission from an infected mother to her child in utero or during the birth process. None of the identified cases of HIV infection in the United States are known to have been transmitted in a school setting or through any other casual person-to-person contact. There is no evidence that HIV is spread by sneezing, coughing, shaking hands, hugging, or sharing toilets, food, water, or utensils. According to best medical knowledge and judgments, the use of the "universal precautions" and other procedures that implement this policy are sufficient to protect staff members and students from transmission of HIV at school.

**LEGAL REF.:**

A.R.S.

36-621

36-624

A.A.C.

R9-6-203 et seq.

R9-6-355

29 U.S.C. 794 et seq. Rehabilitation Act, (Section 504)

42 U.S.C. 12101 et seq. (Americans with Disabilities Act)

29 C.F.R. 1630.1 et seq. (ADA guidelines)

29 C.F.R. 1910.10 et seq. (OSHA Universal Precautions Standard)

Last Revision Date: June 25, 2022

## 5.63 Health - Employee Assistance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the Superintendent is authorized, for the purposes of employment or retention, to require employees to submit to tests or examinations as a licensed physician deems appropriate.

A. Employees may be required by the Superintendent , for purposes of employment or retention, to submit to such tests or examinations as a licensed physician deems appropriate.

B. When, in the opinion of the immediate supervisor and/or the Superintendent, the employee's physical or emotional condition warrants, the Superintendent may require a complete examination, at District expense, by a licensed physician selected by the District.

C. The Superintendent shall have procedures for complying with the requirements of the Occupational Safety and Health Administration (OSHA), including an exposure-control plan, methods of compliance, work-practice controls, post-exposure evaluation and follow-up and administering vaccine to employees exposed to Hepatitis B virus.

D. All employees who as a result of their employment have had significant exposure to blood borne pathogens (Hepatitis B/Human Immunodeficiency Virus) are required to report the details of the exposure in writing to the District and are required to follow post exposure evaluation and follow-up activities in accordance with Arizona and federal laws. An employee who chooses not to complete these reporting requirements will be at risk of losing any claim to rights.

### **LEGAL REF.:**

A.R.S.

15-505

23-901

23-902

23-906

23-908

23-961

23-962

Last Revision Date: June 25, 2022

## 5.71 Safety – Personal Security

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the Superintendent establish procedures that provide for the protection of any employee who is threatened with harm by an individual or group while carrying out assigned duties.

A. The Superintendent shall establish procedures that provide for the protection of any employee who is threatened with harm by an individual or group while carrying out assigned duties.

B. The District shall establish procedures for every student, teacher, and visitor in public schools that shall require the wearing of appropriate protective eye-wear while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities.

1. The Superintendent shall ensure that the schools and other District work places are equipped with appropriate protective eye-wear.

2. Schools may receive and expend federal, state, and local monies to provide eye protective devices.

C. If required by government authorities, the District shall establish procedures requiring the use of personal protective equipment to ensure personal safety for staff, students, vendors, visitors and volunteers.

### LEGAL REF.:

A.R.S.

13-1203

13-1204

13-2911

15-151

15-507

Last Revision Date: June 25, 2022

## 5.72 Safety - Workers' Compensation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all employees shall be covered by workers' compensation insurance for any accident while on assignment, including an accident on school property or while on official business off school property.

A. An employee must report any accident while on assignment, including an accident on school property or while on official business off school property to the supervisor's office immediately, since a report on the time of the accident, persons involved, and how it happened is required.

B. Employees requiring immediate medical assistance shall report to the District's designated medical facility or provider as soon as possible. If the accident occurs outside of Maricopa county, the employee shall report to a medical provider as the District instructs.

C. The Superintendent shall develop procedures in accordance with this policy.

### **LEGAL REF.:**

A.R.S.

15-505

23-901

23-902

23-906

23-908

23-961

23-962

Last Revision Date: June 25, 2022



## 5.81 Attendance - Approved Leave

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that staff report to duty unless they are on approved leave and unapproved absences are subject to disciplinary action.

A. All staff is expected to report to duty unless they are on an approved leave. There are two types of approved leave, those that are:

1. Paid
2. Unpaid

B. To obtain approval for leave, unpaid or paid, the employee must be eligible.

1. Eligibility for leave is directly related to the employee's F.T.E. (Full Time Equivalency) as well as their job classification e.g. Classified, Certified or Administrative.
2. Employees designated as "substitutes" are not eligible for leave except for earned paid sick time.
3. Eligibility for various forms of leave are:
  - a. Staff Paid Leave (Earned Paid Sick Time - Sick Leave - Discretionary Leave - Reimbursement Plan & Incentive)
  - b. Staff Approved Leaves of Absence and Family Medical Leave - (FMLA)
  - c. Staff Citizenship Leave
  - d. Professional Leave (Conferences, Visitations, and Workshops)
  - e. Support Medical Leave Assistance Program - Staff Voluntary Transfer of Accrued Sick Leave - Sick Leave Bank
  - f. Staff Bereavement Leave
  - g. Staff Vacation and Holidays

C. An employee who is absent from work without prior approval is subject to disciplinary action, as an employee who was unable to obtain prior approval due to unusual circumstances and such approval is denied upon the employee's return.

D. An employee shall be deemed "absent without approved leave" when absent from work because of:

1. A reason that conforms to a policy currently in effect but the maximum days or hours provided for in that policy will be exceeded; or
2. A reason that does not conform to any policy currently in effect; or
3. Failure to report to work without prior notification to the employee's supervisor.

E. In no case shall an employee be compensated for time lost due to being absent without approved leave.

F. If an employee is absent without prior approval for three (3) or more consecutive work days or an equivalent number of hours, that employee will be deemed to have abandoned their employment or any contract relationship with the District and employment may be terminated.

G. The Superintendent shall develop procedures in accordance with this policy.

### LEGAL REF.:

A.R.S.  
15-341

Last Revision Date: June 25, 2022

## 5.82 Attendance - Citizenship Leave

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to make it possible for staff to carry out their citizenship responsibilities to the city, county, state or country.

A. The Superintendent shall grant leaves in the following circumstances provided that the employee is eligible:

Jury Duty subject to ARS 21-236

Legal Leave related to an official subpoena

Employees who are required to appear in court in response to an official subpoena will receive full pay during the period of such service. Such service shall not be deducted from earned leave days unless such service results in a conviction that the employee violated an Arizona Statute.

An employee who must appear in any legal proceeding connected with his/her employment with the school district may be absent without loss of pay, if the employee is required by law or the District to attend.

Victim Leave subject to ARS 8-420, 13-4439, 8-386, and/or 13-4405

Military leave subject to ARS 26-168, 38-610, 38 U.S.C 4303

B. When an employee receives notice that requires leave as delineated above, it is the responsibility of the employee to promptly notify the District. The employee must also initiate the procedures established by the District to properly notify, apply for and be approved according to the requirements outlined for each leave area below.

C. The Superintendent shall develop procedures in accordance with this policy.

### LEGAL REF.:

A.R.S.

8-386

8-420

13-4405

13-4439

15-502

16-402

21-236

26-168

38-610

A.G.O.

180-177

38 U.S.C. 4301 et seq., Uniformed Services Employment and Reemployment Rights Act

Last Revision Date: June 25, 2022

## 5.83 Attendance - Vacation and Holidays

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to offer paid vacations and/or holidays as a benefit to eligible employees.

A. Full-time non-instructional, non-administrative employees who work 12 months per fiscal year shall accumulate vacation with pay at the following rates:

1. 1-5 years of service: 1 day per month
2. 6-10 years of service: 1 ¼ days per month
3. 11-15 years of service: 1 ½ days per month
4. 16 years or more of service : 1 ¾ days per month

B. Full-time non-instructional, non-administrative employees who work 12 months per fiscal year may accumulate to 40 days vacation, after which time no more vacation may be earned. As accumulated days of vacation are used and drop below 40 days, an eligible employee may again accumulate vacation.

C. Vacations must be approved by a principal or department head.

D. If an employee relinquishes full-time status, all accrual stops, and the now part-time employee has only the accumulated remaining balance available to be used within the next fiscal year.

E. Full Time Employees Working Less Than 12 Months Per Year shall not accrue vacation days.

F. An employee with unused accrued vacation shall be reimbursed at their hourly rate for their remaining vacation hours upon termination of employment.

G. All full-time employees shall be entitled to paid time off for legal holidays during the school year as announced by the Superintendent, in conformance with Arizona law. Other holidays shall be established in the Board approved school calendar and entitlement to paid time off for those holidays shall be determined by the employees' employment status.

### LEGAL REF.:

A.R.S.

1-301

15-502

15-801

38-608

Last Revision Date: June 25, 2022

## 5.84 Attendance - Conferences

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to provide access to the best resources of professional development, leadership experience, and national collaboration while being fiscally responsible.

A. Employees must provide at least forty (40) days notice prior to meeting or conference dates.

1. With prior approval, expenses associated with authorized employee attendance at meetings and conferences may be eligible for compensation.
2. Employee travel and expense for participation in student field trips and excursions shall be in accordance with District guidelines.

B. The following guides will be used in granting release time and/or travel expense:

1. Value of the meeting or conference
2. Funds available in the appropriate budget
3. Availability of a substitute, if one is necessary.

C. Employee absences for attendance at or participation in professional association activities are not eligible for compensation.

1. Professional association activities for which compensation is not available do not include in-service training in the certificated employee's assigned area of employment.

D. The Superintendent shall develop procedures in accordance with this policy.

### **LEGAL REF.:**

A.R.S.  
15-504  
38-621

Last Revision Date: June 25, 2022

## 5.85 Attendance – Medical Leave Assistance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to provide a measure of relief in situations of non-job-related injuries, seriously incapacitating injury and extended illness and/or injury.

A. The Medical Leave Assistance Program - Sick Bank increases employee morale and may reduce some of the stresses associated with illness and facilitate the employee's recovery, which is in the best interest of the District.

B. The Superintendent shall establish appropriate procedures for the operation of this program.

**LEGAL REF.:**

A.G.O.

191-027

Last Revision Date: June 25, 2022

**VI.**

# **Administration**

## 6.00 Administration District Office Hours

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that district offices be open during the school year, Monday through Friday, with exceptions noted in this policy.

A. All offices in the District shall be open during the school year Monday through Friday, except during holidays and as otherwise stipulated by the Superintendent.

B. Hours of the working day shall be assigned by supervisors.

**LEGAL REF.:**

Arizona Constitution, Article 18, Section 1

Last Revision Date: June 25, 2022

## 6.01 Administration – Electronic Communications

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to meet all Arizona Revised Statutes regarding public records of email communications.

A. Electronic communications (including records made with other software and sent in e-mail) which are sent or received by the Board or District employees pertaining to the business of the school may be subject to public disclosure and inspection as public records and discovery in litigation as evidence in support of a claim.

B. All Board members and selected staff are encouraged to participate in Open Meeting Law (OML) and Public Records Law training within the first thirty (30) days after becoming a member of the Board or the date of employment, as is applicable.

C. In order to encourage the Board, individual Board members, staff communicating with or on behalf of the Board and members of councils/committees of the Board to comply with the requirements of the OML and Public Records Law, the following guidelines shall be followed:

1. E-mail or any other electronic messaging service shall not be used as a substitute for deliberations at Board meetings or for other communications or business properly confined to Board meetings.
2. E-mail or any other electronic messaging service may be used to disseminate factual information, such as agenda packet, suggestions for public agenda items and reminders regarding committee meeting times, dates and places.
3. Confidential information about employees, students or other Board members shall not be included in e-mail communications due to the risk of improper disclosure.
4. Should electronic devices be utilized for participation or attendance at public meetings, the public in attendance including media representatives shall have the same access to the electronic input as the Governing Board members.
5. The following statement shall be used on all Board member and staff electronic communications: "To ensure compliance with the Open Meeting Law, Board member recipients of this message should not forward it to other Board members nor should Board members reply to this message."
6. Board members shall communicate with staff members and the public by following procedures established in policy.

D. Each Board member or staff member computer user shall segregate or store electronic communications pertaining to the business of the District to or from members of the Board or staff to a file folder and then to a location designated by the District so that these records may be maintained and inspected by any person upon request, unless otherwise made confidential by law.



E. In the event a Board member(s) fails to comply with the guidance of Board policy, the matter shall be referred to the Board President, who will meet with and/or discuss the matter and the Board policy with the Board member(s). The Board President may request that the Board's legal counsel participate in the meeting and/or discussion.

F. In the event an employee fails to comply with the guidance of Board policy, that employee may be subject to disciplinary action, up to and including possible termination.

G. The Superintendent may develop procedures to assist in compliance with the Open Meeting Law and the Public Records Law.

**LEGAL REF.:**

A.R.S.

38-431.01 et seq.

39-101

39-121 et seq.

A.G.O

105-004

20 U.S.C. 1232g Family Educational Rights and Privacy Act

General Retention Schedule for School Districts and Charter Schools - Electronic Communications and Social Networking Record

Last Revision Date: June 25, 2022

## 6.02 Administration – Public Records of Electronic Communications

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to meet all Arizona Revised Statutes regarding public records of email communications.

A. Electronic communications (including records made with other software and sent in e-mail) which are sent or received by the Board or District employees pertaining to the business of the school may be subject to public disclosure and inspection as public records and discovery in litigation as evidence in support of a claim.

B. Use of electronic mail should conform to the same standards of judgment, propriety, and ethics as other forms of school business-related communications.

C. Board members, officers and employees may create electronic records through the use of e-mail on their private computers or borrowed computers when communicating about school business-related issues.

1. All business-related electronic communications by Board members, officers and employees are to be turned over to the school records office to be sorted and have their value as a record determined.

D. A record keeping system for electronic communications shall be established in which those types of electronic communications:

1. shall be categorized in the same manner as is required for paper records
2. shall be stored in a way permitting ease of record retrieval
3. shall contain explicit sender and receiver identification.

E. The following guidelines shall be adhered to in order to establish a record keeping procedure for such communications.

1. A repository for electronic communications shall be established at the direction of the Superintendent.
2. All school business-related communications, including communications from private computers used by school Board members, officers and employees shall be segregated to a file folder and then to a location designated by the District so that these records may be maintained and inspected by any person upon request, unless the materials are otherwise made confidential by law.
3. The determination of record status shall be on the same basis as is used for paper records.
4. Once the communication is transferred to the records maintenance location and into the recordkeeping system the original electronic version may be deleted. The version maintained in the proper recordkeeping system is the official copy and must be retained for the same period as required for other forms of the same record series.

5. A retrieval system for electronic mail and data transmitted with mail shall be established that will permit reasonable access to the records with a minimum of effort, identifying the recipient and the sender.

**LEGAL REF.:**

A.R.S.

38-431.01 et seq.

39-101

39-121 et seq.

A.G.O

105-004

20 U.S.C. 1232g Family Educational Rights and Privacy Act

General Retention Schedule for All State Agencies and Political Subdivisions for Records  
Received via E-mail

Last Revision Date: June 25, 2022

## 6.03 Administration - Records Retention

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all required records and any other records that are deemed necessary or helpful will be prepared in a manner consistent with law and the requirements of the Uniform System of Financial Records.

A. An administrative records management program approved by the Board shall be established and maintained, and copies of retention schedules shall be submitted to the Arizona State Library Archives and Public Records (ASLAPR).

B. Records management standards adopted by the ASLAPR for the maintenance and storage of the District's public records provides for the maintenance and storage of records either on paper or in an electronic format, or a combination of paper and electronic format.

C. The Board is the custodian of the official copies of all records, required or optional, and the Superintendent shall be responsible for protecting such records on behalf of the Board.

D. As a part of the records management program, the Superintendent may assign management responsibilities to other employees by naming the employee positions and a general description of the records assigned to their jurisdiction.

### LEGAL REF.:

A.R.S.

15-271

15-272

23-721

23-926

23-962

38-421

38-423

38-424

39-101

39-103

39-121

44-1373

A.A.C.

R7-2-803

Last Revision Date: June 25, 2022

## 6.04 Administration - Insurance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to maintain an adequate property, casualty, and liability insurance program to protect the property of the District against fire, vandalism, and theft; to protect the Board members and employees against general liability resulting from the discharge of their duties; and to offer protection in case of injury for employees while acting on behalf of the school.

A. The Board may also authorize a voluntary insurance program for students and employees.

B. The Superintendent will administer the total insurance program.

1. Specifications for insurance coverage of various types may be placed by competitive bid.
2. Any recommended modification of these specifications will be brought before the Board for review and action.

C. The Superintendent will make every effort to obtain insurance at the most economical cost, consistent with required service.

### **LEGAL REF.:**

A.R.S.

15-341

15-381

15-382

15-383

15-384

15-386

15-387

15-388

15-502

A.G.O.

180-216

Last Revision Date: June 25, 2022

## 6.05 Administration - Copyright

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that copyright violations will not be condoned.

A. Subject to certain specific exceptions, the owner of a copyright has the exclusive rights to reproduce, distribute, perform, or display the copyrighted work, or to authorize such reproduction, distribution, performance, or display by others.

B. An exception to the exclusive rights enjoyed by copyright owners is the doctrine of fair use. The fair use of a copyrighted work for purposes of teaching, scholarship, or research is not an infringement of copyright. All of the following factors shall be considered in determining fair use:

1. The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes.
2. The nature of the copyrighted work.
3. The amount and importance of the portion used in relation to the copyrighted work as a whole.
4. The effect of the use upon the potential market for or value of the copyrighted work.

C. A further exception shall be performance or display of a work by instructors or students in the course of face-to-face teaching activities in a classroom or other similar place devoted to instruction.

**LEGAL REF.:**

17 U.S.C. 101 et seq.

Last Revision Date: June 25, 2022

## 6.06 Administration – Sexual Harassment

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Curriculum” means a course of study for content areas or grade levels, including any supplemental materials required or recommended by the curriculum.

“Learning materials” include, but are not limited to, the following: all textbooks and reading materials, videos, digital materials, websites and other online applications.

“Used for student instruction”

- a. Means assigned, distributed, or otherwise presented to students in any course for which students receive academic credit or in any educational capacity in which participation of the student body is required by the school or in which a majority of students in a given grade level participate.
- b. Applies also to any materials from among which students are required to select one or more, if the available selection is restricted to specific titles.

“Activities” include, but are not limited to assemblies, guest lectures, or other educational events facilitated by school staff, including those conducted by outside individuals or organizations, excluding student presentations.

**Policy Objectives:** It is the intent of the governing board to ensure that all individuals associated with the District, including, but not limited to, the Board, the administration, the staff and students are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment.

A. Title IX of the Education Amendments of 1972 and the Title IX administrative regulation prohibits discrimination on the basis of sex, including gender-based and sexual harassment discrimination, in the District's educational programs and activities, including employment.

B. Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964.

C. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or education; or
2. Submission to or rejection of such conduct is used as a basis for employment or education decisions affecting such individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual's educational or work performance, or creating an intimidating, hostile, or offensive employment or education environment.

D. Sexual harassment may include, but is not limited to:

1. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, or display of sexually suggestive objects, pictures, or cartoons.
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
3. Implying or withholding support for an appointment, promotion, or change of assignment; suggesting that a poor performance report will be prepared; suggesting that probation will be failed; implying or actually withholding grades earned or deserved; or suggesting that a scholarship recommendation or college application will be denied as a result of refusing unwelcome sexual advances or complaining about sexual harassment.
4. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee; or engaging in coercive sexual behavior to control, influence, or affect the educational opportunities, grades, and/or learning environment of a student.
5. Offering or granting favors or educational or employment benefits, such as grades or promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, etc., in exchange for sexual favors.
6. Conduct that constitutes sexual assault, dating violence, domestic violence or stalking under the Clery Act, 20 U.S.C. § 1092(F)(6)(A)(v), or the Violence Against Women Act of 1994, 34 U.S.C. § 12291(a).

E. The District shall designate a compliance officer. Any person who feels unlawfully discriminated against or who has been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the compliance officer. Anyone who is subject to sexual harassment, or who knows of the occurrence of such conduct, should inform the compliance officer.

1. A substantiated charge against a staff member in the District shall subject such staff member to disciplinary action.
2. A substantiated charge against a student in the District shall subject that student to disciplinary action, which may include suspension or expulsion.

F. All matters involving sexual harassment complaints will remain confidential to the extent possible.

G. The District shall provide procedures for filing a formal complaint of sexual harassment.

H. Retaliation is 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.

**LEGAL REF.:**

20 U.S.C. 1092

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Employment Opportunity Act of 1972

34 U.S.C. 12291

42 U.S.C. 2000, Civil Rights Act of 1964 as amended, Title VII

Last Revision Date: June 25, 2022

## 6.07 Administration – Site Council

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure that individuals who are affected by the outcome of a decision at the school site share in the decision making process.

A. Each school in the District shall establish a school council. The Board may delegate to a school council the responsibility to develop a curriculum and may delegate any additional powers that are reasonably necessary to accomplish decentralization.

B. The school council shall take into consideration the ethnic composition of the local community and, except as provided in section 15-352, shall consist of the following members:

1. Parents or guardians of pupils enrolled in the school

a. A parent or guardian who is employed by the school district may serve as a member of the school council if the parent or guardian is not employed at the same school where the parent or guardian's child is enrolled.

2. Teachers

3. Non-certified employees

4. Community members

5. Pupils, if the school is a high school

6. The principal of the school

C. The school council shall adopt written guidelines that specify the number of school council members and the methods for the selection of school council members.

D. The principal shall serve as chairman of the school council unless another person is elected by a majority of the school council members.

### **LEGAL REF.:**

A.R.S.

15-351

15-352

Last Revision Date: June 25, 2022

## 6.08 Administration - Non-Discrimination/Equal Opportunity

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the governing board to commit to a policy of non-discrimination in relation to race, color, religion, sex, age, national origin, and disability.

A. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

B. The Board is committed to enforcing protections to prohibit retaliation against any individual who comes forward in good faith with complaints or concerns about conduct under this policy or who otherwise participates in any proceeding or investigation resulting from a complaint filed.

C. The District shall provide procedures for filing a formal complaint.

### **LEGAL REF.:**

A.R.S.

41-Chapter 9

Arizona Constitution, Ordinance Art. XX, Par. Seventh

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

20 U.S.C. 1681, Education Amendments of 1972, Title IX

20 U.S.C. 1703, Equal Employment Opportunity Act of 1972

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 et seq., Americans with Disabilities Act

Last Revision Date: June 25, 2022

## 6.09 Administration - Bonded Employees

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to require bonding of student activities treasurers and other school employees to cover fidelity and loss of money and be compliant with state statute regarding bonding of employees.

A. The amount of bond will be prescribed by the Board, except that no revolving fund shall be established unless the designated custodian is bonded for an amount equal to twice the amount of the fund.

B. In determining the amount and type of other bonds, the Board will consider the amount of money in accounts during the period of time covered by the bond. The cost of bonding shall be paid by the District.

**LEGAL REF.:**

A.R.S.

15-1101

15-1122

15-1126

Last Revision Date: June 25, 2022

## 6.11 Funding Proposals, Grants, and Special Projects

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be kept informed of possible sources of state, federal, and other funds for the support of the schools and/or for the enhancement of academic achievement.

A. Except as provided in section 15-1224, the Superintendent shall deposit all monies received as gifts, grants and devises with the county treasurer who shall credit the deposits as designated in the uniform system of financial records.

1. If not inconsistent with the terms of the gifts, grants and devises given, any balance remaining after expenditures for the intended purpose of the monies have been made shall be used for reduction of District taxes for the budget year

B. The Board shall deposit in a separate bank account grants or gifts that are less than one thousand five hundred dollars and designated for use by a teacher for instructional purposes if the Board does not deposit the grant or gift as prescribed in ARS 15-341.

C. Character education curriculum pursuant to section 15-719 is eligible for a state matching grant. The District shall provide matching monies from any lawful source, except that the District shall not use resources obtained from a federal character education grant as matching monies to obtain a second state character education grant.

D. Superintendent is to apprise the Board of its eligibility for proposals, grants, or special project funds as well as the requirements to qualify for and maintain the revenue stream of the proposal, grant, or special project.

### **LEGAL REF.:**

A.R.S.

15-154.01

15-341

15-719

15-1224

15-1251

Last Revision Date: June 25, 2022

## 6.12 Revenue Sources – Lease and Rent

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to comply with Arizona Revised Statutes regarding lease and rental revenues from District owned property.

A. The Superintendent, with the approval of the Board, may rent or lease school property, including school buildings, grounds, buses and equipment, to any person, group or organization for any lawful purpose, including recreational, educational, political, economic, artistic, moral, scientific, social, religious or other civic or governmental purpose in the interest of the community, including extended day resource programs.

B. The Superintendent, with the annual approval of the Board shall charge a reasonable use fee.

C. Except as provided in section 15-1102, monies received for and derived from the use or lease or rent of District property shall be promptly credited to the civic center fund.

### **LEGAL REF.:**

A.R.S.

15-342

15-1102

15-1105

15-1106

Last Revision Date: June 25, 2022

## 6.13 Revenue Sources - Outside

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that monies or assets received from outside sources are thoroughly vetted, including, but not limited to, requirements to receive the funding as well as maintain and renew the funding.

A. The District may submit proposals to private foundations and other sources of revenue to subsidize the District.

B. The Superintendent shall establish administrative guidelines for the consideration of proposal ideas.

C. The Board will approve all funding from outside sources, in compliance with Arizona Revised Statutes, before the proposal is submitted.

1. The Superintendent will disclose all outside source requirements to receive, maintain and renew the funding before the Board approves.
2. The Superintendent will hold and dispose of the funding in compliance with Arizona Revised Statutes.

### LEGAL REF.:

A.R.S.

15-341

Last Revision Date: June 25, 2022

## 6.14 Revenue Sources - Student Activities and Auxiliary Operations

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Student Activities Monies” are monies raised with the approval of the Board by the efforts of students in pursuance of or in connection with all activities of student organizations, clubs, school plays or other student entertainment other than funds specified in sections 15-1125 and 15-1126 are student activities monies.

“Auxiliary Operations Monies” are monies raised with the approval of the school district Board in pursuance of and in connection with all activities of school bookstores and athletic activities.

**Policy Objectives:** It is the intent of the Board to comply with Arizona Revised Statutes regarding revenues from student activities and auxiliary operations.

A. The Board shall establish a student activities fund and appoint a student activities treasurer.

1. The student activities treasurer shall deposit the student activities monies in a bank account designated the student activities account or in an account with the county treasurer pursuant to section 15-996 that is designated as other monies.
2. Each assistant student activities treasurer shall deposit student activities monies in the school district's student activities bank account, in the account with the county treasurer or in student activities bank accounts established separately for each school.
3. Disbursements from the student activities accounts shall be by check, signed by two persons, one of whom shall be either the student activities treasurer or an assistant student activities treasurer and one of whom shall be any other person authorized to sign by the Board.
4. Any disbursement shall be authorized by or on behalf of the student members of the particular club or organization as provided in the uniform system of financial records.
5. The student activities treasurer and assistant student activities treasurers shall give bonds in an amount determined by the Board, and the cost of bond premiums shall be a charge against the school district.
6. Accounts showing the balances due the respective student organizations as provided in section 15-1121 shall be kept by the student activities treasurer and assistant student activities treasurers and shall be open to inspection by officers of the student bodies concerned.
7. The student activities treasurer or assistant student activities treasurer shall maintain an accurate detailed record of all revenues and expenditures of the student activities fund. The record shall be made in such form as the Board prescribes. Copies of the record shall be presented to the Board of the school district not less than once during each calendar month.
  - a. Student activities fund monies may be invested and reinvested by the Board of a school district. All monies earned by investment shall be credited to the student activities fund of the school district.



B. Auxiliary operations fund monies shall be accounted for in accordance with the requirements of the uniform system of financial records.

1. Auxiliary operations fund monies shall be deposited after authorization by the Board in a bank account designated as the auxiliary operations fund or in an account with the county treasurer pursuant to section 15-996 that is designated as other monies.
2. Disbursements from the fund shall be authorized by the Board.
3. Disbursements shall be made by check signed by two employees of the school district designated by the Board.
4. Persons authorized by the Board to sign checks shall give a bond in an amount determined by the Board, and the cost of bond premiums may be a charge against the fund.
5. Auxiliary operations fund monies may be invested and reinvested by the Board of a school district. All monies earned by investment shall be credited to the auxiliary operations fund of the school district.
6. The Board may establish an imprest petty cash fund at each school within the school district for activities that require immediate cash outlays for postage, freight, express, parcel post, travel or other minor disbursements, but not including salaries or wages, and that are proper as ultimate expenditures from the school district auxiliary operations fund. Imprest petty cash funds established by the Board shall be funded from the school district auxiliary operations fund in an amount to be determined by the Board.
7. The Board may establish a revolving fund bank account for each school within the school district for necessary current expenditures in connection with school bookstore and athletic activities. The revolving funds shall be funded from the auxiliary operations fund in an amount to be determined by the Board. The school shall return the monies in the revolving fund bank account at the end of each fiscal year to the credit of the school district auxiliary operations fund.

**LEGAL REF.:**

A.R.S.

15-1121

15-1122

15-1123

15-1124

15-1125

15-1126

Last Revision Date: June 25, 2022

## 6.15 Revenue Sources - Services and Advertising

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to comply with Arizona Revised Statutes regarding revenues from services and advertising.

A. The Board may establish a permanent career and technical education projects fund in an amount of not more than \$100,000. The fund consists of proceeds from the sale of items produced or services provided by career and technical education programs.

1. Monies in the fund may be used for any of the following purposes:
  - a. Purchasing materials for use by career and technical education pupils in an instructional program that produces a product or provides a service that may be sold by the school district.
  - b. Purchasing equipment or services for use by career and technical education pupils in an instructional program that produces a product or provides a service that may be sold by the school district.
  - c. Paying expenses directly related to planning and designing career and technical education program products or services.
  - d. Paying expenses related to an approved department of education career and technical student organization, including costs associated with events, conferences or competitions.
2. Monies in the career and technical education projects fund may not be used to pay salaries, wages or employee fringe benefits.
3. All purchases made from the career and technical education projects fund must comply with chapter 2, article 1 of Title 15, including all provisions relating to procurement practices.
4. The career and technical education projects fund of a school district is a continuing fund, and monies in the career and technical education projects fund are not subject to reversion, except that all monies in the career and technical education projects fund that exceed \$100,000 at the end of the fiscal year revert to the school maintenance and operation fund.

B. A District advertisement fund shall be established for the deposit of revenues if the District sells advertising.

1. Advertisements shall be age appropriate and not promote any substance that is illegal for minors such as alcohol, tobacco and drugs or gambling. Advertisements shall comply with the state sex education policy of abstinence.
2. All revenues collected will be deposited and accounted for in accordance with the Uniform System of Financial Records. Monies in the advertising funds are not subject to reversion.

**LEGAL REF.:**

A.R.S.

15-342

15-1231

Last Revision Date: June 25, 2022

## 6.16 Revenue Sources - Community Programs

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Community school" means any school engaged in a community school program.

"Community school monies" means monies received as fees, tuitions, grants or donations from any person or agency for a community school program.

"Community school program" means the involvement of people in the development of an educationally oriented community. The community school serves the purposes of academic and skill development for all citizens, furnishes supervised recreational and avocational instruction, supplies remedial and supplemental education, furnishes meeting places for community groups and provides facilities for the dissemination of a variety of community related services, including extended day resource programs as defined in section 15-1105.

**Policy Objectives:** It is the intent of the Board to comply with Arizona Revised Statutes regarding revenues from community programs.

A. Monies deposited in a community school fund of a school district may be used for community school programs only and are not subject to reversion, except upon termination of a community school program.

B. Upon termination of a community school program any remaining funds shall revert to the operating budget of the school district.

**LEGAL REF.:**

A.R.S.

15-1141

15-1142

15-1143

Last Revision Date: June 25, 2022

## 6.21 Budget - Annual Budget

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District budget reflects the priorities of the Board and maximizes academic achievement outcomes.

A. No later than March of the fiscal year, the Superintendent shall begin presenting the draft annual budget, for the following school year, with supporting documentation, to the Board.

1. Budget Committees, if utilized, shall be public meetings.

B. The Superintendent shall present to the Board the increase on the primary property tax rate, if any, over the prior year's tax levy.

### LEGAL REF.:

A.R.S.

15-481

15-821

15-824

15-904

15-905

15-905.01

15-910

15-952

15-991

Last Revision Date: June 25, 2022

## 6.22 Budget - Hearings and Adoption

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to follow all statutory requirements in the hearings and adoption of the budget.

A. The Board shall prepare a notice fixing a time not later than July 15 and designating a public place at which a public hearing and board meeting shall be held.

B. The Board shall present the proposed budget for consideration of the residents and the taxpayers of the school district at that hearing and meeting.

C. The publishing of the proposed budget and notice of the hearing and meeting shall be in accordance with A.R.S. 15-905.

1. If a truth-in-taxation notice and hearing is necessary, the notice shall be in accordance with A.R.S. 15-905.01.

2. If the Board determines to combine the budget and truth-in-taxation hearings, publication of a combined notice must satisfy the requirements of both A.R.S. 15-905 and 15-905.01.

D. A Board member who has a substantial interest, as defined in section 38-502, in a specific item in the budget shall refrain from voting on the specific item.

E. A Board member may participate without creating a conflict of interest in adopting a final budget even though the member may have substantial interest in specific items included in the budget.

F. After appropriate deliberations, review, and possible revisions, the Board shall vote to adopt or reject the budget for revisions.

G. Filing of the budget shall be according to state law.

### **LEGAL REF.:**

A.R.S.

15-905

15-905.01

15-911

15-915

Last Revision Date: June 25, 2022

## 6.23 Budget - Implementation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the budget accurately reflects the anticipated operations of the District with variances presented to the Board.

A. Once adopted, the budgeted amounts per line item will not change until official Budget revisions are approved by the Board.

B. A monthly report of expenditures, with variances and balance of year forecasted expenditures, along with the full year budget, shall be presented to the Board.

C. Budget transfers across line items in the maintenance and operation section of the budget require Board approval.

D. An over expenditure in a major subsection of the maintenance and operation budget shall require Board approval.

**LEGAL REF.:**

A.R.S.

15-342

15-905

Last Revision Date: June 25, 2022

## 6.24 Budget - Carryforwards

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District maximize dollars to the classroom and achieve maximum transparency in carryforward accounts.

A. The Board establishes the following parameters for carryforward account balances:

1. M&O (001)

a. Minimum = 3% of revised budget

b. Maximum = 6% of revised budget

c. Example: M&O budget allocation totals \$100,000,000. Budget carryover could be between \$3,000,000 and \$6,000,000

2. Classroom Site (011, 012, 013 each)

a. Minimum = 10% of revised budget

b. Maximum = 20% of revised budget

c. 012 is paid in the following year, so will exceed 25% of revised budget

d. Example: Classroom Site Base, fund 011 budget allocation totals \$2,000,000. Budget carryover could be between \$100,000 and \$200,000.

e. Classroom Site Performance, fund 012 budget allocation totals \$8,000,000. Budget carryover could be between \$800,000 and \$1,600,000.

f. 012 is paid in the following year, so may exceed 25% of revised budget

g. Classroom Site other, fund 013 budget allocation totals \$5,000,000. Budget carryover could be between \$500,000 and \$1,000,000

3. DAA & Capital (610 and 611, in total)

a. Minimum = 25% of revised budget

b. Maximum = 40% of revised budget

c. Example: DAA and Capital Override allocation totals 10,000,000. Budget carryforward could be between \$2,500,000 and \$4,000,000.

B. Carryforwards outside the parameters of this policy will be presented to the Board in a public meeting.

C. Prior year actual carryforward balances and forecasted current year carryforward balances will be presented to the Board during budget presentations, during final budget approval and during all budget revisions.

D. The Board may revise the carryforward parameters by Board action.

### LEGAL REF.:

A.R.S.

15-341

15-342

Last Revision Date: June 25, 2022



## 6.25 Budget - Transportation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board, within the constraints of the approved budget, to provide regular school bus transportation to and from school for the categories approved in this policy.

A. The Governing Board may grant appropriations for transportation during the budget process.

1. The Superintendent will provide ridership and utilization rates of bus routes and busses for the semester immediately prior to the budget process.
2. The Superintendent will provide cost per mile and cost per rider for the prior fiscal year.
3. The Superintendent will provide ridership and utilization rates of bus routes and busses for the prior fiscal year.

B. Within the constraints of the approved budget, the Superintendent shall establish procedures to provide regular school bus transportation to and from school for the following categories:

1. Students with disabilities who require transportation, as indicated in their respective individual education programs.
2. Students living within a radius of the school where general education bus service would not be provided, but hazardous or difficult routes exist and where no safe school route exists.
3. Kindergarten (K) through grade eight (8) students attending a grade Kindergarten (K) through grade eight (8) school, or grade Kindergarten (K) through grade four (4) students attending a grade Kindergarten (K) through grade four (4) school who are residents within a school attendance area and who live more than one (1) mile radius from school.
4. Grade five (5) through eight (8) students who are residents within a middle school attendance area and who live more than one and one-quarter (1 1/4) mile radius from school.
5. Grade nine (9) through twelve (12) students who are residents within a school attendance area and who live more than one and one-half (1 1/2) mile radius from school.
6. Open-enrolled students (or their parents or guardians) are responsible for their own transportation to a District, regular education bus stop. If the regular education bus has the capacity to accept open-enrolled students in addition to the students the District is already transporting, then the bus may transport the open-enrolled student.

C. Transportation for homeless students to their school of enrollment, if it is the school of origin, will be arranged as needed by the school liaison for homeless students.

D. At the discretion of the Superintendent, transportation may be provided for students involved in practice sessions for extracurricular activities.

**LEGAL REF.:**

A.R.S.

15-342

15-764

15-816.01

15-901

15-921

15-922

15-923

15-945

15-946

28-797

28-900

28-901

A.C.O.

180-025

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001

Last Revision Date: June 25, 2022

## 6.26 Budget - Budget Transparency

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in accordance with Arizona Revised Statutes in all aspects of the budget: format, content and presentation to statutory agencies and the public.

A. The District shall utilize the budget format prepared and prescribed by the Superintendent of Public Instruction in conjunction with the Auditor General.

B. The District shall prominently post on its website home page the percentage of every dollar spent in the classroom by that school district from the most recent status report issued by the Auditor General.

C. The budget format, should include, but not be limited to:

1. The proposed student-teacher ratios and student-staff ratios relating to the provision of special education services.
2. The proposed student-teacher ratios and student-staff ration relating to regular ed classrooms.
3. The proposed student-teacher ratios and student-staff ratios relating to ELL classrooms.
4. The number of full-time equivalent certificated employees.
5. The average salary of all teachers employed by the District for the current year.
6. The average salary of all teachers employed by the District for the previous year.
7. The dollar increase in the average salary of all teachers employed by the District for the current year.
8. The percentage increase in the average salary of all teachers employed by the District for the current year.

### LEGAL REF.:

A.R.S.

15-271

15-302

15-903

15-977

15-991

41-1279.03

Last Revision Date: June 25, 2022

## 6.27 Budget - Investments

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to comply with Arizona Revised Statutes regarding revenues from investments.

A. The Board will annually consider and vote on a request to the County Treasurer to authorize investments for the following fiscal year. The Superintendent shall ensure that this question is placed on an agenda for a Board meeting in June of each year.

B. The Superintendent will disclose all CDs, savings, investment and brokerage accounts to the Board annually, during budget preparation.

1. The Superintendent will detail for the Board the past 3 (three) years of revenue to each account and draw downs from each account, detailing sources and uses of funds.

### LEGAL REF.:

A.R.S.

15-996

15-1024

15-1025

A.G.O.

180-099

182-090

Last Revision Date: June 25, 2022

## 6.31 Finance & Accounting - Payroll Procedures and Schedules

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that employees are paid in accordance with Arizona Revised Statutes.

- A. Payroll checks will be issued biweekly during the term of contract or agreement with the District.
- B. No employer may withhold or divert any portion of an employee's wages unless one of the following applies:
1. The employer is required or empowered to do so by state or federal law.
  2. The employer has prior written authorization from the employee. An employer shall not withhold wages under a written authorization from the employee past the date specified by the employee in a written revocation of the authorization, unless the withholding is to resolve a debt or obligation to the employer or a court orders otherwise.
  3. There is a reasonable good faith dispute as to the amount of wages due, including the amount of any counterclaim or any claim of debt, reimbursement, recoupment or set-off asserted by the employer against the employee.

### LEGAL REF.:

A.R.S.  
15-502  
23-351  
23-352  
23-353

Last Revision Date: June 25, 2022

## 6.32 Finance & Accounting - Payroll Deductions

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the Superintendent establish procedures compliant with Arizona Revised Statutes and federal law.

A. Involuntary Deductions are a matter of public record. Federal and Arizona income taxes, Social Security (OASI/FICA), and employee contributions to the Arizona State Retirement System (ASRS) will be deducted as mandated by state and federal statutes.

B. Voluntary Deductions are not a matter of public record and must be authorized by the Board and the employee unless ordered by a court of competent jurisdiction.

1. The following voluntary deductions have been authorized by the Board:

- a. Insurance premiums for staff members or dependents who are being covered under Board-approved Section 125 cafeteria programs.
- b. Direct deposits of net payroll with financial institutions.
- c. Tax-sheltered annuities for companies approved by the District.
- d. Credit union deposits.
- e. Contributions to qualified charitable organizations.
- f. Contributions to school tuition organizations.
- g. Contributions to a public school for the support of extracurricular activities or character education programs of the public school.

### LEGAL REF.:

A.R.S.

15-121

15-135

23-352

42-2001

43-401

Last Revision Date: June 25, 2022

## 6.33 Finance & Accounting - Inventory

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in accordance with Uniform System of Financial Records (USFR) and account for assets \$150.00 and greater.

A. The District shall establish a program to implement District inventory procedures, which shall include inventory of land, buildings, and equipment as required in the Uniform System of Financial Records (USFR).

1. The acquisition threshold for capitalizing items and entering them on the general fixed assets list shall be five thousand dollars (\$5,000) or greater.
2. Items having an acquisition cost greater than one thousand dollars (\$1,000) but less than five thousand dollars (\$5,000) shall be placed on the asset list.
3. All musical instruments having an acquisition cost greater than one hundred fifty dollars (\$150) shall also be placed on the asset list.

**LEGAL REF.:**

Uniform System of Financial Records

Last Revision Date: June 25, 2022

## 6.34 Finance & Accounting – Travel Expenses

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that approved employee travel expenses be reimbursed by the District, subject to compliance with Arizona Revised Statutes.

- A. The Superintendent must provide prior authorization for travel expenses.
- B. District employees must submit supporting receipts prior to reimbursement.
- C. Reimbursement amounts shall not exceed maximum amounts pursuant to A.R.S. 38-624.

**LEGAL REF.:**

A.R.S.

15-342

38-621

38-622

38-623

38-624

38-625

38-626

Uniform System of Financial Records

Last Revision Date: June 25, 2022



## 6.35 Finance & Accounting - Cash Accounts

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District maximize dollars to the classroom and achieve maximum transparency in cash accounts.

A. For the purposes of this policy, cash accounts are defined as:

1. Medicaid Reimbursement (290)
2. Civic Center (515)
3. Community Education (520)
4. Indirect Costs (570)
5. Indian Gaming (020)

B. The Board establishes the following parameters for Cash account balances, in total.

1. Cash Accounts

a. Minimum Ending Balance = 25% of annual revenue from cash accounts, in total.

i. Example - Anticipated revenue for cash accounts, in total for the current fiscal year totals \$1,000,000. Ending balance would not be less than \$250,000.

b. Maximum Ending Balance = one times (1x) of annual revenue from cash accounts, in total.

i. Anticipated revenue for cash accounts, in total for the current fiscal year totals \$1,000,000. Ending balance would not be more than \$1,000,000.

C. Cash account balances that will fall below or exceed the parameters in Section B require immediate presentation to the Board in a public meeting.

D. Forecasted cash account balances for the current year will be presented to the Board during budget presentations, during final budget approval and during all budget revisions.

### LEGAL REF.:

A.R.S.

15-341

15-342

Last Revision Date: June 25, 2022

## 6.36 Finance & Accounting - Authorized Banking Signatures

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be transparent with all banking and investment accounts and comply with state statute on signature requirements.

A. Authorized signatures for all banking accounts, included, but not limited to savings, checking, brokerage or investment accounts shall be compliant with Arizona Revised Statutes and approved by the Board annually.

### LEGAL REF.:

A.R.S.

15-321

15-1122

15-1126

Last Revision Date: June 25, 2022

## 6.37 Finance & Accounting - Responsibility

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Accounting responsibility" means authority for a school district to operate with full independence from the county school superintendent with respect to revenues and expenditures, including allocating revenues, monitoring vouchers, authorizing and issuing warrants and maintaining and verifying staff records for certification and payroll purposes.

**Policy Objectives:** It is the intent of the Board for the District to assume accounting responsibility and for the Superintendent to properly account for all revenue and expenses of the District in accordance with Arizona Revised Statutes.

- A. The Superintendent is responsible for accounting for all funds of the District.
1. The Uniform System of Financial Records developed by the State Department of Education and the Auditor General's Office shall be used to provide for the appropriate separation of accounts and funds.
  2. On or before October 15 of each year, the Superintendent shall present to the Board the annual report for the previous fiscal year.
  3. The Superintendent shall also ensure that a report of expenditures of student activity funds is provided to the Board on a monthly basis.
  4. The Superintendent will provide to the Board monthly financial reports showing the financial condition of the District.
- B. The Superintendent shall be responsible for accounting and shall file with the Department of Education a plan which includes, but is not limited to:
1. Administrative and internal accounting controls designed to achieve compliance with the uniform system of financial records and the objectives of this section, including:
    - a. Procedures for approving, preparing and signing vouchers and warrants.
    - b. Procedures to ensure verification of administrators' and teachers' certification records with the department of education for all classroom and administrative personnel required to hold a certificate by the state board of education pursuant to section 15-203 before issuing warrants for their services.
    - c. Procedures to account for all revenues, including allocation of certain revenues to funds.
    - d. Procedures for reconciling the accounting records monthly to the county treasurer.
- C. On a quarterly basis, the Superintendent will present to the Board, in a public meeting, monthly enrollment and ADM reports showing the financial condition of the District.

**LEGAL REF.:**

**A.R.S.**

**15-239**

**15-271**

**15-272**

**15-901**

**15-914.01**

**15-904**

**15-977**

Last Revision Date: June 25, 2022

## 6.38 Finance & Accounting - Revolving Funds

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board for the District maintain general purpose revolving funds in accordance with Arizona Revised Statutes and to be apprised on a monthly basis of all banking and investment accounts.

A. A general purpose revolving fund may be established, pursuant to A.R.S. 15-1101, at a local bank in the account in the name of the District. Drafts drawn on the account shall be signed by the employee in charge of the fund or other designated person. The fund shall be managed in the manner prescribed by the Uniform System of Financial Records (USFR).

1. No revolving fund may be established unless the designated employee in charge is bonded for an amount equal to twice the amount of the fund.

2. The cost of the bond shall be a proper charge against the District.

3. The Board will receive monthly reporting of all accounts at banks and investment firms.

### LEGAL REF.:

A.R.S.

15-1101

15-1154

Last Revision Date: June 25, 2022

## 6.39 Finance & Accounting - Annual Reporting

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board comply with Arizona Revised Statutes in delivering annual financial reports to third parties.

A. The Board shall make an annual report to the County School Superintendent on or before October 1 each year in the manner and form and on the forms prescribed by the Superintendent of Public Instruction or County School Superintendent.

B. The Board shall also make reports directly to the County School Superintendent or the Superintendent of Public Instruction whenever required.

C. The District shall report to the School Facilities Board annually, not later than October 15, actual energy and cost savings pursuant to a guaranteed energy cost savings contract.

D. The District shall also report guaranteed energy cost savings contracts to the Department of Commerce Energy Office and the School Facilities Board:

1. The name of the project
2. The qualified provider
3. The total cost of the project
4. The expected energy and cost savings
5. Savings achieved by a guaranteed energy cost saving contract may be used to pay for contract and project implementation.

**LEGAL REF.:**

A.R.S.

15-213.01

15-215

15-341

15-904

Last Revision Date: June 25, 2022

## 6.41 Facilities - Priorities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that facilities development priorities shall be based on the academic needs of students.

A. The Superintendent shall implement systems and procedures to support these broad goals:

- 1) To ensure design specifications support proven student learning environments.
- 2) To ensure design specifications are flexible to allow for program modification or introduction.
- 3) To ensure design specifications are economically as feasible.
- 4) To involve the community, school staff members, and professional services.

B. The Superintendent will maintain ongoing life-cycle analyses comparing and evaluating capital expenditures versus a maintenance and operations expenses.

C. In the construction of new or remodeled facilities, the Superintendent shall develop a set of comprehensive data. Data shall be presented to the Board in a public meeting which includes, but is not limited to:

- 1) Estimated enrollment, and rationale, in the proposed school and surrounding schools.
- 2) A description of the proposed curriculum and the teaching methods and techniques to be employed.
- 3) A schedule of space requirements, by school, including standards established by the School Facilities Board, program requirements, and design specifications.

### LEGAL REF.:

A.R.S.

15-213

15-341

15-342

15-2001 et seq.

15-2002 et seq.

15-2041

34-461

41-1492 et seq.

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

29 U.S.C. 794, Rehabilitation Act, (Section 504)

42 U.S.C. 12101 et seq., The Americans with Disabilities Act

Last Revision Date: June 25, 2022

## 6.42 Facilities - Retirement of Facilities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be fiscally responsible with taxpayer dollars, maximize the academic achievement of students and be transparent with the community with regard to closing facilities.

A. The Board may consult with the Arizona School Facilities Board (SFB) for technical assistance.

B. The Board shall discuss and consider a proposed school closing at a scheduled Board meeting(s).

1. The Superintendent shall present to the Board information including, but not limited to:
  - a. Enrollment history and forecasts for proposed school closing and surrounding schools
  - b. Open enrollment implications for proposed school closing
  - c. Ongoing financial savings related to school closing
  - d. One-time costs related to school closing
  - e. Program implications related to school closing
  - f. Auxiliary operations implications related to school closing (e.g., preschool)
  - g. Staffing impacts and reassignment processes related to school closing

C. The District may not prohibit a charter school or private school from negotiating to buy or lease the property in the same manner as other potential buyers or lessees.

1. The District shall attempt to obtain the highest possible value for the sale or lease of the vacant and unused building or the vacant and unused portion of a building.
2. The District may not accept an offer from a potential buyer or lessee that is less than an offer from a charter school or private school.
  - a. This does not require the owner of a building to sell or lease the building or a portion of the building to a charter school, to any other school or to any other prospective buyer or tenant, except that the owner of a building may not withdraw the property from sale or lease solely because a charter school or private school is the highest bidder.

D. Community members shall be provided an opportunity to address the consideration at the Board meeting.

### LEGAL REF.:

A.R.S.

15-341

38-431.01

Last Revision Date: June 25, 2022



## 6.43 Facilities - Maintenance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to direct a continuous program of inspection and maintenance of school buildings and equipment.

A. Adequate maintenance of buildings, grounds and property is essential to efficient management of the District.

1. Wherever possible, maintenance shall be preventive and will focus on providing an ongoing healthy learning environment for both students and school personnel.

B. The Superintendent shall develop and implement inspection, maintenance, repair, use, and disposal schedules as applicable for buildings, HVAC systems, new construction and renovations, chemicals and other materials.

C. Routine preventative maintenance means services that are performed on a regular schedule at intervals ranging from four (4) times a year to once every three (3) years, or on the schedule of services recommended by the manufacturer of the specific building system or equipment.

1. The Superintendent shall oversee the development and implementation of routine preventative maintenance guidelines covering the District's:

a. plumbing systems

b. electrical systems

c. heating, ventilation and air conditioning systems

d. special equipment and other systems, and

e. roofing systems, including visual inspections performed by District personnel to search for signs of structural stress and weakness

i. A roofing inspection is required to be:

1. Accomplished prior to any repair or replacement of roof elements or roof mounted equipment performed in accordance with the requirements of the local building official requiring a permit.

2. Conducted by a registered structural engineer or other professional with appropriate skills, training and certification.

2. The District shall develop preventative maintenance guidelines for facilities, and submit the guidelines to the School Facilities Board for review and approval.

### LEGAL REF.:

A.R.S.

15-341

15-342.01

15-2002

**LEGAL REF.:**

A.R.S.

15-2131

15-2132

Last Revision Date: June 25, 2022

## 6.44 Facilities - Disposition

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in compliance with Arizona Revised Statutes regarding disposition of school property.

- A. The Board may sell or lease to the state, a county, a city, another school district or a tribal government agency any school property required for public purpose in compliance with Policy 6.3 - Retirement of Facilities, and A.R.S. 15-189.
- B. The District shall determine the fair market value of excess and surplus property. Except as provided in A.R.S. 15-342, surplus materials, regardless of value, shall be offered through competitive sealed bids, public auction, established markets, trade-in, posted prices, or state surplus property. If unusual circumstances render the above methods impractical, the District may employ other disposition methods, including appraisal or barter, provided the District makes a determination that such procedure is advantageous to the District.
- C. The Board authorizes the Superintendent to establish regulations for the disposal of surplus or outdated learning materials to nonprofit community organizations when it has been determined that the cost of selling such materials equals or exceeds estimated market value of the learning materials.
- D. The Board may sell used equipment to a charter school before attempting to sell or dispose of the equipment by other means.
- E. Notice for sale bids shall be publicly available from the District at least ten (10) days before the date set for opening bids.
1. Notice for sale bids shall be provided to prospective bidders, including those on lists maintained by the District pursuant to A.A.C. R7-2-1023.
  2. The notice for sale bids shall list the materials offered for sale; their location; availability for inspection; the terms and conditions of sale; and instructions to bidders, including the place, date, and time set for bid opening. Bids shall be opened publicly pursuant to the requirements of A.A.C. R7-2-1029.
  3. The award shall be made, in accordance with the provisions of the notice for sale bids, to the highest responsive and responsible bidder, provided that the price offered by such bidder is acceptable to the District. If the District determines that the bid is not advantageous to the District, the District may reject the bids in whole or in part and may re-solicit bids, or the District may negotiate the sale, provided that the negotiated sale price is higher than the highest responsive and responsible bidder's price.
- F. Auctions shall be advertised in the official newspaper of the county as defined in A.R.S. 11-255 or a newspaper of general circulation in accordance with A.R.S. 41-2533.

1. The publication shall not be less than 14 days before the auction date. All of the terms and conditions of any sale shall be available to the public at least twenty-four (24) hours prior to the auction date.

C. Before surplus materials are disposed of by trade-in to a vendor for credit on an acquisition, the District shall approve such disposal. The District shall base this determination on whether the trade-in value is expected to exceed the value realized through the sale or other disposition of such materials.

H. An employee of the District or Board member shall not directly or indirectly purchase or agree with another person to purchase surplus property if said employee or Board member is, or has been, directly or indirectly involved in the purchase, disposal, maintenance, or preparation for sale of the surplus material.

I. Except as provided in A.R.S. 15-342, the District may enter into an agreement with the State Surplus Property Manager for the disposition of property pursuant to Article 8 of the Arizona Procurement Code [A.R.S. 41-2601 et seq.] and the rules promulgated thereunder.

J. The Board may donate surplus or outdated learning materials, educational equipment and furnishings to nonprofit community organizations where the Board determines the anticipated cost of selling the learning materials, educational equipment or furnishings equals or exceeds the estimated market value of the materials.

K. The Board may offer to sell outdated learning materials, educational equipment or furnishings at a posted price commensurate with the value of the item to pupils who are currently enrolled in the District before those materials are offered for public sale.

**LEGAL REF.:**

A.R.S.

15-189

15-341

15-342

41-2533

A.A.C.

R7-2-1131

A.G.O.

180-036

180-189

U.S.F.R. Sec. III-J-5(10); App. B(6)

Last Revision Date: June 25, 2022

## 6.51 Food Service

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to strive to provide student meals available at moderate prices.

A. The Board shall establish prices to be paid by students for school meals and the price charged to adults who purchase meals.

B. The Superintendent shall develop procedures to implement this policy and shall formulate a plan to provide free or reduced price meals for all eligible students.

### **LEGAL REF.:**

A.R.S.

15-242

15-342

15-1151

15-1152

15-1153

15-1154

15-1155

15-1157

15-1158

15-1251

Richard B Russell National School Lunch Act 42 U. S. C. 1751 et seq.

Child Nutrition Act of 1966 42 U.S.C. 1771 et seq.

Arizona Department of Education: The Arizona Nutrition Standards

Last Revision Date: June 25, 2022

## 6.52 Food Service - Free and Reduced

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to participate in the National School Lunch Program and School Breakfast Program.

A. The Superintendent shall enter into an agreement with the Arizona Department of Education to participate in the National School Lunch Program and School Breakfast Program and to receive commodities donated by the United States Department of Agriculture.

B. The Superintendent shall develop procedures with respect to determining eligibility of children for free and reduced price meals which follow federal regulations and state guidelines.

### **LEGAL REF.:**

A.R.S.

15-242

15-1151

15-1152

15-1153

15-1154

15-1155

15-1157

15-1158

15-1251

Administrative Regulations, USFR, Section VI, Food Services

Richard B Russell National School Lunch Act 42 U. S. C. 1751 et seq.

Child Nutrition Act of 1966 42 U.S.C. 1771 et seq.

Arizona Department of Education: The Arizona Nutrition Standards

Last Revision Date: June 25, 2022

## 6.53 Food Service – Food Sales

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to permit students to incur reasonable unpaid charges for meals.

- A. The Board shall permit students to incur reasonable unpaid charges for meals.
  - 1. Parents/guardians shall be contacted for payment.
  - 2. A maximum of three (3) unpaid charges shall be allowed each student within the school year. An alternative meal shall be provided to students after three (3) unpaid charges are accumulated.
  
- B. No unpaid lunch charges will be allowed under any circumstances during the last ten (10) days of the school year.

**LEGAL REF.:**

The Child Nutrition Act (42 U.S.C. 1771 et seq.)

Last Revision Date: June 25, 2022

## 6.54 Food Service – Third Party Food Sales

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to permit competitive food sales on campus within certain guidelines.

A. Vending machines are accessible to elementary students (K-8) during the normal school day and will only dispense foods that meet nutrition standard guidelines as set forth by the Arizona Department of Education Child Nutrition Programs and the U. S. Department of Agriculture requirements for foods and beverages that are sold individually.

B. For vending machines at all grade levels, Foods of Minimal Nutritional Value (FMNV) are prohibited and shall not compete with the District food service program.

C. Competitive food sales and marketing will be consistent with nutrition education and promotion.

1. Schools will limit food and beverage marketing to the promotion of foods and beverages that meet nutrition standards for meals or for foods and beverages sold individually during the normal school day.
2. A normal school day is defined as beginning with the start of the first breakfast period and ending with the last bell of the instruction period. Classroom parties are excluded from the nutrition standard restriction. School-based marketing of Foods of Minimal Nutritional Value (FMNV) is prohibited.

### **LEGAL REF.:**

A.R.S.

15-242 Nutrition Standards

The National School Lunch Act (42 U. S. C. 1751 et. seq.) and the Child Nutrition Act (42 U.S.C. 1771 et. seq.), as amended.

Last Revision Date: June 25, 2022



## 6.61 Safety – Education Programs and Training

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to protect the safety of students, employees and visitors on District property or school-sponsored events.

A. The Superintendent shall establish procedures to protect the safety of all students, employees, visitors, and others present on District property or at school-sponsored events.

B. Safety shall be offered in educational programs including, but not limited to: traffic and pedestrian safety, fire prevention, emergency procedures, appropriate for students at different grade levels.

C. Safety shall be offered in staff training, including, but not limited to: accident record keeping; plant inspection; driver and vehicle safety programs; fire prevention; emergency procedures and traffic safety problems relevant to students, employees, and the community.

### **D.LEGAL REF.:**

A.R.S.

13-2911

15-151

15-341

15-507

23-403

23-408

Last Revision Date: June 25, 2022

## 6.62 Safety – Pesticides

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure that students, employees, and parents/guardians receive adequate notice prior to pesticide application.

A. The Superintendent shall:

1. Provide notice of pesticide application during a regular school session to students, employees, and parents/guardians, given in a form reasonably calculated to provide a warning at least forty-eight (48) hours prior to such application.
2. Provide continuing instruction for students absenting themselves.
3. Post the areas scheduled to receive pesticide application.
4. Maintain written records of pesticide application.

B. Pest-control applicator(s) employed by the District shall provide the school contact person with notice at least seventy-two (72) hours prior to the date and time the application of pesticides is to occur, including in such notice the brand name, concentration, rate of application, pesticide label, material safety data sheet, the area or areas where the pesticide is to be applied, and any use restrictions required by the pesticide label. Prior to the application, the applicator shall provide the school contact person with a written pre-application notification containing the following information:

1. The brand name, concentration, rate of application, and any use restrictions required by the label of the herbicide or specific pesticide.
2. The area or areas where the pesticide is to be applied.
3. The date and time the application is to occur.
4. The pesticide label and the material safety data sheet.

C. In case of pesticide applications performed for or by public health agencies or emergency applications because of immediate threat to the public health, the licensed applicator shall give the school site office oral and, if possible, written notice, with posting of the area to be treated in accord with A.R.S. 3-3606.

D. The Superintendent may require the pest-control applicator to fill out and make all required postings in accord with statute and with District policy and guidelines. The name and telephone number of the applicator shall be attached to any posting.

E. Only a certified applicator may apply pesticides at a school.

### LEGAL REF.:

A.R.S.

15-152

Last Revision Date: June 25, 2022

## 6.63 Safety - Accident Reporting

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to adequately and promptly complete accident reporting to prevent similar accidents and take full advantage of District insurance coverage.

A. Reports will be filed on accidents that take place on school property or that involve school vehicles, students or staff members on school-sponsored trips, including staff members on authorized trips.

1. Reports are required whether or not there are any immediately evident injuries or damage to property.

B. The Superintendent shall establish procedures for filing accurate, complete and thorough accident reports.

1. Any employee of the District who suffers a job-related injury/accident must file an accident report with the District within five (5) days after the date of occurrence.

2. The five (5) day time limit may be extended with the approval of the Superintendent.

C. Injury accidents should be promptly reported to the District's insurance, as appropriate.

### **LEGAL REF.:**

A.R.S.

23-427

23-904

Last Revision Date: June 25, 2022

## 6.64 Safety – Emergency Response Plans

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District develop and maintain Emergency Response Plans.

A. The Superintendent shall develop and maintain District emergency plans and will coordinate plans with the local police, fire, and other appropriate authorities as necessary.

1. Appropriate authorities shall be invited to review the plan(s).

B. Emergency response plans are not subject to public records request.

**LEGAL REF.:**

A.R.S.

15-341

41-1803

Last Revision Date: June 25, 2022

## 6.65 Safety - Emergency School Closure

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in compliance with Arizona Revised Statutes regarding emergency school closures.

A. Per Arizona Revised Statutes, the Superintendent is authorized to delay opening of school or to dismiss school early.

1. Every effort will be made to notify the Board as soon as possible.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022

## **6.66 NOT USED**

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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Last Revision Date: June 25, 2022

## 6.67 Safety - Vandalism

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to bring the full weight of the justice system, when warranted, against perpetrators of vandalism of school property.

A. When warranted, the Superintendent shall sign a criminal complaint and press charges against perpetrators of vandalism against school property.

B. Students who destroy school property through vandalism or arson, or who create a hazard to the safety of other people on school property, may be referred to law enforcement authorities.

1. Such students who are caught vandalizing school property shall be subject to disciplinary action, including but not limited to suspension and expulsion.

2. A conference with the student's parents will be required.

C. Any act of malicious or willful misconduct of a minor which results in any injury to the person or property of another, to include theft, shall be imputed to the parents or legal guardian having custody or control of the minor whether or not such parents or guardian could have anticipated the misconduct for all purposes of civil damages.

D. Parents or guardian having custody or control shall be jointly and severally liable with such minor for any actual damages resulting from such malicious or willful misconduct.

### LEGAL REF.:

A.R.S.

12-661

15-842

Last Revision Date: June 25, 2022

## 6.68 Safety - Personal Property

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to assume no responsibility for personal property.

A.The District shall not assume responsibility for the loss of, or damage to, personal property stored, installed, or used on school premises.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022



## 6.69 Safety - District Buses

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation.

A. All District transportation department personnel, bus operators, and bus passengers shall comply with the rules adopted pursuant to A.R.S. § 28-900 and the Minimum Standards for School Buses and School Bus Drivers promulgated by the Arizona Department of Administration and adopted A.A.C. Title 17, Chapter 9, and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the health, safety, or welfare of a passenger.

B. Bus evacuation drills shall be conducted at least twice every school year at the school and shall include every passenger who rides a school bus and is in school on the day of the evacuation drill.

1. Each bus driver shall participate in at least two (2) evacuation drills during each school year.
2. The bus evacuation drill shall be conducted in compliance with the requirements set out by the Arizona Department of Public Safety for such a drill.

C. All vehicles used to transport students shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals as will provide good equipment at all times.

D. Students shall not be put off the bus until reaching a district designated destination.

E. In addition to the regular state inspections, each school bus shall be inspected by the driver daily, before each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order.

F. Each school bus owned by, or contracted to, the District will conform to all applicable federal and state requirements as provided by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 13, Chapter 13.

G. Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 13, Chapter 13, will conform to all requirements of the Act and such state statutes, rules and regulations governing the operation of the vehicle.

**LEGAL REF.:**

A.R.S.

15-843

15-922

28-101

28-900

28-984

A.A.C.

R13-13-102

R13-13-104

R13-13-108

Commercial Motor Vehicle Safety Act of 1986

49 U.S.C. 30101 (Standards and Compliance - School Buses and School Bus Equipment)

## 6.71 Transportation - Safety

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the safety and welfare of student riders is to be the first consideration in all matters pertaining to transportation.

A. All District transportation department personnel, bus operators, and bus passengers shall comply with the rules adopted pursuant to A.R.S. § 28-900 and the Minimum Standards for School Buses and School Bus Drivers promulgated by the Arizona Department of Administration and adopted A.A.C. Title 17, Chapter 9, and shall immediately report to the Superintendent any violation of rules or state statutes that threatens the health, safety, or welfare of a passenger.

B. Bus evacuation drills shall be conducted at least twice every school year at the school and shall include every passenger who rides a school bus and is in school on the day of the evacuation drill.

1. Each bus driver shall participate in at least two (2) evacuation drills during each school year.
2. The bus evacuation drill shall be conducted in compliance with the requirements set out by the Arizona Department of Public Safety for such a drill.

C. All vehicles used to transport students shall be maintained in such condition as to provide safe and efficient transportation service with a minimum of delays and disruption of such service due to mechanical or equipment failure. Buses shall be replaced at such intervals as will provide good equipment at all times.

D. Students shall not be put off the bus until reaching a district designated destination.

E. In addition to the regular state inspections, each school bus shall be inspected by the driver daily, before each use, to ascertain that it is in safe condition and equipped as required by all provisions of law, and that all equipment is in good working order.

F. Each school bus owned by, or contracted to, the District will conform to all applicable federal and state requirements as provided by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 13, Chapter 13.

G. Each driver of a District-owned or District-contracted school bus, as defined by and covered by the Commercial Motor Vehicle Safety Act of 1986 and A.A.C. Title 13, Chapter 13, will conform to all requirements of the Act and such state statutes, rules and regulations governing the operation of the vehicle.

**LEGAL REF.:**

A.R.S.

15-843

15-922

28-101

28-900

28-984

A.A.C.

R13-13-102

R13-13-104

R13-13-108

Commercial Motor Vehicle Safety Act of 1986

49 U.S.C. 30101 (Standards and Compliance - School Buses and School Bus Equipment)

Last Revision Date: June 25, 2022

## 6.72 Transportation - Driver Training and Responsibilities

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that bus drivers employed by the District or employed by contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of Arizona.

A. Bus drivers shall submit an Identity Verified Fingerprint Card as described in A.R.S. 15-106 that the Department of Public Safety shall use to process the fingerprint clearance card as outlined in A.R.S. 15-106. A person who is issued a school bus driver certificate shall maintain a valid Identity Verified Fingerprint Clearance Card for the duration of any school bus driver certification period.

B. Bus driver applicants are required to possess a commercial driver license issued by the Department of Public Safety except that the applicant may possess a commercial driver license issued by another state if the applicant will be driving a school bus for a school district that is adjacent to that state.

**LEGAL REF.:**

A.R.S.

15-106

28-857

28-3228

A.A.C.

R17-4-508 et seq.

Last Revision Date: June 25, 2022

## 6.73 Transportation – Controlled Substance Testing

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Drugs” means controlled substances as covered by the Omnibus Act and to drugs circumscribed by the Arizona Revised Statutes; Title 13; Chapter 34.

**Policy Objectives:** It is the intent of the Board to be committed to the establishment of a drug and alcohol misuse prevention program that meets or exceeds all applicable requirements of the Omnibus Transportation Employee Testing Act of 1991 (Omnibus Act). All statements in this policy will be interpreted so as to conform to the Department of Transportation rules.

A. Each employee of the District who is required to have a commercial driver's license (CDL) for performance of job functions shall be prohibited from:

1. Reporting for duty or remaining on duty to perform safety-sensitive functions as defined in 49 CFR 382.107 while having an alcohol concentration of 0.04 or greater. [49 CFR 382.201]
2. Being on duty or operating a commercial motor vehicle (school bus) while the driver possesses alcohol, unless the alcohol is manifested and transported as part of a shipment. This includes the possession of medicines containing alcohol (prescription or over-the-counter), unless the packaging seal is unbroken. [49 CFR 382.204]
3. Using alcohol while performing safety-sensitive functions. [49 CFR 382.205]
4. Performing safety-sensitive functions within eight (8) hours after using alcohol. [49 CFR 382.207 and R17-9-102]
5. Using alcohol within eight (8) hours following an accident or prior to undergoing a post-accident alcohol test, whichever comes first. [49 CFR 382.299]
6. Refusing to submit to an alcohol or controlled substance test as required under post-accident, random, reasonable suspicion or follow-up testing requirements in DOT rules. [49 CFR 382.211]
7. Reporting for duty or remaining on duty, requiring the performance of safety-sensitive functions, when the driver uses any controlled substance, except when the use is pursuant to the instructions of a physician who has advised the driver that the substance does not adversely affect the driver's ability to safely operate a commercial motor vehicle. [49 CFR 382.213]
8. Reporting for duty, remaining on duty, or performing a safety-sensitive function if the driver tests positive for controlled substances. [49 CFR 382.215]

B. A driver will inform the supervising administrator of any therapeutic drug use. [49 CFR 382.213]

C. All drivers shall be subject to pre-employment/pre-duty drug and alcohol testing, including reasonable suspicion, random, and post-accident testing in accord with the regulations of the Omnibus Act. If applicable, return to duty and follow up testing shall be required in accord with regulations of the Omnibus Act. [49 CFR 382.301 et seq.]

D. All offers of employment with the District for drivers will be made contingent upon pre-employment test results. An applicant testing positive for alcohol or controlled substances will not be employed. [49 CFR 382.505]

E. A transportation employee who refuses to submit to drug and alcohol testing or whose test results are positive may be disciplined in accordance with District policy up to and including being terminated from employment. [A.R.S. 15-513]

F. Each driver who engages in the conduct prohibited herein shall:

- 1) Be advised of resources available to the driver in evaluating and resolving problems associated with drug or alcohol use, including the names, addresses, and telephone numbers of substance abuse professionals and counseling and treatment programs.
- 2) Be evaluated by a substance abuse professional, who shall determine what assistance, if any, the employee needs to resolve drug or alcohol problems.
- 3) Before return to duty in a safety-sensitive position, undergo a return-to-duty alcohol test with a result indicating less than 0.02 or a substance test with a verified negative result.
- 4) If identified as needing assistance by a substance abuse professional, be evaluated by a substance abuse professional to determine if that driver has properly followed any rehabilitation program prescribed, and be subject to unannounced follow-up tests following return to duty in accord with federal regulations. [49 CFR 382.605]

G. The District shall assume the cost for the initial evaluation by a substance abuse professional to determine what assistance, if any, the employee needs in resolving problems associated with alcohol misuse and controlled substances use. Evaluation and rehabilitation of the employee, if the employee is allowed to return to work in any position, shall be in accordance with 49 CFR 382.605 and by a substance abuse professional paid by the employee.

H. The District shall assume the costs of the drug and alcohol testing of a transportation employee. If the results of the test are positive, the School District may charge the costs of the test to the tested employee. The cost charged to the employee is limited to the actual costs incurred as a result of testing. If the results of a test are negative, the School District shall not charge the costs of testing to the tested employee. [A.R.S. § 15-513]

I. The Superintendent is responsible for supervision of the District drug and alcohol misuse prevention program. The District shall develop procedures for the implementation of the program in compliance with the applicable provisions and regulations of the Omnibus Transportation Employee Testing Act of 1991 and Arizona Revised Statutes.

**LEGAL REF.:**

A.R.S.

15-513

13-3401

49 U.S.C. 31306, (Omnibus Transportation Employee Testing Act of 1991)

49 C.F.R. Part 40

**LEGAL REF.:**

49 C.F.R. Part 382

49 C.F.R. Part 395

Last Revision Date: June 25, 2022



## 6.74 Transportation – Purchase and Maintenance

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in compliance with the Commercial Motor Vehicle Safety Act of 1986 and Arizona Revised Statutes with respect to District Transportation.

A. The District and all contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of Arizona that pertain to vehicle standards, periodic inspection, and maintenance of school buses.

**LEGAL REF.:**

A.R.S.

28-984

A.A.C.

R13-13-108 et seq.

Last Revision Date: June 25, 2022

## 6.75 Transportation - Special Uses

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that school buses may be used for school-sponsored activities and non-curricular usage with the approval of the Superintendent.

A. School buses may be used for the transportation of students participating in school-sponsored activities under the following conditions:

1. Bus usage for educational field trips or educationally related activities by student organizations may be considered an extension of classroom activities.
2. The Board delegates to the Superintendent the authority concerning requests for usage. Organizations will be required to reimburse the District for the cost of the transportation.

**LEGAL REF.:**

A.R.S.

15-1105

Last Revision Date: June 25, 2022

## 6.76 Transportation - Students in Private Vehicles

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that during school or school-sponsored functions, students may be transported only in school-approved vehicles operated by District-authorized personnel unless specific approval by the Superintendent has been obtained.

A. The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent. With Superintendent approval:

1. Each employee authorized to use a vehicle for school business purposes that include transporting students will be required to present proof of insurance (\$100/300,000 liability) to the District. The employee will be informed that the employee insurance will be the primary insurance
2. No student shall be allowed to be transported in a private vehicle without signed parent permission.

B. No student will be sent on school errands with a personal vehicle, an employee's vehicle, or a District-owned vehicle.

### LEGAL REF.:

A.R.S.

15-341

Last Revision Date: June 25, 2022

## 6.77 Transportation - Use of District Vehicles

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Promptly” is defined by the District’s insurance carrier.

**Policy Objectives:** It is the intent of the Board that the use of District vehicles is not abused inside or outside the District, and that all travel is approved by the Superintendent.

A. The Superintendent shall implement procedures that ensure that the use of District vehicles is not abused inside or outside the District, and that all travel is approved by District Administration. The Superintendent shall establish procedures for the approval of the use of private vehicles for District purposes.

B. No District vehicle shall be used for personal business, unless the personal business is incidental to a school-related trip. On a space-available basis, an employee's family may be included in the vehicle on an out-of-town trip if approval is granted by the Superintendent. Only District employees may drive District vehicles. A District vehicle shall not be taken to an employee's home at night unless the employee has written permission from the Superintendent, and then, only on a temporary basis.

C. Only when authorized and written approval obtained by the Superintendent, a private vehicle may be used at the mileage rate set by the District, and reimbursement for mileage will be given to the owner of the private vehicle. Credit for mileage outside the District will be given for school business only. An employee using a private vehicle for a District trip shall not claim mileage for any purely personal use of the vehicle during said trip.

D. Any accident (no matter how minor) in a District vehicle or in any private vehicle while on school business is to be reported promptly to the District transportation office or to an administrator if the accident occurs after school hours. The business office shall immediately report the accident to the District's insurance company.

E. Injury accidents should be promptly reported to the District's liability carrier.

**LEGAL REF.:**

A.R.S.

15-341

38-538

Last Revision Date: June 25, 2022

## 6.78 Transportation - Records

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to maintain transportation records to be fully compliant with Arizona Revised Statutes and rules.

A. The Superintendent will maintain records and reports as mandated by law or rules and as may be necessary to carry out transportation goals and objectives. The records shall be available for inspection by authorized officials.

**LEGAL REF.:**

A.R.S.

15-321

15-901

15-903

Last Revision Date: June 25, 2022

## 6.81 Materials and Equipment - Maintenance and Control (Non-Instructional)

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to effectively and efficiently manage, maintain and control District materials and equipment in the District.

A. The Superintendent shall provide for the central purchasing, receiving, warehousing, and distribution of supplies, equipment, and materials common to the requirements of all schools.

B. Employees are responsible for the proper care of all District facilities, equipment, and property in their custody or control.

C. Control of District property shall be through, but not limited to, an accurate fixed inventory system of all District furniture and equipment that exceeds one thousand dollars (\$1,000) in value.

D. The Superintendent may establish procedures for transferring surplus or other materials and equipment.

E. The Superintendent shall establish a preventive-maintenance program that will extend the useful life for District equipment.

F. The Superintendent is authorized to use the services of specialists for such maintenance, and provision(s) shall be made in the annual budget for such services.

### LEGAL REF.:

A.R.S.

15-213

15-341

Last Revision Date: June 25, 2022

## 6.82 Materials and Equipment - Maintenance and Control (Instructional)

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the District be a fiscally responsible steward of instructional materials.

A. All textbooks, subject matter materials, supplementary books and instructional computer software in the possession of the District and those textbooks, subject matter materials, supplementary books and instructional computer software purchased by the District remain the property of the District.

B. Students using District-provided textbooks, subject-matter materials, supplementary books, or instructional computer software are responsible for loss of or damage to these items.

C. A student who needs a second copy of a textbook, subject matter materials, supplementary books, or instructional computer software shall be required to pay for it unless otherwise required by law.

D. Monies collected for these items shall be used in addition to budgeted monies for purchase of new textbooks, subject-matter materials, supplementary books, or instructional computer software.

### LEGAL REF.:

A.R.S.

15-727

15-729

Last Revision Date: June 25, 2022

## 6.83 Materials and Equipment - Authorized Use

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that District equipment may be used by school or non-school agencies and individuals for purposes that are not in conflict with any Arizona Revised Statute(s), federal or state rules or regulations, or Board policies, subject to conditions outlined in this policy.

A. District equipment may be used by school or non-school agencies and individuals for purposes that are not in conflict with any Arizona Revised Statute(s), federal or state rules or regulations, or Board policies, subject to the following:

1. The District shall not incur any expense due to the use of materials or equipment.
2. The Superintendent shall establish procedures for approval of the use of materials or equipment, or shall submit requests to the Governing Board for review and action.
3. Rental fees will be charged or waived, as appropriate, by the District. Income from charges will be deposited to the civic center fund.
4. The District shall not be in competition with any local business firm that could provide like equipment.
5. Any person or agency using such materials or equipment that is lost or damaged during such period of use shall be required to reimburse the District for repair or replacement.

**LEGAL REF.:**

A.R.S.

15-1105

Last Revision Date: June 25, 2022



## 6.91 Purchasing - Ethics

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** A “gift or benefit” means a payment, distribution, expenditure, advance, deposit or monies, any intangible personal property, or any kind of tangible personal or real property. A gift or benefit does not include food or beverage, expenses or sponsorships related to a special event or function related to individuals identified in this policy, nor does this include an item of nominal value such as a greeting card, T-shirt, mug or pen.

**Policy Objectives:** It is the intent of the Board that they, and District employees, shall not use their offices or positions to receive any valuable things or benefits that would not ordinarily accrue to them in the performance of duties if the things or benefits are of such value or character as to manifest a substantial and improper influence upon the performance of their duties.

A. The Board may provide food and beverages at District events, including official school functions and trainings, as allowed by the Arizona Constitution and policies of the Department of Education.

B. A person who supervises or participates in contracts, purchases, payments, claims or other financial transactions, or a person who supervises or participates in the planning, recommending, selecting or contracting for materials, services, goods, construction, or construction services of a school district or school purchasing cooperative is guilty of a Class 6 felony if the person solicits, accepts or agrees to accept any personal gift or benefit with a value of three hundred dollars (\$300) or more from a person or vendor that has secured or has taken steps to secure a contract, purchase, payment, claim or financial transaction with the school district or school purchasing cooperative. Soliciting, accepting or agreeing to accept any personal gift or benefit with a value of less than three hundred dollars (\$300) is a Class 1 misdemeanor.

C. Any person or vendor that has secured or has taken steps to secure a contract, purchase, payment, claim or financial transaction with a school district or school purchasing cooperative that offers, confers or agrees to confer any personal gift or benefit with a value of three hundred dollars (\$300) or more on a person who supervises or participates in contracts, purchases, payments, claims or other financial transactions, or on a person who supervises or participates in planning, recommending, selecting or contracting for materials, services, goods, construction or construction services of a school district or school purchasing cooperative, is guilty of a Class 6 felony. Offering, conferring or agreeing to confer any personal gift or benefit with a value of less than three hundred dollars (\$300) is a Class 1 misdemeanor.

D. A District employee who has control over personnel actions may not take reprisal against a District employee or that employee's disclosure of information that is a matter of public

concern, including a violation of District policy or laws/regulations governing the District.

**LEGAL REF.:**

A.R.S.

15-213

15-323

38-503

Article IX, section 7, Constitution of Arizona (laws pertaining to travel and subsistence, gifts, grants, including federal grants, or devises)

Policies adopted by the Department of Education

Last Revision Date: June 25, 2022

## 6.92 Purchasing - Procurement

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be in compliance with all federal and state procurement laws and requirements.

A. The Superintendent shall be responsible for all purchasing, contracting, competitive bidding, and receiving and processing of all bid protests, in accordance with:

1. Arizona school district procurement rules, including A.A.C. R7-2-1141 et seq.

a. Subject to the Arizona School District Procurement Rules, the Superintendent has the authority to authorize projects or purchases that do not exceed the amount established by the State Board of Education pursuant to A.R.S. 15-213(I) without further action by the Board.

2. Federal and State Laws, rules and regulations

B. A contract shall not be awarded to an entity that does not verify employment eligibility of each employee through the E-verify program in compliance with A.R.S. 23-214 subsection A. Each contract shall contain the warranties required by A.R.S. 41-4401 relative to the E-verify requirements.

C. Administrative regulations shall be established to assure the District is in full compliance, including contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (2 C.F.R. 200.321).

D. A properly executed purchase order shall be issued prior to the acquisition of goods, services or construction.

E. Purchases below the amount specified within the Uniform System of Financial Records (USFR) for written quotes may be made at the discretion of the Superintendent. Such procurements are not subject to competitive purchasing requirements, however reasonable judgment should be used to ensure the purchases are advantageous to the District.

1) Written price quotations will be requested from at least three (3) vendors for transactions that meet the written quote threshold specified within the USFR but not more than the amount calculated by the State Board of Education. If three (3) written price quotations cannot be obtained, documentation showing the vendors contacted that did not offer written price quotations, or explaining why written price quotations were not obtained, shall be maintained on file in the District office.

F. The District is not required to engage in competitive bidding in order to place a student in a private school that provides special education services if such placement is prescribed in the student's individualized education program and the private school has been approved by the Department of Education Division of Special Education pursuant to A.R.S. 15-765. The

placement is not subject to rules adopted by the State Board of Education before November 24, 2009 pursuant to A.R.S. 15-213.

G.The District may, without competitive bidding, purchase or contract for any products, materials and services directly from certified nonprofit agencies that serve individuals with disabilities and Arizona Correctional Industries if the delivery and quality of the goods, materials or services meet the District's reasonable requirements pursuant to A.R.S. 41-2636.

H.Intergovernmental agreements and contracts between school districts or between the District and other governing bodies as provided in A.R.S. 11-952 are exempt from competitive bidding under the procurement rules adopted by the State Board of Education pursuant to A.R.S. 15-213.

I.The District is not required to engage in competitive bidding to make a decision to participate in insurance programs authorized by A.R.S. 15-382.

J.The District is not required to obtain bid security for the construction- manager-at-risk method of project delivery.

K.Unless otherwise provided by law, contracts for materials or services and contracts for job-order-contracting construction services may be entered into if the duration of the contract and the conditions of renewal or extension, if any, are included in the invitation for bids or the request for proposals and if monies are available for the first fiscal period at the time the contract is executed. The duration of contracts for materials or services and contracts for job-order-contracting construction services shall be limited to no more than five (5) years unless the Board determines that a contract of longer duration would be advantageous to the District. Once determined, the decision should be memorialized in meeting minutes and in the contract/bid file. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies. The maximum dollar amount of an individual job order for a job-order-contracting construction service shall be one million dollars (\$1,000,000) or as determined by the Board.

L.Until such time as the State Board of Education adopts rules for the procurement of goods and information services by school districts and charter schools using electronic, online bidding, the District may procure goods and information services pursuant to A.R.S. 41-2671 through 2673 using the rules adopted by the Department of Administration in implementing 41-2671 through 2673.

M. Sealed bids, proposals, or responses, whichever is applicable, shall be requested for transactions costing more than the amount calculated by the State Board of Education and made applicable for the year in which the transaction will occur. All transactions must comply with the requirements of the Arizona Administrative Code and the Uniform System of Financial Records.

N.For the purposes of determining any of the threshold amounts set forth above, no project or purchase may be divided or sequenced into projects or purchases in order to avoid this limit.

In determining whether a project or purchase meets this requirement, factors to be considered may include the following:

1. Prior purchases or projects involving the same vendor.
2. Whether any prior purchases or projects involving the same vendor were made in the current fiscal year.

O. The Board shall make available, for public inspection, all information, all bids, proposals and qualifications submitted, and all findings and other information considered in determining whose bid conforms to the District's invitation for bids. Documentation provided will include information regarding the most advantageous, with respect to price, conformity to the specifications, and other factors, or whose proposal for qualifications are to be used to select and award the bid. Included in this information will be the rationale for awarding a contract for any specified professional services, construction, construction service or materials to an entity selected from a qualified select bidders list or through a school purchasing cooperative. The invitation for bids, request for proposals or request for qualifications shall include a notice that all information and bids, proposals and qualifications submitted will be made available for public inspection.

P. All purchases of goods or services from District employees or of services provided by Board members, regardless of dollar amount, are required to follow School District Procurement Rules through a formal sealed offer. A.R.S. 38-503(C) prohibits public employees from providing their employers with any equipment, material, supplies, or services unless provided under an award or contract let after public competitive bidding. Accordingly, Arizona Attorney General Opinion I06-002 states that districts must follow the School District Procurement Rules, regardless of the expenditure amount, when purchasing goods or services from district employees. This applies to any purchase using District monies. Similarly, A.R.S. 38-503(C) prohibits Board members from providing their district with any services, unless provided under an award or contract let after public competitive bidding.

Q. All purchase orders, agreements to purchase, and contracts for services to be provided by personnel other than District employees must include the following statement on the document:

Registered Sex Offender Restriction. Pursuant to this order, the named vendor agrees by acceptance of this order that no employee of the vendor or a subcontractor of the vendor, who has been adjudicated to be a registered sex offender, will perform work on District premises or equipment at any time when District students are, or are reasonably expected to be, present. The vendor further agrees by acceptance of this order that a violation of this condition shall be considered a material breach and may result in a cancellation of the order at the District's discretion.

**LEGAL REF.:**

A.R.S.  
11-952  
15-213

**LEGAL REF.:**

A.R.S.

15-213.01

15-213.02

15-239

15-323

15-342

15-382

15-765

15-910.02

23-214

34-101 et seq.

35-391 et seq.

35-393 et seq.

38-503

38-511

39-121

41-2632

41-2636

41-4401

A.A.C.

R7-2-1001 et seq.

A.G.O.

183-136

187-035

106-002

USFR: VI-G-8 et seq.

2 C.F.R. 200.321

Last Revision Date: June 25, 2022

## 6.93 Purchasing - Vendors and Contractors

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all vendors and contractors meet all statutory requirements.

A. A contractor, subcontractor or vendor, or any employee of a contractor, subcontractor or vendor, who is contracted to provide services on a regular basis to the District or an individual school shall obtain a valid fingerprint clearance card pursuant to A.R.S. 41-1758 et seq.

1. The Superintendent, or an administrator subject to approval by the Superintendent, may exempt from the requirement to obtain a fingerprint clearance card a contractor, subcontractor, or vendor whom the Superintendent or principal has determined is not likely to have independent access or unsupervised contact with students as part of their normal job duties while performing services to the school or to the District. The exemption shall be given in writing and a copy filed at each location.

a. The District shall develop uniform criterion for making a determination of whether or not an exemption will be granted.

B. The District contract shall contain the provisions of statute paraphrased below and the Superintendent shall implement procedures to randomly verify the records of contractor and subcontractor employees to ensure compliance with these warranties.

1. The contract or agreement with each contractor shall contain the warranties indicated below:

a. Each contractor shall warrant compliance with all federal immigration laws and regulations that relate to their employees and that they have verified employment eligibility of each employee through the E-Verify program. The contractor shall acknowledge that a breach of this warranty shall be deemed a material breach of the contract subject to penalties up to and including termination of the contract.

b. The contractor further acknowledges that the District retains the legal right to inspect the papers of any contractor or subcontractor employee who works on the contract to ensure compliance by the contractor or subcontractor.

2. The contractor shall facilitate this right by notice to his employees and supervisors.

### LEGAL REF.:

A.R.S.

15-512

23-214

41-1758 et seq.

41-4401

Public Law 92-544

Last Revision Date: June 25, 2022

## 6.94 Purchasing - Sales Calls

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that sales representatives call on District Administration to ensure all procurement is in compliance with Arizona Revised Statutes and procurement rules.

A. Sales representatives for school services, supplies, or other materials are not permitted to call on teachers or other school staff members except with prior authorization from the Superintendent.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022



## 6.95 Purchasing - Payment Procedures

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure accurate and timely payments are made for services rendered.

A. In order to receive appropriate discounts and maintain good vendor relations, the Board directs the prompt payment of salaries and bills, but only after due care has been taken to assure that such amounts represent proper obligations of the District for services and/or materials received.

B. The Superintendent will implement procedures for the review of purchase invoices to determine that items or services are among those budgeted, itemized goods or services have been satisfactorily supplied, funds are available to cover payment, and invoices are in order and for the contracted amounts.

**LEGAL REF.:**

A.R.S.

15-304

15-321

15-906

Last Revision Date: June 25, 2022

## 6.96 Purchasing - Sales on District Property

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to strictly adhere to all procurement laws and strictly prohibit the use of District vehicles except for District business.

A. Sales by employees or outside vendors shall not be conducted during working hours on school property.

B. Sales by employees or outside vendors of non-educational related material shall not be conducted during working hours on District property.

C. Use of District vehicles deliveries of non-District business is strictly forbidden.

D. Use of District vehicles for sales is strictly forbidden.

E. Employees violating this policy are subject to disciplinary action.

**LEGAL REF.:**

A.R.S.

38-538 et seq.

Last Revision Date: June 25, 2022

# VII. Instruction

## 7.11 Time - School Year

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to maximize academic instructional time, within budget, to ensure students are meeting academic expectations of the community.

A. The school year shall be not less than 180 instructional days.

B. Each instructional day shall consist of not less than the minimum amount of time prescribed in A.R.S. § 15-901 for each respective program level.

1)The Superintendent will present to the Board, for approval, forecasted instructional time by program level on an annual basis as part of the budget process.

C. The school district may satisfy any of the time requirements prescribed in statute in any manner prescribed in the district's instructional time model adopted under A.R.S. § 15- 901.08.

D. The Board shall establish the school calendar each year after recommendations from the Superintendent.

E. If the Board determines not to enter into these discussions, or should a tentative agreement with employee groups not be reached, the Board may unilaterally issue contracts with binding salaries and fringe benefits.

### **LEGAL REF.:**

A.R.S.

15-341.01 (Laws 2000, 5th S.S., Ch 1 § 54)

15-801

15-806(B)

15-854

15-855

15-881

15-901

15-901.08

Last Revision Date: June 25, 2022

## 7.12 Time - School Day

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that the instruction of students is compliant with Arizona Revised Statutes..

A. The regular school session may be temporarily altered by the Board upon recommendation by the Superintendent when such alteration is in the best interest of the students.

B. The Superintendent may close the schools, delay the opening of schools, or dismiss school early for emergency reasons and to protect the health and safety of students and staff members.

1. The Superintendent shall prepare rules for the proper and timely notification of concerned persons in the event of such emergency closing, and shall in all cases inform the Board as soon as possible.

C. The Superintendent shall develop guidelines that allow students to enter schools and to leave schools under exceptional conditions so that variances with the normal school schedule may be accommodated. Such guidelines shall consider inclement weather, family illness, and other similar circumstances.

### LEGAL REF.:

A.R.S.

15-341

15-801

15-806(B)

15-861

15-901

Last Revision Date: June 25, 2022

## 7.13 Time – Summer School

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that summer school may be held if deemed necessary.

A. If a summer session is deemed necessary, data and input from appropriate stakeholder groups shall be utilized to determine what areas of the curriculum shall be included in the summer session(s).

B. Compensation for teaching during the summer session(s) shall be established by the Board.

**LEGAL REF.:**

A.R.S.

15-881

15-1141

15-1142

15-1143

Last Revision Date: June 25, 2022

## 7.14 Time - Holidays

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be compliant with Arizona Revised Statutes regarding holidays.

A. When July 4, Veterans' Day, December 25 or Thanksgiving Day occurs within the school week, the schools shall be closed and the compensation of the teachers shall not be diminished on that account.

B. The Board may declare a recess during the Christmas holiday season of not to exceed two school weeks, and teachers shall receive compensation during the recess.

**LEGAL REF.:**

A.R.S.

15-801

Last Revision Date: June 25, 2022

## 7.15 Time – Ceremonies and Observances

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to encourage patriotism and respect for country in the District.

A. The Superintendent shall establish procedures regarding required opening exercises and school programs as they pertain to customs and special events/observances, including but not limited to:

1. Each student shall be provided with an opportunity to participate in the Pledge of Allegiance or other patriotic observance each day.
2. Each student in grades four (4) through six (6) shall recite the following passage from the Declaration of Independence: "...We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights that among these are Life, Liberty and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed..."
3. Students whose parents have informed the school that they are not to take part in the patriotic observances will be expected to observe the courtesy of not disturbing others.
4. When special days or significant events are recognized, it is recommended that appropriate classroom and assembly programs be presented in keeping with the traditional and historical significance of the event or season.
5. A teacher or administrator in any school in this District may read or post in any school copies or excerpts of the following materials:
  - a. The national motto "In God We Trust."
  - b. The National Anthem.
  - c. The Pledge of Allegiance.
  - d. The Preamble to the Constitution of this state.
  - e. The Declaration of Independence.
  - f. The Mayflower Compact
  - g. Writings, speeches, documents and proclamations of the founding fathers and the presidents of the United States.
  - h. Published decisions of the United States Supreme Court.
  - i. Acts of the United States Congress.
  - j. The state motto "Ditat Deus," which means "God Enriches."

### LEGAL REF.:

**A.R.S.**  
**15-203**  
**15-342**  
**15-506**  
**15-717**

Last Revision Date: June 25, 2022



## 7.21 Curriculum - Development

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to select curriculum that furthers the academic achievement of students.

A. The Superintendent shall develop the curriculum for the school system and organize committees to review the curriculum.

1) All advisory committees shall be public committees and meet all requirements of Open Meeting Law and Arizona Revised Statutes.

B. All curriculum changes shall be approved by the Governing Board.

C. Parents will have unfettered access to all proposed curriculum and related resources, including teacher manuals, prior to Board approval.

### **LEGAL REF.:**

A.R.S.

15-102

15-203

15-341

15-701

15-701.01

15-721

15-722

15-730

Last Revision Date: June 25, 2022

## 7.22 Curriculum - Adoption

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all proposed curriculum will be subject to parent review for a timeframe of not less than 60 days prior to Board action.

A. All new programs and courses of study will be subject to Board approval, as will elimination of programs and courses and extensive alteration in their content.

B. Curriculum shall not include in its program of instruction any courses or classes that:

1. Promote the overthrow of the United States government.
2. Promote resentment toward a race or class of people.
3. Are designed primarily for students of a particular ethnic group.
4. Advocate ethnic solidarity instead of treatment of students as individuals.

C. The above restrictions are not to be construed to restrict or prohibit:

1. Courses or classes for Native American Pupils that are required to comply with federal law.
2. Grouping of students according to academic performance, including capability in the English language that may result in a disparate impact by ethnicity.
3. Courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class is in violation of an above cited course or class restriction.
4. Courses or classes that include the discussion of controversial aspects of history.
5. Instruction about the Holocaust, any other instance of genocide, or the historical oppression of a particular group of people based on ethnicity, race, or class.

### LEGAL REF.:

A.R.S.

15-111

15-112

15-341

15-721

15-722

Last Revision Date: June 25, 2022

## 7.23 Curriculum - Guides

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that curriculum guides be developed to assist with maximizing the academic achievement of individual students.

A. Curriculum guides shall present at least a minimal outline for instruction and a basis for further development of the particular courses.

B. Curriculum guides to reflect the local needs of the schools.

C. When possible, curriculum guides may suggest a variety of possibilities for instruction, patterns of individualization, variations of approaches, and materials.

D. The Superintendent will formulate procedures for the development and use of curriculum guides.

E. Curriculum guides are also considered a public document.

### LEGAL REF.:

**A.R.S.**

**15-341**

**15-701**

**15-721**

**15-722**

Last Revision Date: June 25, 2022

## 7.24 Curriculum - Transparency

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Curriculum” means a course of study for content areas or grade levels, including any supplemental materials required or recommended by the curriculum.

“Learning materials” include, but are not limited to, the following: all textbooks and reading materials, videos, digital materials, websites and other online applications.

“Used for student instruction”

- a. Means assigned, distributed, or otherwise presented to students in any course for which students receive academic credit or in any educational capacity in which participation of the student body is required by the school or in which a majority of students in a given grade level participate.
- b. Applies also to any materials from among which students are required to select one or more, if the available selection is restricted to specific titles.

“Activities” include, but are not limited to assemblies, guest lectures, or other educational events facilitated by school staff, including those conducted by outside individuals or organizations, excluding student presentations.

**Policy Objectives:** It is the intent of the governing board to ensure that all curriculum meet rigorous expectations of academic quality and political impartiality. Curriculum Policy design should promote transparency in all areas.

Teachers should be encouraged to supplement classroom instruction with effective educational resources, collaborating among its educators. Parental awareness of the materials and activities used in instruction should be prioritized with an adoption of an academic transparency procedures.

The board, in consultation with parents, teachers and administrators, shall develop and adopt a policy to promote a curriculum policy for all schools within the district, including the following objectives:

- A. Each school operated by [the district] shall prominently list on a publicly accessible portion of its website:
  1. All learning materials and activities that were used for student instruction at the school during the most recently completed school year, organized at a minimum by subject area and grade.
  2. The procedures in effect for the documentation, review, or approval of learning materials and activities used for student instruction at the school.

B. A school shall be required to list only the information necessary to identify the specific learning materials and activities used for instruction, including the title and the author, organization, or internet address associated with each material and activity. Nothing in this section shall be construed to require either:

1. The digital reproduction of the materials themselves, nor
2. The separate reporting of individual components of materials produced as a single volume, except that for digital volumes containing works by multiple authors, the school shall provide either a table of contents or internet address that discloses the discreet works and authors contained within the volume.

C. For each school, the principal or another site administrator designated in writing by the superintendent shall annually report to the superintendent whether the information listed pursuant to paragraph A accurately reflects the learning materials, activities, and procedures employed at the school.

D. The superintendent shall develop a template, subject to approval by the board, to be available for use at each school to report the information required pursuant to paragraph A. The template may, but is not required to, utilize collaborative online document or spreadsheet software that allows multiple authorized users to update or make additions to posted content on an ongoing basis.

E. The listing of materials for each school year shall remain available via the school website until at least the completion of the following year's listing.

1. The learning materials and activities that were used for student instruction at the school during the most recently completed school year, organized at a minimum by subject area and grade.
2. The procedures in effect for the documentation, review, or approval of learning materials and activities used for student instruction at the school.

Last Revision Date: June 25, 2022

## 7.31 Instruction - Basic Programs

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that instructional programs maintain a balanced, integrated, and sequential curriculum that will meet the educational and individual needs of all students in the District

A. The first priority of the instructional program will be English language acquisition through a planned sequence of reading skills and language experiences beginning in the kindergarten program.

1. The improvement of reading skills of students should be continuous throughout their education.
2. Each school educating students in kindergarten and grades one (1) through three (3) shall have a reading program as required by A.R.S. §15-704 and applicable State Board of Education rules.

B. The second priority of the instructional program will be mastery of the fundamentals of mathematics, beginning in the kindergarten program.

1) The improvement of math skills of students should be continuous throughout their education.

C. The instructional program will ensure that on or before July 1, 2022, at least one (1) kindergarten through third (K-3) grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219 and A.R.S. 15-501.01.

D. Attention to the above-listed priorities shall not result in neglect of other areas of the curriculum.

E. The instructional program will include planned sequences in:

1. Language arts - reading, spelling, handwriting, English grammar, composition, literature, and study skills
2. Mathematics
3. Social studies - history including Native American history, geography, civics, economics, world cultures, political science, and other social science disciplines.
4. Science
5. Fine and practical arts
6. Technology
7. Foreign or Native American languages
8. Physical education, health and safety education.

**LEGAL REF.:**

A.R.S.

1-319

15-203

15-211

15-219

15-341

15-501.01

15-701

15-701.01

15-704

15-710

15-741.01

15-802

A.A.C.

R7-2-301 et seq.

Last Revision Date: June 25, 2022

## 7.32 Instruction - Special Programs

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to provide special education services for students with exceptional needs and education requirements.

A. Services for students with exceptional needs and requirements include but are not limited to: specialized programs, personnel, facilities, materials, and equipment needed to promote the individual physical, social, intellectual, and emotional growth of exceptional students.

B. The Superintendent shall ensure that procedures provide educational opportunities for individuals with disabilities and shall accomplish District compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education.

C. A child with a disability may be disciplined for a violation of the student code of conduct, including removal from his or her current placement to an appropriate interim alternative education setting, another setting, suspension, or expulsion in accordance with IDEA Regulations 34 C.F.R. 300.530 through 300.536.

D. The Superintendent shall identify and evaluate students who, within the intent of Section 504 of the Rehabilitation Act of 1973, need special services or programs in order that such students may receive the required free appropriate education.

E. The Superintendent shall ensure that procedures related to this policy will be made available to staff members and to parents as necessary to enhance compliance.

### **LEGAL REF.:**

A.R.S.

15-708

15-761

15-761.01

15-763

15-763.01

15-764

15-765 to 15-769

15-771

15-773

15-881

15-1181 to 15-1185

15-1201 to 15-1205



**LEGAL REF.:**

A.R.S.

36-555

A.A.C.

R7-2-401

R7-2-402

R7-2-403

R7-2-405

R7-2-601

R7-2-602

R7-2-603

20 U.S.C. 1400 et seq., Individuals with Disabilities Education Act

29 U.S.C. 706

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

34 C.F.R. Part 300

Last Revision Date: June 25, 2022

## 7.33 Instruction - English

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that subject to the exceptions provided in ARS 15-753, all students in the District shall be taught English by being taught in English.

A. All students who are English learners shall be educated through sheltered English immersion during a temporary transition period not normally intended to exceed one (1) year.

B. Once English learners have acquired a good working knowledge of English and are able to do regular school work in English, they shall no longer be classified as English learners and shall be transferred to English language mainstream classrooms.

### **LEGAL REF.:**

A.R.S.

15-751

15-752

15-753

15-754

15-755

Last Revision Date: June 25, 2022

## 7.34 Instruction - Gifted

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that expanded academic course offerings, programs and supplemental services be provided as an integral part of the regular school day to gifted pupils identified in accord with relevant statutes.

A. A program scope and sequence for gifted education including those requirements found in A.R.S. §15-779.02 shall be prepared and submitted in a form required by the Department of Education for approval by July 1 if any changes were made the previous year and by the same date at least every five (5) years if no changes were made.

B. Transfer students previously identified as gifted by another district or charter school shall, within a reasonable and timely period, have determined whether they are to receive gifted education in this District and if so have the program provided without unreasonable delay.

### **LEGAL REF.:**

A.R.S.

15-203

15-779 et seq.

A.A.C.

R7-2-406

Last Revision Date: June 25, 2022

## 7.35 Instruction - Bilingual

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to allow for parental waivers in accordance with ARS 15-753.

A. Individual schools in which twenty (20) or more students of a given grade level receive parental exception waivers from ARS 15-752 (being placed in an English language classroom, in accordance with ARS 15-753) shall offer classes teaching English and other subjects through bilingual education techniques.

1. Where these programs are not available students receiving parental exception waivers shall be permitted to transfer to a public school in which such a class is offered.

B. With prior written informed consent, provided on an annual basis, a student's parents or legal guardian may request a waiver from the application of A.R.S. §15-752 - being placed in an English language classroom.

C. The Superintendent shall develop procedures in accordance with this policy and Arizona Revised Statutes.

### **LEGAL REF.:**

A.R.S.

15-744

15-751

15-752

15-753

15-754

15-755

A.A.C.

R7-2-310

Last Revision Date: June 25, 2022

## 7.36 Instruction - Homebound

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** "Homebound" or "hospitalized" means a student who is capable of profiting from academic instruction but is unable to attend school due to illness, disease, accident or other health conditions, who has been examined by a competent medical doctor and who is certified by that doctor as being unable to attend regular classes for a period of not less than three (3) school months or a pupil who is capable of profiting from academic instruction but is unable to attend school regularly due to chronic or acute health problems, who has been examined by a competent medical doctor and who is certified by that doctor as being unable to attend regular classes for intermittent periods of time totaling three (3) school months during a school year. Homebound or hospitalized includes a student who is unable to attend school for a period of less than three (3) months due to a pregnancy if a competent medical doctor, after an examination, certifies the student is unable to attend regular classes due to risk to the pregnancy or to the student's health.

**Policy Objectives:** It is the intent of the Board to offer homebound instruction when warranted.

A. Requests for homebound instruction must be made to the school office and shall include medical certification stating the general medical condition, such as illness, disease or chronic health condition that is the reason the student is unable to attend school.

B. Homebound instruction must be provided a minimum of four (4) hours per week by teachers with the same certification as the regular classroom teacher.

C. Full-time attendance may be counted for each day during a week in which the student receives at least four (4) hours of instruction.

D. Classroom teachers are expected to work with the teachers of homebound students concerning materials to be covered in order that each homebound student may rejoin the class upon return to school.

**LEGAL REF.:**

A.R.S.

15-769

15-901

A.A.C.

R7-2-607

Last Revision Date: June 25, 2022

## 7.37 Instruction – Title I

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to pursue funding under Title I, Improving the Academic Achievement of the Disadvantaged, of the Elementary and Secondary Education Act, to supplement instructional services and activities in order to improve the educational opportunities of educationally disadvantaged or deprived children.

A. All schools, regardless of whether they receive Title I funds, shall provide services that, taken as a whole, are substantially comparable.

B. Teachers, administrators, and other staff shall be assigned to schools in a manner that ensures equivalency among the District's schools.

C. Curriculum materials and instructional supplies shall be provided in a manner that ensures equivalency among the District's schools.

D. Parents and pupils of private schools who are eligible for services as residents within the District shall be provided services on an equitable basis in accordance with 20 U.S.C. 6320 of the Elementary and Secondary Education Act.

E. The Superintendent shall establish procedures for the development of a District-Level Family Engagement Plan according to Title I requirements.

F. The Superintendent shall ensure procedures are established that provide the Family Engagement Plan is distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

G. The Superintendent shall ensure that each school principal shall develop a School-Level Family Engagement Plan and Compact according to Title I requirements.

H. The Superintendent shall ensure the Family Engagement Plan and Compact are distributed to parents/guardians of students receiving services, or enrolled in programs, under Title I.

### **LEGAL REF.:**

A.R.S.

15-341

20 U.S.C. 6301 et seq., No Child Left Behind

Last Revision Date: June 25, 2022

## 7.38 Instruction – Controversial Topics

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure that controversial topics are dealt with fairly and objectively, with academic achievement as the goal.

A. Teachers should place major emphasis upon "why" and "how" to think rather than "what" to think.

B. A teacher, administrator or other employee of a school district or charter school who is involved with students and teachers in grades preschool through the twelfth grade (PK-12) may not use public monies for instruction that presents any form of blame or judgment on the basis of race, ethnicity, or sex.

C. A teacher, administrator or other employee of a school district or charter school who is involved with students and teachers in grades preschool through the twelfth grade (PK-12) may not allow instruction or make part of a course the following concepts:

1. One race, ethnic group or sex is inherently morally or intellectually superior to another race, ethnic group or sex.
2. An individual, by virtue of the individual's race, ethnicity or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously.
3. An individual should be invidiously discriminated against or receive adverse treatment solely or partly because of the individual's race, ethnicity or sex.
4. An individual's moral character is determined by the individual's race, ethnicity or sex.
5. An individual, by virtue of the individual's race, ethnicity or sex, bears responsibility for actions committed by other members of the same race, ethnic group or sex.
6. An individual should feel discomfort, guilt, anguish or any other form of psychological distress because of the individual's race, ethnicity or sex.
7. Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race, ethnic group or sex to oppress members of another race, ethnic group or sex.

**LEGAL REF.:**

A.R.S.

15-717.02

Last Revision Date: June 25, 2022

## 7.39 Instruction – Wellness

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to ensure that wellness instruction and training are provided to employees and students, per Arizona Revised Statutes.

A. The Superintendent shall ensure students are provided with one (1) or more training sessions in cardiopulmonary resuscitation, through the use of psychomotor skills in an age-appropriate manner, during high school.

1. The training shall be based on the most current national evidence-based emergency cardiovascular care guidelines for cardiopulmonary resuscitation.
2. The instruction provided must include the hands-on practicing of cardiopulmonary resuscitation, except for students who are enrolled in an online school as defined in A.R.S.15-808.

B. The Superintendent shall provide training in suicide awareness and prevention for school guidance counselors, teachers, principals and other school personnel who work with pupils in grades six through twelve (6-12). Each person who is required to obtain training shall complete that training at least once every three (3) years.

C. The Superintendent shall include at least one (1) of the following on each new identification card issued to a student in grades nine (9) through twelve (12).

1. The telephone number for a national suicide prevention lifeline.
2. The telephone number for a national network of local crisis centers.
3. A statement describing how to access a text-based emotional support service.
4. The telephone number for a local suicide prevention hotline.

D. The Superintendent shall provide instruction on the nature and harmful effects of alcohol, tobacco, and other dangerous drugs as defined by A.R.S. §15-712 and other relevant statutes on the human system. Instruction will also be provided on the nonuse and prevention of use and abuse of alcohol, tobacco, and other dangerous drugs as defined by A.R.S. §15-712 and other relevant statutes may be included in the courses of study, with emphasis on grades four (4) through nine (9).

1. Instruction on the nature and harmful effects of alcohol, tobacco, and other dangerous drugs as defined by A.R.S. §15-712 and other relevant statutes on a human fetus may be included in the courses of study in grades six (6) through twelve (12).
2. The instruction may be integrated into existing health, science, citizenship, and similar studies and shall meet the criteria for chemical abuse prevention education programs. The program should also emphasize the therapeutic benefit derived from the use of drugs prescribed by a health professional. The program will conform to all applicable Arizona Revised Statutes and Arizona Administrative Codes.



E. Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law.

F. The Superintendent shall establish procedures to ensure that signed, written consent from a student's parent or guardian is obtained before doing either of the following:

1. Using video, audio or electronic materials that may be inappropriate for the age of the student.
2. Providing sex education instruction to the student. At the same time the public educational institution seeks consent, it shall inform the student's parent or guardian of the parent's or guardian's right to review the instructional materials and activities.

G. The District shall not provide sex education instruction before grade five (5).

H. Parents shall be provided the sex education curricula and all instructional materials for the parent's review online and/or in person pursuant to A.R.S. 15-102(A)(2).

1. The school district or charter school shall notify parents where the sex education curricula are available for review at least two (2) weeks before any instruction is offered pursuant to A.R.S. 15-711.

I. The Superintendent shall ensure that instruction on the laws relating to sexual conduct with a minor for pupils in grades seven (7) through twelve (12) is provided.

J. The Board shall review and approve the sex education course of study that is developed, adopted, revised, or updated.

1. The Board shall provide parents with a meaningful opportunity to participate in, review and provide input on any proposed sex education course of study before it is adopted.
2. The Board may not approve a course of study unless it complies with A.R.S. 15-711.

K. The Superintendent shall not endorse or provide financial or instructional program support to any program that does not present childbirth and adoption as preferred options to elective abortion.

L. The Superintendent shall not allow any presentation during instructional time or furnish any materials to pupils as part of any instruction that does not give preference, encouragement and support to childbirth and adoption as preferred options to elective abortion.

M. The Superintendent may provide instruction in kindergarten (K) through grade twelve (12) on acquired immune deficiency syndrome and the human immunodeficiency virus as authorized by Arizona law.

N. The Superintendent shall establish procedures:

- 1) For students to opt in to sex education instruction.
- 2) For students to opt out of acquired immune deficiency syndrome instruction

**LEGAL REF:**

A.R.S.

13-3401

15-115

15-120

15-160

15-341

15-345

15-701.01

15-711

15-712

15-716

15-718.01

15-720

15-808

A.A.C.

R7-2-303

Last Revision Date: June 25, 2022

## 7.41 Academic Achievement – Testing Materials

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to utilize testing programs as one of many components to evaluate the effectiveness of the District’s educational offering.

A. The Board authorizes:

1. a testing program as outlined in Arizona Revised Statutes.
2. a District testing program that will be subject to regular review and evaluation.
3. in-service education of teachers and other staff members in the use of tests and interpretation of test results.

B. The instructional programs of the District will be regularly evaluated. The District shall establish procedures for regular evaluation of the educational program and instructional processes that may include evaluations to be conducted by outside agencies within the budgeted funds of the District.

### **LEGAL REF.:**

A.R.S.

15-708

15-741

15-743

15-744

15-745

15-755

Last Revision Date: June 25, 2022

## 7.42 Academic Achievement – Class Size

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to allow for class sizes to accommodate student needs.

A. The teacher-student ratio for staffing in the District will be determined each year through the District budget setting process.

B. Staffing patterns and student grouping shall be flexible so as to accommodate varied instructional delivery approaches, student needs, curriculum requirements, and fiscal resources.

C. Each year the Superintendent shall make staffing recommendations to the Board during the budgeting review and preparation process.

**LEGAL REF.:**

A.R.S.

15-341

15-342

15-764

Last Revision Date: June 25, 2022

## 7.43 Academic Achievement – Course Load

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that all students in high school maintain the number of units necessary to meet the requirements for graduation.

A. The Superintendent shall ensure procedures are developed for staff to assist students in the scheduling of classes.

B. All students in the high school are required to enroll in the District in the number of units necessary to stay on track to meet the requirements for graduation.

1. Exceptions may be made in accordance with procedures established by the District.

**LEGAL REF.:**

A.R.S.

15-341

Last Revision Date: June 25, 2022

## 7.44 Academic Achievement – Grading

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that teachers shall report to parents on students' conduct, scholarship, attendance, or excessive tardiness.

- A. The Superintendent shall ensure a District-developed grading system is utilized.
- B. The Superintendent shall develop procedures for grading/assessment systems.
  - 1. Teachers will keep a careful record of the grades assigned to students.
  - 2. Teachers will update grades on a timely and regular basis.
  - 3. Grades will be available and visible to parents at all times.
- C. In addition to parent conferences, teachers will confer with parents when necessary concerning the reporting of academic progress and discipline of students.
- D. Teachers will report to parents on students' conduct, scholarship, attendance, or excessive tardiness.
  - 1. The reports will be clear, concise, and accurate, and will provide a basis of understanding among teachers, parents, and students for the benefit of the individual students.
- E. Each school must distribute copies of an annual report card, containing the descriptions and information required by statute. The annual school report cards will be distributed to parents of pupils enrolled in the school no later than the last day of school of each fiscal year, and a summary of the contents shall be presented at an annual public meeting held at the school. Notice shall be given at least two (2) weeks prior to the public meeting, clearly stating the purposes, time, and place.

### LEGAL REF.:

A.R.S.  
15-203  
15-341  
15-516  
15-746  
15-767

Last Revision Date: June 25, 2022

## 7.45 Academic Achievement – Promotion, Acceleration, and Retention

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that teachers shall report to parents on students' conduct, scholarship, attendance, or excessive tardiness.

A. Year to year promotion of a student in grades one (1) through eight (8) will be based upon standards for each basic subject area as identified in the course of study.

B. If accelerated promotion is considered in the best interest of the student, close cooperation among the parents and all school personnel involved is imperative.

C. Students must achieve District standards in reading, written communication, mathematics, science, and social studies adopted by the State Board of Education.

D. The promotion of a student from grade three (3) shall be conditioned on the satisfaction of the applicable competency requirements prescribed by A.R.S. §15-701.

1. In addition to these standards, test scores, grades, teacher-principal recommendations, and other pertinent data will be used to determine promotion.

E. Retention of students may be considered at any grade level and is a process that is followed when the professional staff, in consultation with the parent, determines it to be in the best interests of the student.

F. Pass or fail grades for students enrolled in secondary school courses will be based upon standards for each subject area as identified in the course of study. Grading guidelines for secondary school courses shall be established by the District.

G. When applied to students enrolled in special education, shall be on a case-by-case basis, consistent with the individualized education program and in accordance with A.A.C. R7-2-301 and R7-2-401.

H. Pursuant to Arizona Revised Statutes, a parent or student of majority may appeal to the Board for reconsideration on any placement decisions.

I. The Superintendent shall establish procedures consistent with this policy.

### LEGAL REF.:

A.R.S.  
15-203

**LEGAL REF.:**

A.R.S.

15-341

15-342

15-701

15-701.01

15-715

15-802

A.A.C.

R7-2-301

R7-2-302

R7-2-401

Last Revision Date: June 25, 2022



## 7.46 Academic Achievement – Makeup Work

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that procedures be established for students to make up assignments due to approved absences.

A. The Superintendent shall develop procedures that shall apply to requirements for student make up assignments due to approved absences.

**LEGAL REF.:**

A.R.S.

15-152

15-803

Last Revision Date: June 25, 2022

## 7.47 Academic Achievement – State Testing

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to be compliant with Arizona Revised Statutes regarding state testing.

A. Employees designated to administer the achievement test adopted by the Arizona State Board of Education shall:

1. keep all test materials in locked storage.
2. not reproduce any test materials in any manner.
3. not disclose any actual test items to students prior to testing.
4. not provide answers of any test items to any students.
5. administer only practice tests provided by the test publishers. Previous editions of the test series being used in the statewide testing program may not be used as practice tests.
6. strictly observe all timed subtests. The test publishers' suggested time limits for untimed subtests shall be followed as closely as possible in order to maintain uniformity in test administration.
7. follow directions for administering the test explicitly. No test item may be repeated unless otherwise indicated in the directions.
8. not change a student's answer.
9. return all test materials to the designated test coordinator for the District immediately upon completion of testing.

B. Failure to comply with these requirements or others as required by Arizona Revised Statutes or by other rules or regulations shall be considered cause for discipline, including but not limited to suspension or termination. All violations of this policy shall be reported to the State Superintendent of Public Instruction.

C. The Superintendent shall establish specific objectives to accomplish the goals established by the State Board of Education. The Superintendent will make recommendations for such objectives based upon the data gathered annually.

D. The Superintendent will establish procedures for assessing student achievement of standards adopted by the State Board of Education and for reporting and utilizing test results and non-test indicator data, if provided by the State.

E. The Superintendent will provide, if provided by the State, to the parent or guardian of each student who participates the associated grade equivalents, percentiles, and stanines from standardized norm-referenced testing. The Superintendent shall provide the parent or guardian of each student the resulting scores on the test of standards adopted by the State Board of Education and associated scores for the District, the county, and the state, if provided by the State.

F. The Superintendent will provide to the public, through a report card, scores for each school in the District and for the District as a whole, the county, the state, and the nation, if provided by the State.

**LEGAL REF.:**

A.R.S.

15-741

15-741.01

15-742

15-743

15-745

15-755

A.A.C.

R7-2-301

R7-2-306

R7-2-310

Last Revision Date: June 25, 2022

## 7.48 Academic Achievement – Early Graduation

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board to authorize early high school completion for selected students.

A. Students desiring early graduation must submit a written request to the high school principal during the first half of the semester preceding the semester of desired completion. The request must contain the reasons for the request and the written approval of the student's parents or guardian. All graduation requirements must be met by the early completion date.

B. The Superintendent shall establish procedures to evaluate each request and will ensure the parent or guardian(s) are informed of any restrictions or limitations to be placed on the student in the event the request is approved, including restrictions on co-curricular activities.

C. Diplomas will be awarded only at the completion of the spring semester.

D. Final transcripts may be provided as soon as the high school requirements have been met.

E. The Superintendent shall notify the Arizona Department of Education and the Commission for Postsecondary Education when a student graduates at least one (1) year before the student's scheduled graduation date.

### **LEGAL REF.:**

A.R.S.

15-701.01

15-1821

Last Revision Date: June 25, 2022

## 7.49 Academic Achievement – Graduation Requirements

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that students strive to exceed the minimum state standards required for graduation.

A. A minimum number of units of credit as required by state statute are required for graduation:

1. English - 4.0 units

2. Math - 4.0 units

a. In lieu of one (1) credit of Algebra II or its equivalent course content, a student may request a personal curriculum in mathematics following R7-2-302.03.

3. Science - 3.0 units

4. Social Studies - 3.0 units

a. The State Board requirement for economics is at least one-half (.5) of a course credit, which shall include financial literacy and personal financial management.

5. Fine Arts or Career/Technical/Vocational - 1.0 unit

6. Physical Education - 1.0 unit

a. One (1) unit of general physical education may be waived if sufficient documentation is provided by a physician that physical education should be waived for medical or psychological reasons.

7. Electives - 6.0 units

B. Graduation requirements may be met as follows:

1. By successful completion of subject area course requirements.

2. By mastery of the standards adopted by the State Board of Education and other competency requirements for the subject as determined by the Governing Board in accord with A.A.C. R7-2-302 and rules established by the District.

3. By earning credits through correspondence courses from an accredited institution as defined in A.A.C. R7-2-601 (limited to one [1] in each of the four [4] major subject areas) and/or by passing appropriate courses at the college or university level if the courses are determined to meet standards and criteria established by the Board and in accord with A.R.S. §15-701.01.

4. By demonstrating competencies in a particular academic course by subject and obtained academic credit for the course or subject without enrolling in the course or subject in accord with A.R.S. §15-701.01(H).

5. An out-of-state transfer student is not required to pass the competency test to graduate if the student has successfully passed a statewide assessment test on state adopted standards that are substantially equivalent to the State Board Adopted Academic Standards.

C. The minimum course of study and competency requirements for graduation from high

school should be followed for the student with disabilities in accordance to A.R.S. §15-701.01 and A.A.C. R7-2-301.

1. Pupils who receive special education shall not be required to achieve passing scores on the civics test under section 15-701-01 in order to graduate high school unless the pupil is learning at a level appropriate for the pupil's grade level in a specific academic area and unless a passing score on the test is specifically required in a specific academic area by the pupil's individualized education program as mutually agreed on by the pupil's parents and the pupil's individualized education program team or the pupil, if the pupil is at least eighteen (18) years of age.

D. The Superintendent shall provide public students with one (1) or more training sessions in cardiopulmonary resuscitation, through the use of psychomotor skills in an age-appropriate manner, during high school.

E. Students must pass the civics test required by A.R.S. §15-701.01 and documented on the student's transcript.

F. Any student with an individualized education plan or 504 plan grades nine (9) through twelve (12) is eligible to receive a high school diploma without meeting state competency requirements A.R.S. (§15-701.01 (B)).

**LEGAL REF.:**

A.R.S.

15-203

15-261

15-341

15-701.01

15-763

A.A.C.

R7-2-302

R7-2-302.03

R7-2-321

R7-2-601

Last Revision Date: June 25, 2022

## 7.51 Resources – Library

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that library facilities meet the academic achievement needs of students.

- A. Library facilities should be designed, to the extent possible, to accommodate:
1. A comprehensive collection of instructional materials selected to meet the needs of the students.
  2. Maximum accessibility to these materials.
  3. A place for materials that will support the curriculum, taking into consideration the individual student's needs and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of all of the students.
  4. A place for materials for teachers and students to encourage growth in knowledge, which will develop literary, cultural, and aesthetic appreciation and ethical standards.
- B. The Superintendent shall establish procedures for the:
1. Review and approval of library materials before they are ordered
  2. Removal of library materials
  3. Control of library materials to ensure that students are accessing only age-appropriate materials
  4. Transparency on the school website of materials in the library accessible by students

### LEGAL REF.:

A.R.S.

15-341

15-362

15-721

15-722

Last Revision Date: June 25, 2022

## 7.52 Resources – Volunteers

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Policy Objectives:** It is the intent of the Board that volunteers be welcomed into the District and the classroom, subject to the requirements of this policy and Arizona Revised Statutes.

A. The Superintendent shall establish suitable procedures for recruiting, approving and managing school volunteers.

**LEGAL REF.:**

A.R.S.

13-3716

15-512

Last Revision Date: June 25, 2022



## 7.53 Resources – Animals

Adopted: (date of adoption)

Revised: (date of latest revision and approval)

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**Definitions:** “Service animal” means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, and intellectual or other mental disability. Service animal does not include other species of animals, whether wild or domestic or trained or untrained.

**Policy Objectives:** It is the intent of the Board that animals be welcomed into the District and the classroom, subject to the requirements of this policy and Arizona Revised Statutes.

A. The Superintendent shall establish procedures for appropriately and humanely bringing live animals into a classroom.

1) Live animals that are not service animals are prohibited on school buses unless the animal is present for an educational purpose by written approval from the Superintendent or school principal.

B. The District shall not discriminate against individuals with disabilities who use service animals if the work or tasks performed by the service animal are directly related to the individual’s disability.

1. Work or tasks include assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities and helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks.

### LEGAL REF:

A.R.S.

11-1024

Last Revision Date: June 25, 2022

