

POLICY MANUAL AND ADMINISTRATIVE REGULATIONS

East Valley Institute of Technology District No. 401

INTRODUCTION

This manual contains the Governing Board's policies and the Superintendent's administrative regulations. It is accessible on the District's Intranet and at www.evit.com. Policy and administrative regulation development in a modern, forward-looking school system is a dynamic, ongoing process. New problems, issues, and needs give rise to the continuing necessity to develop new policies and regulations or to revise existing ones. This manual is maintained in electronic format to facilitate ease of updating.

The East Valley Institute of Technology is operated in accordance with the Governing Board's policies and the Superintendent's regulations and exhibits. The Board adopts policies after careful deliberation, and the school administration implements the policies through specific regulations and exhibits. The Board and administration evaluate the effects of the policies, regulations, and exhibits and revise them, as necessary.

Organization of the manual. There are 12 major classifications, each identified by an alphabetical code:

A	Foundations and Basic Commitments
B	School Board Governance and Operations
C	General School Administration
D	Fiscal Management
E	Support Services
F	Facilities Development
G	Personnel
H	Meet and Confer
I	Instruction
J	Students
K	School Community Relations
L	Education Agency Relations

Finding a policy. Check the Table of Contents to find the policy, all of which are bookmarked in Adobe. Or, search a key word or the alphabetical code using the "find" feature in Adobe or Google Docs.

Policy signs and symbols. Various signs and symbols are used in connection with the classification system. They are for your use in locating or examining statements. Included are the following:

- R Regulation. This symbol following a code indicates that the statement is a regulation, not a policy. If there is more than one regulation, the “-R” will be followed by a letter; e.g., “-RA,” “-RB”, *etc.*
- E Exhibit. This symbol following a code indicates that the statement is a reference document. If there is more than one reference document, the “-E” will be followed by a letter; e.g. “-EA,” “-EB,” *etc.*

LEGAL REF: Relevant legal references are listed for the benefit of the reader. The following abbreviations are used in legal references:

A.A.C.	Arizona Administrative Code
A.G.O. or Att. Gen. Op.	Attorney General Opinion
A.R.S.	Arizona Revised Statutes
C.F.R.	Code of Federal Regulation
P.L.	Public Law (federal law as identified by Congress).
U.S.F.R.	Uniform System of Financial Records
U.S.C.	United States Code

CROSS REF.: Cross references refer the reader to related policies.

About Board Policies

One of the Board’s roles is to set policy, and the role of the administration is to execute it. The basic distinction as set forth by the National School Boards Association is:

- **Policies** are principles adopted by the Board to chart a course of action. They tell what is wanted and may include also why and how much. They are broad enough to indicate a line of action to be taken by the administration in meeting a number of day-to-day problems, but they need to be narrow enough to give the administration clear guidance.
- **Regulations** are the detailed directions developed by the administration to put policy into practice. They tell how, by whom, where, and when things are to be done.
- **Exhibits** are checklists, sample documents, forms, and other informational items to assist in implementing policies and procedures.

The state and federal governments at times require governing boards to make detailed rules, or the Governing Board may decide that such rules are necessary. Once adopted by the Board they become policy.

As long as the administration operates within the guidelines of policy adopted by the Board, it may issue regulations without prior Board approval unless Board

action is required by law or unless the Board has specifically directed that certain types of regulations be given Board approval. The Board, of course, is to be kept informed of all District regulations issued by the administration, and all are subject to Board review.

Is the Manual Complete?

No. The manual contains all of the current written policies of the Board. However, there is an almost continual need to draft and adopt new written policies and revise the existing ones. Additionally, changes in state law and State Board of Education regulations may necessitate policy modifications. No matter how well a policy manual is conceived and developed, it can never be totally comprehensive and absolutely up to date. Therefore, as new policies are developed, they will be coded according to the classification system and issued for insertion into the manual.

Order of precedence. Board policies must be read and interpreted in conformance with the applicable state and federal statutes and regulations. If a policy is inconsistent with a law or regulation, the law or regulation prevails.

Terminology

Whenever the manual refers to *Superintendent*, a *Chief* officer, or a *Director*, it means the person or their designees.

Whenever the term *District* appears in this manual it means the “East Valley Institute of Technology District No. 401.”

Whenever the terms *Board* or *Governing Board* appear in this manual they mean the “Governing Board of the East Valley Institute of Technology.”

It is the expectation of the Board that this collection of policies provides a platform for harmony and efficiency in all areas of school operations. This enables the Board to focus on its primary duty: the development of long-range plans and policies for the future of the School District.

For the purposes of this Manual, the policies and regulations of a school district that is a member of the District shall have precedence in the event of a conflict with these policies and regulations. In the event of a conflict, the District shall not assume a responsibility for mitigating the conflict or exercising authority over any party to the conflict.

Date of Manual Adoption: January 8, 2001

Introduction revised: May 8, 2020

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A

MISSION STATEMENT

To change lives by loving our students and serving our communities with a career and college preparatory training experience that produces a qualified workforce, meeting the market-driven needs of business and industry.

Adopted: November 13, 2008
Revised: October 25, 2021

AA

SCHOOL DISTRICT LEGAL STATUS

The legally designated name of the District is School District No. 401 of Maricopa County. The official name shall be East Valley Institute of Technology District No. 401

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-101, 15-441, 15-442
 Ariz. Const., art. XII, §§ 1-4
 Ariz. Const., art. XX, ¶ 7

**SCHOOL DISTRICT LEGAL STATUS
(Legal Description)**

**EAST VALLEY INSTITUTE OF TECHNOLOGY DISTRICT NO. 401
MESA, MARICOPA COUNTY, ARIZONA**

Apache Junction Unified School District No. 43

Beginning at the northeast corner of Township 1 North, Range 10 east, and running south about 12 miles to the southeast corner of Township 1 South, Range 10 East; thence west about 6 miles to the northeast corner of Section 1, Township 2 South, Range 9 East; thence south about 1 mile to the southeast corner of said section; thence west about 1 mile to the southwest corner of said section; thence north about 1 mile to the northwest corner of said section; thence west about 11 miles to the southwest corner of Township 1 South, Range 8 East; thence north about 12 miles to the northwest corner of Township 1 North, Range 8 East; thence east about 18 miles to the northeast corner of Township 1 North, Range 10 East, the place of beginning.

Cave Creek Unified School District No. 93

T5N and 6N, R4E and T5N and 6N, R5E, G&SRB&M, Maricopa County, Arizona.

Chandler Unified School District No. 80

Beginning at the Northwest corner of Section 19, Township 1 South, Range 5 East; thence running South nine miles to the Southwest corner of Section 31, Township 2 South, Range 5 East; thence due East thirteen miles to the Southeast corner of Section 31, Township 2 South, Range 7 East; thence one mile North to the Northeast corner of Section 31, Township 2 South, Range 7 East; thence one-half mile West to the median line of Section 31, Township 2 South, Range 7 East; thence North two miles along the median line of Sections 30 and 19 to the South line of Section 18, Township 2 South, Range 7 East; thence West three and one-half miles to the Northwest corner of Section 22, Township 2 South, Range 6 East; thence North two miles; thence West three miles to the Northeast corner of Section 12, Township 2 South, Range 5 East; thence due North three miles to the Northeast corner of Section 25, Township 1 South, Range 5 East; thence West one mile to the Northwest corner of Section 25, Township 1 South, Range 5 East; thence North one mile to the Northeast corner of Section 23, Township 1 South, Range 5 East; thence due West five miles to the place of beginning.

Fountain Hills Unified School District No. 98

That portion of Sections 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 20, 21, 22, 23, 26, 27, 28, and 29, Township 3 North, Range 6 East, Gila & Salt River Base and Meridian, more particularly described as follows:

Beginning at the Southwest corner of Section 29, said point of beginning lying also on the Northerly boundary line of the Salt River Indian Reservation; thence Northerly along the West line of said Section 29 to the Southwest corner of Section 20; thence continuing Northerly along the West line of said Section 20 to the West 1/4 corner of Section 20; thence

EXHIBIT**EXHIBIT**

Easterly along the North line of the South 1/2 of said Section 20 to the center of said section; thence Northerly along the West line of the East 1/2 of said Section 20 to the South line of Section 17; thence Westerly along the South line of Section 17 to the Southwest corner of said Section 17; thence Northerly along the West line of said Section 17 to the Southeast corner of Section 7; thence Westerly along the South line of said Section 7 to the Southwest corner of said Section 7; thence Northerly along the West line of said Section 7 to the Southwest corner of Section 6; thence continuing Northerly along the West line of said Section 6 to the Northwest corner of said Section 6; thence Easterly along the North line of said Section 6 to the Northwest corner of Section 5; thence continuing Easterly along the North line of said Section 5 to the Northwest corner of Section 4; thence continuing Easterly along the North line of said Section 4 to the Northeast corner of said Section 4; thence Southerly along the East line of said Section 4 to the Northwest corner of Section 10; thence Easterly along the North line of said Section 10 to the Northwest corner of Section 11; thence continuing Easterly along the North line of said Section 11 to the Northeast corner of said section; thence Southerly along the Easterly line of the Fort McDowell Indian Reservation; thence Southwesterly along said Fort McDowell Indian Reservation boundary line through Sections 11, 14, 23, and 26 to the intersection of the South line of Section 26, said point of intersection also lying on the Northerly boundary line of the Salt River Indian Reservation; thence Westerly along the South line of said Section 26 to the Southeast corner of Section 27; thence continuing Westerly along the South line of said Section 27 to the Southeast corner of Section 28; thence continuing Westerly along the South line of said Section 28 to the Southeast corner of Section 29; thence continuing Westerly along the South line of said Section 29 to the Southwest corner of said Section 29, said point also being the point of beginning.

Gilbert Unified School District No. 41

Beginning at the Southeast corner of Section 4, Township 2 South, Range 6 East, and running North four miles to the Northeast corner of Section 21, Township 1 South, Range 6 East; thence East nine miles to the county line; thence North three miles to the Northeast corner of Section 1, Township 1 South, Range 7 East; thence West nine miles to the Southeast corner of Section 33, Township 1 North, Range 6 East; thence North one-half mile to the Northeast corner of the Southeast quarter of Section 33, Township 1 North, Range 6 East; thence West five and one-half miles through the center of Sections 33, 32, and 31, Township 1 North, Range 6 East, and Sections 36 and 35, Township 1 North, Range 5 East, continuing to the West line of the Arizona Eastern Railroad, center Section 34, Township 1 North, Range 5 East; thence following the West side of the railroad right-of-way South to the base line; thence West about one-half mile to the Northwest corner of Section 3, Township 1 South, Range 5 East; thence South three miles to the Southwest corner of Section 15; thence East two miles to the Northwest corner of Section 24; thence South one mile to the Southwest corner of Section 24; thence East one mile to the Southwest corner of Section 19; thence South three miles to the Southwest corner of Section 6, Township 2 South, Range 6 East; thence East three miles to the place of beginning.

Higley Elementary School District No. 60

Beginning at the Northwest corner of Section 22, Township 1 South, Range 6 East; running South six miles to the Southwest corner of Section 15, Township 2 South, Range 6 East; thence due East four miles to the Southeast corner of Section 18, Township 2 South, Range 7 East; thence North three miles to the Northeast corner of Section 6, Township 2 South, Range 7 East; thence due West one mile to the Northwest corner of Section 6, Township 2 South, Range 7 East; thence North along Section Line to a point where the R.C.W.D. Canal intersects the West boundary of Section 30, Township 1 South, Range 7 East; thence in a northeasterly direction following East Line of R.C.W.D. Canal to a point where said Canal intersects the South boundary of Section 19, Township 1 South, Range 7 East; thence East along Section Line to the Southeast corner of Section 19, Township 1 South, Range 7 East; thence North along Section Line to the Northeast corner of Section 19, Township 1 South, Range 7 East; thence due West along Section Line four miles to the point of beginning.

J. O. Combs Elementary School District No. 44

Beginning at the southwest corner of Township 2 South, Range 8 East; thence north about 6 miles to the northwest corner of said Township; thence east about 11 miles to the northeast corner of Section 2, Township 2 South, Range 9 East; thence south about 1 mile to the southeast corner of said section; thence east about 1 mile to the northeast corner of Section 12, Township 2 South, Range 9 East; thence south about 2 miles to the southeast corner of Section 13, Township South, Range 9 East; thence west 1 mile to the northeast corner of Section 23, Township 2 South, Range 9 East; thence south 3 miles to the southeast corner of Section 35, Township 2 South, Range 9 East; thence west about 11 miles to the southwest corner of Township 2 South, Range 8, East, and the place of beginning.

Mesa Unified School District No. 4

Beginning at the NE corner of Section 36, T3N, R7E; thence South 13 miles to the SE corner of Section 36, T1N, R7E; thence West 9 miles to the SW corner of Section 34, T1N, R6E; thence 1/2 mile North to the midsection line of Section 33; thence West along the midsection line of Sections 33, 32, 31, T1N, R6E, and Sections 36, 35, and 34 to the West side of the railroad right-of-way, T1N, R5E; thence following the West side of the railroad right-of-way South to the Township line; thence West 1/2 mile to the SE corner of Section 33, T1N, R5E; thence South 3 miles to the SE corner of Section 16, T1S, R5E; thence West 3 miles to the SW corner of Section 18, T1S, R5E; thence North 5-1/2 miles to the midsection line of Section 19, T1N, R5E; thence East on the midsection line to the point where the Tempe Canal cuts the East and West midsection line of Section 19, T1N, R5E; thence following the canal in a Northeasterly direction to a point where the canal cuts the North and South section line between Sections 17 and 18, T1N, R5E; thence North to the SE corner of Section 7, T1N, R5E; thence West 1 mile to the SW corner of Section 7, T1N, R5E; thence North 4-1/2 miles to the midsection line of Section 19, T2N, R5E; thence East 1 mile to the midsection line of Section 20, T2N, R5E; thence North 1 mile to the midsection line of Section 17, T2N, R5E; thence East 3 miles to the midsection line of Section 15, T2N, R5E; thence South 1/2 mile to the SE corner of Section 15, T2N, R5E; thence East 2 miles

EXHIBIT**EXHIBIT**

to the NE corner of Section 24, T2N, R5E; thence South 1 mile to the SE corner of Section 24, T2N, R5E; thence East 3 miles to the NE corner of Section 28, T2N, R6E; thence North 1 mile to the NW corner of Section 22, T2N, R6E; thence East 1 mile to the NE corner of Section 22, T2N, R6E; thence North 1 mile to the NW corner of Section 14, T2N, R6E; thence East 2 miles to the NW corner of Section 18, T2N, R7E; thence North 3 miles to the NW corner of Section 31, T3N, R7E; thence East 6 miles to the point of beginning.

Queen Creek Unified School District No. 95

Beginning at the Northwest corner of Section 20, Township 1 South, Range 7 East; thence South on the Section Line to the Southwest corner of Section 20, Township 1 South, Range 7 East; thence East one mile to the Southeast corner of Section 20, Township 1 South, Range 7 East; thence South two miles to the Southwest corner of Section 33, Township 1 South, Range 7 East; thence one mile West to the Northwest corner of Section 5, Township 1 South, Range 7 East; thence South along the Section Line to the Southwest corner of Section 17, Township 2 South, Range 7 East; thence due West one-half mile; thence South two miles following the Midsection Line to the Southwest corner of the Southeast quarter of Section 30, Township 2 South, Range 7 East; thence due East one-half mile following the Section Line to the Southeast corner of Section 30, Township 2 South, Range 7 East; thence one mile South along the Section Line to the Southwest corner of Section 32, Township 2 South, Range 7 East; thence East five miles to the Southeast corner of Section 36, Township 2 South, Range 7 East; thence due North nine miles to the Northeast corner of Section 24, Township 1 South, Range 7 East; thence due West five miles to the point of beginning.

Scottsdale Unified School District No. 48

Beginning at the Southeast corner of Section 1, Township 1 North, Range 4 East; thence running North eight miles to the Southwest corner of Section 30, Township 3 North, Range 5 East; thence East six miles to the Southeast corner of Section 25, Township 3 North, Range 5 East; thence North five miles to the Northeast corner of Section 1, Township 3 North, Range 5 East; thence West six miles to the Northwest corner of Section 6, Township 3 North, Range 5 East; thence South three miles along the Section line to the Northeast corner of Section 24, Township 3 North, Range 4 East; thence West along the Section line six miles to the Northwest corner of Section 19, Township 3 North, Range 4 East; thence south eight miles to the Southwest corner of Section 30, Township 2 North, Range 4 East; thence East three miles along the Section line to the Southwest corner of Section 27, Township 2 North, Range 4 East; thence South two miles to the Southwest corner of Section 3, Township 1 North, range 4 East; thence East three miles to the place of beginning.

Tempe Union High School District No. 213

The Tempe Union High School District consists of the combined physical and political boundaries of the following districts as recorded in the office of the Maricopa County School Superintendent and the Maricopa County Recorder:

Tempe Elementary School District No. 3**E.V.I.T. SCHOOL DISTRICT NO. 401**

EXHIBIT**EXHIBIT**

Beginning at the Northwest corner of Section 9, Township 1 North, Range 4 East, running East 4 miles to the Northeast corner of Section 12, Township 1 North, Range 4 East; thence South 1 mile to the Southeast corner of Section 12; thence East 1 mile to the Northeast corner of Section 18; thence South along the section line to the Tempe Canal; thence Southwest along the Tempe Canal to the point where such canal intersects the East-West midsection line of Section 19, Township 1 North, Range 5 East; thence West along said midsection line to Section 24, Township 1 North, Range 4 East; thence South approximately 3.5 miles to the Southeast corner of Section 1, Township 1 South, Range 4 East; thence West 6 miles to the Southwest corner of Section 6, Township 1 South, Range 4 East; thence North approximately 5 miles to the Northwest corner of Section 18, Township 1 North, Range 4 East; thence East 2 miles to the Northeast corner of Section 17; thence North 1 mile to the Northwest corner of Section 9, the point of beginning.

Kyrene Elementary School District No. 28

Beginning at the Northwest corner of Section 10, Township 1 South, Range 3 East; thence South 1 mile to the Southwest corner of said section; thence West 3 miles to the Northwest corner of Section 18, Township 1 South, Range 3 East; thence South along the Township Line to the South Boundary of Maricopa County; thence Southeasterly and East along the County Line to the Southeast corner of Section 36, Township 2 South, Range 4 East; thence North 11 miles to the Northeast corner of Section 12, Township 1 South, Range 4 East; thence West 6 miles to the Northwest corner of Section 7, Township 1 South, Range 4 East; thence North 1/2 mile; thence West 2 miles; thence South 1/2 mile; thence West 1 mile to the place of beginning.

ABA

COMMUNITY INVOLVEMENT IN EDUCATION

The Board recognizes that the public has substantial resources of training and experience that could be useful to the school. The strength of the local District is in large measure determined by the manner and degree to which these resources are utilized in advisory capacity and to the degree that these resources are involved in supporting the improvement of the local education program.

The advice of the public will be given careful consideration. In the evaluation of such contributions, the first concern will be for the educational program as it affects the students. The final decision may depart from this advice when in the judgment of the staff and the Board such advice is not consistent with goals adopted by the Board, consistent with current educational practice, or within the reach of the financial resources available.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

CROSS REF.: IJ - Instructional Resources and Materials
KB - Parental Involvement in Education

ABAA

PARENTAL INVOLVEMENT

Based on the philosophy of the District, it is the intent of the Board that parental involvement be defined in the broadest possible terms.

Further, it is the intent of the Board, under such a definition, that the Superintendent will, within the capabilities of the District staff and the financial limitations of the District, incorporate, to the maximum extent possible, a variety of activities, strategies, and mechanisms that provide for the:

- active involvement of,
- active support to,
- effective interaction with,
- and development of

parents as active partners in a student support team effort that will enhance the capacity of all students to reach their optimum potential.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: KB - Parental Involvement in Education

AC

NON-DISCRIMINATION/EQUAL OPPORTUNITY

The Board is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, and disability. 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 23-341, 41-1463
20 U.S.C. § 1401, 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
Arizona Constitution, Ordinance Art. XX, Par. Seventh

CROSS REF.: ACA - Sexual Harassment
GBA - Equal Employment Opportunity
JB - Equal Educational Opportunities
KED - Public Concerns/Complaints about Facilities or Services

NONDISCRIMINATION / EQUAL OPPORTUNITY**Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have 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 Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due-process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. 15- 539 *et seq.* may be initiated.

If the person alleged to have violated policy is a classified employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with policies JK and JKD.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

REGULATION

REGULATION

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complainant.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complainant in writing.

AC-E

EXHIBIT

EXHIBIT

List the name, address, and phone number of anyone else, who can provide more information regarding the problems.

Name	Address	Telephone
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State specifically what you think can and should be done to solve the problem.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant

Date

The compliance officer, as designated in AC-R, shall give one copy to the complainant and shall retain one copy for the file.

ACA

SEXUAL HARASSMENT

All individuals associated with this District, including, but not necessarily limited to, the Governing 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.

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when made by a member of the school staff to a student or to another staff member, or when made by a student to another student where:

- Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct is used as a basis for employment or education decisions affecting such individual; or
- 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.

Sexual harassment may include, but is not limited to:

- 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.
- Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
- 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.
- 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.
- 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.

ACA

Anyone who is subject to sexual harassment, or who knows of the occurrence of such conduct, should inform the compliance officer, as provided in ACA- R.

A substantiated charge against a staff member in the District shall subject such staff member to disciplinary action.

A substantiated charge against a student in the District shall subject that student to disciplinary action, which may include suspension or expulsion.

All matters involving sexual harassment complaints will remain confidential to the extent possible.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 41-1461 *et seq.*

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

U.S.C. § 1703, Equal Employment Opportunity Act of 1972

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

CROSS REF.: AC- Nondiscrimination/Equal Opportunity

GBA-Equal Employment Opportunity

JB-Equal Educational Opportunities

KED-Public Concerns/Complaints about Facilities or Services

KFA-Public Conduct on School Property

SEXUAL HARASSMENT**Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have 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 Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due-process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. 15-539 *et seq.* may be initiated.

If the person alleged to have violated policy is a classified employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with policies JK and JKD.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

EXHIBIT

EXHIBIT

List the name, address, and phone number of anyone else, who can provide more information regarding the problems.

Name	Address	Telephone

State specifically what you think can and should be done to solve the problem.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant	Date
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The compliance officer, as designated in AC-R, shall give one copy to the complainant and shall retain one copy for the file.

ACAA

TITLE IX SEXUAL HARASSMENT

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

The District accepts and shall employ the definition of sexual harassment as established by the Title IX regulations. Sexual harassment means conduct on the basis of sex that satisfies one (1) or more of the following:

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

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

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

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

The District will respond promptly when any school employee has notice of sexual harassment. Upon receipt of notice of sexual harassment, the District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional

ACAA

agreements with the District, of the District's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the District shall respond. The District is committed to investigating each formal complaint submitted and to taking appropriate action on all confirmed violations of policy. The District shall follow grievance procedures that provide for the prompt and equitable resolution of complaints from students and employees alleging sexual harassment.

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

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

Retaliation Prohibited

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

Adopted: December 13, 2021

LEGAL REF.: A.R.S. § 13-3620; 20 U.S.C. §§ 1092 and 1681, 34 U.S.C. § 12291

CROSS REF.: AC - Nondiscrimination/Equal Opportunity
JB - Equal Educational Opportunities

EDUCATIONAL PHILOSOPHY/SCHOOL DISTRICT MISSION

The East Valley Institute of Technology District (hereafter known as “EVIT” or “District”) was established by the state legislature, under the authority contained in the Arizona State Constitution, for the sole purpose of providing and education to the students of the District. While the establishment of the District also provides other services, such as caring for students during the school day, providing employment to the school staff, and providing facilities for the use of the community, all of these services are necessarily subordinate to the District's prime function of providing and education to students. The Governing Board of the District, is selected by the citizens of the community to ensure that this responsibility is accomplished. However, the Board recognizes that it cannot accomplish this objective unless all of the sectors of the school community also accept and perform their responsibilities. The Board considers the responsibilities for these elements of the school community as follows:

Staff

The Board fulfills its responsibility for the education of students by employing first a competent Superintendent, on whose recommendation it also employs a competent staff. As a condition of this employment, the Board expects each member's best efforts to be exerted toward the accomplishment of the educational objectives of the District. Because education is imparted primarily by teachers, the Board specifically places responsibility for maintaining and expanding educational ability on each teacher, to the end that each student may reach maximum potential and develop a sense of dignity and self-worth.

Parents

The Board recognizes that the ultimate responsibility for the well-being of all children rests with their parents. All parents are expected to cooperate in the District's educational effort by ensuring maximum attendance of their children, by requiring that their children cooperate in the educational endeavor of the District, and by fostering an attitude in their children that recognizes the importance of education.

Community

The resources necessary to provide education for students are provided by members of the community through their taxes and other supporting services. The Board's goal is that all members of the community, both individually and through their governmental, civic, and social organizations, will continue to support the educational activities of the District.

Students

Education is an opportunity provided to the children of the District by their community. The Board expects that all students will learn to recognize the value of this opportunity and will, therefore, work diligently to help ensure that their maximum potentials are realized. The Board further expects that all students will recognize that their fellow students have the right to be educated and will avoid any action that may interfere with their ability to exercise that right.

The Board believes that education should develop habits, attitudes, understanding, and skills necessary for a productive, satisfying life in our society. Students should be taught to understand the duties and privileges of responsible citizenship as such duties and privileges relate to themselves as individuals and to the whole community. The vast changes brought about by increasing technology, population, and urbanization must also be taught. The input and support of the citizens of the community, and especially the professional staff, are solicited as the school community endeavors to develop the attitudes and abilities demanded in this of rapid change.

In consideration of the accomplishment of these responsibilities by each sector of the school community listed above, the Governing Board, with the concurrence of each individual Board member, pledges its best efforts to ensure that the District is governed effectively and efficiently so that the goal of an appropriate and outstanding educational experience is available for all students of the District.

Adopted: November 13, 2008

LEGAL REF.: Arizona State Constitution, Article XI, Section 1

SCHOOL BOARD OPERATIONAL GOALS

The Governing Board is responsible to the people of the District and, therefore, should be aware of opinions and attitudes in the community and of identified District needs.

As representatives of the people who own and support the schools, the Board accepts the responsibility to identify community attitudes and opinions and District needs and to require short- and long-range strategies that are responsive within the budgetary limitations of the District.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-341

BAA

EVALUATION OF SCHOOL BOARD/BOARD SELF-EVALUATION

The Board shall meet at least annually for the purpose of appraising its functioning as a Board and to evaluate Board performance. The appraisal plan approved by the Board will be developed by the Board President working with the Superintendent.

Evaluation instruments for Board operation may be used in the process.

The Superintendent and others who regularly work with the Board may be asked to participate in all or a portion of the appraisal.

Areas of Board operations and relationships that may be appropriate to consider during the evaluation of Governing Board procedures may include, but are not limited to:

- Board meetings/decision-making process
- Policy development/implementation
- Board/District goal setting
- Curriculum and instruction management/program
- Fiscal management/resource allocation
- School plant planning/management
- Board member orientation
- Board member development
- Board officer performance
- Board member relationships
- Board-Superintendent relationship
- Board-community relationship
- Legislative and governmental relationships

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

CROSS REF.: BDD - Board-Superintendent Relationship

EVALUATION OF SCHOOL BOARD / BOARD SELF-EVALUATION
(Annual Self-Appraisal of the Governing Board)

The following list of items pertaining to the operation of the Governing Board is the basis for an annual self-evaluation. This may be carried out in conjunction with the annual evaluation of the Superintendent.

Please check the appropriate box for each item (S = satisfactory, N = needs improvement, U = unsatisfactory).

A. Board Relationship with the Superintendent:

S **N** **U**
☐ ☐ ☐

(1) The Board imparts information on issues, needs, and complaints in a manner allowing the Superintendent the opportunity to solve related problems in a professional manner.

☐ ☐ ☐

(2) The Board clearly interprets its position on controversial matters pertaining to the District, thereby enabling the Superintendent to properly carry out the wishes of the Board.

☐ ☐ ☐

(3) The Board disregards personalities and considers the recommendations of the Superintendent in an unbiased and objective manner.

☐ ☐ ☐

(4) The Board communicates views of personnel effectiveness, including views related to the Superintendent, in a confidential and professional manner.

B. Board Relationship with the Community:

S **N** **U**
☐ ☐ ☐

(1) The Board recognizes that the citizens have entrusted them with the educational development of the children and youth of this community.

☐ ☐ ☐

(2) The Board recognizes that the community expects their first and greatest concern to be in the best interest of each and every one of the young people without distinction as to who they are or what their background may be.

☐ ☐ ☐

(3) The Board enacts policies supporting the efforts of the administration in helping the people of this community to have the facts about their schools, to the end that they will readily provide the finest possible school program, school staff, and school facilities.

C. Board Relationships Between Members During Meetings:

S **N** **U**
☐ ☐ ☐

(1) Individual members of the Board treat other members of the Board and professional staff with respect during Board meetings.

☐ ☐ ☐

(2) Differences of opinion influencing Board member votes are based on the issues at hand and not on a personality basis.

☐ ☐ ☐

(3) All members of the Board conduct themselves in such a manner as to emphasize that individual Board members have authority only when convened in a legally conducted Board meeting with at least a quorum present.

D. Board Relationships with Staff and Personnel:

S **N** **U**
☐ ☐ ☐

(1) The Board requires the Superintendent to recommend personnel for their consideration and consistently adheres to this procedure.

☐ ☐ ☐

(2) The Board members make every effort to become acquainted with the personnel of the District.

☐ ☐ ☐

(3) The Board members' personal friendships with District personnel are maintained without allowing them to affect overall Board decisions and/or policies.

E. Board Relationship to the Instructional Program:

S **N** **U**
☐ ☐ ☐

(1) The Board makes an effort to keep informed about the instructional program by providing for periodic reports as deemed necessary and by periodic visitation in the schools.

☐ ☐ ☐

(2) The Board attempts to gain information from the community pertaining to instructional program needs.

☐ ☐ ☐

(3) The Board maintains policies necessary to enable the educational staff to develop the educational program required to meet the needs of the community.

F. Board Relationship to the Financial Management of the Schools:

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(1) The Board establishes the policies and provides the necessary resources to properly manage the finances of the District.

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(2) The Board requires the proper accountability for the expenditure of funds in the District.

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(3) The Board provides justified funding to maintain a high quality educational program in this District.

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(4) The Board keeps the community informed about the financial needs of the District.

G. General Statements:

(1) List in order of priority the four major problems the Board faces:

(2) List any weaknesses you have observed in the operation of the District:

(3) List any significant accomplishments made by the District during the past year:

SCHOOL BOARD LEGAL STATUS

The Arizona Constitution places the responsibility of establishing and maintaining public schools on the Arizona legislature and directs the legislature to provide for a state board of education, which has general supervision of the public schools. It is further provided that local public schools under the general supervision of the State Board of Education shall be maintained, developed, and operated by locally elected boards. Legally, then, local school boards are instruments of the Arizona Legislature and derive their authority from the Arizona Constitution, Arizona statutes, and the regulations of the State Board of Education.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-421, 15- 787 *et seq.*

Arizona Constitution, Art. XI, Section 1

Arizona Constitution, Art. XX, Paragraph 7

BOARD POWERS AND RESPONSIBILITIES

The Board shall act as the general agent of the state of Arizona in carrying out the will of the people of this District in the matter of public education.

The Board is authorized under the laws of the state of Arizona to adopt all needed policies and regulations for the organization, evaluation, and governance in the District.

The Board performs the following basic functions necessary to the discharging of its responsibilities: legislative, executive, and appraisal.

- The legislative function is the policy-making aspect of the school system. It is the policy of the Board to retain and exercise full legislative authority and control over the schools by adopting general policies or by acting directly in matters not covered by its policies.
- The executive function of the Board is concerned with placing in operation existing Board policy. Most of this function is delegated by the Board to its executive and administrative officer, the Superintendent.
- The appraisal function involves the determination of the efficiency of the school operation and an evaluation of the educational program of the District based on the policies as outlined in the policy manual.

The duties and obligations of an individual Board member include the following:

- To become familiar with the state's school laws, regulations of the State Department of Education, and District policies, rules, and regulations.
- To have a general knowledge of the educational aims and objectives of the system.
- To work harmoniously with other Board members without neglecting a proper share of the work or trying to dominate the Board.
- To vote and act in Board meetings impartially for the good of the District.
- To accept the will of the majority vote in all cases, and give wholehearted support to the resulting policy.
- To accept the responsibility for confidentiality in appropriate matters, especially those dealing with personnel and the divulging of privileged information that could cost the District money, support, or public confidence.
- To represent the Board and the District to the public in a manner that promotes both interest and support.
- To refer complaints to the proper school authorities and to refrain from individual counsel and action.
- To perform other appropriate duties that may arise.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-341, 15-342
Ariz. Att. Gen. Opp. No. I81-054

BBAA

BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

All powers of the Board lie in its action as a public body. A "meeting" is defined as the gathering of a quorum of members of a public body to propose or take legal action, including any deliberations with respect to such action that has been properly noticed, pursuant to Arizona Revised Statutes.

Individual Board members exercise authority over District affairs only by way of votes taken at a legal meeting of the Board. An individual Board member has authority only when and to the extent that the Board, by vote, has so delegated such authority.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-342, 15-341, 15-381

CROSS REF.: AA - School District Legal Status

BBA - Board Powers and Responsibilities

**BOARD MEMBER QUALIFICATIONS
(Governing Board Membership)**

A person who is a registered voter of this state and has been a resident of the District for one year immediately preceding the day of election and currently resides in the governing-board-member district to which the person seeks election, is eligible for election to the office of Governing Board member.

The District's governing-board-member district map shall be posted on the District's website.

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 Governing Board of this District.

A Governing Board member is ineligible to serve simultaneously as a member of any other school district governing board, except that a Governing Board member may be a candidate for nomination or election for any other governing board if serving in the last year of a term of office.

Adopted: date of manual adoption

Amended: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-421, 38-201

Ariz. Const., art. VII, sec. 15

BOARD MEMBER OATH OF OFFICE

Oath of Office

Board members 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. The District office shall keep such copy on file as long as the Board member remains on the Governing Board and for a period of five years after last serving on the Board.

Time of Oath (Governing Board Members)

When a different time is not prescribed, the oath of office shall be taken, subscribed, and filed within ten days after the Board member has notice of appointment or, if elected, at any time after receipt of the certificate of election, and at least one day before commencement of the term of office.

Familiarization with Open Meeting Law

A newly elected or appointed Governing Board member shall at least one (1) day before taking office, review the Arizona open meeting law material prepared by the attorney general

Adopted: date of manual adoption

Amended: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-426, 38-231-33, 38-431.01

Attorney General Arizona Agency Handbook, Chapter 7, Open Meetings

BOARD MEMBER OATH OF OFFICE

Oath of Office

In addition to any other form of oath or affirmation specifically provided by law, any officer or employee shall take and subscribe to the following oath or affirmation before entering upon the duties of such appointed office or employment.

State of Arizona, County of Maricopa, I, _____,
[type or print name]

do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona; that I will bear true faith and allegiance to the same, and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of Governing Board member according to the best of my ability, so help me God (or so I do affirm).

Signature

Date

LEGAL REF.: A.R.S. § 38-231

BBBC

BOARD MEMBER RESIGNATION

Any Board member who desires to resign from the Governing Board shall send a letter of resignation to the office of the County School Superintendent, with a copy to the Secretary of State, giving the effective date of resignation. The resigning Board member shall furnish a copy of such letter to each other member of the Board and to the Superintendent prior to the date on which said resignation is to become effective.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-302, 38-101, 38-291, 38-294

BOARD MEMBER REMOVAL FROM OFFICE

A Board member's position may be considered vacant or the Board member may be removed from office for reasons included in A.R.S. § 38-291. These reasons are:

- Death of the person holding the office.
- Insanity of the person holding the office, when judicially determined.
- Resignation of the person holding the office and the lawful acceptance of the resignation.
- Removal from office of the person holding the office.
- The person holding the office ceasing to be a resident of the district for which he was elected.
- Absence from the state by the person holding the office, without permission of the legislature, beyond the period of three (3) consecutive months.
- The person holding the office ceasing to discharge the duties of office for the period of three (3) consecutive months.
- Conviction of the person holding the office of a felony or an offense involving a violation of official duties.
- Failure of the person elected or appointed to such office to file an official oath within the time prescribed by law.
- A decision of a competent tribunal declaring void the election or appointment of the person elected or appointed to the office.
- Failure of a person to be elected or appointed to the office.
- A violation of A.R.S. § 38-296 by the person holding the office.

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.

Adopted: date of Manual adoption

Revised: September 28, 2020

LEGAL REF.: A.R.S. §§ 19-201, 19-202, 19-202.01, 19-209, 19-216, 38-291, 38-296,
38-431.07

BBBE

UNEXPIRED TERM FULFILLMENT

Any vacancy of a Governing Board member, as defined in A.R.S. § 38-291, may be filled by appointment by the County School Superintendent as prescribed by state law. Such appointment shall be until the next regular election, at which time a successor shall be elected to serve the unexpired portion of the term. The County School Superintendent may call for an election to fill a vacancy on a local Governing Board as an alternative to appointment.

When a vacancy occurs, the Governing Board may, within thirty (30) days after notification of the vacancy, submit to the County School Superintendent up to three (3) names for consideration of an appointment to fill the vacancy. The County Superintendent is not required to appoint a Governing Board member from the list of names submitted by the Board.

Adopted: date of manual adoption

Revised: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-302, 38-291

Ariz. Att. Gen. Opinion l82-111

Ariz. Const., Art. VII, § 15

BCA

BOARD MEMBER ETHICS

Board members will strive to improve public education, and to that end will:

- Attend all regularly scheduled Board meetings insofar as possible, and become informed concerning the issues to be considered at those meetings;
- Recognize that decisions should be made only after discussion at publicly held Board meetings;
- Render all decisions based on the available facts and independent judgment, and refuse to surrender that judgment to individuals or special-interest groups;
- Encourage the free expression of opinion by all Board members, and seek systematic communications between the Board and students, staff, and all elements of the community;
- Work with other Board members to establish effective Board policies and to delegate authority for the administration of the schools to the Superintendent;
- Communicate to other Board members and the Superintendent expressions of public reaction to Board policies and school programs;
- Be informed about current educational issues by individual study and through participation in programs providing needed information, such as those sponsored by state and national school boards associations;
- Support the employment of persons best qualified to serve as school staff members, and insist on a regular and impartial evaluation of all personnel;
- Avoid being placed in a position of conflict of interest, and refrain from using their Board position for personal or partisan gain;
- Take no private action that will compromise the Board or administration, and respect the confidentiality of information that is privileged under applicable law; and
- Remember always that a Board member's first and greatest concern must be the educational welfare of the students attending the public schools.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

BOARD MEMBER CONFLICT OF INTEREST

Voting Restrictions

Notwithstanding any other provision of law, a Governing Board member shall be eligible to vote on any budgetary, personnel, or other question that comes before the Board, except that it shall be unlawful for a member to vote on a specific item that concerns the appointment, employment, or remuneration of such member or any person related to such member as a dependent as defined in A.R.S. 43-1001. [LEGAL REF.: A.R.S. § 15-323]

Employment Limitation

A. No dependent, as defined in Section 43-1001, of a Governing Board member may be employed in the District, except by consent of the Board. [LEGAL REF.: A.R.S. § 15-502.] “Dependent” includes a “qualifying child” or “qualifying relative.”

- A “qualifying child” is a child; brother, sister, stepbrother, stepsister, or any of their descendants,
 - who resides in same abode as you for more than half of the year,
 - is under age 19 or age 24, if a student,
 - who provides less than one-half of their own support, and
 - has not filed a joint tax return. [LEGAL REF.: A.R.S. § 42-1001; I.R.C. § 152(a) and (c).]
- A “qualifying relative” is a child, brother, sister, stepbrother, stepsister, father, mother, grandparent, nieces, nephew, aunt, uncle, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, or sister-in-law,
 - whose gross income is less than \$2,000,
 - for whom you provide over one-half of their support, and
 - who is not another taxpayer’s qualifying child. [LEGAL REF.: A.R.S. § 42-1001; I.R.C. § 152(d).]

B. No employee of the District or the spouse of such employee may hold membership on the Governing Board of the District. [LEGAL REF.: A.R.S. § 15-421]

Conflict of Interest

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. [LEGAL REF.: A.R.S. § 38-503]

Any Board member or employee who has, or whose relative has, a substantial interest in any decision of the District shall make known such interest in the official records of the District and shall refrain from participating in any manner as a Board member or employee in such a decision. [LEGAL REF.: A.R.S. § 38-503]

“Refrain from participating in any matter” 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.

Remote Interests

An interest is a “remote interest” when the relative involved is not a dependent or spouse of the Board member. [LEGAL REF.: A.R.S. § 38-502(10(h)).] A “remote interest” is not a “substantial interest.” [LEGAL REF.: A.R.S. § 502(11).]

Purchases from Governing Board Members for Districts with 3,000 or More Students

School district procurement rules are required for all purchases of service from Governing 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:

- Purchases for supplies, materials, and equipment are limited to three hundred dollars (\$300) per transaction.
- The total purchases from any Board member by the Board within any twelve (12) month period do not exceed one thousand dollars (\$1,000).
- The purchases comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations.
- The Board has, by majority vote, approved or reapproved a policy authorizing such purchases within the preceding twelve (12) month period.

Purchases from Governing Board Members for Districts with Fewer than 3,000 Students

School district procurement rules are required for all purchases of service from Governing 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:

- Purchases less than one hundred thousand dollars (\$100,000) comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations;
- Purchases of one hundred thousand dollars (\$100,000) and above comply with the school district procurement rules for public competitive bidding;
- Each purchase is approved by the Governing Board;
- The amount of the purchase is included in the Board's meeting minutes.

Filing of Disclosures

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 the statutory conflict-of-interest provisions.

Adopted: date of manual adoption

Revised: December 10, 2018
December 14, 2020

LEGAL REF.: A.R.S. §§ 15-213, 15-323, 15-421, 15-502, 15-503, 15-323, 38-481,
38-503, 38-509
I.R.C. §§ 151 and 152
Att. Gen. Op. 106-002, 184-012, 188-013, 187-035

BOARD MEMBER CONFLICT OF INTEREST

I, _____, do hereby indicate:

1. That I am presently a member of the East Valley Institute of Technology School District Governing Board;

2. That I (or my relative[s]: _____) have a substantial interest in the contract, sale, purchase, decision, investigation, or other matter by the East Valley Institute of Technology School District Governing Board as described below.

Identify the contract, sale, purchase, service, decision, investigation, or other matter in which you or your relative may have a "substantial interest" under A.R.S. §§ 38-501 to 511.

 (continue on back if necessary)

Describe the "substantial interest" referred to above.

 (continue on back if necessary)

STATEMENT OF DISQUALIFICATION

To be completed if you have a conflict as identified above.

To avoid any possible conflict of interest under A.R.S. §§ 38-501 to 511, I will refrain from participating in any manner in the matter identified above.

 Signature

 Date

STATEMENT OF NO CONFLICT

To be completed only if you do not or your relative does not have a conflict of interest.

I, _____, do hereby indicate that I do not have, and none of my relatives has, a substantial interest in any contract, sale, purchase, service, decision, investigation, or other matter of the East Valley Institute of Technology School District Governing Board.

 Signature

 Date

The District will investigate allegations of inadequate disclosure of substantial interests and/or inappropriate participation when a substantial interest may exist.

BDA

BOARD ORGANIZATIONAL MEETING

For the purpose of organization of the Governing Board, the Board shall meet in the District's boardroom between January 1 and January 15 of each year for the purpose of electing a President and Clerk.

The meeting shall be called to order by the President of the Board for the preceding year, or if that person is not a member of the Board, the Clerk for the preceding year. If none of the former officers is a member 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.

One member of the Board shall be elected President.

The new President of the Board shall take office upon election. The Board shall then elect a Clerk.

All officers of the Board shall hold office for a term of one year and until their successors are elected. No member may serve consecutive terms as President. No member, who has never served on the Board before, may serve as President.

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

In addition to the organizational meeting described in this policy, the Board may elect a Board President or Clerk at any time, for any reason, providing that the matter has been properly placed and noticed on the Board agenda consistent with the open meeting law.

Adopted: October 8, 2001

Revised: October 14, 2019

LEGAL REF.: A.R.S. §§ 15-321, 15-393, 38-431 *et seq.*

CROSS REF.: BDB - Board Officers

BE - School Board Meetings

BEC - Executive Sessions/Open Meetings

BEDA - Notification of Board Meetings

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BDB

BOARD OFFICERS

President

The duties of the President of the Board shall be as follows:

- Preside over all meetings and conduct meetings in accordance with Arizona law and policies of the District.
- Consult with the Superintendent on the agenda for each meeting.
- Encourage and maintain orderly and democratic participation.
- Keep discussions factual and on the subject at hand.
- Allow for exploration of each item of business.

In the absence of the President of the Board, the Clerk shall assume that position temporarily and perform the functions of the president.

In the absence of the President and Clerk, Board members shall select a temporary president, which shall be recorded in the minutes.

Clerk

The duties of the Clerk of the Board shall be as follows:

- In the absence of the President of the Board from a Board meeting, assume the position temporarily and perform the functions of the President.
- Sign official documents approved by the Governing Board.
- Discharge such additional duties as are prescribed by the Board.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

CROSS REF.: BEDB - Agenda
BEDBA - Agenda Preparation and Dissemination

BDD

BOARD - DISTRICT ADMINISTRATOR RELATIONSHIP

The establishment of policies is the responsibility of the Board, and the execution of those policies is a function of the Superintendent.

The Superintendent is the chief executive officer of the School District and is responsible for the professional leadership and skill necessary to translate the policies of the Board into administrative action.

The Superintendent is responsible for the administration of the District. The Superintendent may delegate the necessary authority to other employees and develop such procedures and regulations as the Superintendent considers necessary to ensure efficient operation of the District.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-503

BDE

BOARD COMMITTEES

Committee work of the Board shall usually be done by members of the Board sitting as a committee of the whole. The Board shall not establish standing or permanent committees, and there shall be no standing or permanent committees composed of the Board members. If a temporary committee is appointed, it shall serve only for the time needed for its designated purpose. Committee recommendations shall be advisory only.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 38-431

CROSS REF.: BDF - Advisory Committees

ADVISORY COMMITTEES

The Board may, by majority vote, appoint ad hoc committees when deemed advisable. Recommendations of such committees cannot be binding on the Board; they may be advisory only. These committees will be responsible for presenting to the Board recommendations for action based on research and facts. Any such committee shall automatically be dissolved upon completion of its assignment.

The Governing Board President shall develop guidelines for each committee. These guidelines shall be approved by the Board prior to the first meeting of each committee and will include, but not necessarily be limited to, the following:

- A written, specific statement of the purpose of the committee.
- The dates on which interim and final reports of the committee are to be rendered.
- The date or event upon which the committee will be terminated.
- The extent to which facilities, supplies, equipment, and clerical support will be provided to each committee.

The Superintendent will ensure that the following actions are taken for each committee established by the Board:

- Each committee member will be briefed on the requirements of the Arizona Open Meeting Law (A.R.S. 38-431) as it applies to committees of the Board.
- Notices and agendas of all meetings of the committee will be posted.

A representative of the Board and the Superintendent will serve as ex-officio members of all advisory committees.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 38-431 *et seq.*

BDG

SCHOOL ATTORNEY

The District may use the services of the County Attorney. However, when the Board deems it to be in the best interest of the District the Board may retain private counsel and services. Compensation and purpose should be determined at the time of employment of private counsel.

The Superintendent and the President of the Board shall be designated as the representatives of the District who may confer with counsel. The District will not be responsible for fees that accrue because of unauthorized individual Board member or staff consultation with private counsel.

Copies of all written requests for opinions and opinions of private counsel shall be furnished by the Superintendent to all Board members. Requests for opinions requiring research or substantial amounts of work on the part of private counsel shall be in writing when practicable. Only the Superintendent may contact private counsel by telephone or in person regarding matters pertaining to the day-to-day operation of the District.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 11-532, 15-341, 15-343, 38-431.07

BDH

BOARD CONSULTANTS

The District may employ consultants when appropriate to carry out tasks or projects that enhance the effectiveness of District operations (1 when the District does not have the specialized competency on its staff or (2 when such assignments would be burdensome to the school staff when added to their full-time assignments. The kinds of assistance sought from consultants may include, but will not necessarily be limited to (1) conducting fact-finding studies, surveys, and research; (2 providing counsel or services requiring special expertise; and (3 assisting the Board in developing policy and program recommendations. The employment of specific consultants, within the budgeted funds of the District, will be the responsibility of the Superintendent.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-343

A.A.C. §§ R7-2-1061 *et seq.*, R7-2-1117 *et seq.*

BE
SCHOOL BOARD MEETINGS

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

- A. Regular meeting - the usual official legal-action meeting, scheduled and held regularly.
- B. Special meeting - an official legal-action meeting called between scheduled regular meetings to consider only specifically identified topics.

Every meeting of the Board, regular or special, shall be open to the public except for an executive session that is held in accordance with state law. A "meeting" is defined as the gathering of a quorum of members of a public body to propose or take legal action, including any deliberations with respect to such action, that has been properly noticed, pursuant to Arizona Revised Statutes.

Regular Board Meetings

The second Monday of each calendar month is designated as the regular Board meeting date. A regular meeting may be rescheduled or canceled by agreement of a majority of the Board.

Written notice of the date, hour, place, and subject (agenda) of each regular meeting of the Board shall be given as follows:

- A. Notice shall be posted at least twenty- four (24) hours preceding the scheduled time of the meeting, with the exception of an actual emergency, in which case such notice as is appropriate to the circumstances shall be given.
- B. Notice shall be posted at a prominent place, convenient to the public, as designated by the Board in its notice to the County Board of Supervisors.

Every regular meeting of the Board shall be open to the public, and 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.)

Special Board Meetings

Special meetings may be called whenever deemed necessary. Written or telephoned notice of all special meetings shall be given to the members of the Board, and written notice shall be posted, at least 24 hours prior to the time stated for the meeting to convene. Said notice shall indicate the purpose of the special meeting. No business other than the matters specified in the notice shall be transacted at such meeting. Special meetings shall be open to the public.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-843, and 38-431 *et seq.*
Atty. Gen. Op. 179-045

CROSS REF.: BEC - Executive Sessions/Open Meetings
BEDA - Notification of Board Meetings
BEDB – Agenda
BEDC - Quorum

BEC

EXECUTIVE SESSIONS/OPEN MEETINGS

The Board may enter into executive session after the following requirements have been met:

- The Board has first been convened in open meeting, for which notice, stating the specific provision of law authorizing the executive session, has been given.
- The Board President has identified the section or sections of A.R.S. 38-431.03 that authorize the holding of the executive session and has stated the language of the section(s).
- The executive session is authorized by a vote in open session.

No final action, decision, or vote shall be taken while the Board is in executive session, except as provided by law.

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

During the executive session, all persons present in the executive session will be read the admonition on the confidentiality of the executive session minutes and deliberations.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-843, 38-431 *et seq.*

Att. Gen. Op. 179-45, 179-49, 179-126, 179-136, 180-118, 180-146,
181-058, 181-060, 181-090

CROSS REF.: BEDG - Minutes

JKD - Student Suspension/Expulsion/Due-Process Rights

BED

MEETING PROCEDURES/BYLAWS

The President of the Board is responsible for the orderly conduct of the meeting and shall rule on such matters as the time to be allowed for public discussion, the appropriateness of the subject being presented, and the suitability of the time for such a presentation. All such rulings are subject to review by the Board at a subsequent meeting, properly noticed, as long as the matter is included on the agenda.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

BEDA

NOTIFICATION OF BOARD MEETINGS

A statement shall be conspicuously posted on the District's website specifying where all notices of the Governing Board meetings are posted, including the physical and electronic locations, and give additional public notice as is reasonable and practicable as to all meetings.

The District shall post all Governing Board public meeting notices on its website and give additional public notice as is reasonable and practicable as to all meetings. When the District has complied with all other public notice requirements of A.R.S. § 38-431.02, the Board is not precluded from holding a meeting for which notice was posted when a technological problem or failure either:

- A. prevents the posting of public notice on the District website, or
- B. temporarily or permanently prevents use of all or part of the District's website.

When an executive session of the Board is scheduled a notice of the executive session stating the provision of law authorizing the executive session and including a general description of the matters to be considered shall be provided to:

- A. the members of the Governing Board, and
- B. the general public.

At least twenty-four (24) hours prior to the meeting notice shall be given to the members of the Governing Board and to the general public by posting in the designated public place(s) the time and place, and the meeting agenda or any change in the meeting agenda. The notice shall include an agenda of the matters to be discussed, considered or decided at the meeting, or include information on how the public may obtain a copy of the agenda.

The twenty-four (24) hour notice period:

- A. May include Saturday when, in addition to any website posting, the public has twenty-four (24) hour access to the physical posting location.
- B. Does not include Sundays and other holidays prescribed in A.R.S. § 1-301.

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.

The Governing Board shall provide any officer, appointee, or employee to be considered or discussed at a meeting with written notice of the executive session as is appropriate but not less than twenty-four (24) hours for the officer, appointee, or employee to determine whether the discussion or consideration should occur at a public meeting.

A meeting may be recessed and resumed with less than twenty-four (24) hours' 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.

When the Governing Board intends to meet at a regular place and time on a regular day, date or event for a specified calendar period, the District may post notice of the beginning of the applicable calendar period and the period for which the notification is valid.

Adopted: June 22, 2020

LEGAL REF.: A.R.S. §§ 1-301, 15-321, 15-341, 38-431.01, 38-431.02
Ariz. Att. Gen. Op. 179-45

CROSS REF.: BE - School Board Meetings
BEC - Executive Sessions/Open Meetings
BEDB - Agenda

BEDB

AGENDA

Unless changed by a majority vote of members present at each meeting, the order of business shall be as follows:

Regular meetings:

- Call to order
- Pledge of allegiance to the flag
- Presentation of minutes
- Call to the public (See Policy BEDH)
- Old business
- New business
- Reports
 - Superintendent
 - Board
 - Other (instruction, employee, financial)
- Adjournment

Special meetings:

- Call to order
- Pledge of allegiance to the flag
- Call to the public (See Policy BEDH)
- Items for which special meeting was called
- Adjournment

Executive sessions:

- An executive session may be scheduled, as necessary, during either a regular or special meeting.

Adopted: November 13, 2008

Revised: June 22, 2020

LEGAL REF.: A.R.S. § 38-431 *et seq.*

CROSS REF.: BEC – Executive Sessions/Open Meetings

BEDH – Public Participation at Board Meetings

BEDBA

AGENDA PREPARATION AND DISSEMINATION

Regular Meetings:

The Superintendent will prepare Board meeting agendas in consultation with the Board President.

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 of the particular item of business at least five working days before the meeting.

The agenda and supporting materials shall be distributed to the Board members not less than 24 hours prior to the meeting.

Upon request, copies of the agenda shall be available to the public and the press.

Special Meetings:

Whenever possible, the procedures for agenda preparation and dissemination used for regular meetings will be used for special meetings.

These procedures may be altered by the Superintendent during an emergency or when compliance would be impractical. However, the Superintendent shall comply with all legal requirements in scheduling special meetings.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 38-431 *et seq.*

BEDC

QUORUM

A quorum consisting of a majority of the Board membership shall be necessary to conduct any business. In the event that a quorum is not present within fifteen (15) minutes of the time scheduled, the meeting may be canceled and another meeting scheduled, with due and proper notices as prescribed by policy and law.

When there is a vacancy of one or more members of the Governing Board. A majority of the members remaining constitute a quorum for the transaction of business, except that a single Board member does not constitute a quorum.

Adopted: date of manual adoption

Revised June 22, 2020

LEGAL REF.: A.R.S. §§ 1-216, 15-321
Ariz. Att. Gen. Op. 184-165

BEDD

RULES OF ORDER

The Board prescribes rules for its meetings as follows:

- 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.
- Each action item shall require a motion, and all motions shall require seconding.
- The President may make or second motions and may vote on all motions.
- A motion to adjourn is in order at any time. Such a motion shall require a second and a majority vote. No discussion is in order.
- A motion to table is in order at any time. Such a motion requires a second and is limited to being considered only once on any given agenda item. No discussion is in order.
- Rules of order may be subject to suspension only upon a majority vote of the members of the Board present at a meeting.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-341

CROSS REF.: BED - Meeting Procedures/Bylaws
BEDA - Notification of Board Meetings
BEDB - Agenda
BEDBA - Agenda Preparation and Dissemination
BEDC - Quorum
BEDF - Voting Method
BEDG - Minutes
BEDH - Public Participation at Board Meetings
BGF - Suspension/Repeal of Policy

BEDF

VOTING METHOD

Votes on all motions and resolutions shall be by *ayes* and *nays*. No secret ballots shall be used.

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. On a voice vote, members may request that their own votes be recorded.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 1-216, 15-321, 38-431
Att. Gen. Op. 178-237

CROSS REF.: BEDC - Quorum
BEDD - Rules of Order
BEDG - Minutes

BEDG

MINUTES

Written or recorded minutes shall be taken of all regular and special Board meetings, including executive sessions, and shall include the information required by A.R.S. § 38-431.01. The written minutes or recording shall be available for public inspection three (3) working days after the date of the meeting, except for confidential executive session minutes. Written minutes or a recording not yet approved by the Governing Board shall be marked as "draft" or "unapproved." The minutes or recording shall not be withheld from the public pending approval and must be in a form readily accessible to the public.

Copies of unapproved written minutes, in print or digital form, shall be distributed to all Board members prior to the next meeting. The Board will take action at a subsequent meeting to amend and/or approve the written minutes.

The Superintendent shall oversee the preparation of written or recorded minutes of all executive sessions, as required by A.R.S. § 38-431.01. The Superintendent will provide confidential copies of unapproved written minutes, in print or digital form, to all Board members prior to the next meeting.

The Superintendent shall assure that permanent archival files of all approved Governing Board meeting minutes and related required materials are maintained in accordance with A.R.S. § 39-101 and standards established by Arizona State Library, Archives and Public Records (ASLAPR). Regular and special Board meeting minutes shall be filed separately from Board executive session minutes.

Adopted: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-843, 38-421, 38-431.01, 38-431.03, 39-101, 39-121-122,
41-1347, 41-1351
Ariz. Att. Gen. Op. 180-198
Attorney General Arizona Agency Handbook, Chapter 7, Open Meetings
ASLAPR General Retention Schedule for School Districts and Charter
Schools

CROSS REF.: BED - Meeting Procedures/Bylaws

BEDH

PUBLIC PARTICIPATION AT BOARD MEETINGS

All regular and special meetings of the Board are open to the public. The Board invites the viewpoints of its constituents and considers the responsible presentation of these viewpoints vital to the efficient operation of the District. The Board is responsible for the proper governance of the schools and the need to conduct its business in an orderly and efficient manner. The Board, therefore, establishes the following procedures for members of the public to participate at Board meetings:

- At regular board meetings, members of the public may comment on or raise any matter relevant to the operation of the District or Board, subject to the limitations below.
- At special board meetings, the Board will only accept comments on agenda items, subject to the limitations below.
- Attending a meeting in person is not necessary to address the Board. Any individual desiring to address the Board shall complete a Request to Address Governing Board form and submit it to the Board's secretary in person or via email prior to the start of the Board meeting. The Board will telephone members of the public, who are not able to attend in person and wish to speak, at the telephone number on the form.
- The Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to any time limit set.
- Questions of fact asked by the public shall, when appropriate, be answered immediately by the President or referred to the Superintendent for reply. Questions requiring investigation shall be referred to the Superintendent for later report to the Board. Questions or comments on matters that are currently under legal review will not be accepted.
- If considered necessary, the President shall set a time limit on the length of the comment period. In order to ensure that each individual has an opportunity to address the Board, the President may also set a time limit for individual speakers.
- Members of the public may, at the discretion of the chair, be recognized while the Board conducts its official business.
- Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are discouraged. Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation. Policies KE, KEB, and KEC are provided by the Board for disposition of legitimate complaints, including those involving individuals.

The Superintendent shall ensure that a copy of this policy is posted at the entrance to the Board meeting room, and that an adequate supply of forms is available.

Adopted: November 13, 2008

Revised: June 22, 2020

Revised: September 27, 2021

LEGAL REF.: A.R.S. § 38-431.01

CROSS REF.: BDB – Board Officers

BHC - Board Communications with Staff Members

BHD – Board Communications with the Public

KEB – Public Concerns/Complaints about Personnel



REQUEST TO ADDRESS THE GOVERNING BOARD

***Any individual desiring to address the Board must complete this form
And submit it to the Board's secretary prior to the start of the meeting.***

At regular meetings of the Board, you may address any topic.

At special meetings of the Board, you may only address items on the agenda.

Under no circumstances, may you address any matter that is currently under legal review.

The Board President allots time for members of the public to speak, typically two minutes.

REQUESTER INFORMATION

Name _____ Telephone _____

Address _____

Representing: ☐ Myself ☐ Another Individual _____

☐ An Organization _____

☐ I will not be attending the meeting in person and request to be reached at the number above.

REGULAR MEETING OF THE BOARD: Date _____

I request permission to address the Governing Board about:

☐ Agenda item number _____

☐ An issue or matter not on the agenda, specifically _____

SPECIAL MEETING OF THE BOARD: Date _____

I request permission to address the Governing Board about:

☐ Agenda item number _____

Speakers are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation.

Submit this form to the Board's secretary in person or via email,
boardsecretary@evit.com, before the meeting at which you wish to speak starts.

BEDI

NEWS MEDIA SERVICES AT BOARD MEETINGS

Local news media representatives shall be welcome to attend all regular or special meetings of the Board with the exception of executive sessions. In the event that representatives of the news media are unable to attend a regular or special meeting, the Superintendent may provide a periodic summary of Board actions.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 38-431.01, 38-431.03

SCHOOL BOARD POLICY PROCESS

It is the intent of the Board to adopt policies so that they may serve as guidelines for its own operations and for the successful and efficient functioning of the District.

Policy adoption is one of the Board's chief responsibilities. 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. A careful and orderly process shall be used in examining such proposals. The policy proposals shall be referred to the administration for detailed study prior to recommendation(s) being provided to the Board. The Board may take action in accordance with Policy BGB after hearing the Superintendent's recommendations.

The policies of the Board are framed and intended to be interpreted within the context of applicable laws and regulations.

Changes in needs, conditions, purposes, and objectives may require revisions, deletions, and additions to the policies. The District will welcome suggestions for ongoing policy review and revision.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-341

BGB

POLICY ADOPTION

Adoption of new policies or the revision or repeal of existing policies is the responsibility of the Board. The Board shall adhere to the following procedure in considering and adopting policy proposals to ensure that they are fully studied before final action:

- First meeting - the proposal shall be presented for review.
- Second meeting - the proposal shall be presented for discussion and action.

During discussion of a policy proposal, the views of the public, staff members, and the Board may result in changes. A change shall not require that the policy go through an additional review except as the Board determines that the change requires further study and that an additional review would be desirable.

Policies may be adopted or amended at a single meeting of the Board in a Board- declared emergency.

Adopted: date of manual adoption

BGC

POLICY REVISION AND REVIEW

In an effort to keep its written policies up to date so they may be used consistently as a basis for Board action and administrative decision, the Board directs the Director of Legal Services to annually review and recommend revisions to the policies to conform to changes in the law and in conjunction with the functioning of the District as indicated by reactions of the school staff, the students, and the community to provide insight into the effect of the policies it has adopted.

The Director of Legal Services is responsible for calling to the Board's attention policies that are out of date or in need of revision.

Adopted: date of manual adoption

Revised: October 28, 2019

CROSS REF.: BGE - Policy Communication/Feedback

BGD

BOARD REVIEW OF REGULATIONS

The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board. The administrative regulations shall specify required actions and reflect the detailed arrangement under which the District will be operated.

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

The Board reserves the right to review all administrative regulations. The Superintendent shall provide a copy of each District regulation to each Board member prior to distribution.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

BGE

POLICY COMMUNICATION/FEEDBACK

The Superintendent shall develop procedures to ensure that employees, patrons, and Board members shall have access to a current policy manual that contains the policies and administrative regulations of the District.

The manual is intended both as a tool for District management and as a source of information to patrons, staff members, and others about how the District operates. To that end, each Board member and administrator shall have ready access to a copy of the manual. In addition, a manual shall be available at such places as the Superintendent may determine for use by staff members, students, and patrons.

Each administrative regulation shall be so designated and included in the manual on a separate sheet(s) accompanying the policy with which it is associated.

All policy manuals shall remain the property of the District and shall be subject to recall at any time.

The Board's policy manual shall be considered a public record and shall be open for inspection during regular business hours at the District administration office and at places designated by the Superintendent.

The master copy of the manual will be securely maintained in the Superintendent's office. It is this copy that will be used to resolve any discrepancies in language existing in other copies.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

POLICY COMMUNICATION/FEEDBACK

Each person to whom a policy manual is issued will be responsible for the maintenance, control, and updating of the manual.

All changes to the policy manual will be issued by the Superintendent, with a change memorandum listing codes, pages to be removed, and pages to be inserted. After making the changes, a copy of the change memorandum shall be filed by the Superintendent. After the updated pages have been placed into a policy manual, the outdated pages that have been superseded must be removed and destroyed. All policy manuals are subject to recall and/or inspection at any time to ensure that they are properly updated.

The master copy of the policy manual shall be maintained by the Superintendent. It is this copy that shall be used to resolve any discrepancies in language existing in other copies.

The Superintendent will maintain one copy of all outdated pages for historical and reference purposes.

LEGAL REF.: Uniform System of Financial Records

BGF

SUSPENSION/REPEAL OF POLICY

The operation of any section or sections of Board policies not established and required by law or vested by contract may be temporarily or permanently suspended by a majority vote of Board members present at a regular or special meeting. An action under this policy would not require the two presentations indicated in Policy BGB (Policy Adoption) to reinstate a suspended policy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

BHC

BOARD COMMUNICATIONS WITH STAFF MEMBERS

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

- An employee will first communicate on school- or employment-related matters at the administrative level. Any employee who exhausts the opportunity of discussing a matter at the various administrative levels may then communicate in writing with the Board on the matter. No anonymous communication will be considered by the Board.
- 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 in Policies BEDH and BHD.
- Official communications, policies, directives, Board concerns, and Board action(s), as appropriate, will be communicated to employees by the Superintendent.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321, 15-341, 38-431.01, 38-431.02

CROSS REF.: BEDH - Public Participation at Board Meetings

BHD

BOARD COMMUNICATIONS WITH THE PUBLIC

Official communication between the Board and the community is subject to the following:

- Any community member who exhausts the opportunity of discussing a matter at the administrative level may communicate with the Board in writing. No anonymous communication will be considered by the Board.
- A member of the community who wishes to address the Board in person may do so by following the procedures in Policy BEDH.
- Official communications, policies, Board concerns, and Board action, as appropriate, will be imparted to the community by the Superintendent.

Adopted: date of manual adoption

CROSS REF.: BEDH - Public Participation at Board Meetings

BIA

NEW BOARD MEMBER ORIENTATION/HANDBOOK

A member-elect or any person designated for appointment as a member-elect of the Board is to be afforded the Board's and the staff's fullest measures of courtesy and cooperation. The Board and staff shall make every effort to assist the member-elect to become fully informed about the Board's functions, policies, procedures, and problems.

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

The member-elect is to be provided access to appropriate publications and aids, including the Board's Policy Manual and Administrative Regulations and publications of the state and national school boards associations.

The Board President and members of the administrative staff will also confer with the member-elect as necessary on special problems or concerns.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-342, 38-431.01

BIB

BOARD MEMBER DEVELOPMENT OPPORTUNITIES

Governing Board members are encouraged to attend workshops presented by the county, state, and national school boards associations. Professional journals and books in the school libraries shall be available to every Board member.

No public monies can be used for training, orientation, or therapy that presents any form of blame or judgment on the basis of race, ethnicity, or sex as defined in A.R.S. § 41-1494(D). This does not include any training on sexual harassment.

Adopted: date of manual adoption

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-342, 15-111; 41-1494

BIBA

BOARD MEMBER CONFERENCES, CONVENTIONS, AND WORKSHOPS

In keeping with the need for continuing in-service training and development for its members, the Board encourages the participation of all members at appropriate Board conferences, workshops, and conventions. However, in order to control the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

- The Board will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the District.
- Funds for participation at such meetings will be budgeted on an annual basis. When funds are limited, the Board will designate which of its members would be the most appropriate to participate at a given meeting. With the prior approval of the Board, Board members may participate in meetings other than those authorized in the budget.
- 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-342

CROSS REF.: DKC - Expense Authorization/Reimbursement

BID

BOARD MEMBER COMPENSATION AND EXPENSES

Board members may be reimbursed for expenses incurred in connection with any school business authorized by the Board.

Reimbursement amounts shall not exceed the maximum amounts established pursuant to A.R.S. § 38-624.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-342, 38-621-25

CROSS REF.: DKC - Expense Authorization/Reimbursement

BIE

BOARD MEMBER INSURANCE/LIABILITY

General

Pursuant to statute, Governing 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. However, the Governing 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.

Participation in Group Insurance Plans of the District

Governing 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 monies.

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:

- Former Board members must have served at least four 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. Such participation must not result in an expenditure of District monies.
- 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 monies.
- 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 consecutive years and have been covered under the insurance plan while serving on the Board.
- 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-382, 15-387
Att. Gen. Op. I90-038

SCHOOL BOARD LEGISLATIVE PROGRAM

The Board may participate in legislative programs through conferences with the state and national school boards associations.

The Board authorizes the Superintendent to actively participate in the development of legislation that has a positive effect on educational programs of the District.

Adopted: date of manual adoption

SCHOOL BOARD MEMBERSHIPS

The Board may choose to be a member of and participate in school boards associations at the state, county, regional, and national levels. The Superintendent will ensure that the subject of school boards association membership is addressed during budget preparation.

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

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-342, 15-511

BJA

LIAISON WITH SCHOOL BOARDS ASSOCIATIONS

In addition to informational liaison between itself and the various school boards associations, the Board may be officially represented in the associations' affairs through the election and appointment of delegates and/or observers to the governing bodies of these organizations.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

CA

ADMINISTRATION GOALS/PRIORITY OBJECTIVES

The District administration is responsible, within the guidelines established by Board policy, for the direction and coordination of students and staff members in their efforts to reach educational goals adopted by the Board.

The Board expects the administration to specialize in:

- The processes of decision making and communication.
- Planning, organizing, implementing, and evaluating educational programs.
- The demonstration of educational leadership.
- The development and maintenance of close working relationships and channels of communication within the District and the community.
- The minimization of misunderstandings.
- The development of cooperation toward attaining the educational goals adopted by the Board.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

CB

SUPERINTENDENT

The Board shall employ a Superintendent, who shall enforce the statutes of the state of Arizona, the rules of the State Board of Education, and the policies of the Governing Board of the District.

The administration of the school system in all aspects is the responsibility of the Superintendent, whose functions shall be carried out in accordance with the policies of the Board.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-503

CBA

QUALIFICATIONS AND DUTIES OF THE SUPERINTENDENT (Performance Responsibilities)

The Superintendent shall have appropriate qualifications as determined by the Governing Board by action taken at a public meeting.

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 Governing Board.

The Superintendent is the District's chief executive officer and the administrative head of all divisions and departments of the school system. It is the Superintendent's duty to administer the policies of the Board and to provide leadership for the entire school system. The Superintendent is the professional consultant to the Board and, in this capacity, makes recommendations to the Board for changes in Board policies and the educational program.

The Superintendent provides the initiative and the technical guidance for the improvement of the total program of the school system. The delegation of authority for the operation of the various functions of the school system is one of the Superintendent's duties. The Superintendent is, however, responsible to the Board for all functions of the District, including those listed below.

Education:

- Administers the development, coordination, maintenance, and evaluation of the educational program, including the special education program.
- Supervises methods of teaching, supervision, and administration in effect in the schools.
- Keeps informed of modern educational thought and practices by advanced study, by visiting school systems elsewhere, by attending educational conferences, and by other appropriate means.
- Keeps the public informed about modern education practices, educational trends, and the policies, practices, and problems in the District schools.

CBA

Management:

- Ensures that all activities of the District are conducted in accordance with the laws of the state of Arizona, the regulations of the Arizona Board of Education, and the policies of the Governing Board.
- Assumes responsibility for the overall financial planning of the District and for the preparation of the annual budget, and submits it to the Board for review and approval.
- Establishes and maintains efficient procedures and effective controls for all expenditures of school funds in accordance with the adopted budget, subject to direction and approval of the Board.
- Maintains or has maintained adequate records for the schools, including but not limited to:
 - financial accounts,
 - business and property records,
 - Personnel,
 - school population,
 - student records including verifiable documentation of each student's residency in this state in accordance with guidelines and forms adopted by the Arizona Department of Education, and
 - scholastic records.
- Provides suitable instructions and regulations to govern the maintenance of District properties.
- Provides suitable instructions and regulations to govern the safety and transportation of students.
- Assumes responsibility for the use of buildings and grounds.
- Recommends the locations and sizes of new school sites and of additions to existing sites; the locations and sizes of new buildings; the plans for new school buildings; all appropriations for sites and buildings; and improvements, alterations, and changes in the buildings and equipment of the District.
- Oversees the processing and submission of required reports.
- Interprets the budget and finances to the community
- Remains current on new legislation and implements laws to the best advantage of the District.

CBA

Governing Board:

- Attends and participates in all meetings of the Board and its committees, except when excused by the Board.
- Takes prompt action to implement all directives of the Board.
- Advises the Board on the need for new and/or revised policies.
- Provides timely advice to the Board on the implication of changes in statutes or regulations affecting education.
- Informs and advises the Board about programs, practices, and problems of the schools, and keeps the Board informed of the activities operating under the Board's authority.
- Prepares and submits to the Board recommendations relative to all matters requiring Board action, placing before the Board such facts, objective information, and reports as are needed to ensure the making of informed decisions.
- Develops and implements rules and regulations in keeping with Board policy.
- Acts as chief public relations agent for the District.
- Acts on own discretion if action is necessary in any matter not covered by Board policy, reports such action to the Board as soon as practicable, and recommends policy guidance in the future.

Personnel:

- Recommends to the Board the appointment or dismissal of all employees of the District.
- Ensures that all employees are evaluated in accordance with the schedule established by the Board.
- Determines assignments, defines the duties, and coordinates and directs the work of all employees of the District.
- Recommends all promotions, demotions, and salary changes to the Board.
- Communicates to all employees all actions of the Board relating to personnel matters, and receives from employees all communications to be made to the Board.

The Superintendent shall have a valid fingerprint card issued pursuant to A.R.S. § 41-1758.03.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. § 15-503, 38-201, 41-1758
A.A.C. § R7-2-603

CROSS REF.: CBI - Evaluation of Superintendent

CBCA

DELEGATED AUTHORITY

The Governing Board delegates to the Superintendent, among other powers, the authority to perform the following acts:

- To give notice to teachers, pursuant to A.R.S. § 15-536, of the Board's intention not to offer a teaching contract.
- To give notice to teachers, pursuant to A.R.S. § 15-538.01, of the Board's intention not to offer a teaching contract and to dismiss the teacher.
- To give notice to an administrator, pursuant to A.R.S. § 15-503, of the Board's intention not to offer a new contract.
- To issue to teachers, pursuant to A.R.S. §§ 15-536, 15-538, and 15-539, written preliminary notices of inadequacy of classroom performance, reporting such issuance to the Governing Board within five (5) school days.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 15-503, 15-536, 15-538, 15-538.01, 15-539

CBI

EVALUATION OF SUPERINTENDENT

The Governing Board shall evaluate the Superintendent at least once each year. Evaluations are confidential.

The evaluation(s) shall relate to the Superintendent's duties, responsibilities, and progress toward established goals.

The Superintendent shall provide each member of the Board a copy of the evaluation instrument not later than November 10. The Board President shall schedule a meeting not later than December 18, when the Board will devote an executive session to the evaluation of the Superintendent's performance, to discuss working relationships between the Superintendent and the Board, and to review the Superintendent's contract (with the Superintendent present). If the Superintendent's contract is in its first year, this initial evaluation will not be a comprehensive evaluation but will be used to allow the Board to communicate its perspective on the Superintendent's performance to date and to allow the Board and the Superintendent to communicate on performance matters. Additional first- year evaluations may be completed by the Board at the Board's discretion or upon invitation by the Superintendent; however, the first fully comprehensive evaluation will be that which occurs in November of the Superintendent's second year.

Any meetings of the Board to compile evaluations, or meetings to discuss the evaluations with the Superintendent, shall be held in executive session unless the Superintendent requests that any such meeting be held in open session. Board members shall have the opportunity to discuss with the Superintendent any item (s) on which the Board fails to achieve consensus.

A copy of any written evaluation shall be given to the Superintendent. If in disagreement with such evaluation, the Superintendent may respond in writing to the Governing Board.

Upon the conclusion of the evaluation, the Governing Board may determine whether any changes in the compensation and benefits or contract term of the Superintendent are warranted, subject to the following:

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 (15) months before the expiration of the contract.

If the Superintendent's contract with the District is for a single year, on or before May 15 of each year the Board shall offer a contract for the next school year to the Superintendent unless on or before April 15 the Board gives notice to the Superintendent of the Board's intention not to offer a new administrative contract; this contract may or may not be for the position of Superintendent.

The evaluation and any comments by the Superintendent shall become a part of the Superintendent's confidential personnel file.

Adopted: November 13, 2008

Revised: June 22, 2020

LEGAL REF.: A.R.S. § 15-503

CROSS REF.: CBA - Qualifications and Duties of Superintendent

EVALUATION OF SUPERINTENDENT

Superintendent's Name: _____ Evaluation Date: _____

Evaluator's Name: _____

The intent of the evaluation process is to:

- Contribute to the harmonious working relationship between the Board and Superintendent
- Clarify role of the Superintendent and the Board for all Board Members.
- Inform the Superintendent of strengths and for improvement
- Provide an understanding of the differences in ideas and expectations of individual board members.
- Provide the highest quality and effective leadership for the district.

Each board member will complete the evaluation using the following rating scale for each area:

5-Exceeds Expectation
 4- Meets Expectation
 3- Satisfactory
 2- Needs Improvement
 1- Unsatisfactory

A. Qualifications and Duties of the Superintendent

- | | | | | | |
|---|---|---|---|---|--|
| 1 | 2 | 3 | 4 | 5 | Demonstrates competency in management, finance, human relations, curriculum, personnel, and planning. |
| 1 | 2 | 3 | 4 | 5 | Demonstrates highest personal and professional ethics and morality, with the ability to inspire similar attitudes in others. |
| 1 | 2 | 3 | 4 | 5 | Displays a commitment to quality education and the belief that schools exist to serve the learner and the community. |
| 1 | 2 | 3 | 4 | 5 | Exercises good judgment in arriving at decisions affecting the District and its programs. |

B. Leadership

- | | | | | | |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | Administers the development and maintenance of a positive education program designed to meet the needs of the community and to carry out Board policy. |
| 1 | 2 | 3 | 4 | 5 | Acts on own discretion when necessary on matters not covered by Board policy, reports such action to the Board, and recommends policy for guidance in the future. |

- | | | | | | |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | Supervises and directs academics, operations, public relations, institutional credentialing, and the financial services to ensure the needs of the institution are being met. |
| 1 | 2 | 3 | 4 | 5 | Appropriately delegates assignments and evaluates outcomes to meet the needs of the learners, community, Board, and other stakeholders. |
| 1 | 2 | 3 | 4 | 5 | Cultivates a culture of openness in information sharing. Regularly solicits constructive feedback, builds consensus, and asks well thought out and well prepared questions. Encourages open communication, cooperation, and the sharing of knowledge. Remains open-minded and willing to entertain others' ideas. Builds trust through regular, open, and honest communication. |
| 1 | 2 | 3 | 4 | 5 | Represents the District in its dealings with the community, other school systems, member districts, agencies, community colleges, and organizations. |
| 1 | 2 | 3 | 4 | 5 | Ensures all activities of the District are conducted in accordance with the laws of the state of Arizona, the regulations of the Arizona Board of Education, and Board policies. |
| 1 | 2 | 3 | 4 | 5 | Plans for serving a larger portion of the community by expanding educational opportunities and increasing capacity for traditional and underserved community members. |

C. Management

- | | | | | | |
|---|---|---|---|---|--|
| 1 | 2 | 3 | 4 | 5 | Delegates, at own discretion, with the knowledge that delegation of power or duty does not relieve him/her of final responsibility for the action taken under delegation. |
| 1 | 2 | 3 | 4 | 5 | Insures the District maintains or has maintained adequate records, including financial accounts, business and property records, personnel records, and school average daily membership data. |
| 1 | 2 | 3 | 4 | 5 | Oversees the processing and submission of required reports for the Arizona Department of Education, the Joint Legislature Budget Committee, and the Board. |
| 1 | 2 | 3 | 4 | 5 | Remains current on new and proposed legislation and implements laws/regulations to the best advantage of the District. |

D. Interaction with the Board

- | | | | | | |
|---|---|---|---|---|--|
| 1 | 2 | 3 | 4 | 5 | Attends and participates in all meetings of the Board and its committees except when his/her own employment or salary is under consideration or when excused by the Board. |
| 1 | 2 | 3 | 4 | 5 | Prepares and submits to the Board recommendations relative to all matters requiring Board actions, placing before the Board helpful acts, information, and reports as are needed to ensure the making of an informed decision. |
| 1 | 2 | 3 | 4 | 5 | Formulates District objectives, policies, and programs; prepares and presents facts and explanations necessary to assist the Board in the formulation of short and long-range planning. |
| 1 | 2 | 3 | 4 | 5 | Interacts professionally with all Board members. |
| 1 | 2 | 3 | 4 | 5 | Performs such other tasks as may be assigned by the Board and implements all directives of the Board in a timely manner. |

E. Contact with the Community

- | | | | | | |
|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | Presents a professional and positive image of the District by participation in community life and affairs. |
| 1 | 2 | 3 | 4 | 5 | Solicits and gives attention to problems and opinions of community groups and individuals. |
| 1 | 2 | 3 | 4 | 5 | Promotes the development of beneficial relationships between businesses, industry, the public, and the District. |
| 1 | 2 | 3 | 4 | 5 | Keeps the public informed about modern education practices, educational trends, and the policies, practices, and challenges within the District schools. |
| 1 | 2 | 3 | 4 | 5 | Represents the District before the public and maintains through cooperative leadership a program of publicity and public relations to keep the public informed about the activities, needs, and successes of the schools. |
| 1 | 2 | 3 | 4 | 5 | Promotes the understanding and expansion of Career and Technology Education in the community and in the State of Arizona. |
| 1 | 2 | 3 | 4 | 5 | Works with regional economic development professionals toward identifying curriculum areas; whereby, EVIT programs may aid in providing a better educated workforce. |

F. Professional Development

- | | | | | | |
|---|---|---|---|---|--|
| 1 | 2 | 3 | 4 | 5 | Stays informed of modern educational practices and thought by means of advanced study, by visiting school systems within and outside the District, by attending professional/educational conferences, and/or by other appropriate means. Informs Board of current/evolving trends in vocational/technical education. |
| 1 | 2 | 3 | 4 | 5 | Develops a systematic plan for future development of EVIT and its programs based upon current educational research and legislative actions. |

G. Personnel

- | | | | | | |
|---|---|---|---|---|--|
| 1 | 2 | 3 | 4 | 5 | Supervises the procurement and nomination for employment of the best qualified and most competent people. |
| 1 | 2 | 3 | 4 | 5 | Determines assignments, defines duties, coordinates and directs the work of all District employees. |
| 1 | 2 | 3 | 4 | 5 | Communicates to all employees all actions of the Board relating to personnel matters and receives from employees all communications to be made to the Board. |
| 1 | 2 | 3 | 4 | 5 | Supports and adheres to Board policies and actions when interacting with District employees. |
| 1 | 2 | 3 | 4 | 5 | Recommends for final action the promotion, demotion, and salary changes to the Board. |

H. Curriculum

- | | | | | | |
|---|---|---|---|---|--|
| 1 | 2 | 3 | 4 | 5 | Reviews evaluations and outcome data of District programs, advises on recommendations for the educational advancement of schools and programs, particularly regarding curriculum goals established by the Board. |
| 1 | 2 | 3 | 4 | 5 | Informed regarding all courses of study, curriculum guides, and major changes in texts and rotation schedules used in the member districts. |
| 1 | 2 | 3 | 4 | 5 | Oversees the revision, with the assistance of the Chief Academic Officer's team, all curriculum guides and courses of study. |

I. Superintendent's Strategic Goals for 20____ - 20____

J. Performance Appraisal Comments

Significant Strengths:

Recommendations for Improvement:

Evaluator's Signature

Date

Evaluator (Please Print Name)

Superintendent's Signature

Date

Superintendent (Please Print Name)

CCB

LINE AND STAFF RELATIONS

Unless otherwise specifically limited by statute or Board action, any of the powers and duties specifically assigned to the Superintendent may be delegated to others serving under the Superintendent. However, the Superintendent shall continue to be responsible to the Board for the satisfactory execution of the delegated power and duties.

Lines of authority shall be clearly outlined by the Superintendent by means of organization charts, job descriptions, and administrative regulations and directives.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-353

LINE AND STAFF RELATIONS
(School Building Administration)

The primary duty of a Program Director is to administer and supervise the instructional program. A Program Director, as the educational leader of the school, will administer and supervise the school in accordance with policies and administrative regulations of the District.

A Program Director will be directly responsible to and will report only to the Superintendent and will keep the Superintendent informed of the conditions and needs of the school. All duties, authority, and responsibilities of the Program Director will be delegated only by the Superintendent. These duties include, but are not limited to, the following:

- A Program Director is responsible for the operation of the educational program of the school.
- A Program Director is responsible for the supervision and evaluation of the building staff members.
- A Program Director will maintain discipline on the part of personnel and students.
- A Program Director will care for and protect the building, the equipment, the grounds, and other school property.
- A Program Director will maintain school records and prepare reports.
- A Program Director will take reasonable precautions to safeguard the health and welfare of students and staff members, will report accidents, will formulate plans for emergencies, and will conduct evacuation drills each school month and keep written records of such drills.
- A Program Director will be responsible for maintaining a close relationship with the community and should interpret the educational program to the citizens of the District.
- A Program Director will, by advanced study, visits to school systems in other areas, attendance at educational conferences, and other means, remain well informed relative to modern educational thought and practice.
- A Program Director will distribute a parental satisfaction survey to the parent of every child enrolled at the school, pursuant to A.R.S. § 15-353.

ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES

The Board authorizes the Superintendent to establish advisory councils, cabinets, and committees when deemed necessary for proper administration of Board policies and for the improvement of the total educational program. All cabinets, councils, and committees created by the Superintendent shall be for the purpose of obtaining to a maximum degree the advice and counsel of the personnel, clients, and patrons of the District.

The number, composition, and work to be done by such cabinets, councils, and committees shall be defined by the Superintendent.

Adopted: date of manual adoption

CFD

SCHOOL-BASED MANAGEMENT

(School Councils)

The District, having only one school or fewer than 600 students, is not required under Arizona statutes to have a program of school-based management as outlined in Arizona statutes, and the Governing Board elects not to have such a program.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-351, 15-352, 15-353

CROSS REF.: BDD - Board-Superintendent Relationship
CCB - Line and Staff Relations

CH

POLICY IMPLEMENTATION

The Superintendent has the responsibility for carrying out, through administrative regulations, the policies established by the Board. The administrative regulations shall specify required actions and reflect the detailed arrangement under which the District will be operated.

The policies adopted by the Board and the administrative regulations developed to implement policy are designed to promote an effective and efficient school system. All employees and students shall comply with Board policies and administrative regulations.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

CHCA

HANDBOOKS AND DIRECTIVES

Curriculum guides, manuals, handbooks, pamphlets, and similar publications will be presented to the Superintendent for approval prior to publication. The Superintendent shall ensure that all such publications are consistent with Board policies and administrative regulations.

Copies of all such publications may be provided to the Board.

Adopted: November 13, 2008

HANDBOOKS AND DIRECTIVES

All curriculum guides, manuals, handbooks, pamphlets, and similar publications shall be reviewed by the Program Director or supervisor and shall be forwarded to the Superintendent or the Superintendent's delegate for approval prior to printing and distribution.

CHD

ADMINISTRATION IN THE ABSENCE OF POLICY

The Superintendent shall have the authority to implement action if a situation should develop that is not covered by established Board policy. It is the Superintendent's duty to inform the Board of any such action and of the need to develop an official policy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

ADMINISTRATIVE CONSULTANTS

Professional consultants may be used when such consultive services will be helpful in the improvement of the instructional program. All consultants shall be approved by the Superintendent prior to the invitation and arrangement for such visitation.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-343

FISCAL MANAGEMENT GOALS/PRIORITY OBJECTIVES

The Governing Board recognizes that money and its management constitute the foundation of the entire school program. To make that support as effective as possible, the Board intends to:

- Encourage short- and long-range planning through the best possible budgeting procedures.
- Explore all practical and legal sources of monetary income.
- Guide the expenditure of funds to achieve the greatest educational returns.
- Require maximum efficiency in accounting and reporting procedures.
- Maintain, within budget limits, a level of per-student expenditure needed to provide high-quality education.

Adopted: date of manual adoption

DB

ANNUAL BUDGET

The Superintendent is directed to formulate the annual budget, considering at all times that resources must be utilized to produce the most positive effect on the student's opportunity to gain an education.

The Superintendent shall be responsible for reviewing budgetary requests, providing guidelines and limitations, and presenting the proposed budgets and documentation necessary for Board study, review, and action.

The Governing Board shall be informed if the proposed budget could require an increase in the primary property tax levy of the District over the preceding year's tax levy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-905, 15-901.01

DBC

BUDGET PLANNING, PREPARATION, AND SCHEDULES

Each school year the Superintendent shall prepare and disseminate a budget preparation schedule to accomplish all required budgetary actions for the following school year. This schedule will, as a minimum, provide specific dates for the accomplishment of all state-mandated actions.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-481, 15-904, 15-824, 15-905, 15-952, 15-991

CROSS REF.: DBF — Budget Hearings and Reviews/Adoption Process

BUDGET PLANNING, PREPARATION, AND SCHEDULES

The Chief Financial Officer will prepare a schedule of budget deadlines for presentation to the Superintendent each year. This schedule will cover all actions necessary to prepare the budget for the following school year.

The following items may be included in the recommended budget schedule:

- Specific date for receipt of unit budgets from administrators.
- Date for initial meeting on the budget with appropriate staff members
- Date(s) for student membership and attendance reports.
- Date(s) for estimates on the maintenance and operations and capital budgets.
- Date for completion of employee compensation consideration(s).
- Date for preparing financial projections for all categories and subcategories to be included in the proposed budget(s) for the ensuing fiscal year.
- Date for determining if the proposed budget(s) is (are) in excess of the District's truth in taxation base limit [A.R.S. § 15-905.01].
 - When the base limit will be exceeded a decision must be made whether to publish the truth in taxation notice separately or in combination with the proposed budget or budget summary.
 - Either publication procedure requires publication at least ten
 - days but not more than twenty (20) days prior to the truth in taxation hearing.
 - The truth in taxation hearing may be held in conjunction with the proposed budget hearing.
- The Governing Board shall not later than July 5 and not less than ten (10) days before:
 - Publish or mail to each household in the District a copy of the proposed budget or a summary of the proposed budget for consideration of the residents or taxpayers of the District, and a notice of the public hearing and Board meeting.
- Furnish to the Superintendent of Public Instruction and County School Superintendent, in electronic format, the proposed budget and summary of proposed budget for the budget year.

REGULATION**REGULATION**

- Submit to the Department of Education the proposed budget which shall prominently display this information about the School District on the website maintained by the Department. If the School District maintains a website, the School District shall post a link to the website of the Department of Education where this information about the School District is posted.
- The Governing Board shall not later than July 15 and not less than ten (10) days after posting or mailing the notice of the public hearing and Board meeting:
 - Conduct the public hearing and present the proposed budget to the persons attending the hearing, and
 - ❖ If a truth in taxation hearing is required it must be conducted prior to the budget hearing
 - Immediately following the public hearing the President shall call the Governing Board meeting to order for the purpose of adopting the budget.
- Not later than July 18:
 - The adopted budget shall be filed by the Governing Board with the County School Superintendent (who shall immediately transmit a copy to the Board of Supervisors).
 - The adopted budget shall be submitted electronically to the Superintendent of Public Instruction.
 - The adopted budget shall be submitted to the Department of Education. The Department shall prominently display this information about the School District on the website maintained by the Department. If the School District maintains a website, the School District shall post a link to the website of the Department of Education where this information about the School District is posted.
- File with the Superintendent of Public Instruction within thirty (30) days from the action date:
 - The publisher's affidavit of publication confirming publication of the proposed budget, or
 - An affidavit affirming the proposed budget was mailed to each household in the School District, or
 - An affidavit noticing that the proposed budget was posted on the Department of Education website.

Override Election:

- Date(s) for override, if applicable.
- Date for budget hearing on following year's budget.
 - At least ninety (90) days before a proposed override election (first [1st] Tuesday following the first [1st] Monday in November, order override election to present proposed override budget to electors. Must also prepare alternate budget without override increase in event voters reject the proposed override budget.
 - At least thirty-five (35) days before override election, mail or distribute to households where qualified electors reside the informational report prepared by County School Superintendent.
 - When a determination is made to cancel the override election, the request must be made to the County School Superintendent at least eighty (80) days before the override election date.

Annual Financial Report:

Not later than October 15 of each year the Governing Board shall:

- Prepare and distribute the annual financial report for the prior fiscal year.
- Electronically submit a copy of the financial report to the County School Superintendent. The report shall be approved by the County Superintendent in an electronic procedure prescribed by the Department of Education.
- Electronically submit a copy of the financial report to the State Superintendent of Public Instruction
- Submit a copy of the annual financial report for the prior fiscal year to the Department of Education. The Department shall prominently display this information about the School District on the website maintained by the Department. If the School District maintains a website, the School District shall post a link to the website of the Department of Education where this information about the School District is posted.

Not later than November 15 of each year the Governing Board shall publish the annual financial report:

- In a newspaper of general circulation within the School District, or
- In the official newspaper of the county as defined in A.R.S. § 11-255, or
- By mailing a copy to each household in the District, or
- By electronic transmission of the information to the Department of Education for posting on the Department's website, or
 - If the Board chooses this option the School District shall post a link on the District's website to the report on the Department's website.

All forms and technical requirements for each respective form shall be as prescribed in A.R.S. § 15-904.

BUDGET HEARINGS AND REVIEWS/ADOPTION PROCESS

At least ten (10) days before and not later than July 5, the Governing Board shall publish notice of the public hearing and Board meeting to be held no later than July 15 to present the proposed budget for consideration of the residents or taxpayers of the District and shall submit the proposed budget to the Department of Education. The Department shall prominently display the budget information on the website maintained by the Department. If the District maintains a website, the District shall post a link to the website of the Department of Education where this information about the District is posted.

If a truth-in-taxation notice and hearing is required under A.R.S. 15-905.01, the Board may combine the budget notice and hearing with the truth-in-taxation notice and hearing.

The publishing of the proposed budget and notice of the hearing and meeting shall be in accordance with A.R.S. 15-905. If a truth-in-taxation notice and hearing is necessary, the notice shall be in accordance with A.R.S. 15-905.01. 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.

Immediately following the public hearing the President shall call to order the Board meeting for the purpose of adopting the budget. A Board member may, without creating a conflict of interest, participate in adoption of a final budget even though the member may have substantial interest in specific items included in the budget.

The Board shall adopt the budget and enter the budget as adopted in its minutes.

Not later than July 18, the Governing Board shall submit the adopted budget to the Department of Education. The Department shall prominently display the District budget information on the website maintained by the Department. If the District maintains a website, the District shall post a link to the website of the Department of Education where this information about the District is posted.

Filing of the budget shall be according to state law. [See exhibit DBC-R]

If the Governing Board receives notification that one (1) or more of the District's categorical budgets are in excess of its authorized limit, the Board shall revise the affected budget(s) in accordance with A.R.S. 15-905.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-903, 15-905, 15-905.1, 15-911, 15-915, 15-948

CROSS REF.: DBC – Budget Planning, Preparation and Schedules

DBI

BUDGET IMPLEMENTATION

In order to determine if budgeted expenditures are in keeping with the adopted budget, a monthly report of expenditures and revenues shall be presented to the Board. Variances within budget categories shall be a part of this report.

Any over expenditure in a major subsection of the maintenance and operation budget shall require Board approval.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-905

DBJ

BUDGET TRANSFERS

Periodically throughout the year, the budget will be reconciled to the actual expenditures of the District.

The Governing Board may authorize the expenditure of monies budgeted within the maintenance and operation section of the budget for any subsection within the section in excess of amounts specified in the adopted budget only by action taken at a public meeting of the Governing Board and if the expenditures for all subsections of the section do not exceed the amount budgeted.

The Governing Board may authorize the expenditure of monies to exceed the budgeted expenditures of the capital outlay section of the budget only by action taken at a public meeting of the Governing Board and if monies are available in the reserve.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-905

FUNDING PROPOSALS, GRANTS, AND SPECIAL PROJECTS

The Governing Board is 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 educational opportunities. The Superintendent is to apprise the Board of its eligibility for general or program funds and to make recommendations for Board action.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-206 to 15-210

DDA

FUNDING SOURCES OUTSIDE THE SCHOOL SYSTEM

The District may submit proposals to private foundations and other sources of financial aid for subsidizing such activities as innovative projects, feasibility studies, long-range planning, research and development, or other educational needs.

All grant proposals are to be approved by the Board. The Superintendent shall establish administrative guidelines for the processing of proposal ideas to the Board for its approval.

The Governing Board may receive, hold, and dispose of any gift, grant, or bequest of property or equipment in accordance with state law and the intent of the instrument conferring title.

The Governing Board may also accept gifts, grants, or devises of money. The disposition of unused funds from these sources shall be in accordance with law.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: KCD - Public Gifts/Donations to Schools

DFA

REVENUES FROM INVESTMENTS

The Board will annually consider and vote on a request to the County Supervisors 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-1024, 15-1025
Att. Gen. Op. 180-099, 182-090

DFB

REVENUES FROM SCHOOL-OWNED REAL ESTATE

Revenues collected from rental of school-owned real estate shall be deposited in the Civic Center fund. Monies from sale of school-owned real estate shall be deposited as allowable under state statutes.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-342, 15-1102, 15-1105, 15-1106

DFD

GATE RECEIPTS AND ADMISSIONS

Admission receipts from school events shall be adequately controlled. The Superintendent is responsible for the proper collection, supervision, disbursement, and/or remittance of these fees.

Admission to school events for which an admission is charged ordinarily will be by purchased ticket or special pass only. Adequate records will be maintained for accounting purposes.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-1121 to 15-1126

DFF

INCOME FROM SCHOOL SALES AND SERVICES

Through certain career and technical student organization activities, students may provide goods and services at a charge to the public. These activities are designed for educational purposes, not to make a profit or to be competitive with business in the community.

The charges for work performed and goods sold through these activities will be kept current with costs for the particular service or item offered for sale.

Monies collected will be deposited and accounted for in accordance with the Uniform System of Financial Records.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. § 15-1121

BANKING SERVICES

The Board, by majority vote, shall designate one or more banks as depository for the safeguarding of school auxiliary and revolving funds.

Each designated depository shall furnish proper security for such deposits in the amount designated by the Board and in accordance with law.

Each designated depository shall be advised not to cash checks payable to the District but to deposit checks only to the District auxiliary accounts.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-1126

DGA

AUTHORIZED SIGNATURES

Authorized signatures for all checking accounts shall be approved by the Board.

On accounts required by statute to have two signatures, the signatories shall be as specified by the statutes.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-1122, 15-1126

DGD

CREDIT CARDS

Use of Credit Cards

The Governing Board acknowledges that instances may occur when ready payment for goods or services is in the District's best interest. Therefore, the Board authorizes the Superintendent to secure and assign controlled-limit credit cards to designated personnel. District-assigned credit cards may not be used for personal expenditures.

The use of credit cards is to be closely monitored and payment of statements for authorized purchases are to be made as promptly as possible to avoid fees and charges for the use of such cards.

The Superintendent is directed to develop regulations for the use of District-assigned credit cards. Such regulations are subject to Board review and approval.

The Board reserves the right to revise or rescind this policy at its sole discretion.

Definition of Credit Card

The District defines "credit card" as a form of payment in lieu of cash, purchase order, or check. The credit card must bear the applicable Visa, Master Card, Discover, American Express or petroleum company logo.

Adopted: June 28, 2007

LEGAL REF.: A.R.S. §§ 15-342, 38-621 to 38-625
Uniform System of Financial Records

CROSS REF.: DKC - Expense Authorization/Reimbursement

CREDIT CARDS

The issuance and use of a credit card is to provide an alternative purchasing mechanism when traditional payment/procurement methods are not feasible.

A credit card may be used to facilitate the payment of travel expenses such as hotels, meals and registrations for training and education while conducting District business, including fuel for District-owned vehicles.

Authorized Card Holders

Persons designated as authorized credit card holders must agree to abide by the procedures described in this regulation.

The holders will be held liable for any unauthorized use of a District-assigned credit card, which may result in disciplinary action up to and including the loss of employment and other actions provided by law.

Except for business department personnel performing authorized office duties, no person other than a designated holder is to have access to or use of a District- assigned credit card.

Scope

The credit card is to be used only when the items and/or services to be purchased are for the official use of the District. No personal use of a credit card is allowed.

District-assigned credit cards may be used only when one (1) of the following conditions exists:

- When a vendor will not accept a purchase order or offer billing terms.
- When the purchase must be made during an "emergency." For the purpose of this regulation, emergency means payment for a purchase must be made before the next accounts payable check run. A memo bearing the Superintendent's signature of approval must be presented explaining the circumstances and nature of the emergency.
- When a revolving fund check cannot be used.

Limitations

The following are District-established credit card purchasing limitations:

- A single purchase may not exceed the maximum amount the credit card company allows to spend on a single card.
- Cumulative purchases by a card holder may not exceed the maximum amount the credit card company allows to spend on a single card during a statement month.

REGULATION**REGULATION**

A purchase made using a District-assigned credit card may not violate any District purchasing policy or regulation. All purchases must be appropriate and in the best interest of the District. Violation may result in termination of the employee's credit card privileges.

Credit Card Transaction Requirements for Physical, Verbal, and Internet Orders

When a District-assigned credit card is required for a physical, verbal or internet purchase, the following steps must be taken:

- Prior to use of the credit card, the card holder is to submit a purchase order requisition form to the District business office accompanied by the following:
 - A detailed description of the items and/or services to be purchased using the credit card.
 - The date the purchase will be made.
 - The actual amount of the purchase. If the actual amount is not known an estimate may be stated, but the amount of the purchase cannot exceed the stated amount.
 - Proper account coding information.
 - Signatures of the requester and the approving authority.
- The holder must verify that a purchase order has been created and approved before a credit card transaction occurs.
- When a credit card is used the card holder must promptly submit all receipts and other related documentation to the business office. The documentation should clearly indicate the employee making the purchase and the specific school purpose for the expenditure. Receipts for fuel or vehicle repairs are to include the vehicle license number.

Credit card statements must be addressed directly to the business office and not to the card holder. All purchase transaction receipts must be reconciled to the monthly credit card statements prior to entry on an expense voucher. As credit card companies may charge fees and interest, payments must be made in a timely manner to avoid finance charges.

Use of a Credit Card for Travel

Reservations must be made through the purchasing office. A completed professional leave form must be submitted along with the necessary information. The business office will provide the credit card information to the selected vendor.

Revised: June 24, 2019

EXHIBIT

EXHIBIT

CREDIT CARDS

DISTRICT-ASSIGNED CREDIT CARD HOLDER AGREEMENT

By my signature I hereby acknowledge that I have read and understand the East Valley Institute of Technology's credit card policy and regulations. Furthermore, I affirm that I will not use the credit card for personal reasons. I understand that a violation of this agreement may result in disciplinary action up to and including termination, and possible legal action.

Signature

Position

Printed Name

Date Signed

BONDED EMPLOYEES AND OFFICERS

The Governing Board requires bonding of student activities treasurers and other school employees to cover fidelity and loss of money. 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. 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-1001, 15-1122, 15-1126

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FISCAL ACCOUNTING AND REPORTING

The Superintendent shall be ultimately responsible for receiving and properly accounting for all funds of the District.

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.

The Superintendent shall provide to the Board periodic financial reports showing the financial condition of the District.

The Superintendent shall also be responsible for student accounting and shall report enrollment and attendance as required by the state.

Adopted: date of manual adoption

LEGAL REF.: ~~A~~.R.S. ~~h~~ 15-271, 15-272, 15-901

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ACCOUNTING SYSTEM

Records of all phases of the business operation shall be kept in strict accordance with the Uniform System of Financial Records, other applicable laws, and the policies of the Board.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-271, 15-272

CROSS REF.: DIC - Financial Reports and Statements

TYPES OF FUNDS/REVOLVING FUNDS

General Purpose Revolving Fund

A general purpose revolving fund shall be established, pursuant to A.R.S. § 15-1101, at a local bank in the account name of the East Valley Institute of Technology School District No. 401. 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 U.S.F.R.

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. The cost of the bond shall be a proper charge against the District.

Auxiliary Operations Fund

The auxiliary operations fund shall consist of monies raised with the approval of the Board in pursuance of and in connection with all activities of career and technical programs.

Fund monies shall be accounted for in accordance with the requirements of the U.S.F.R.

After authorization by the Board, fund monies shall be deposited in a bank account designated as the auxiliary operations fund. Disbursements from the fund shall be authorized by the Board.

Disbursements shall be made by check signed by two employees of the District designated by the Board. Persons authorized by the Board to sign checks shall be bonded, and the cost shall be charged against the fund.

Auxiliary operations fund monies may be invested and reinvested by the Board. All monies earned by investment shall be credited to the auxiliary operations fund.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 15-1101, 15-1125, 15-1126

CROSS REF.: JJF - Student Activities Funds

FINANCIAL REPORTS AND STATEMENTS

On or before October 15 of each year, the Superintendent shall present to the Board the annual financial report for the previous fiscal year and the Governing Board shall submit the annual financial report for the previous fiscal year to the Department of Education, which shall prominently display this information about the District on the website maintained by the Department.

The District annual financial report shall be published by November 15 either in a newspaper of general circulation within the District, by electronic submission to the Department of Education for publication on its web site, in the official newspaper of the county, or by mailing to each household in the School District. If published electronically as indicated above, a link shall be posted on the School District web site to the state department's web site.

The Superintendent shall also ensure that a report of expenditures of public funds and student activity funds is provided to the Board on a monthly basis.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-271, 15-302, 15-904, 15-919.06, 15-977, 15-991

CROSS REF.: DBC-R — Budget Planning, Preparation and Schedules

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INVENTORIES

The Superintendent shall establish a program to implement District inventory procedures, which shall include inventory of land, buildings, and equipment as required in the U.S.F.R.

Adopted: date of manual adoption

LEGAL REF.: Uniform System of Financial Records

INVENTORIES

The Chief Financial Officer has responsibility to assist the Superintendent in developing procedures for maintaining District inventories. A copy of the complete inventory shall be on file in the office of the Chief Financial Officer. A fixed-inventory system of all capital furniture and equipment items that exceed \$1,000 in value shall be tagged and marked. A comprehensive physical inventory of all District property shall be conducted every three years.

Facility administrators shall implement the procedures, providing reports as requested on the contents of their buildings.

Facility administrators shall require any employee who removes an item from one school for use in another to have a written request for such removal signed by the Chief Financial Officer.

Each administrative unit shall assist in completing an annual inventory of all capital furniture and equipment, library media, and textbooks at its location.

Supply records shall be kept, which will show:

- The name of the individual receiving the supplies.
- The date received.
- The disposition of the supplies.

A perpetual inventory shall be maintained for all supplies warehoused by the District.

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AUDITS/FINANCIAL MONITORING

The Governing Board directs the Superintendent to implement procedures that assure District compliance with all state and federal requirements for financial monitoring and audits. Contingent upon prescribed qualifying criteria, such requirements may include, but are not limited to, procedural reviews by the Office of the Auditor General and the federal Single Audit Act Amendments of 1996.

The procurement of the necessary services shall be consistent with the District's policy on bidding and purchasing procedures. Any allocation of costs for the services shall conform to the requirements of the Uniform System of Financial Records (U.S.F.R.).

A final report of each separate fiscal management review shall be presented to the Board for examination and discussion. After a report has been presented to the Board, it will become a matter of public record, and its distribution will not be limited. Copies of a final report shall be filed with appropriate state and other authorities.

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

Adopted: date of manual adoption

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-213, 15-239, 15-914, 15-2111, 41-1279.03, 41-1279.04, 41-1279.05, 41-1279.07, 41-1279.21, 41-1279.22

A.A.C. § R7-2-902

U.S.F.R.: Audit Requirements

AUDITS / FINANCIAL MONITORING

Each program, instructional unit, and department shall prepare and maintain such financial records as are directed by the Superintendent. The documents shall be accurate and of essential sufficiency to enable the District to comply with all requirements for financial monitoring and audits, both internal and external.

In addition to special reviews that may be conducted as necessary, the District will comply with the following minimum requirements to demonstrate proper management of and accountability for its fiscal resources:

- Whenever the District's expenditure of federal financial assistance is less than three hundred thousand dollars (\$300,000) during a fiscal year, the District shall be subject to a procedural review conducted by the Office of the Auditor General at times determined by the Auditor General
- Whenever the District's expenditure of federal financial assistance is three hundred thousand dollars (\$300,000) or more during a fiscal year, the District shall contract with an approved independent auditor to conduct an annual financial audit. The audit shall be performed in accordance with generally accepted auditing standards in compliance with the requirements of the federal Single Audit Act Amendments of 1996 and any implementing regulations of the Office of Management and Budget (OMB).

The Superintendent shall be promptly informed of any material deficiency that is discovered during a monitoring or auditing process.

**PURCHASING
(Purchasing Ethics Policy)**

The District's Governing Board members and 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.

The Governing Board may provide food and beverages at School District events, including official school functions and trainings, as allowed by the Arizona Constitution and policies of the Department of Education.

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.

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.

For the purpose of this policy 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.

This policy should not be construed to prohibit District Governing Board members and employees from accepting inexpensive novelty advertising items and holiday gifts or occasional business lunches.

Adopted: date of manual adoption

Revised: August 23, 2021

LEGAL REF: A.R.S. §§ 15-213, 15-323, 38-503, 38-504
Ariz. Const. Art. IX, § 7

BIDDING/PURCHASING PROCEDURES

All purchases and purchasing activities, including competitive bidding and the resolution of bid protests, will be conducted in accordance with the School District Procurement Code and guidelines established by the Auditor General.

The Superintendent shall be responsible for all purchasing, contracting, competitive bidding, and receiving and processing of all bid protests, in accordance with the Arizona school district procurement rules, including A.A.C. § R7-2-1141 et seq. 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.

The Superintendent shall ensure that all aspects of the bidding and purchasing procedures conform to federal and state laws, rules and regulations. 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).

Purchases Not Requiring Bidding

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.

The District may, without competitive bidding, purchase or contract for any products, materials and services directly from Arizona Industries for the Blind, 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.

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.

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.

The District is not required to obtain bid security for the construction manager at-risk method of project delivery.

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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.

Online Bidding

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.

Purchases Requiring Bidding

Sealed bids and proposals shall be requested for transactions to purchase construction, materials, or services costing at or above the threshold designated by the Competitive Bidding Threshold established by the State Board of Education.

“Competitive Bidding Threshold” means the minimum amount specified in A.R.S. §15213, as adjusted by the State Board of Education. All transactions must comply with the requirements of the Arizona Administrative Code and the Uniform System of Financial Records.

Registered Sex Offender Prohibition

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 Prohibition

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:**

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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

Adopted: October 14, 2013

Revised: June 24, 2019

LEGAL REF.: A.R.S. §§ 11-952, 23-214, 15-213, 15-213.01, 15-231.02, 15-239, 15-323, 15-342
15-382, 15-393 *et seq.*, 15-765, 34-101, 38-503, 38-511, 39-121, 41-2623, 41-4401
Att. Gen. Op. I83-136, I87-035, I06-002
A.A.C. § R7-2-1001 *et seq.*
USFR VT-G-8 *et seq.*

CROSS REF.: BCB - Board Member Conflict of Interest
DJG - Vendor/Contractor Relations
GBEAA - Staff Conflict of Interest
JLIF - Sex Offender Notification

BIDDING/PURCHASING PROCEDURES

All District purchases shall be in accordance with the relevant sections of the Arizona Revised Statutes (including, but not limited to A.R.S. §§ 15-213, 15-323, and 38-503), the Arizona school district procurement rules set out in A.A.C. §§ R7-2-1001 through 1195, and with the following.

Requesting Quotations

Requests for price quotations are to include adequate details and be issued with sufficient lead time to enable vendors to effectively respond. When a contract is to be awarded on the basis of price and additional factors those factors are to be included in the request for quotations. Such factors should include, but are not limited to, the following:

- Submittal requirements including:
 - Date and time due;
 - Type and manner by which quotations may be received (e.g., telephone, written, fax, e-mail, prepared form);
 - Physical or digital address to which quotations are to be delivered.
- Specific information the quotation must include.
- Whether or not negotiations may be held.
- Options that may be made pursuant to a purchase contract, i.e., extensions and renewals.
- Contracts for job-order-contracting 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 and has provided for such duration as a part of bid documents and conditions of renewal or extension within contract language. Such determination should be memorialized in writing and kept in the meeting minutes and contract/bid file.
- Uniform terms and conditions included in the request by text or reference.
- Such additional terms, conditions, and instructions as are applicable to the purchase under consideration.

All requests for written quotations shall be at the direction of the Superintendent or a person designated by the Superintendent.

When a vendor is selected on the basis of factors other than lowest price, the reasons shall be documented and filed with the price quotations. Documentation of the quotations process and details including vendor names, persons contacted, telephone numbers and identification of other communication procedures, price results, and determinations are to be documented and retained by the District in a procurement file

that includes the pertinent requisition form and purchase order.

A written contract or purchase order must be approved prior to a purchase being made.

Cumulative and Like Item Purchases

An analysis shall be performed annually to determine the extent of the District need to purchase like items. Prior year purchases and applicable demographic, program, and planning data are to be utilized for projecting quantity and cost of like items to fulfill the anticipated need. The outcomes of calculating the projected quantity and cost factors to acquire like items shall inform the determinations as to the appropriate procurement processes to be applied. The proper competitive purchasing strategies must be applied to assure District compliance with the procurement laws and rules. Splitting of orders or other purchasing practices devised to circumvent allowable procurement practices are prohibited. The cumulative costs of purchasing like items by any and all means of acquisition are to be tracked to assure that no purchases are permitted that will result in violation of Governing Board policies and lawful procurement practices.

Multiple Year Purchases Totaling Less Than The Statutory Limit

“The Statutory Limit” means the aggregate dollar amount set in A.R.S. § 41-2535 and incorporated by reference into A.R.S. § 15-213(A)(1).

The District may enter into contracts of less than the Statutory Limit for a period up to five (5) years, as follows:

- When the terms and conditions of renewal or extension are included in the solicitation for bids;
- When monies are available for the first fiscal year at the time of contracting;
- When the competitive purchasing method is appropriate to the projected cumulative cost over the term of the multiple year contract.

Multiple Year Purchases Totaling More Than The Statutory Limit

The District may enter into contracts for more than the Statutory Limit for a period up to five (5) years, as follows:

- The Governing Board has determined in writing that:
 - The estimated requirements cover the contract period and are reasonable and continuing;
 - A multi-term contract will serve the District’s best interest by encouraging competition or promoting economies in procurement;
 - If monies are not appropriated or available in future years, the contract will be cancelled.
- If multiple-year quotations are used, the District shall:

- Document the time period that the pricing is valid;
- Determine the vendor will honor the pricing for the multi-year period;
- Written affirmation with the vendor that, although it is the District's intent to purchase certain quantities, all purchases are subject to the availability of funds.

Multiple Awards to More Than One Contractor

Generally, the District should not use multiple awards allowing more than one (1) vendor to supply the same goods or service. However, there are instances in which the District may make multiple awards. If that instance arises, the request for proposals or invitation for bids should clearly state whether multiple awards may be used so bidders can consider that information when pricing their proposals or bids.

A multiple award to more than one (1) vendor should be made only when the District has determined and documented in writing that a single award is not advantageous to the District. The award should also be limited to the least number of suppliers necessary to meet the District's requirements.

Bidding Methods

Sealed bids or proposals will be requested when an award is to be made for a transaction to purchase construction, materials, or services costing more than The Statutory Limit. The Superintendent must review the expenditure and make a recommendation to the Board for final action. The Board reserves the right to waive any informality in, or reject, any or all bids or any part of any bid. Any bid may be withdrawn prior to the scheduled time for the opening of bids.

The bidder to whom the award is made may be required to enter into a written contract with the District.

Pursuant to the procurement code, contracts can be let for a period not to exceed five (5) years.

Definitions

The definition of a term used in this regulation shall be interpreted as being synonymous with the definition of that term listed at R7-2-1001.

Prospective Bidders' Lists

The District shall compile and maintain a prospective bidders' list. Inclusion of the name of a person shall not indicate whether the person is responsible concerning a particular procurement or otherwise capable of successfully performing a District contract.

Persons desiring to be included on the prospective bidders' list shall notify the District. Upon notification, the District shall mail or otherwise provide the person with the District procedures for inclusion on the bidders' list. Within thirty (30) days after receiving the

REGULATION**REGULATION**

required information, the District shall add the person to the prospective bidders' list unless the District makes a determination that inclusion is not advantageous to the District.

Persons who fail to respond to invitations for bids for two (2) consecutive procurements of similar items may be removed from the applicable bidders' list after mailing a notice to the person. This notice shall not be required if the two (2) invitations for bids which were not responded to both contained the notice that bidders' names may be removed from the bidders' list if they fail to respond to invitations for bids for two (2) consecutive procurements of similar items. Persons may be reinstated upon request.

Prospective bidders lists shall be available for public inspection, unless the District makes a written determination that it is in the best interest of the District that they should be confidential or private and should not be open for inspection pursuant to A.R.S. 39-121.

Competitive Sealed Bidding

If the intended procurement is for construction to cost less than the amount stated in A.R.S. § 15- 213(A)(2), the rules established for the simplified school construction procurement program described at R7-2-1033 may be followed. In all other cases, adequate public notice of the invitation for bids shall be given as provided in R7-2-1022 or as provided in R7-2-1024, which are outlined below, and shall indicate that any bid protest shall be filed with the District representative, who shall be named therein.

If notice is given pursuant to R7-2-1024, notice also may be given as provided in R7-2-1022. If fewer than five (5) prospective bidders are included on the bidders list, the notice must also be given as provided in R7-2-1022. When the invitation for bids is for the procurement of services other than those described in R7-2-1061 through R7-2-1068 and R7-2-1117 through R7-2-1123, Specified Professional Services, notice also shall be given as provided in R7-2-1022.

R7-2-1022:

In the event there are four (4) or less prospective bidders on the bidders' list, the notice shall include publication in the official newspaper of the county within which the school district is located for two (2) publications which are not less than six (6) nor more than ten (10) days apart. The second publication shall not be less than two (2) weeks before bid opening. The time of publication may be altered if deemed necessary pursuant to R7- 2-1024.A.

R7-2-1024:

Invitation for bids shall be issued at least fourteen (14) days before the time and date set for bid opening in the invitation for bids unless a shorter time is deemed necessary for a particular procurement as determined by the school district.

REGULATION**REGULATION**

The school district shall mail or otherwise furnish invitation for bids or notices of the availability of invitation for bids to all prospective bidders registered with the school district for the specific material, service or construction being bid.

The time and date at which a bid is called due shall be during regular working hours at a regular place of school business or during a public meeting of the Governing Board at its regular meeting place.

Invitations to bid will be sent to all vendors who have requested to bid or who have applied to be placed on a bid list appropriate to the items being sought.

A bid call relating to "construction projects" must describe the nature of the work to be performed and where complete plans, if necessary, may be obtained.

Deposits may be required for plans and specifications in good order. A certified check, cashier's check, or surety bond for ten percent (10%) of the bid must accompany each bid, but will be returned to unsuccessful bidders. The successful bidder must present performance and payment bonds for one hundred percent (100%) of the bid within five (5) working days after notification of the award.

Each sealed bid must be submitted in a sealed envelope, addressed to the District, clearly marked on the outside of the envelope, "Sealed Bid for _____"
The bids shall be opened publicly and read aloud at the time and place stated in the invitation. Awards shall be made with reasonable promptness to the lowest responsible, qualified vendor, taking into consideration all factors set forth in policy. Price shall not be the sole factor in making the bid award. When out-of-state bidders are not to pay sales/use tax, the amount of such tax shall not be a consideration in determining the low bidder. All proposed contracts for outside professional services in excess of the amount calculated by the State Board of Education and made applicable for the year in which the transaction will occur, may be reviewed by the attorney for the District prior to entering into the contract. The policies relating to outside professional services apply only to services required by law to be placed on bid, and even those policies may be set aside if a state of emergency is declared. If a state of emergency is declared, a memorandum will be issued justifying such a declaration, which will be filed in the District's records.

The use of bidding, contracting, or purchasing specifications that are in any way proprietary to one (1) supplier, distributor, or manufacturer is prohibited unless no other resource is practical for the protection of the public interest.

The Board reserves the right to reject any or all bids and to accept the bid that appears to be in the best interest of the District. The Board reserves the right to waive informalities in any bid or to reject any bid, all bids, or any part of any bid. Any bids may be withdrawn prior to the scheduled time for the opening of the bids. Any bids received after the opening begins shall not be accepted.

Opening of bids shall not be delayed to accommodate late bid responses. Submitted bids shall be honored for at least thirty (30) days or as otherwise stated in the invitation.

REGULATION**REGULATION**

All information relating to a bid shall be retained and made available for public inspection after the bids are awarded, and prospective bidders shall be notified of this in the invitation or specifications relating to the bid call.

Multistep Sealed Bidding

The multistep sealed bidding method may be used if the Governing Board determines that:

- Available specifications or purchase descriptions are not sufficiently complete to permit full competition without technical evaluations and discussions to ensure mutual understanding between each bidder and the District;
- Definite criteria exist for evaluation of technical offers;
- More than one (1) technically qualified source is expected to be available; and
- A fixed-price contract will be used.

The District may hold a conference with bidders before submission or at any time during the evaluation of the unpriced technical offers.

The multistep sealed bidding method may not be used for construction contracts.

When the multistep sealed bidding method is determined to be advantageous to the District, the procedures set out in R7-2-1036 and 1037 shall be followed.

Competitive Sealed Proposals

If, pursuant to R7-2-1041, the Governing Board determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the District, a contract may be entered into by competitive sealed proposals. The Governing Board may make a class determination that it is either not practicable or not advantageous to the District to procure specified types of materials or services by competitive sealed bidding. The competitive sealed proposal method may not be used for construction contracts. The Governing Board may modify or revoke a class determination at any time. If competitive sealed bidding is neither practicable or advantageous, competitive sealed proposals may be used if it is necessary to:

- Use a contract other than a fixed-price type;
- Conduct oral or written discussions with offerors concerning technical and price aspects of their proposals;
- Afford offerors an opportunity to revise their proposals;
- Compare the different price, quality, and contractual factors of the proposals submitted; or
- Award a contract in which price is not the determining factor.

REGULATION**REGULATION**

Procedures to be applied subsequent to the issuance of an invitation for bids are to be consistent with the requirements set out in R7-2-1025 through 1032. Competitive sealed proposals shall be solicited through a request for proposals. The request for proposals shall set forth those factors listed above for competitive sealed bids that are applicable and shall also state:

- The type of services required and a description of the work involved;
- The type of contract to be used;
- An estimate of the duration the service will be required;
- That cost or pricing data is required;
- That offerors may designate as proprietary portions of the proposals;
- That discussions may be conducted with offerors who submit proposals determined to be reasonably susceptible of being selected for award;
- The minimum information that the proposal shall contain;
- The closing date and time of receipt of proposals; and
- The relative importance of price and other evaluation factors.

Procurement of information systems and telecommunications systems shall include, as criteria in the request for proposal, evaluation factors of the total life cycle cost and application benefits of the information systems or telecommunication systems.

Procurement of earth-moving, material-handling, road maintenance and construction equipment shall include, as criteria in the request for proposal, evaluation factors of the total life cycle cost including residual value of the earth-moving, material-handling, road maintenance and construction equipment.

A request for proposals shall be issued at least fourteen (14) days before the closing date and time for receipt of proposals unless a shorter time is determined necessary by the District.

Notice of the request for proposals shall be issued in accordance with R7-2- 1022.

Before submission of initial proposals, amendments to requests for proposals shall be made in accordance with R7-2-1026. After submission of proposals, amendments may be made in accordance with R7-2-1036(C).

Specified Professional Services and Construction Services

When the procurement of construction services or services to be provided by certain professionals are under consideration, designated District personnel shall become fully familiar with and informed on the requirements established in Arizona Revised Statutes Title 34. The assigned District personnel are to seek assistance from qualified consultants, attorneys, and bond counsel as is necessary and applicable to the projects being considered, including but not limited to determinations of the training,

REGULATION**REGULATION**

qualifications, experience, fitness, licensure, prior performance, and bonding of potential providers. Procurement activities, including securing the services of persons to assist District personnel as referenced above shall be in accordance with all relevant requirements prescribed by federal and state law and the rules of federal, state, county, and municipal agencies for the acquisition, performance and reporting of the services being sought and acquired.

Procurement of Services by Certain Other Classes of Providers

The purchase of services to be provided by clergy, certified public accountants, physicians, dentists, and legal counsel shall be as specified in R7-2-1061 through R7-2-1068. The procurement of services by an architect, engineer, land surveyor, assayer, geologist, or landscape architect is to be accomplished in compliance with R7-2-1117 and 1118. Procurement procedures related to purchasing services from the professional providers are to conform to R7-2-1119 through 1122.

Contract Requirements

Care is to be exercised to assure the District's procurement practices conform to the general contract requirements set out at R7-2-1068 through 1086 and the accompanying conditions described in R7-2-1091 through 1093.

Preparation of Specifications

Specifications for goods, services, and construction items are to be prepared in the manner prescribed by rules R7-2-1101 through 1105.

Construction Procurement Procedures

Preparation for inviting bids for construction and the steps to be followed in the construction procurement process shall be guided by and consistent with R7-2-1109 through 1116.

Emergency Purchases

An exception to the above procedures for price competition may be made in the event of an emergency involving the health, safety, or welfare of school personnel or students. In such an emergency, declared by the Superintendent, emergency purchase action may be taken without price competition, if necessary. Even under emergency conditions, price competition should be sought if it will not unacceptably delay the correction of the condition requiring emergency procedures. If emergency purchases are made without price competition, a complete written description of the circumstances pursuant to A.A.C. R7-2-1057 shall be included in the procurement file and maintained in the District office.

Sole-Source Procurements

A contract may be awarded for a material, service, or construction item without competition if the Governing Board determines in writing that there is only one (1) source for the required material, service, or construction item. The District may require

REGULATION**REGULATION**

the submission of cost or pricing data in connection with an award pursuant to A.A.C. R7-2-1053. Sole-source procurement shall be avoided, except when no reasonable alternative source exists. A copy of the written evidence and determination of the basis for the sole-source procurement shall be retained in the procurement file by the District. The District shall, to the extent practicable, negotiate with the single supplier a contract advantageous to the District.

Cooperative Purchasing Agreements

Procurements in accordance with intergovernmental agreements and contracts between the District and other governing bodies as authorized by A.R.S. § 15-952 are exempt from competitive bidding requirements under A.R.S. § 15-213. Inspection of and payment for materials and services acquired under a cooperative purchasing agreement are the obligation of the District.

Due Diligence

The District is responsible for ensuring that all procurements are done in accordance with school district procurement rules whether the procurement is done independently or through a cooperative purchasing agreement. The District shall develop and follow a clear plan prescribing the purchasing practices to be followed. The plan will describe the elements of internal control and auditing to assure the District's procedures are sufficient to confirm the adequacy of the procurements practices and that the accountability of all personnel engaged in procurement practices is regularly evaluated and corrective measures taken when necessary. The due diligence activities shall include the use of the applicable sections of the Uniform System of Financial Records (USFR) Compliance Questionnaire for school districts when assessing the quality of the procurements procedures and the competence of the persons performing the procedures. Day-to-day and periodic formal checks of due diligence performance are to be documented and retained in a procurement file.

Revised: June 24, 2019

BIDDING/PURCHASING PROCEDURES

(Cancellation of Contracts)

Within three years after the execution of any contract made by the District, the District may cancel such contract if any person significantly involved in initiating, negotiating, securing, drafting, or creating the contract on behalf of the District is, at any time while the contract or any extension of the contract is in effect, an employee or agent of any other party to the contract in any capacity or a consultant to any other party of the contract with respect to the subject matter of the contract.

Such cancellation by the District shall be effective when written notice from the Board is received by all other parties to the contract unless the notice specifies a later time.

Such cancellation by the District shall be effective when written notice from such party is received by all other parties to the contract unless the notice specifies a later time.

In addition to the right to cancel a contract, as provided above, the District may recoup any fee or commission paid or due any person significantly involved in initiating, negotiating, securing, drafting, or creating the contract on behalf of the District from any other party to the contract arising as the result of the contract.

Notice of this provision shall be included in every contract to which the District is a party. Such notice could read:

In accordance with A.R.S. § 38-511, if a person significantly involved in a District contract becomes an employee, agent, or consultant to any other party of the contract with respect to the subject matter of the contract, the District may cancel the contract within three years of execution and recoup any fee or commission paid to such person.

VENDOR/CONTRACTOR RELATIONS

Fingerprinting Requirements

A contractor, subcontractor or vendor, or any employee of a contractor, subcontractor or vendor, who is contracted to provide services on a regular basis at an individual school shall obtain a valid fingerprint clearance card pursuant to A.R.S. § 41-1758 *et seq.* The Superintendent or the Superintendent's delegate, may exempt from the requirement to obtain a fingerprint clearance card a contractor, subcontractor, or vendor whom the Superintendent or delegate has determined is not likely to have independent access or unsupervised contact with District students as part of their normal job duties while performing services for the District. The exemption shall be given in writing and a copy filed in the District office.

The Superintendent shall develop uniform District criterion for making a determination of whether or not an exemption will be granted.

Required Contract Provisions

Each 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.

The contract or agreement with each contractor shall contain the warranties indicated below:

- 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.
- 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.

The contractor shall facilitate this right by notice to his employees and supervisors.

Adopted: September 28, 2020

LEGAL REF.: A.R.S. §§ 15-512, 23-214, 41-1758, 41-4401

Public Law 92-544

CROSS REF.: DBF-Budget Hearings and Reviews/Adoption Process
DIC-Financial Reports and Statement
DJE-Bidding/Purchasing Procedures

DJGA

SALES CALLS AND DEMONSTRATIONS

Sales representatives for school services, supplies, or other materials are not permitted to call on teachers or other District staff members except with prior authorization from the Superintendent.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

SALES CALLS AND DEMONSTRATIONS

When appropriate, the Superintendent may give permission to sales representatives of educational products to see members of the school staff at times that will not interfere with the educational program.

DK
PAYMENT PROCEDURES

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.

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ , 15-321, 15-906

EXHIBIT

EXHIBIT

PAYMENT PROCEDURES

**RESOLUTION AUTHORIZING THE EXECUTION OF
WARRANTS BETWEEN BOARD MEETINGS**

WHEREAS, A.R.S. §15 -321 sets forth the procedures for execution of warrants drawn on the District, and

WHEREAS, said statute provides that an order for salary or other expense may be signed between Board meetings if a resolution to that effect has been passed prior to the signing and that order is ratified by the Board at the next regular or special meeting of the Governing Board;

NOW, THEREFORE, BE IT RESOLVED, that said statutory procedure be, and herein is, ordered for use in the District in accordance with the provisions of A.R.S. § 15-321.

This resolution was moved, seconded, and passed at a meeting of the East Valley Institute Technology Governing Board on _____, 20____

ATTEST:

President

DKA

PAYROLL PROCEDURES/SCHEDULES

Salary checks will be issued biweekly during the term of contract or agreement with the District.

An employee who quits the service of the District shall be paid all wages due on the regular payday for the pay period during which termination occurs. Such wages may be paid by mail if requested.

An employee who is discharged from service of the District shall be paid all wages due within ten (10) calendar days from the date of discharge.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-502, 23-351, 23-353

CROSS REF.: GCQF-Discipline, Suspension, and Dismissal of Professional Staff Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

SALARY DEDUCTIONS

The Superintendent shall establish procedures that conform to all requirements of the law and all policies of the District, that ensure employees receive paychecks not later than the stated payroll dates, and that ensure all amounts withheld from employee compensation are remitted and reported appropriately, correctly, and timely.

For deductions after October 1, 2011, the District shall make no deduction for payment from an employee's paycheck for political purposes unless the employee has provided annually a written or electronic authorization to the District for the deduction.

After October 1, 2011, if the District makes a deduction from an employee's paycheck for multiple purposes the District shall obtain a statement from each entity that indicates the payment is not used for political purposes or a statement that indicates the maximum percentage of the payment that is used for political purposes, consistent with rules for the entity statements adopted by the Attorney General. The District shall not deduct any payment in excess of the amount specified for nonpolitical purposes without the annual written or electronic permission of the employee.

For the purposes of this policy and the law, *political purposes* means supporting or opposing any candidate for public office, political party, referendum, initiative, political issue advocacy, political action committee or other similar group.

If the District knowingly deducts payments without the written or electronic employee permission as set out above or an entity provides an inaccurate statement of the political purposes or the percentage used for political purposes as set out above, the District or the respective entity is subject to a civil penalty of at least ten thousand dollars (\$10,000) for each violation.

The requirements for payroll deductions set out above do not apply to any of the following:

- A single deduction for nonpolitical purposes.
- Deductions for savings or charitable contributions.
- Deductions for employee health care, retiree or welfare benefits.
- Deductions for state, local or federal taxes.
- Deductions for contributions to a separate segregated fund pursuant to 2 United States Code 441b(b) or 16-920(A)(3).
- Any deduction otherwise required by law.

If an employee has authorized a deduction from the employee's paycheck under this policy and the law and the employee resigns membership in the association or organization for which the deduction was authorized, the employee's authorization for the deduction is *rescinded* upon the District's receipt from the employee of written notice of the resignation. The District shall have one (1) pay period to process the *rescission*.

Involuntary Deductions (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. All other deductions must be authorized by the Board and the employee unless ordered by a court of competent jurisdiction.

Voluntary Deductions and Redirections (Not Public Record)

The following deductions and redirections have been authorized by the Board:

- Insurance premiums for staff members or dependents who are being covered under Board-approved Section 125 cafeteria programs
- Direct deposits of net payroll with financial institutions.
- Tax-sheltered annuities for companies approved by the District.
- Credit union deposits.
- U.S. Savings Bonds.
- Professional dues.
- Contributions to qualified charitable organizations.
- Contributions to school tuition organizations.
- Contributions to a public school for the support of extracurricular activities or character education programs of the public school.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-121, 15-135, 23-352, 23-361.02, 35-146, 35-147,
42-2001, 43-401

DM

CASH IN SCHOOL BUILDINGS

Monies collected by school employees and by student treasurers shall be handled in accordance with prudent business procedures as outlined by the U.S.F.R. All monies collected shall be receipted, accounted for, and directed without delay to the proper location of deposit.

In no case shall money be left overnight in school buildings, except in safes provided for safekeeping of valuables.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

SCHOOL PROPERTIES DISPOSITION

Sale or Lease of Property

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 provided the sale or lease of the property will not effect the normal operation of a school within the District.

Disposition of Surplus Materials

The School 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. Only United States Postal Money Orders, certified checks, cashier's checks, or cash shall be accepted for sales of surplus property unless otherwise approved by the District or for sales of less than one hundred dollars (\$100).

Exceptions for Disposition of Learning Materials and Equipment

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.

The Board may sell used equipment to a charter school before attempting to sell or dispose of the equipment by other means

Competitive Sealed Bidding

Notice of the sale bids shall be publicly available from the District at least ten (10) days before the date set for opening bids. Notice of the sale bids shall be mailed to prospective bidders, including those on lists maintained by the District pursuant to A.A.C. R7-2-1023. The notice of the 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.

The award shall be made, in accordance with the provisions of the notice of the 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 resolicit 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.

Auctions shall be advertised at least two (2) times prior to the auction date in a newspaper of the county as defined in A.R.S. 11-255. Advertisements must be at least seven (7) days apart. 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.

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.

An employee of the District or a Governing 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.

State Surplus Property Manager

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.

Donation of Surplus

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.

Offer to Sell

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.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-189, 15-341

U.S.F.R. § III-J-5(10); App. B(6)

A.A.C. § R&-2-1131

Att. Gen. Op. I80-036, I80-189

CROSS REF.: BCB - Board Member Conflict of Interest

GBEAA - Staff Conflict of Interest

IJJ - Textbook/Supplementary Materials Selection and Adoption

SUPPORT SERVICES GOALS/PRIORITY OBJECTIVES

In order to provide services that are supportive of the educational program, the Board establishes these broad goals:

- To provide a physical environment for teaching and learning that is safe and pleasant for students, staff members, and the public.
- To provide services, resources, and assistance responsive to the needs of the educational programs.

Adopted: November 13, 2008

LEGAL REF.: § A.R.S. 15-341

ENVIRONMENTAL AND SAFETY PROGRAM

The Superintendent will establish procedures to protect the safety of all students, employees, visitors, and others present on District property or at school-sponsored events.

The practice of safety shall also be considered a facet of the instructional plan of the District schools by virtue of educational programs in traffic and pedestrian safety, fire prevention, and emergency procedures, appropriate for students. General areas of emphasis shall include, but not be limited to: in-service training; accident record keeping; plant inspection; driver and vehicle safety programs; fire prevention; school site selection; and emergency procedures and traffic safety problems relevant to students, employees, and the community.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. § 13-291, 15-151, 15-341, 15-507, 23-403, 23-408

ENVIRONMENTAL AND SAFETY PROGRAM***Responsibilities of the Chief Operations Officer:***

- Maintain an overall safety program in maintenance and operation of buildings and grounds.
- Provide specialized assistance as requested by Program Director.

Responsibilities of the Chief Operations Officer:

- Schedule regular inspections.
- Post required state and federal safety regulations and maintaining appropriate safety records.
- Arrange for the correction of defects reported to them by employees in the building by requesting assistance from the maintenance department.
- Cooperate in the correction of defects reported by the maintenance department or other school administrators.

Responsibilities of the Chief Operations Officer:

- Maintain standards for certification of school bus drivers.
- Maintain standards for periodic inspection and maintenance of school buses.
- Maintain standards for school bus operation.
- Responsibilities of other employees:
 - Report promptly to the Chief Operations Officer or Program Director any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.
 - Take reasonable precaution for the safe use of buildings, grounds, and equipment by students.

Responsibilities of students:

- Avoid the following behaviors:
 - Setting off a false alarm.
 - Misusing the fire alarm system, fire extinguishers, or other fire protection and safety equipment.
 - Setting a fire in the building or on the school grounds.
- Report promptly to the principal of the school or other appropriate school employee any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of employees, students, or other persons.

Responsibilities of other individuals utilizing school buildings:

- Refrain from abusing safety equipment, such as fire extinguishers, alarm systems, et cetera.
- Report promptly to the Chief Operations Officer, Superintendent, Program Director or other school employee any defects in buildings, grounds, or equipment that might prove injurious to the safety, health, or comfort of students, employees, or other persons.

**REPORTING OF HAZARDS/ WARNING SYSTEMS
(Pesticide Application Notice)**

The intent of this policy is to ensure that students, employees, and parents/guardians receive adequate notice prior to pesticide application.

In accord with A.R.S. § 15-152, the District shall:

- 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 48 hours prior to such application.
- Provide continuing instruction for students absenting themselves.
- Post the areas scheduled to receive pesticide application.
- Maintain written records of pesticide application.

Pest-control applicator(s) employed by the District shall provide the school contact person with notice at least 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 preapplication notification containing the following information:

- The brand name, concentration, rate of application, and any use restrictions required by the label of the herbicide or specific pesticide.
- The area or areas where the pesticide is to be applied.
- The date and time the application is to occur.
- The pesticide label and the material safety data sheet.

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. § 32-2307.

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 regulation.

The name and telephone number of the applicator shall be attached to any posting.

The Superintendent shall prepare regulations for the implementation of this policy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-152, 32-2301

CROSS REF.: IKEA - Makeup Opportunities

REPORTING OF HAZARDS/WARNING SYSTEMS**(Pesticide Application Notice)**

The Facilities Director shall be the contact person for providing information regarding pesticide application activities at the school, including but not limited to giving oral and written notification, supervising the posting of notifications as required, and maintaining records of pesticide-application notifications.

Oral and Written Notice

All oral and written notification shall contain, at a minimum, the date, time, general areas to be treated, and brand name of the pesticide to be applied. During the *regular school session*, and not less than 48 hours prior to pesticide application, notification shall be provided in the manner indicated below.

- Oral notification to all students and school employees shall be provide by means of:
 - School public address systems; *or*
 - Assembly communications; *or*
 - Staff meeting announcements; *or*
 - Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.
- Written notification to the parents or guardians of enrolled students shall be provided by means of:
 - Special communications; *or*
 - Newsletters; *or*
 - Any similar means reasonably calculated to provide sufficient notice in advance of pesticide application.

Posting of Notice

No less than 48 hours prior to pesticide application, signs shall be posted to identify pesticide application areas. The signs shall display:

- The words "warning - pesticides."
- The date and time of the application.
- A phone number for the school contact person and one for the licensed pesticide applicator.

The signs shall be placed at:

- The main entrance to all buildings where pesticide is to be applied.
- Playing fields where pesticide is to be applied.

The signs may be removed no less than 48 hours after the pesticide is applied.

CROSS REF.: IKEA - Makeup Opportunities

EBB

ACCIDENT PREVENTION AND SAFETY PROCEDURES

Refer to Regulation EBC-RC.

EBBB

ACCIDENT REPORTS

Adequate and prompt accident reporting is essential if similar accidents are to be prevented. If there are injuries or property damage, prompt reports are also vital in assuring the District of insurance coverage.

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 school business trips. Such reports are required whether or not there are any immediately evident injuries or damage to property.

Injury accidents should be promptly reported to the District's liability carrier. The meaning of *promptly* is defined in the District's insurance policy with the carrier.

The administration shall establish procedures for filing accident reports, and shall make sure reports include details that (1 might be helpful in preventing similar accidents in the future, (2 are needed for filing insurance claims, and (3 might be important in case of litigation.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 23-427

CROSS REF. GBGC-R - Employee Assistance

**ACCIDENT REPORTS
(Student Accidents)**

Employees are to report to their supervisor any accident involving a student who is at school.

For any student who is injured on school grounds, in a school building, or in connection with a school-related or approved activity, an accident report form is to be completed by an employee who is at the scene of the accident.

A student who is ill should be sent to the first-aid office, with an appropriate pass. If a student is sent home (only with parent knowledge), the teacher will be notified.

Students are discharged to go home only from the office.

Any special health concern should be reported to the first-aid employee.

A written report of an accident shall be made by the Program Director to the Superintendent not later than noon of the school day following the incident.

The Program Director will also send copies of the report to the Chief Financial Officer, who will notify the insurance carrier.

After reviewing each accident report, the Superintendent will forward the report to the Chief Operations Officer, who will maintain a file of accident reports.

**ACCIDENT REPORTS
(Compensation Claims)****Accident Reports**

Any employee of the District who suffers a job-related injury/accident must file a report with the District business office within five days after the date of occurrence. Should circumstances render the individual unable to submit such a report within five days, the time limit may be extended.

Compensation Claims

When a job-related injury/accident requires medical attention and absence from the workplace, the following conditions shall apply:

- The physician will be responsible for reporting the circumstances of the injury to the District, the Industrial Commission, and the District's insurance carrier.
- During the first seven days of absence due to a job-related injury/accident, the employee will be placed on sick leave, provided the employee has accumulated sufficient sick leave.
- If a job-related injury/accident results in more than seven days' absence, the insurance carrier will be responsible for handling the claim for lost pay. During such period the employee may be directed to:
 - Endorse over to the District the payments received from the insurance carrier, continue to receive a regular salary, and be charged sick leave. When the amount of the insurance payment is determined and received by the District, the employee's sick leave record will be adjusted for that fraction of the time paid by the insurance carrier (e.g., the insurance carrier pays one-half of the normal salary of the employee, the sick leave will be adjusted on a pro rata basis); or
 - Draw compensation from the insurance carrier, provide the District with a record of such payment, and receive payment for sick leave pay for the uncompensated portion of missed time, up to the limit of accumulated sick leave.
- In no event will an employee receive a combined salary and worker's compensation in excess of the employee's regular salary.
- An employee who has used all accumulated sick leave will be removed from the payroll and will receive only such amounts as are paid by the District's insurance carrier.

EXHIBIT

EXHIBIT

INCIDENT REPORT

Campus: ☐ Main ☐ Power ☐ Apache Junction ☐ Fountain Hills ☐ Cave Creek

Name of Injured: _____ Date: _____

Address: _____
Street City Zip

Email address: _____ Phone: _____

Instructor: _____ Time: _____ ☐ am ☐ pmLocation: ☐ parking lot ☐ bus ☐ building-room no. ____ ☐ other ____

Description of Accident

Witnesses

Name	Address	Phone
_____	_____	_____
_____	_____	_____
_____	_____	_____

Nature of injury:

☐ Abrasion ☐ Amputation ☐ Animal bite ☐ Human Bite ☐ Fracture ☐ Strain
☐ Laceration ☐ Puncture ☐ Scratches ☐ Sprain ☐ Other: _____

Part of body injured: ☐ Ankle ☐ Arm ☐ Back ☐ Clavicle ☐ Elbow ☐ Eye
☐ Face ☐ Finger ☐ Foot ☐ Hand ☐ Head ☐ Knee ☐ Leg ☐ Nose
☐ Scalp ☐ Toe ☐ Tooth ☐ Wrist ☐ Other: _____

EBBB-E

EXHIBIT

EXHIBIT

Was the parent/guardian notified? ☐ Yes ☐ No When? _____

Name of individual notified: _____ How? _____

By whom? _____

First Aid Treatment? ☐ Yes ☐ No By whom? _____

Returned to Class ☐ Yes ☐ No Hospital
Transported ☐ Home ☐ Urgent Care ☐

How was student transported? ☐ Parent ☐ Ambulance ☐ Self ☐ Other _____

District Office Notified: Date/Time _____ By _____

Signature of Person Reporting

Title

Follow-up:

Report to law enforcement agency or fire department? ☐ Yes ☐ No

Agency/Dept. _____ Date of Report: _____

Officer ID Number _____ D.R./I.R. # _____

Agency/Dept. Response _____

Total number of day absent _____

District Admin. Signature

Date

EMERGENCIES

The Superintendent will develop and maintain District emergency plans for fire and other threats and will coordinate such plans with the local police, fire, and hospital authorities as necessary.

The plans will specify conditions under which evacuation of school buildings will occur. The plans will also designate specific emergency drills to be conducted. The fire department shall be invited to review the plan(s).

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

EMERGENCIES

Appropriate unit administrators will develop emergency plans for fire or other threats. Such plans will be submitted by September of each year. These plans will provide for:

- Inside emergencies, such as a fire, actual or potential explosion, hazardous material spill.
- Outside emergencies, such as a plane crash, active shooter, or windstorm.

The plans will specify the conditions under which evacuation of the building will occur (and the procedures therefor). The plans will also designate specific emergency drills to be conducted. A diagram of the school floor plan will be posted in each classroom showing emergency exits to be used.

**EMERGENCIES
(Evacuation Drills)**

Evacuation drills will be scheduled and conducted each month during the school year. The purpose of a drill is to train students, under staff direction, to move safely, quickly, and quietly from any location within the building to an assigned evacuation area outside.

The following rules and procedures will be complied with by the school:

- Evacuation routes will be posted in each room. These routes will indicate the primary and alternate exits and the evacuation area to which the student should proceed upon leaving the building. During the first week of the school year, rules for emergency evacuation will be discussed with each class using the room.
- A distinct alarm signal will be used for emergency drills only; another signal will be established by the principal for return to class.
- No student or staff member is to remain in the building during emergency drills.
- All persons should exit according to their posted evacuation routes and proceed to assigned locations a safe distance away from the building.
- It is each student's responsibility to move quickly, quietly, and in an orderly manner through the assigned exit to the assigned evacuation area.
- The teacher will be responsible for:
 - Seeing that windows and doors are closed with doors unlocked.
 - Assuring that electrical equipment and gas jets are turned off.
 - Maintaining order during the evacuation.
 - Taking the grade book and checking roll when the class is in the assigned evacuation area. The name of any student not accounted for will be reported immediately to the Program Director, who shall promptly notify the Superintendent.
- A report stating the date and time that the drill was conducted and the time required to complete the evacuation will be made.

**EMERGENCIES
(First Aid)**

If a student is injured or becomes ill during the school day or while attending a school-sponsored activity, it is the responsibility of any staff member present to render assistance and to summon a school first-aid employee. Upon arrival, the first-aid employee will direct all further first-aid activities.

First aid procedures shall be based on the following fundamental concepts:

- The school is responsible for the emergency handling of accidents and sudden illness occurring at school or on school property. The school is not responsible for subsequent treatment.
- At the time of an emergency, the school has the responsibility for:
 - Caring for the student.
 - Notifying the student's parents or guardian, or, if these cannot be reached, following directions given on the student's enrollment card.
 - In extreme cases, getting the student under professional care with or without family permission.
- In the absence of family transportation or ambulance service, the school first-aid employee, Program Director, or teacher may have to take the sick or injured student home, to the physician's office, or to the hospital. A sick or injured student should be accompanied from the school by an adult. If the destination is the student's home, the adult shall have ascertained that a responsible person is at home to assume responsibility.
- In case of any serious injury or illness, the parent or responsible person should always be notified as soon as possible. Emergency care of the student has priority.
- Medication administered by any school personnel, including the first-aid employee, shall be in compliance with JLCD and JLCD-R.
- A written report of an accident shall be made by the Program Director to the Superintendent not later than noon of the school day following the incident.

CROSS REF.: JLCD - Administering Medicines to Students

EMERGENCIES

(Bomb Threats)

If a phone call or other notice is received indicating that a bomb has been placed in a school, the following procedures will be followed:

- The call will be reported to the administrator in charge at the time.
- The administrator in charge will discuss the matter with the Superintendent and determine whether or not to:
 - Evacuate the building immediately as per designated procedure.
 - Notify the police and the fire department.
- If the police and the fire department are called, the administrator in charge will comply with the instructions of the ranking officer.
- Staff members and students will be allowed to return to school only when authorized by the ranking officer.

The person receiving a threat by phone will note the exact time of the call and attempt to get a voice description of the caller (i.e., age, sex, identifying patterns of speech, et cetera). If recording capability exists in the District for telephone calls of this nature, a recording of the call will be attempted.

EMERGENCIES

(Procedures for Aftermath of Suicide, Suicide Attempt, or Other Tragedy)

NOTIFICATION***Administration:***

- Anyone who hears about a suicide or other tragedy involving a District student/employee should contact the Superintendent immediately.
- If the tragedy has occurred in school, crisis-intervention procedures should be followed.
- The Superintendent shall verify the information. The information must be handled with great care. To verify the facts, the local law enforcement station or coroner should be called to determine precisely what has happened. A log of all communications must be maintained. The Superintendent should communicate appropriate information to staff members as quickly as possible. The Governing Board shall be notified of the tragedy and implementation of emergency procedures.
- The Superintendent should notify the coordinator of emergency programs and the District media spokesperson of the nature of the tragedy.

Teachers:

- If the tragedy has occurred outside of school hours, the teaching staff should be notified as soon as possible.
- If possible, an emergency mandatory meeting of the teachers should be called to review general strategy.
- Appropriate school personnel should meet as soon as possible to discuss specifics of the plan.

Students. Appropriate school personnel may be relieved of duties in order to notify students in individual classroom groupings.

Media. The Superintendent should designate a spokesperson to answer press and community inquiries.

Other contacts. The Superintendent should notify others in the District, and the chief administrators of neighboring school districts if appropriate.

SERVICES

Drop-in centers. Any student who would like to discuss personal feelings regarding the tragedy should be invited to use this service. Drop-in center locations should be posted in every classroom and office. Counselors and other professionals trained in crisis intervention should be available in the drop-in centers throughout the school day. This service should be available for a reasonable time after the tragedy.

Identification of at-risk students. Students and members of the faculty and staff should submit to the administration names of any students they believe to be especially vulnerable in the aftermath of suicide or other tragedy. Such persons include friends/relatives of the victim, students with histories of emotional problems or low self-esteem, and other students who may be vulnerable. Any student who is visibly upset should be referred to a drop-in center immediately.

Discussion groups for teachers. The purpose of such groups is not to discuss specifics of the tragedy. Instead, group members will be given the opportunity to vent their feelings regarding the recent loss.

REGULATION

REGULATION

FOLLOW-UP

Condolences. The Superintendent should express condolences and offer help to the family of the victim on behalf of the District.

Recognition of the tragedy:

- It is vitally important that school personnel not glamorize the suicide death of a student. The school should not conduct a special memorial service or dedication to the memory of an individual who has committed suicide.
- A memorial should be considered in the event of a death other than suicide.
- Students who have parental permission to do so may be excused from school to attend the funeral or memorial service.

As much as possible, the school policy should be “business as usual.” Counseling services should be available to all students, but classroom teachers should continue to use class time for schoolwork.

GUIDELINES FOR ADMINISTRATORS

The building administrator:

- Should immediately notify the Superintendent.
- Should verify the information with the proper authorities before taking further action (if so designated by the Superintendent).
- Should, if possible, call an emergency meeting of the teachers to review general strategy.
- May relieve staff members of their duties so that students may be notified in individual classroom groupings.
- Should express condolences and offer to help the family of the victim on behalf of the District.
- Should excuse students (who have parental permission) to attend the victim’s funeral or memorial service. However, the school should not conduct a memorial service or dedication to the memory of an individual who has committed suicide or who has died as a result of substance abuse.
- Should model a calm demeanor for students and staff members. As much as possible, the school policy should be “business as usual.” Counseling services should be available to all students, but classroom teachers should be instructed to continue to use class time for schoolwork.

The coordinator of emergency programs:

- Should be notified of the tragedy by the building administrator.
- Together with the building administrator(s), should conduct an emergency meeting of the teachers to review general strategy.
- At such emergency meeting, should distribute to teachers and administrators copies of applicable procedures and guidelines.
- Should arrange and conduct an emergency meeting of the school crisis team to discuss specifics of the plan.
- Should organize drop-in services for students.
- Should note the names of students who are believed to be especially vulnerable in the

REGULATION

REGULATION

aftermath of a suicide or other tragedy.

- Should meet with high-risk students and make appropriate referrals.
- May conduct an after-school discussion group for interested faculty and/or staff personnel to help them work through their feelings.
- Should be a resource person for students, parents, administrators, teachers, and members of the support staff.

The District media spokesperson:

- Should be designated by the District to answer press and community questions.
- Must take care that confidential information is not released. A release such as the following may be used:

“A tragedy has happened. _____,
a ____th-grade student, has died. To protect family privacy, details of _____’s death will not be released. The School District is providing counseling and referral services to help our students work through this tragedy.”
- *Note:* The death should not be referred to as a suicide unless it has been verified by authorities. If the cause of death is unclear, media representatives should be referred to the proper authorities.

GUIDELINES FOR TEACHERS

Teachers:

- Should inform students about the availability of the drop-in centers. A drop-in center can provide students the opportunity to talk, with a counselor or other professional trained in crisis intervention, about their feelings regarding the tragedy. Drop-in center location(s) should be posted in every classroom.
- Need to be aware of students’ reactions to the tragedy. A student who is visibly upset should be referred to a drop-in center immediately.
- Should submit to the coordinator of emergency programs the names of any students whom they believe to be especially vulnerable in the aftermath of a suicide or other tragedy. Such persons may include friends/relatives of the victim, students who seem to have emotional problems or low self-esteem, and students who seem to be holding in their feelings.
- As much as possible, should abide by the principle of “business as usual.” Class time should not be used to discuss the incident. Instead, any concerned student should be sent to a drop-in center.
- Should not talk to the media about the tragedy. The privacy of the victim’s family must be respected. Questions should be referred to the District media spokesperson.
- Should, above all, model calm demeanor during the crisis situation.
- Need to check their personal reactions to the tragedy. After-school discussion groups will be available to help teachers work through their feelings.

EMERGENCIES**(Procedures for Aftermath of Suicide,
Suicide Attempt, or Other Tragedy)**

At the beginning of a school year a plan should be developed that will delineate how District personnel are to respond to a crisis involving suicide, attempted suicide, or another tragedy involving a District student or employee. Assignments and operational details of such a plan should be made when these details can be handled without the pressure of the crisis or tragedy.

The following questions should receive attention during the planning phase:

- Who should be the coordinator of emergency programs?
- Who is to be the media spokesperson?
- Who will constitute the crisis team? (At a minimum, an administrator, psychologists, counselors, teachers, nurses, and community social services representatives should be considered.)
- What training will the crisis team need for their function?
- Who will provide counseling through the drop-in centers?
- How will referrals of at-risk or suspected at-risk students before and after the crisis be made?

A review of "Youth Suicide: A Special Problem in Need of Preventive Planning" (Az - TAS, February 1992) will provide some assistance as to resources and strategy.

EBCD

WEATHER-RELATED AND EMERGENCY CLOSINGS

The decision to delay opening of school or to dismiss school early will be made by the Superintendent.

If possible, the Board President will be informed of such decision and will be notified when all students have departed from school.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

WEATHER-RELATED AND EMERGENCY CLOSINGS**Delayed Opening**

If the Superintendent decides to delay the opening of school, the police and the local broadcast media will be notified, requesting that they assist in disseminating the information.

All staff members will report to their assigned schools to assist in the supervision of students.

School Closing

If the Superintendent decides to cancel classes for the day, the police and local broadcast media will be notified and asked to assist in disseminating the information.

Early Dismissal

If the Superintendent decides to dismiss school early, the procedure shown below will be followed for early dismissal of students:

- Students will be released from school only after the Program Director, has ascertained that appropriate notice has been given to parents or guardians. Staff members may be released by the principal when they are no longer needed to supervise students.
- The Program Director will remain at the school until all students have departed.

ECA SECURITY

The Superintendent will develop plans and procedures that will:

- Enhance the security of District property.
- Minimize fire hazards.
- Provide for the keeping of records and funds in a safe place.
- Protect against vandalism and burglary.
- Provide for the prosecution of vandals.
- Provide for and encourage employee responsibility for furniture, textbooks, reference material, and other District materials, equipment, and supplies assigned to the employee's care.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 13-3715

SECURITY**Off Hours Access to Campus**

Any employee who wants access to school buildings and grounds outside of normal contract hours, for other than a planned event, must obtain permission from their supervisor, then create an event on their EVIT Google calendar and send email invitations to security@evit.com and utilities@evit.com. This will alert security to your presence on campus and insure that heat/AC and lights are turned on, if necessary.

Keys

Possession of keys shall be in accordance with the following principles:

- A log of key assignments shall be maintained by the office of the Superintendent or other designated office.
- Unassigned duplicate keys shall be maintained in a safe or a secured box.
- Individuals assigned keys may not duplicate or loan them.
- All keys must be surrendered when no longer needed or upon request by the Superintendent.
- The loss of a key must be reported to the Superintendent upon discovery of the loss, and the employee may be required to pay for rekeying or replacing all affected locks.
- Use of keys for unauthorized purposes will be cause for surrender of keys.
- Employees will be subject to discipline and/or dismissal for unauthorized use of keys.
- A set of master keys and/or duplicates of keys shall be kept in the custody of the Superintendent.
- The employee will sign a receipt for keys assigned. The receipt will list the applicable rules.

SECURITY

Any person who, for oneself or for another, misuses a key to any building or other area owned, operated, or controlled by the District without authorization from the Governing Board/Superintendent is guilty of a Class 3 misdemeanor. *Misuse* of such a key, in this regard, includes:

- Manufacturing or causing the manufacture of a District key.
- Duplicating or causing the duplication of a District key.
- Possessing a District key.
- Using a District key.
- Permitting the use of a District key.

Employees and students who violate this policy are subject to disciplinary action.

ECAC

VANDALISM

The Superintendent is authorized to sign a criminal complaint and to press charges against perpetrators of vandalism against school property.

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. Such students who are caught vandalizing school property shall be subject to disciplinary action, including but not limited to suspension and expulsion. A conference with the student's parents will be required.

Parents and students shall be made aware that the law provides that parents are liable for the willful destruction of property by a minor in their custody or control.

The District may file suit to recover the cost of vandalism from the student and/or parent(s).

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 12-661, 15-842

VANDALISM

The Chief Operations Officer will establish a system through which students and members of the school community can report any instance of vandalism or suspected vandalism. Each employee of the District shall report to the Chief Operations Officer or other administrator every perceived incident of vandalism and, if known, the names of those responsible.

ECAD

SCHOOL AND PERSONAL PROPERTY REPLACEMENT/RESTITUTION

(Personal Property)

The District shall not assume responsibility for the loss of, or damage to, personal property stored, installed, or used on school premises.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

ECB

BUILDING AND GROUNDS MAINTENANCE

Adequate maintenance of buildings, grounds and property is essential to efficient management of the District.

The Board directs a continuous program of inspection and maintenance of school buildings and equipment. Wherever possible, maintenance shall be preventive.

The Superintendent shall develop such guidelines as may be necessary for the maintenance and repair of the physical plant.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

ED

MATERIALS AND EQUIPMENT MANAGEMENT

The District shall provide for the central purchasing, receiving, warehousing, and distribution of supplies, equipment, and materials common to the requirements of all schools.

A District warehouse shall be operated as an adjunct of the business office to store and distribute supplies as requisitioned by staff members.

All materials needed for instruction, business, and custodial operations of the individual schools shall be ordered from the warehouse when available from that source.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-213

MAINTENANCE AND CONTROL OF MATERIALS AND EQUIPMENT

Employees are responsible for the proper care of all District facilities, equipment, and property in their custody or control.

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. The Program Director shall maintain, by program, a stewardship listing of all items with a purchase price greater than fifty dollars (\$50) and less than one thousand dollars (\$1,000).

The Superintendent may establish procedures for transferring surplus or other materials and equipment.

Preventive Maintenance

The Superintendent shall establish a preventive-maintenance program that will extend the useful life for District equipment.

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.

Adopted: date of manual adoption

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 15-341, 15-721 *et seq.*

Uniform System of Financial Records: III-G-2

CROSS REF.: DID-Inventories

**MAINTENANCE AND CONTROL
OF MATERIALS AND EQUIPMENT****Surplus Equipment**

Property that is surplus at any unit shall be transferred to the Chief Financial Officer for reassignment to other District locations where a need may exist for the equipment.

Transfer of Equipment

Each transfer of property within the school must first have the written approval of the Chief Financial Officer on the designated form. Prior to the transfer, the principal shall forward to the business manager documentation of the intended transfer. Each transfer of property at the District level must have the prior approval of the Chief Financial Officer.

EDBA

MAINTENANCE AND CONTROL OF INSTRUCTIONAL MATERIALS

Students using District-provided textbooks, subject-matter materials, supplementary books, or instructional computer software are responsible for loss of or any damage to these items. A student who needs a second copy of a textbook shall be required to pay for it.

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-727, 15-729

CROSS REF.: K - Student Fees, Fines, and Charges

EDC

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS AND EQUIPMENT

District equipment may be used by school or nonschool 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:

- The District shall not incur any expense due to the use of materials or equipment.
- 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.
- The District shall not be in competition with any local business firm that could provide like equipment.
- Rental fees will be charged or waived, as appropriate, by the District.
- 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-1105

CROSS REF.: KF - Community Use of School Facilities

**AUTHORIZED USE OF SCHOOL-OWNED
MATERIALS AND EQUIPMENT**

All E.V.I.T. employees who have been *assigned District projects* that require the checking out of equipment must do so on a form titled "Loan of Equipment/Property." In addition, proof of insurance covering loaned equipment must be provided before equipment is to be checked out. If equipment is lost, stolen, or broken and in need of repair upon return, the employee will be held financially responsible for its replacement or repair.

Approved _____

By _____
Superintendent

TRANSPORTATION SERVICES

The responsibility for the operation of student transportation shall be provided by the satellite schools of the Career and Technological Education District.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 15-342, 15-764, 15-922-23, 15-945-46, 28-900, 28-901

EEAEB

BUS PURCHASING AND MAINTENANCE

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 28-984

A.A.C. § R17-9-105 *et seq.*

EEAEC

STUDENT CONDUCT ON SCHOOL BUSES

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

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

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

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

Adopted: date of manual adoption

Revised: October 10, 2022

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: EEAE - Bus Safety Program

JIC - Student Conduct

JK - Student Discipline

EAAF

SPECIAL USE OF BUSES

School buses may be used for the transportation of students participating in school-sponsored activities under the following conditions:

- Bus usage for educational field trips or educationally related activities by student organizations may be considered an extension of classroom activities.
- The Board delegates to the administration authority concerning requests for noncurricular usage. In such cases, the student organization or group making the trip will be required to reimburse the District for all or a portion of the cost of the transportation.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-1105

EEAG

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

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.

The Board specifically forbids any employee to transport students for school purposes without prior authorization by the Superintendent.

Each District employee or Governing Board member authorized to use a private vehicle for District purposes shall be notified in writing that the employee's or Governing Board member's automobile insurance is the primary coverage and District insurance coverage is secondary.

The Superintendent may develop regulations to govern the use of private vehicles for transporting students.

Adopted: date of manual adoption

Revised: June 12, 2017

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: EEB - Business and Personnel Transportation Services

STUDENT TRANSPORTATION IN PRIVATE VEHICLES

The use of a private vehicle for transporting students requires written permission from the Superintendent.

- This permission may be in the form of a standing permit for employees who use their own vehicles regularly for school purposes. The permit will state the particular purpose, and whether it includes transportation of students.
- For each special trip involving students, including field trips, a special permit must be obtained in advance for the specific trip.
- Each employee or Governing Board member authorized to use a private vehicle for school business purposes will be required to present proof of insurance to the District.
- No student will be sent on school errands with the student's own vehicle, an employee's vehicle, a Governing Board member's vehicle, or a District-owned vehicle.

BUSINESS AND PERSONNEL TRANSPORTATION SERVICES (District Travel Policy)

Administrative Requirements

Administrators shall be responsible for making certain that the use of school vehicles is not abused inside or outside the District, and it is the responsibility of such administrative personnel to assure that all travel has final approval from the District administration office. Use of private vehicles for school purposes must be approved by the Superintendent.

Use of School Vehicles

No school 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 or Governing Board member's family may be included on an out - of - town trip if approval is granted by the Superintendent. Only Governing Board members or District employees may drive the vehicle. A school vehicle shall not be taken to an employee's or Governing Board member's home at night unless the employee or Governing Board member has permission from the Superintendent.

Use of Private Vehicle

Only when authorized 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 or Governing Board member using a private vehicle for a school trip shall not claim mileage for any purely personal use of the vehicle during said trip.

Each District employee or Governing Board member authorized to use a private vehicle for District purposes shall be notified in writing that the employee's or Governing Board member's automobile insurance is the primary coverage and District insurance coverage is secondary.

Each employee or Governing Board member authorized to use a private vehicle for school business purposes will be required to present proof of insurance to the District.

Accident Report

Any accident (no matter how minor) in a school vehicle or in any private vehicle while on school business to be reported immediately 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.

Adopted: date of manual adoption

Revised: June 12, 2017

LEGAL REF.: A.R.S. §§ 15-341; 38-538
USFR: VI.I.

CROSS REF.: DKC - Expense Authorization/Reimbursement
EEAG – Student Transportation in Private Vehicles

EEBD

BUSINESS TRANSPORTATION RECORDS AND REPORTS

Records and reports will be maintained 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 the Superintendent and other authorized officials.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § §15-321, 15-901, 15-903

A.A.C. § R17-4-612

EFE

COMPETITIVE FOOD SALES/VENDING MACHINES

Vending machines containing confections, soft drinks, and other food items may be located on the school campus.

Adopted: date of manual adoption

EG

OFFICE SERVICES

All offices in the District shall be open during the school year Monday through Friday, from 7:30 a.m. until 4:00 p.m., except during holidays and as otherwise stipulated by the Superintendent. Hours of the working day shall be assigned by supervisors.

Adopted: date of manual adoption

LEGAL REF.: Arizona Constitution, Art.18, § 1

EGAD

COPYRIGHT COMPLIANCE

The District does not condone violations of the United States copyright law. 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.

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:

- The purpose and character of the use, including whether the use is of a commercial nature or for nonprofit educational purposes.
- The nature of the copyrighted work.
- The amount and importance of the portion used in relation to the copyrighted work as a whole.
- The effect of the use upon the potential market for or value of the copyrighted work.

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.

Adopted: date of manual adoption

LEGAL REF.: P.L. 94-553

EGAE

MAIL AND DELIVERY SERVICES

A mail service system shall be maintained within the District so that in-District communications and communications from outside sources may be delivered to the intended recipients in the most practicable way.

The use of District mail facilities and personnel for the distribution of materials and communications shall be restricted to materials and communications that further the official school business and the educational purposes of the District.

The District shall not be liable for items lost or opened, nor for any damage or injury incurred by any individual as a result of the use of this mail service.

The Superintendent may establish procedures for implementation of this policy.

Adopted: date of manual adoption

EGAEA

ELECTRONIC MAIL

Electronic communications (including records made with other software and sent in e-mail) which are sent or received by the Governing Board or District employees pertaining to the business of the District may be subject to public disclosure and inspection as public records and discovery in litigation as evidence in support of a claim. Use of electronic mail should conform to the same standards of judgment, propriety, and ethics as other forms of District business-related communications. Governing 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 District business-related issues. All business-related electronic communications by Governing Board members, officers and employees are to be turned over to the District records office to be sorted and have their value as a record determined. For these reasons a record keeping system for electronic communications shall be established in which those types of electronic communications:

- shall be categorized in the same manner as is required for paper records,
- shall be stored in a way permitting ease of record retrieval,
- and shall contain explicit sender and receiver identification.

The following guidelines shall be adhered to in order to establish a record keeping procedure for such communications.

- A repository for electronic communications shall be established at the direction of the Superintendent.
- All District business-related communications, including communications from private computers used by Governing 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.
- The determination of record status shall be on the same basis as is used for paper records.
- 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.
- 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.

Adopted: June 22, 2020

LEGAL REF.: A.R.S. §§ 38-431.01 *et seq.*, 39-101, 39-121 *et seq.*, 41-1343, 41-1346
Ariz. Att. Gen. Opinion I05-004
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

CROSS REF.: BDF - Advisory Committees
BEDH - Public Participation at Governing Board Meetings
BHC - Governing Board Communications with Staff Members
BHD - Governing Board Communications with the Public
EGD - Use of Technology in Office Services
EHB - Data/Records Retention (Records Management)

EGD

USE OF TECHNOLOGY IN OFFICE SERVICES

Electronic communications (including records made with other software and sent in e-mail) which are sent or received by the Governing Board or District employees pertaining to the business of the District may be subject to public disclosure and inspection as public records and discovery in litigation as evidence in support of a claim.

All Governing 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 Governing Board or the date of employment, as is applicable. In order to encourage the Governing Board, individual Governing Board members, staff communicating with or on behalf of the Governing Board and members of councils/committees of the Governing Board to comply with the requirements of the OML and Public Records Law, the following guidelines shall be followed:

Guidelines:

- E-mail or any other electronic messaging service shall not be used as a substitute for deliberations at Governing Board meetings or for other communications or business properly confined to Governing Board meetings.
- 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.
- Confidential information about District employees, students or other Governing Board members shall not be included in e-mail communications due to the risk of improper disclosure.
- 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.
- The following statement shall be used on all Governing Board member and staff electronic communications: "To ensure compliance with the Open Meeting Law, Governing Board member recipients of this message should not forward it to other Governing Board members nor should Governing Board members reply to this message."
- Governing Board members shall communicate with staff members and the public by following procedures established in policy.

Records Retention:

- Each Governing 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 Governing 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.

EGD

Compliance

In the event a Governing Board member(s) fails to comply with the guidance of Governing Board policy, the matter shall be referred to the Governing Board President, who will meet with and/or discuss the matter and the Governing Board policy with the Governing Board member(s). The Governing Board President may request that the Governing Board's legal counsel participate in the meeting and/or discussion.

In the event a District employee fails to comply with the guidance of Governing Board policy, that employee may be subject to disciplinary action, up to and including possible termination.

The Superintendent may develop procedures to assist in compliance with the Open Meeting Law and the Public Records Law.

Adopted: June 22, 2020

LEGAL REF.: A.R.S. §§ 38-431.01 *et seq.*, 39-101, 39-121 *et seq.*, 41-1343, 41-1346

Ariz. Att. Gen. Opinion I05-004

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

Records Retention and Disposition for Arizona School Districts (2004) -

Records Management Division of the Department of Library, Archives, and
Public Records

CROSS REF.: BDF - Advisory Committees

BEDH - Public Participation at Board Meetings

BHC - Board Communications with Staff Members

BHD - Board Communications with the Public

EGAEA - Electronic Mail

EHB - Data/Records Retention

EHB-R - Data/Records Retention Regulation

EHB

DATA/RECORDS RETENTION

(Records Management)

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. An administrative records management program approved by the Governing Board shall be established and maintained, and copies of retention schedules shall be submitted to the Arizona State Library, Archives and Public Records (ASLAPR).

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.

The Governing Board is the custodian of the official copies of all records, required or optional, and the Superintendent shall be responsible for protecting such record on behalf of the Board. 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.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-27172, 15-521, 15-341, 23-721, 23-026, 23-962,
38-421, 38-423-24, 39-101, 39-103, 39-121, 44-1346 *et seq.*,
44-1373
A.A.C. § R7-2-803

**DATA/RECORDS RETENTION
(Records Management Program)**

Records shall be prepared and managed as outlined below.

Business and Financial Records

Management of the following records is the responsibility of the Chief Financial Officer:

- Annual District budget.
- Audit reports.
- Financial statements.
- Capital levy plan.
- Bids.
- Contracts (except employment).
- Deeds.
- Leases/lease purchases.
- Inventory (history records of general fixed assets).
- Records identified in the Uniform System of Financial Records.

Other District Records

The current year's records will be kept in the District administration office. When practical to do so, but no later than during the second immediate past year, all paper records will be grouped, bundled together, and labeled, with the disposal date noted on the label. Records created and/or maintained in an electronic format will be preserved in a manner approved by the Records Management Division of the Arizona State Library, Archives and Public Records (ASLAPR). Retention periods noted will refer to the number of years after the end of the fiscal year in which the records were made or superseded, as specified in the *General Retention Schedules for School Districts and Charter Schools*.

All records shall be managed in compliance with the requirements of the Records Management Division of the Arizona State Library, Archives, and Public Records (ASLAPR). Due to the ongoing process by the ASLAPR to revise existing and add new retention schedules for school districts and charter schools, the current point-in-time status of records retention requirements must be confirmed prior to determining disposition of the subject records by accessing the General Retention Schedule for School Districts and the Standards and Guidelines for Electronic Records available on the ASLAPR website at:

<http://www.lib.az.usfrecords/school.aspx> and

<http://www.lib.az.usfrecords/Standards and Guidelines.aspx>

INSURANCE PROGRAMS/RISK MANAGEMENT

The Board has the responsibility 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 in behalf of the school. The Board may also authorize a voluntary insurance program for students and employees.

The responsibility of administering the total insurance program shall be delegated to the Superintendent, who will seek and consider input from the staff. Underlying such administrative delegation, there will first be prepared, for review and approval, specifications for insurance coverage of various types so that the insurance may be placed by competitive bid. Any recommended modification of these specifications will be brought before the Board for review and action. The District will make every effort to obtain insurance at the most economical cost, consistent with required service.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-381-84, 15-386-88
Ariz. Att. Gen. Op. I80-216

OLD MACDONALD HAD A FARM

A. Old MacDonald's Cows

- Old MacDonald had a farm, E-I-E-I-O
- And on his farm he had a cow, E-I-E-I-O
- With a moo-moo here and a moo-moo there
 - Here a moo
 - There a moo
- Everywhere a moo-moo
- Old MacDonald had a farm, E-I-E-I-O

B. Old MacDonald's Pigs

- Old MacDonald had a farm, E-I-E-I-O
- And on his farm he had a pig, E-I-E-I-O
- With an oink-oink here and an oink-oink there
 - Here an oink
 - There an oink
- Everywhere an oink-oink
- Old MacDonald had a farm, E-I-E-I-O

C. Old MacDonald's Ducks

- Old MacDonald had a farm, E-I-E-I-O
- And on his farm he had a duck, E-I-E-I-O
- With a moo-moo here and a quack-quack there
 - Here a quack
 - There a quack
- Everywhere a quack-quack
- Old MacDonald had a farm, E-I-E-I-O

D. Old MacDonald's Horse

- Old MacDonald had a farm, E-I-E-I-O
- And on his farm he had a horse, E-I-E-I-O
- With a neigh-neigh here and a neigh-neigh there
 - Here a neigh
 - There a neigh
- Everywhere a neigh-neigh
- Old MacDonald had a farm, E-I-E-I-O

This “policy” was inserted just to see if anyone actually reads or pays attention to the policies. If you have haplessly stumbled across this page, please email the Director of Legal Services with EIEIO in the subject line.

FA

FACILITIES DEVELOPMENT GOALS/PRIORITY OBJECTIVES

Priority in the development of facilities shall be based on identified educational needs and on programs developed to meet those needs.

The Board establishes these broad goals for development:

- To integrate facilities planning with other aspects of planning in a comprehensive educational program.
- To base educational specifications for school buildings on identifiable learner needs.
- To design for sufficient flexibility to permit program modification or the installation of new programs.
- To design school buildings as economically as feasible, providing that learner needs are effectively and adequately met by the design.
- To involve the community, school staff members, available experts, and the latest in related current development and research in building plans and specifications.
- To analyze life-cycle costs as they compare with capital expenditures versus a maintenance and operations expense projection.
- To analyze the core facility as it relates to future expansion.
- To design school buildings for community use when feasible

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341-42

FCB

RETIREMENT OF FACILITIES

(Closing a School Facility)

If it is determined the Board needs to consider closing a school facility the Board may consult with the Arizona School Facilities Board (SFB) for technical assistance and for information on the impact of closing a school. The information provided from the SFB shall not require the Board to take or not take any action.

The Board recognizes the impact closing a school has on the community, the students who attend the school being considered, the projected impact on other schools in the District, and the District. In response the Board shall discuss and consider a proposed school closing at a scheduled Board meeting. The Superintendent shall present at a Board meeting demographic data related to present and future school facility needs along with information related to a school closing.

Community members shall be provided an opportunity to address the consideration at the Board meeting.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-341, 38-431.01

CROSS REF.: JC — School Attendance Areas

FEA

EDUCATIONAL SPECIFICATIONS FOR CONSTRUCTION

In the construction of new or remodeled educational facilities, the Board requires the Superintendent to develop a set of comprehensive educational specifications. In conferences with the architect, the following specifications and statutory references shall be discussed for design inclusion:

- Information concerning the plan of school organization and estimated enrollment in the proposed building.
- A description of the proposed curriculum and the teaching methods and techniques to be employed.
- A schedule of space requirements, including an indication of relative locations of various spaces.
- A desired layout of special areas and the equipment needed for such areas.
- An outline of mechanical features and special finishes desired.

Adopted date of manual adoption

LEGAL REF.: A.R.S. § 34-461, 41-1492, 41-2163

20 U.S.C. 1400 Individuals with Disabilities Act

29 U.S.C. 704, Rehabilitation Act, Section 504

42 U.S.C. 12101 The Americans with Disabilities Act

NAMING FACILITIES

In naming facilities, the District will consider names derived from significant geographic locations, historical events, or events of community significance, as well as worthy deceased individuals who:

- Have made unique contributions to the District; and
- Have been deceased for at least 10 years.

In this policy, the word *facility* refers to any school building, or administration building.

Adopted: November 13, 2008

PERSONNEL GOALS/PRIORITY OBJECTIVES

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.

Duties of these staff members shall be outlined and assigned by the Superintendent.

Additionally, the Board establishes, as personnel service goals, the following:

- Recruiting, selecting, and employing the best-qualified personnel to staff the school system.
- An employee appraisal program that will contribute to the continuous improvement of staff performance.
- Professional development and in-service training programs for employees that will improve their rates of performance and retention.
- Deployment of the available personnel to ensure that they are utilized as effectively as possible within budgetary constraints.
- Human relationships necessary to obtain maximum staff performance and satisfaction.
- A staff compensation program sufficient to attract and retain qualified employees within the fiscal limitations of the District.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-502, 15-503

GBA
EQUAL EMPLOYMENT OPPORTUNITY

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. Efforts will be made in recruitment and employment to ensure equal opportunity in employment for all qualified persons.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-904, 41-1461, 41-1463, 41-1465

CROSS REF.: AC - Nondiscrimination

ACA - Sexual Harassment

KB - Equal Educational Opportunities

KED - Public Concerns/Complaint about Facilities

-

EQUAL EMPLOYMENT OPPORTUNITY**Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have 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 Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board, even though no complaint has been made.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether or not to hold an administrative hearing and/or to recommend bringing the matter before the Board.

If the person alleged to have violated policy is a teacher or an administrator, the due-process provisions of the District's Policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. 15-539 *et seq.* may be initiated.

If the person alleged to have violated policy is a classified employee, the Superintendent may follow due process and impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may recommend a suspension without pay, recommend dismissal, or impose other appropriate discipline.

If the person alleged to have violated policy is a student, the Superintendent may impose discipline in accordance with policies JK and JKD.

If the Superintendent's investigation reveals no reasonable cause to believe policy has been violated, the Superintendent shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

EQUAL EMPLOYMENT OPPORTUNITY**COMPLAINT FORM**

(To be filed with the compliance officer as provided in GBA-R)

Please print:

Name _____ Date _____

Address _____

Telephone _____ Alternate telephone _____

Email _____

I wish to complain against:

Name of person, school (department), program, or activity _____

Campus/Department _____

Date(s) of actions about which you are complaining _____

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

EXHIBIT**EXHIBIT**

If there is anyone who could provide more information regarding this, please list name(s), address(es), and telephone number(s).

Name	Address	Telephone number
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

The projected solution

State what you think can and should be done to solve the problem. Be as specific as possible.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant

Date

The compliance officer, as designated in GBA-R, shall give one copy to the complainant and shall retain one copy for the file.

GBAB

MEDICAL MARIJUANA STANDARDS AND CONDITIONS FOR EMPLOYEES

For the purpose of this policy, pursuant to Arizona Revised Statutes (A.R.S.) § 36-2801, a *qualified medical marijuana cardholder* means:

- A qualifying patient,
- A designated caregiver, or
- 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.

Unless the District would lose a monetary or licensing related benefit under federal law or regulations, the School District may not discriminate against a person in hiring, termination or imposing any term or condition of employment or otherwise penalize a person solely:

- on the basis of the person's status as a medical marijuana cardholder,
or
- for a positive test for marijuana components or metabolites,
 - unless the person used, possessed or was impaired by marijuana on the premises of the place of employment or during the hours of employment.

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]

Subject to A.R.S. § 36-2802, no person is authorized to engage in:

- undertaking any task under the influence of marijuana that would constitute negligence or professional malpractice,
- possessing or engaging in the medical use of marijuana,
 - on a school bus,
 - on the grounds of any preschool, elementary school or secondary school
- smoking marijuana,
 - on any form of public transportation, or
 - in any public place.
- Operating, navigating or being in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana,

GBAB

- 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.
- using marijuana in any manner not authorized by Chapter 28.1 of Arizona Revised Statutes Title 36.

The District does not allow the ingestion of marijuana in any workplace,

- 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.

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.

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

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.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 13-3401, 13-3405, 13-3411, 15-342, 15-512, 15-546,
36-3801 *et seq.* [Arizona Medical Marijuana Act]

CROSS REF.: GBEB — Staff Conduct
GBEC — Drug-Free Workplace
GBECA - Nonmedical Use of Abuse of Drugs or Alcohol

GBB

STAFF INVOLVEMENT IN DECISION MAKING

It shall be the policy of the Board to encourage employee participation in the decision making for the District. The Superintendent is authorized to establish such committees as necessary to recommend policies and regulations that will enhance the operation of the District.

In recommending policies to the Board and in the development of regulations for the operation of the District, the Superintendent may involve at the planning stage, whenever feasible, any employees who may be affected by such provisions.

The Superintendent shall establish, with certificated and classified employees, channels for the ready intercommunication of ideas and feelings regarding the operation of the schools. The Superintendent shall weigh with care the counsel given by employees and inform the Board of such counsel in presenting recommendations for Board action.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

GBEA

STAFF ETHICS

(Statement of Ethics for School Employees)

All employees of the District are expected to maintain high standards in their school relationships. These standards must be idealistic and at the same time practical, so that they can apply reasonably to all staff members. The employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, 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.

The school employee:

- Makes the well-being of students the fundamental value of all decision making and actions.
- Maintains just, courteous, and proper relationships with students, parents, staff members, and others.
- Strives for the maintenance of efficiency and knowledge of developments in the employee's field of work.
- Fulfills job responsibilities with honesty and integrity.
- Directs any criticism of other staff members or of any department of the school system toward improving the District. Such constructive criticism is to be made directly to the school administrator who has the responsibility for improving the situation.
- Supports the principle of due process and protects the civil and human rights of all individuals.
- Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
- Implements the Governing Board's policies and administrative rules and regulations.
- Refrains from using school contacts and privileges to promote partisan politics, sectarian religious views, or selfish propaganda of any kind.
- Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.

GBEA

- Avoids using position for personal gain through political, social, religious, economic, or other influence.
- Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.
- Stresses the proper use and protection of all school properties, equipment, and materials.
- Honors all contracts until fulfillment or release.

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.

Adopted: date of manual adoption

LEGAL REF.: A.A.C. § R7-2-205

GBEAA

STAFF CONFLICT OF INTEREST

Employment of Close Relatives

No person employed by the District may be directly evaluated by a close relative (father, mother, son, daughter, sister, brother, or spouse). This policy will apply for summer or part-time work as well as for full-time employment.

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. The spouse of a Board member cannot be employed by the District.

Business Relations

Any employee who has, or whose relative 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.

"Refrain from participating in any matter" 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.

Vendor Relations

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 as described in Policy DJ, Purchasing (Purchasing Ethics Policy).

District Purchases from Employees

The District must comply with competitive purchasing rules for any acquisition of goods or services from District employees regardless of the 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.

Employee Training and Acknowledgement of Understanding

The Governing 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, GBEAA-E, as determined by the District.

The District will investigate allegations of inadequate disclosure of substantial interests and/or inappropriate participation when a substantial interest may exist.

Adopted: date Board approval

Revised: December 10, 2018

LEGAL REF.: A.R.S. §§ 15-232, 15-421, 15-502, 38-481, 38-501 *et seq.*

Att. Gen. Op. 183-111, 103-005, 106-002

Attorney General Arizona Agency Handbook, Appendix 8.1

CROSS REF.: BCB - Board Member Conflict of Interest

DJ – Purchasing

DJE – Bidding/Purchasing Procedures

GBP – Prohibited Personnel Practices

STAFF CONFLICT OF INTEREST**CONFLICT OF INTEREST DISCLOSURE PURSUANT TO A.R.S §§ 38-501 TO 511**

1. Employees must file a Conflict of Interest Disclosure within five (5) calendar days after commencing work and at least annually thereafter, either identifying and conflict the employee or the employee's relative has or stating that the employee or the employee's relative has no conflict.
2. All Conflict of Interest Disclosures shall be kept on file at East Valley Institute of Technology District No. 401.
3. It is the employee's responsibility to update and submit to both District Legal and Human Resources Departments within fifteen (15) calendar days of any new conflict arising after the date of the most recent Disclosure.

STATEMENT OF CONFLICT

I, _____ do hereby indicate:

That I am presently an officer/employee of the East Valley Institute of Technology #401;

1. That I (or my relative[s]: _____) have a substantial interest in the contract, sale, purchase, decision, investigation, or other matter by the East Valley Institute of Technology #401 Governing Board as described below.

Identify the contract, sale, purchase, service, decision, investigate, or other matter in which you or your relative may have a "substantial interest" under A.R.S. §§ 38-501 to 511.

(continue on back if necessary)

Describe the "substantial interest" referred to above.

(continue on back if necessary)

STATEMENT OF DISQUALIFICATION

To be completed if you have a conflict as identified above.

To avoid any possible conflict of interest under A.R.S. §§ 38-501 to 511, I will refrain from participating in any manner in the matter identified above.

Signature _____

Date _____

STATEMENT OF NO CONFLICT

To be completed only if you do not or your relative does not have a conflict of interest.

I, _____, do hereby indicate that I do not have, and none of my relatives has, a substantial interest in any contract, sale, purchase, service, decision, investigation, or other matter of the East Valley Institute of Technology School District Governing Board.

Signature _____

Date _____

GBEB

STAFF CONDUCT

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, disrupt any legal District activity or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

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

- Removal from school grounds.
- Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
- Warning.
- Reprimand.
- Suspension.
- Dismissal.
- 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.

Use of Physical Force by Supervisory Personnel

Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order. 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.

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-2911, 13-3102, 13-3111, 13-3411, 15-341, 15-342, 15-507, 15-509, 15-514, 15-521, 38-531, 38-532, 41-770
A.A.C. § R7-2-205

CROSS REF.: GCF - Professional Staff Hiring
JK - Student Discipline

STAFF CONDUCT

No employee, while on or using school property, otherwise acting as an agent, or working in an official capacity for the District shall engage in:

- A. Physical or verbal abuse of, or threat of harm to, anyone.
- B. Causing damage, or threat of damage, to property of the District or property of a member of the community or a visitor to the school when the property is located on premises controlled by the District.
- C. Forceful or unauthorized entry to or occupation of District facilities, including buildings and grounds.
- D. Use, possession, distribution, or sale of alcohol or of drugs or other illegal substances.
- E. Use of profane or abusive language, symbols, or conduct.
- F. Failure to comply with lawful direction of District officials, security officers, or any other law-enforcement officer, or failure to identify oneself to such officials or officers when lawfully requested to do so.
- G. The carrying or possession of a weapon on school grounds without authorization from the appropriate school administrator.
- H. A violation of District policies and regulations.
- I. Any conduct violating federal, state, or applicable municipal law or regulation.
- J. Any other conduct that may obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions of the District, or any other activity sponsored or approved by the Board.

In addition to the foregoing, all staff members are expected to:

- A. Thoroughly acquaint themselves with the rules, regulations, and other information applicable to them contained within the policies of the Board.
- B. Conduct themselves in a manner consistent with effective and orderly education and to protect the students and the District property.
- C. Maintain order in a manner consistent with District policies and regulations.
- D. Comply promptly with all orders of the Superintendent and the administrator who is their immediate supervisor.
- E. Dress and maintain a general appearance that reflects their position and does not detract from the educational program of the school.

REGULATION**REGULATION**

- F. Comply with the requirement of A.R.S. § 15-515 by immediately reporting to the Superintendent or the administrator who is their immediate supervisor:
1. A violation of A.R.S. § 13-3102 [possession of a deadly weapon on school grounds].
 2. A violation of A.R.S. § 13-3111 [possession of a firearm by a minor without authorization (in Maricopa and Pima Counties and where otherwise adopted by local ordinance)].
 3. A violation of A.R.S. § 13-3411 [possession, use, or intent to sell marijuana, peyote, or dangerous or narcotic drugs, or intent to sell prescription- only drugs in a drug-free school zone (i.e., school grounds and the area within 300 feet and public property within 1,000 feet of school grounds, the area at a school bus stop, and a school bus)].

Any administrator receiving a report of a violation of A.R.S. §§ 13-3102, 13-3111, or 13-3411 shall immediately report such violation to a peace officer in compliance with A.R.S. § 15-515.

Employees of the District who violate these rules are subject to disciplinary action.

STAFF CONDUCT WITH STUDENTS

Employees are expected to exercise general supervision over the conduct of students, not only during school, but also before and after school and at all school-sponsored events, including those off campus. At all times teachers and other staff members will accord students the dignity and respect that they deserve and avoid embarrassing any student unnecessarily.

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.

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.

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.

- By way of further definition of staff -to-student misconduct, prohibited behaviors include, but may not be limited to the following:
 - Touching the student on or near the sexual parts (on or near the breast; on or near the genitals).
 - Causing the student to touch the adult on or near sexual parts.
 - Showing a student pornography or any material deemed harmful to minors.
 - Exposing sexual parts to the student or causing the student to do the same to the adult.
 - Having oral sexual contact with the student.
 - Having sexual intercourse.
 - Asking questions about the student's sexual activities.

GBEBB

- Sexual hugging or caressing or kissing.
- Entering into a discussion with a student about any of the above in which the student is requested, or suggested, to participate in any of those activities with the adult or other person.
- Touching or stroking the face, neck, hair, hands, or any other part of the body that may be perceived by the student as uncomfortable, unwanted, and possibly sexual advancement or pursuit.

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.

Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process.

Violations of the above shall be considered serious and may result in severe disciplinary action.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 15-321, 15-514, 15-341

CROSS REF.: JIC - Student Conduct

GBEBC

GIFTS TO AND SOLICITATIONS BY STAFF MEMBERS

Gifts

Students, parents, and other patrons of the District shall be discouraged from the routine presentation of gifts to employees. This shall not be interpreted as intended to discourage acts of generosity in unusual situations, and simple remembrances expressive of affection or gratitude shall not be regarded as violations of this policy.

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.

Solicitations

A school employee's position in the District shall not be used to influence parents or students to purchase books or other merchandise, except for materials approved by the Superintendent for use in the classroom.

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 Superintendent in advance.

No other solicitations shall be made by or of employees during official duty time.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

CROSS REF: KCD - Public Gifts/Donations to Schools, KCD-R
KCDA - Solicitation of Donations

GBEC

ALCOHOL AND DRUG - FREE WORKPLACE

The use or possession of intoxicants or illegal drugs on school property or at school events is prohibited.

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 § 202 of the Controlled Substances Act (31 U.S.C. § 812) and as further defined by regulation at 21 C.F.R. § 1300.11 to 1300.15.

Any person in violation of this policy shall be subject to removal from school property, shall be subject to prosecution in accordance with the provision of the law, and shall be subject to discipline, which may include, but is not limited to, dismissal. A staff member who apparently has consumed alcoholic beverages or illegal drugs on or off school property and/or before a school activity will not be allowed to be on school property or to participate in school activities. If a drug or urine test reveals that illegal drugs are in one's system, the person is in violation and subject to the consequences listed in this paragraph.

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.

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 days thereof that such conviction has occurred.

As a condition of employment, each employee shall abide by the terms of the District policy respecting a drug-free workplace.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 13-2911, 13-3401 *et seq.*, 15-341

P.L. 100-690 Title V, Subtitle D.

34 C.F.R. Part 85

A.A.C. R7-2-312

DRUG - FREE WORKPLACE

NOTICE TO EMPLOYEES

YOU ARE HEREBY NOTIFIED that it is a violation of Policy GBEC for any employee to 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. §§ 1300.11 through 1300.15.

Workplace includes any place where work is performed, including a school building or other school premises; any school-owned vehicle or any other school-approved vehicle used to transport students to and from school or school activities; and off school property during any school-sponsored or school-approved activity, event, or function, such as a field trip or athletic event, where students 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 purpose.

YOU ARE FURTHER NOTIFIED that it is a condition of your employment that you will comply with Policy GBEC, and will notify your supervisor of your conviction under any criminal drug statute for a violation occurring in the workplace, not later than 5 days after such conviction.

Any employee who violates the terms of the District's drug-free workplace policy in any manner is subject to discipline, which may include, but is not limited to, dismissal and/or referral for prosecution. I have been provided with two (2) copies of this Notice to Employees for my review and signature. I understand that a signed copy will be placed in my personnel file.

Signature

Date

DRUG - FREE WORKPLACE

In order to comply with federal funding requirements, the District shall:

- Gather information relative to availability of local community drug and alcohol counseling, rehabilitation, and reentry programs that are available to employees and make such information available to employees.
- Provide each employee a copy of standards of conduct and the statement of disciplinary sanctions that apply to alcohol and drug violations. Use exhibit GBEC-EA to notify employees that compliance with such standards is mandatory.

The District should perform a biennial review of the programs to:

- Ensure that disciplinary sanctions for employees are consistently enforced.
- Determine program effectiveness and implement change to the program if needed.

NONMEDICAL USE OR ABUSE OF DRUGS OR ALCOHOL

The District's posture in dealing with employees who engage in the nonmedical use of drugs and/or the abuse of alcohol is to be one of constructive confrontation in a supportive environment and supportive relationship. This approach is based on the following premises:

- Each employee is responsible for the employee's own actions.
- Each employee is a role model for students.
- Each employee who seeks help is to be given the opportunity to do so in a supportive environment.
- The District shall not ignore employee problems.
- Constructive confrontation will be utilized to make employees aware of opportunities and choices for help.
- Efforts to maintain confidentiality will be made by the District.
- Outside referrals to non-school personnel will be provided, at employee expense, to employees who indicate an interest.
- Employees will be required to provide information on progress in dealing with problems.
- Supervisory staff members will receive orientation on methods of constructive confrontation.
- Opportunities for self-referral will be provided.
- As recommended by outside professional sources, the District will consider support to an employee during reentry into the workplace.
- The District's right to intervene is based on (1) a basic concern for the health and welfare of the persons whom it employs and (2) the right to expect quality job performance.
- School employees are human and should not be considered any less vulnerable or immune to human stress than any other person.
- In spite of the above, school employees whose nonmedical use of drugs or use of alcohol endangers the health and safety of students or other employees may of necessity be dealt with summarily.

Employee Drug Use or Abuse

The nonmedical possession or use or abuse of drugs and/or use of alcohol is forbidden on school property or at school-sponsored activities away from school property. Employees determined to be in possession of, using, or abusing drugs or using alcohol shall be reported immediately to the Program Director or other person in charge. The Superintendent shall be notified immediately.

GBECA

The Superintendent will conduct an investigation in consultation with legal counsel as necessary. 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. If the results of the investigation show that the employee's actions endangered the health and/or safety of students or other employees, the Superintendent 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 Superintendent shall so direct the immediate supervisor of the employee.

Medical Marijuana

The District may not discriminate against a person in hiring, termination or imposition of any term or condition of employment or otherwise penalize a person on the basis of:

- the person's status as an eligible medical marijuana cardholder, or
- as a registered qualifying patient, having a positive drug test for marijuana components or metabolites, unless the person used, possessed or was impaired by marijuana on District premises or during the person's hours of employment with the District,
- unless a failure to do so would cause the District to lose a monetary or licensing related benefit under federal law or regulations.

The Arizona Medical Marijuana Act does not authorize any person to engage in the following conduct:

- Undertaking any task under the influence of marijuana that would constitute negligence or professional malpractice.
- Possessing or engaging in the medical use of marijuana:
 - On a school bus.
 - On the grounds of any preschool or primary or secondary school
- Smoking marijuana:
 - On any form of public transportation.
 - In any public place.
- Operating, navigating or being in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana, 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
- Using marijuana in any manner other than as authorized by the Arizona Medical Marijuana Act.

GBECA

Adopted: February 13, 2012

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 13-2911, 13-3401 *et seq.*, 15-341, 23-493, 23-493.03,
36-2801 *et seq.*; 41 U.S.C. § 702,
Drug-free workplace requirements for Federal grant recipients
34 C.F.R. Part 85

CROSS REF.: GBAB - Medical Marijuana Standards and Conditions for
Employees

GBECB

ALCOHOL USE BY STAFF MEMBERS (Illegal Drugs)

The use or possession of intoxicants or illegal drugs on school property or at school events is prohibited.

Any person in violation of the provisions of the above paragraph shall be subject to removal from school property and shall be subject to prosecution in accordance with the provisions of the law.

Staff members of the District who are in violation of the provisions of this policy shall be subject to disciplinary actions in accordance with the provisions of school regulations.

A staff member who apparently has consumed alcoholic beverages or illegal drugs on or off school property and/or before a school activity will not be allowed to be on school property or to participate in school activities. Staff members who violate this policy will be subject to the same penalties as for possession and/or consumption on school property.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-321, 15-341

GBED

SMOKING BY STAFF MEMBERS

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

- School grounds.
- School buildings.
- School parking lots.
- School playing fields.
- School buses and other District vehicles.
- Off-campus school-sponsored events.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-3622, 15-341, 36-798.03
20 U.S.C. § 6083

CROSS REF.: JICG - Tobacco Use by Students
KFAA - Smoking on School Premises at Public Functions

GBEF

STAFF USE OF DIGITAL COMMUNICATIONS AND ELECTRONIC DEVICES

Social media is the use of web-based and mobile technologies to communicate through interactive dialogue. Social media technologies include but are not limited, to blogs, picture-sharing, vlogs, wall-postings, e-mail, instant messaging, music-sharing, crowdsourcing, Facebook, LinkedIn, My Space, Twitter, You Tube, and any successor protocol to transmit information. Mobile technologies are any devices that: transmit sounds, images, texts, messages, videos, or electronic information; electronically records, plays, or stores information; or accesses the Internet, or private communication or information networks. Current examples are Smartphones such as BlackBerry, Android, iPhone, and other such mobile technologies and subsequent generations of these and related devices.

The Governing Board recognizes how web-based and mobile technologies are fundamentally changing opportunities to communicate with individuals or groups and how their use can empower the user and enhance discourse. The Board equally recognizes that the misuse of such technologies can be potentially damaging to the District, employees, students and the community. Accordingly, the Governing Board requires all employees to adhere to adopted policies and to utilize digital communications and electronic devices in a professional manner at all times.

Nothing in this policy shall be interpreted to interfere with employee speech rights established under the United States Constitution, the Arizona Constitution, or applicable legal precedent.

The Board establishes the following parameters:

District employees:

- shall adhere to all Governing Board policies related to technologies including but not limited to the use of District technology, copyright laws, student rights, parent rights, the Family Educational Rights and Privacy Act (FERPA), staff ethics, and staff-student relations;
- shall not communicate with students via personal devices or social media for any purpose other than school sponsored, extra-curricular activities or events;
- shall allow the District access to any technologies used to communicate with students and District staff;
- shall not use District owned or provided technologies to endorse or promote a product, a political position, a political candidate or a cause, except a cause supported by the district;
- in all instances must be aware of his/her association with the District and ensure the related content of any posting is consistent with how they wish to present themselves to colleagues, community members, parents and students;
- shall not use District logos or District intellectual property without the written approval of the Superintendent or Superintendent's Designee;
- shall use technologies to enhance and add value to communications with District students, parents and staff and be respectful of those with whom they communicate;

GBEF

- shall immediately report all misuse or suspected misuse of technology to their direct supervisor/administrator who in turn will immediately report to the Superintendent;
- shall comply with all applicable records management parameters established by Arizona State Library, Archives and Public Records.

The Superintendent or Superintendent's Designee shall communicate the above to all employees of the District at the beginning of each school year and to newly hired employees as part of the hiring process.

The Superintendent shall establish which technologies are approved for use by employees to communicate with parents and students. Approved technologies shall be communicated to the Board and employees prior to the start of every school year, to newly elected Board members prior to taking office, and to newly hired employees as part of the hiring process.

The Superintendent shall determine which records retention and management guidelines as established by the Arizona State Library, Archives and Public Records are applicable to this Board policy and communicate these guidelines to the Board and employees prior to the start of every school year, to newly elected Board members prior to taking office, and newly hired employees as part of the hiring process.

Violations of this policy may result in disciplinary action up to and including termination and may constitute a violation of federal or state law in which case appropriate law enforcement shall be notified. The Superintendent shall report violations of this policy to the Board and shall make reports to the appropriate law enforcement agency when determined necessary.

LEGAL REF.: A.R.S. §§ 15-341 , 15-514

CROSS REF.: GBEA - Staff Ethics

GBEB - Staff Conduct

GBEBB - Staff Conduct With Students

GBI - Staff Participation in Political Activities

GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

JIC - Student Conduct

GBGB

STAFF PERSONAL SECURITY AND SAFETY

Threats

The Superintendent shall establish procedures that provide for the protection of any employee who is threatened with harm by an individual or a group while carrying out assigned duties.

Eye Protective Devices

The Superintendent shall establish procedures for every student, teacher, and visitor in public schools that shall require the wearing of appropriate eye protective wear while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities.

The Board shall equip the schools with eye protective ware. Schools may receive and expend federal, state, and local monies to provide eye protective devices.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-1203, 13-1204, 13-2911, 15-151, 15-507

STAFF PERSONAL SECURITY AND SAFETY**Threats**

Any employee who is threatened with harm by an individual or a group while carrying out assigned duties shall immediately notify the building Program Director or supervisor. The Program Director or supervisor shall then immediately notify the Superintendent's office of the threat and together they shall take immediate steps in cooperation with the employee to provide every reasonable precaution for the employee's safety. Precautionary steps, including any advisable legal action, shall be reported to the Superintendent's office at the earliest possible time.

Eye Protective Devices

Every student, teacher, and visitor in public schools shall wear appropriate eye protective ware while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to:

- Molten metals or other molten materials.
- Cutting, shaping, and grinding of materials.
- Heat treatment, tempering, or kiln firing of any metal or other materials.
- Welding fabrication processes.
- Explosive materials.
- Caustic solutions.
- Radiation materials. The Board shall equip the schools with eye protective ware.

Schools may receive and expend federal, state, and local monies to provide eye protective devices.

For purposes of this procedure, *eye protective ware* means devices meeting the standards of the U.S.A. Standard Safety Code for head, eye, and respiratory protection, Z21-1959, and subsequent revisions thereof, approved by the United States of America Standards Institute, Inc.

GBGC

EMPLOYEE ASSISTANCE

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. An employee must report any such accident to the supervisor's office immediately, since a report on the time of the accident, persons involved, and how it happened is required.

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.

When, in the opinion of the immediate supervisor and/or the Superintendent, the employee's physical or emotional condition warrants, the District may require a complete examination, at District expense, by a licensed physician selected by the District.

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, postexposure evaluation and follow-up, and administering vaccine to employees exposed to Hepatitis B virus.

All employees who as a result of their employment have had significant exposure to bloodborne 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 postexposure 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-505, 23-901, 23-902, 23-906, 23-908, 23-961, 23-962

CROSS REF.: EBBB - Accident Reports

EMPLOYEE ASSISTANCE

Any employee who has an accident, no matter how slight, while on duty shall notify the supervisor immediately, but in no case longer than twenty-four (24) hours following the incident. Failure to follow this procedure could result in the loss of workers' compensation benefits.

After being notified by an employee, the supervisor shall complete and submit the Report of Industrial Injury to the District office.

The business office, upon receiving the supervisor's report, shall, within ten (10) days after notification, submit the Report of Industrial Injury to the insurance carrier.

LEGAL REF.: A.R.S. § 23-908

CROSS REF.: EBBB - Accident Reports

EMPLOYEE ASSISTANCE (Bloodborne Pathogen Requirements)

Exposure Control Plan

Employee(s) with occupational exposure to human blood, human blood components, products made from human blood, or pathogenic microorganisms, including but not limited to Hepatitis B virus or HIV, shall comply with this Exposure Control Plan designed to eliminate or minimize employee exposure.

This Exposure Control Plan contains the following elements:

- The exposure determination outlined below.
- The schedule and method of implementation.
- The procedure for the evaluation of circumstances surrounding exposure. A copy of this Exposure Control Plan shall be accessible to employees.

This Exposure Control Plan shall be reviewed and updated at least annually and whenever necessary to reflect new or modified tasks and procedures that affect occupational exposure, and to reflect new or revised employee positions with occupational exposure.

This Exposure Control Plan shall be made available to the Assistant Secretary of Labor and the Director of the Occupational Safety and Health Administration upon request for examination and copying.

Exposure Determination

The District has established the following employee groups for the purpose of identifying possible occupational exposure to bloodborne pathogens.

- *High risk level:* Custodians, school nurse, and health occupations instructional personnel.
- *Moderate risk level:* Maintenance personnel, instructional personnel, school office and administrative personnel, and bus drivers.
- *Low risk level:* District office personnel.

Methods of Compliance

General. Universal precautions shall be observed by all District employees to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all body fluids shall be considered potentially infectious materials.

Engineering and work practice controls:

- Engineering and work practice controls shall be used to eliminate or minimize employee exposure. If occupational exposure remains after institution of these controls, personal protective equipment shall also be used.
- Engineering controls shall be examined and maintained or replaced on a regular schedule to ensure their effectiveness.

- The District shall provide hand-washing facilities that are readily accessible to employees.
- When provision of hand-washing facilities is not feasible, the District shall provide either an appropriate antiseptic hand cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes. When antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and running water as soon as feasible.
- The District requires that employees wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. Supervisory personnel shall ensure compliance.
- The District requires that employees wash hands and any other skin with soap and water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potentially infectious materials. Supervisory personnel shall ensure compliance.
- Contaminated needles and other contaminated sharps shall not be bent, recapped, or removed except as noted below. Shearing or breaking of contaminated needles is prohibited.
 - Contaminated needles and other contaminated sharps shall not be recapped or removed unless no other alternative is feasible or such action is required by a specific medical procedure as determined by a competent medical professional qualified to make such determination.
 - Such recapping or needle removal must be accomplished through the use of a mechanical device or a one-handed technique.
- Immediately or as soon as possible after use, contaminated reusable sharps shall be placed in appropriate containers until properly reprocessed.
- Eating, drinking, smoking, applying cosmetics or lip balm, and handling contact lenses are prohibited in work areas where there is a reasonable likelihood of occupational exposure.
- Food and drink shall not be kept in refrigerators, freezers, shelves, or cabinets, or on countertops or benchtops where blood or other potentially infectious materials are present.
- All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spraying, spattering, and generation of droplets of these substances.
- Mouth pipetting/suctioning of blood or other potentially infectious materials is prohibited.
- Specimens of blood or other potentially infectious materials shall be placed in a container that prevents leakage during collection, handling, processing, storage, transport, or shipping.
 - The container for storage, transport, or shipping shall be labeled or color coded according to law and closed prior to being stored, transported, or shipped. When a facility utilizes "universal precautions" in the handling of all specimens, the labeling/color coding of specimens is not necessary,

provided containers are recognizable as containing specimens. This exemption applies only while such specimens/containers remain with the facility. Labeling or color coding is required when such specimens/containers leave the facility.

- If outside contamination of the primary container occurs, the primary container shall be placed within a second container that prevents leakage during handling, processing, storage, transport, or shipping and is labeled or color coded according to the requirements of this standard.
- If the specimen could puncture the primary container, the primary container shall be placed within a secondary container that is puncture resistant in addition to the above characteristics.
- Equipment that may become contaminated with blood or other potentially infectious materials shall be examined prior to servicing or shipping and shall be decontaminated as necessary, unless the decontamination of such equipment or portions of such equipment is not feasible as determined by a supervisory employee assigned to make such determination.
 - A readily observable label in accordance with law shall be attached to the equipment stating which portions remain contaminated.
 - This information shall be conveyed to all affected employees, the servicing representative, and/or the manufacturer, as appropriate, prior to handling, servicing, or shipping so that appropriate precautions will be taken.

Personal protective equipment:

- *Provision.* When occupational exposure occurs, the District shall provide, at no cost to the employee, appropriate personal protective equipment such as, but not limited to, gloves, gowns, laboratory coats, face shields or masks and eye protection, and mouthpieces, resuscitation bags, pocket masks, or other ventilation devices. Personal protective equipment will be considered "appropriate" only if it does not permit blood or other potentially infectious materials to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time that the protective equipment will be used.
- *Use.* The District requires that all exposed employees use appropriate personal protective equipment unless the District documents that a specific employee temporarily and briefly declined to use personal protective equipment when, under rare and extraordinary circumstances, it was such employee's professional judgment that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or co-worker. When the employee makes this judgment, the circumstances shall be reported by the employee and investigated and documented by the District in order to determine whether changes can be instituted to prevent such occurrences in the future.
- *Accessibility.* Appropriate personal protective equipment in the appropriate sizes must be readily accessible at the work site or issued to employees.

Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to employees who are allergic to the gloves normally provided.

- Cleaning, laundering, and disposal. The District shall clean, launder, and dispose of personal protective equipment required in this standard, at no cost to the employee.
- Repair and replacement. The District shall repair or replace personal protective equipment as needed to maintain its effectiveness, at no cost to the employee.
- Any garment(s) penetrated by blood or other potentially infectious materials shall be removed immediately or as soon as feasible.
- All personal protective equipment shall be removed prior to leaving the work area.
- When personal protective equipment is removed it shall be placed in an appropriately designated area or container for storage, washing, decontamination, or disposal.
- Gloves. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and nonintact skin; when performing vascular access procedures; and when handling or touching contaminated items or surfaces.
 - Disposable (single- use) gloves, such as surgical or examination gloves, shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or their ability to function as a barrier is compromised.
 - Disposable (single-use) gloves shall not be washed or decontaminated for reuse.
 - Utility gloves may be decontaminated for reuse if the integrity of the gloves is not compromised. However, they must be discarded if they are cracked, peeling, torn, punctured, or exhibit other signs of deterioration or when their ability to function as a barrier is compromised.

Housekeeping:

- ***General.*** The work site must be maintained in a clean and sanitary condition. The District shall establish, attach hereto, and implement an appropriate written schedule for cleaning and the method of decontamination based upon the location within the facility, type of surface to be cleaned, type of soil present, and tasks or procedures being performed in the area.
- All school activity areas are cleaned daily.
- In cleaning operations involving human blood, a cleaning solution consisting of a 10:1 ratio of water and bleach, or another appropriate disinfectant, will be used.
- All equipment and environmental and working surfaces shall be cleaned and decontaminated after contact with blood or other potentially infectious materials.

- Contaminated work surfaces shall be decontaminated with an appropriate disinfectant after completion of procedures, immediately or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious materials, and at the end of the work shift if the surface may have become contaminated since the last cleaning.
- Protective coverings - such as plastic wrap, aluminum foil, or imperviously backed absorbent paper used to cover equipment and environmental surfaces - shall be removed and replaced as soon as feasible when they become overtly contaminated or at the end of the work shift if they may have become contaminated during the shift.
- All bins, pails, cans, and similar receptacles intended for reuse that have a reasonable likelihood of becoming contaminated with blood or other potentially infectious materials shall be inspected and decontaminated on a regularly scheduled basis and cleaned and decontaminated immediately or as soon as feasible upon visible contamination.
- Broken glassware that may be contaminated shall not be picked up directly with the hands. It shall be cleaned up using mechanical means such as a brush and dust pan, tongs, or forceps.
- Reusable sharps that are contaminated with blood or other potentially infectious materials shall not be stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.
- *Regulated waste:*
 - Contaminated sharps discarding and containment:
 - Contaminated sharps shall be discarded immediately or as soon as feasible in containers that are:
 - Closable.
 - Puncture resistant.
 - Leak-proof on sides and bottom.
 - Labeled or color coded.
 - During use, containers for contaminated sharps shall be:
 - Easily accessible to personnel and located as close as is feasible to the immediate area where sharps are used or can be reasonably anticipated to be found (e.g., laundries).
 - Maintained upright throughout use.
 - Replaced routinely and not be allowed to overfill.
 - When moving containers of contaminated sharps from the area of use, the containers shall be:
 - Closed immediately prior to removal or replacement to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.

- Placed in a secondary container if leakage is possible. The second container shall be:
 - Closable.
 - Constructed to contain all contents and prevent leakage during handling, storage, transport, or shipping.
 - Labeled or color coded.
 - Reusable containers shall not be opened, emptied, or cleaned manually or in any other manner that would expose employees to the risk of percutaneous injury.
- Other regulated waste containment:
 - Regulated waste shall be placed in containers that are:
 - Closable.
 - Constructed to contain all contents and prevent leakage of fluids during handling, storage, transport, or shipping.
 - Labeled or color coded.
 - Closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.
 - If outside contamination of the regulated waste container occurs, it shall be placed in a second container. The second container shall be:
 - Closable.
 - Constructed to contain all contents and prevent leakage of fluids during handling, storage, transport, or shipping.
 - Labeled or color coded.
 - Closed prior to removal to prevent spillage or protrusion of contents during handling, storage, transport, or shipping.
- Disposal of all regulated waste shall be in accordance with applicable regulations of the United States, states, territories, and political subdivisions of states and territories.
- Laundry:
 - Contaminated laundry shall be handled as little as possible, with a minimum of agitation.
 - Contaminated laundry shall be bagged or containerized at the location where it was used and shall not be sorted or rinsed in the location of use.
 - Contaminated laundry shall be placed and transported in bags or containers labeled or color coded. When a facility utilizes universal precautions in the handling of all soiled laundry, alternative labeling or color coding is sufficient if it permits all employees to recognize the containers as requiring compliance with universal precautions.
 - Whenever contaminated laundry is wet and presents a reasonable likelihood of soak-through or leakage from the bag or container, the

laundry shall be placed and transported in bags or containers that prevent soaking-through and/or leakage of fluids to the exterior.

- Employees who have contact with contaminated laundry must wear protective gloves and other appropriate personal protective equipment.
- When a facility ships contaminated laundry off-site to a second facility, which does not utilize universal precautions in the handling of all laundry, the facility generating the contaminated laundry must place such laundry in bags or containers that are labeled or color-coded.

Hepatitis B Vaccination and Postexposure Evaluation and Follow-up

General:

- **The District shall make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure, and postexposure evaluation and follow-up to all employees who have had an exposure incident.**
- The District requires that all medical evaluations and procedures, including the hepatitis B vaccine, and vaccination series and postexposure evaluation and follow-up, including prophylaxis, are:
 - Made available at no cost to the employee.
 - Made available to the employee at a reasonable time and place.
 - Performed by or under the supervision of a licensed physician or by or under the supervision of another licensed health care professional.
 - Provided according to recommendations of the U.S. Public Health Service current at the time these evaluations and procedures take place, except as specified in this section on hepatitis B vaccination and postexposure evaluation and follow-up.
- The District requires that all laboratory tests be conducted by an accredited laboratory at no cost to the employee.

Hepatitis B vaccination:

- Hepatitis B vaccination shall be made available after the employee has received the training required and within 10 working days of initial assignment to all employees who have occupational exposure unless the employee has previously received the complete hepatitis B vaccination series, antibody testing has revealed that the employee is immune, or the vaccine is contraindicated for medical reasons.
- The District shall not make participation in a prescreening program a prerequisite for receiving hepatitis B vaccination.
- If the employee initially declines hepatitis B vaccination but at a later date while still covered under the standard decides to accept the vaccination, the District shall make available hepatitis B vaccination at that time.
- The District requires all employees who decline to accept hepatitis B vaccination that is offered to sign the following statement:

I understand that due to my occupational exposure to blood or other potentially infectious materials I may be at risk of acquiring hepatitis B virus (HBV) infection. I have been given the opportunity to be vaccinated with hepatitis B vaccine, at no charge to myself. However, I decline hepatitis B vaccination at this time. I understand that by declining this vaccine, I continue to be at risk of acquiring hepatitis B, a serious disease. If in the future I continue to have occupational exposure to blood or other potentially infectious materials and I want to be vaccinated with hepatitis B vaccine, I can receive the vaccination series at no charge to me.

- If a routine booster dose(s) of hepatitis B vaccine is recommended by the U.S. Public Health Service at a future date, such booster dose(s) shall be made available.

Postexposure evaluation and follow-up. Following a report of an exposure incident, the District shall make immediately available to the exposed employee a confidential medical evaluation and follow-up, including at least the following elements:

- Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred.
- Identification and documentation of the source individual, unless the District can establish that identification is infeasible or prohibited by state or local law.
 - The source individual's blood shall be tested as soon as feasible, and after consent is obtained, in order to determine HBV and HIV infectivity. If consent is not obtained, the District shall establish that legally required consent cannot be obtained. When the source individual's consent is not required by law, the source individual's blood, if available, shall be tested and the result documented.
 - When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
 - Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.
- Collection and testing of blood for HBV and HIV serological status:
 - The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained.
 - If the employee consents to base-line blood collection, but does not give consent at that time for HIV serologic testing, the sample shall be preserved for at least 90 days. If within 90 days of the exposure incident the employee elects to have the base-line sample tested, such testing shall be done as soon as feasible.
- Postexposure prophylaxis, when medically indicated, as recommended by the U.S. Public Health Service.
- Counseling.
- Evaluation of reported illnesses.

Information provided to the health care professional:

- The health care professional responsible for the employee's hepatitis B vaccination shall be provided a copy of this document.
- The health care professional evaluating an employee after an exposure incident shall be provided the following information:
 - A copy of this document.
 - A description of the exposed employee's duties as they relate to the exposure incident.
 - Documentation of the route(s) of exposure and circumstances under which exposure occurred.
 - Results of the source individual's blood testing, if available.
 - All medical records relevant to the appropriate treatment of the employee, including vaccination status, that are the District's responsibility to maintain.

Health care professional's written opinion. The District shall obtain and provide the employee with a copy of the evaluating health care professional's written opinion within 15 days of the completion of the evaluation.

- The health care professional's written opinion for hepatitis B vaccination shall be limited to whether hepatitis B vaccination is indicated for an employee and whether the employee has received such vaccination.
- The health care professional's written opinion for postexposure evaluation and follow-up shall be limited to the following information:
 - That the employee has been informed of the results of the evaluation.
 - That the employee has been told about any medical conditions resulting from exposure to blood or other potentially infectious materials that require further evaluation or treatment.
- All other findings or diagnoses shall remain confidential and shall not be included in the written report.

Medical record keeping. Medical records required by this standard shall be maintained.

Communication of Hazards to Employees***Labels:***

- Warning labels shall be affixed to containers of regulated waste, refrigerators and freezers containing blood or other potentially infectious material, and other containers used to store, transport, or ship blood or other potentially infectious materials, except as provided in law.
- These labels shall contain the "biohazard" label.
- These labels shall be fluorescent orange or orange-red or predominantly so, with lettering or symbols in a contrasting color.

- Labels are required to be affixed as close as feasible to the container by string, wire, adhesive, or other method that prevents their loss or unintentional removal.
- Red bags or red containers may be substituted for labels.
- Containers of blood, blood components, or blood products that are labeled as to their contents and have been released for transfusion or other clinical use are exempted from the labeling requirements of this section on communication of hazards to employees.
- Individual containers of blood or other potentially infectious materials that are placed in a labeled container during storage, transport, shipment, or disposal are exempted from the labeling requirements.
- Labels required for contaminated equipment shall be in accordance with this section and shall also state which portions of the equipment remain contaminated.
- Regulated waste that has been decontaminated need not be labeled or color coded.

Information and training:

- All employees with occupational exposure shall participate in a training program, which must be provided at no cost to the employees and during working hours.
- Training shall be provided as follows:
 - At the time of initial assignment to tasks where occupational exposure may take place.
 - Within 90 days after the effective date of the standard.
 - At least annually thereafter.
- For employees who have received training on bloodborne pathogens in the year preceding the effective date of the standard, only training with respect to the provisions of the standard that were not included need be provided.
- Annual training for all employees shall be provided within one year of their previous training.
- The District shall provide additional training when changes such as modification of tasks or procedures or institution of new tasks or procedures affects the employee's occupational exposure. The additional training may be limited to addressing the new exposures created.
- Material appropriate in content and vocabulary to educational level, literacy, and language of employees shall be used.
- The training program shall contain at a minimum the following elements:
 - An accessible copy of the regulatory text of this standard and an explanation of its contents.
 - A general explanation of the epidemiology and symptoms of bloodborne diseases.

- An explanation of the modes of transmission of bloodborne pathogens.
- An explanation of the District's Exposure Control Plan and the means by which the employee can obtain a copy of the written plan.
- An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious materials.
- An explanation of the use and limitations of methods that will prevent or reduce exposure, including appropriate engineering controls, work practices, and personal protective equipment.
- Information on the types, proper use, location, removal, handling, decontamination, and disposal of personal protective equipment.
- An explanation of the basis for selection of personal protective equipment.
- Information on the hepatitis B vaccine, including information on its efficacy, safety, method of administration, the benefits of being vaccinated, and that the vaccine and vaccination will be offered free of charge.
- Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious materials.
- An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident and the medical follow-up that will be made available.
- Information on the postexposure evaluation and follow-up that the District is required to provide for the employee following an exposure incident.
- An explanation of the labels and/or color coding required.
- An opportunity for interactive questions and answers with the person conducting the training session.
- The person conducting the training shall be knowledgeable in the subject matter covered by the elements contained in the training program as it relates to the workplace that the training will address.

Record Keeping

Medical records:

- The District shall establish and maintain an accurate record for each employee with occupational exposure as defined herein.
- This record shall include:
 - The name and Social Security number of the employee.
 - A copy of the employee's hepatitis B vaccination status, including the dates of all hepatitis B vaccinations and any medical records relative to the employee's ability to receive vaccination.
 - A copy of all results of examinations, medical testing, and follow-up procedures.
 - The District's copy of the health care professional's written opinion.

- A copy of the information provided to the health care professional.
- *Confidentiality.* The District shall ensure that employee medical records required by law are:
 - Kept confidential.
 - Not disclosed or reported, without the employee's express written consent, to any person within or outside the workplace, except as required by law.
- The District shall maintain the records required by law for at least the duration of employment plus 30 years.

Training records:

- Training records shall include the following information:
 - The dates of the training sessions.
 - The contents or a summary of the training sessions.
 - The names and qualifications of persons conducting the training.
 - The names and job titles of all persons attending the training sessions.
- Training records shall be maintained for 3 years from the date on which the training occurred.

Availability:

- The District shall ensure that all records required to be maintained shall be made available, upon request, to the Assistant Secretary of Labor and the Director of the Occupational Safety and Health Administration for examination and copying.
- Employee training records required by law shall be provided upon request for examination and copying to employees, to employee representatives, to the Director of the Occupational Safety and Health Administration, and to the Assistant Secretary of Labor.
- Employee medical records required by law shall be provided upon request, for examination and copying, to the subject employee, to anyone having written consent of the subject employee, to the Director of the Occupational Safety and Health Administration, and to the Assistant Secretary of Labor.

Transfer of records:

- The District shall comply with the legal requirements involving transfer of records.
- If the District ceases to do business and there is no successor district to receive and retain the records for the prescribed period, the District shall notify the Director of the Occupational Safety and Health Administration, at least three months prior to their disposal, and transmit them to the Director of the Occupational Safety and Health Administration, if required by the Director of the Occupational Safety and Health Administration to do so, within that three-month period.

EMPLOYEE ASSISTANCE**HEPATITIS B VACCINE PROGRAM DECLINATION FORM**

I, _____, acknowledge that the East Valley Institute of Technology's Hepatitis B Vaccine Program is to prevent the contracting of hepatitis B virus in the course of my duties. I have been given the opportunity to be vaccinated with the hepatitis B vaccine at no charge to myself. I acknowledge that my participation in this program is optional.

After evaluating the advantages and disadvantages of the vaccination program, I elect to not participate in the Hepatitis B Vaccine Program.

I hereby affirm that I am aware of the inherent risks of not participating in the program. I voluntarily and knowingly decline to participate in the vaccine program. I hereby discharge, release, and hold harmless the state of Arizona and the East Valley Institute of Technology and their officers, agents, and employees from any and all liability of future claims, damages, and causes of action of any nature whatsoever that I, my heirs, or other successors in interest may have, assign, or inure to same or that may otherwise arise as a result of my voluntary nonparticipation in the Hepatitis B Vaccine Program.

Signature

Date

EMPLOYEE ASSISTANCE
REPORT OF SIGNIFICANT WORK EXPOSURE TO BODILY FLUIDS

Name _____ Social Security Number _____ Date _____

Date of exposure _____ Time _____ Location _____

What bodily fluid were you exposed to? _____

Who did it come from? _____

State how the exposure occurred _____

(continue on back if required)

List any witnesses _____

If there is a break or rupture in the skin or mucous membrane at the body location where the exposure occurred, please fully describe. Did the exposure occur through skin or mucous membrane? What specific parts of your body were exposed?

PLEASE COMPLETE THE FOLLOWING SECTION IF YOU ARE NOT AN EVIT EMPLOYEE

Address _____ Phone _____

Employer's name and address _____

Job title _____ Reason for presence at EVIT _____

NOTES

You must file this report with EVIT within ten calendar days of your exposure.

You must have blood drawn within ten calendar days after exposure.

You must have HIV antibody testing within 30 calendar days after exposure.

You must file a workers' compensation claim with the industrial commission of Arizona within one year from the date of diagnosis or positive blood test if you wish to receive benefits under the workers' compensation system.

Signature _____ Date _____

EMPLOYEE ASSISTANCE**REPORT OF SIGNIFICANT WORK EXPOSURE TO BODILY FLUIDS**_____
Name_____
Social Security Number_____
Date**CHECK ONE:**

☐ Hepatitis B Vaccination Dates: 1st _____
 2nd _____
 3rd _____

☐ Medical records relative to the employee's ability to receive HBV vaccination are attached.

☐ HBV declination letter is attached.

DATE OF TRAINING

TYPE OF TRAINING

**In the event of an exposure incident, the employer shall
 provide the employee with the following information:**

- A. A copy of the results of examinations, medical testing, and follow-up procedures outlined in the exposure control plan.
- B. The employer's copy of the healthcare professional's written opinion.
- C. A copy of the information provided to the healthcare professional as required by the bloodborne pathogens standard.

GBGCA

WELLNESS PROGRAMS

Measles (Rubeola)

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.

Evidence of immunity to measles shall consist of:

- 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.

German Measles (Rubella)

Similarly, unless exempted, all employees, including substitutes, shall present proof of immunity to rubella (German measles) prior to reporting for work.

Evidence of immunity to rubella shall consist of:

- 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.

General Information

Exempted employees include those with medical contraindications for receiving vaccines and those who refuse immunization for religious reasons.

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 contract day will be made for each day of authorized leave used.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 36-624

A.A.C. §§ R9-6-339, R9-6-352, R9-703

Att. Gen. Op. I8-037

WELLNESS PROGRAMS

Unless legally exempted, all staff members must show proof of immunity to measles and rubella [see GBGCA].

Measles (Rubeola)

Acceptable proof of immunity to measles shall consist of:

- 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.

German Measles (Rubella)

Evidence of immunity to rubella shall consist of:

- 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.

General Information

In the event of an outbreak of either disease, memory of immunization date is not acceptable; medical documentation of immunity is required.

Staff members who are not in compliance shall be put on leave without pay until they are in compliance.

In the event of an outbreak of measles or rubella, nonimmune staff members, including those who utilize the exemption, must be excluded from school.

Implementing Policy

The District shall generate a list of all employees to identify those who need proof of immunity to measles.

The Superintendent shall distribute information about the District's policy on measles and rubella.

The Superintendent shall collect proof of immunity from staff members and compile a list denoting immunity or nonimmunity of staff members.

Nonimmune staff members shall be referred for vaccine to a physician or the County Health Department. Their records will be updated as they receive vaccine.

Maintaining Policy

Throughout each school year, new staff members shall be required to show proof of immunity before employment.

A list of nonimmune employees shall be maintained and updated throughout the year.

**EAST VALLEY INSTITUTE OF TECHNOLOGY
MEASLES AND RUBELLA IMMUNIZATIONS**

The Arizona Department of Health Services and the East Valley Institute of Technology require that regulations for communicable disease control be applied to staff as well as students.

All employees born on or after January 1, 1957, are asked to provide documentation of measles immunity to the district. In the event of an outbreak employees that do not have proof of measles immunization or immunity will be excluded from work.

The State Health Department will not accept memory of immunization dates.

Acceptable proof of immunization is:

1. result of a Titer blood test
2. immunization record from primary physician.

Exclusion—Medical Reasons Not To Be Immunized:

It is possible that there is a medical reason for an individual not to be immunized. County Health Services to discuss with your physician:

1. current or imminent pregnancy
2. current illness accompanied by fever or rash
3. history of severe allergic reaction to eggs or neomycin
4. altered immunity (e.g. AIDS, receiving chemotherapy)

If you have any questions about these requirements, please contact the Human Resources Department at the District Office.

Check the space below which apply to you and sign:

- _____ I was born prior to January 1, 1957
- _____ I am 45 years of age or older – German Measles (Rubella)
- _____ I have laboratory evidence of measles/rubella antibodies (serological proof) - verification of tests is attached.
- _____ I was born after January 1, 1957, and verification of immunity of measles and rubella is attached.

Signature: _____ Date: _____

GBGCB

STAFF HEALTH AND SAFETY (Communicable Diseases)

It is the policy of the School District to take reasonable and lawful measures to protect students and staff members from the transmission of communicable diseases. The Superintendent is authorized to adopt such procedures as are necessary to implement this policy in a manner consistent with state and federal laws.

Exclusion from School

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. 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. § R9-6-301 *et seq.*

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. 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.

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. The District may require a physician's written medical release as a condition for the staff member's return to work.

Reporting and Notification

The District shall report to its local health agency each diagnosed and suspected case of a communicable disease that must be reported under state or local law. Disease outbreaks that the District must report by telephone within 24 hours, pursuant to A.A.C. § R9-6-202(C), are:

- A. Foodborne/waterborne illness.
- B. Giardiasis.
- C. Haemophilus influenzae, type b, invasive disease.
- D. Hepatitis A.
- E. Measles (rubeola).
- F. Meningococcal invasive disease.
- G. Mumps.
- H. Pertussis (whooping cough).
- I. Rubella (German measles).
- J. Scabies.
- K. Shigellosis.

Outbreaks of pediculosis (lice infestation) also must be reported, pursuant to A.A.C. § R9-6-342.

GBGCB

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.

Confidentiality

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:

- A. Staff members who must have such information to carry out their duties under this policy; *or*
- B. Staff members or students (or their parents/guardians) who must have such information to protect themselves from direct threat to their health or safety.

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.

Universal Precautions

The District shall follow the "Universal Precautions Standard" set forth in the attached Exhibit GBGCB-E to protect employees who are at risk of being exposed to blood and body fluids in the course of their work.

Food Service Workers

The District 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.

HIV/AIDS

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 36-621, 36-624

A.A.C. § R9-6-101 *et seq.*

29 U.S.C. § 700 *et seq.* (Sec. 504 of the Rehabilitation Act)

42 U.S.C. § 12101 *et seq.* (Americans with Disabilities Act)

29 C.F.R. § 1630 (ADA guidelines)

29 C.F.R. § 1910.10 (OSHA Universal Precautions Standard)

CROSS REF.: GBGC - Employee Assistance; GBGCA - Wellness Programs; JLCB - Immunizations of Students

STAFF HEALTH AND SAFETY**(Communicable Diseases)****Handling Body Fluids in School**

The following guidelines are meant to provide simple and effective precautions against transmission of disease for all people potentially exposed to the blood or body fluids of any person (student and/or school employee). No distinction is made between body fluids from persons with a known disease or those from persons without symptoms or with an undiagnosed disease.

The body fluids of all people should be considered to contain potentially infectious agents. The term *body fluids* includes blood, semen, drainage from scrapes and cuts, feces, urine, vomit, respiratory secretions (such as nasal discharge), and saliva.

- Whenever possible, avoid direct skin contact with body fluids. Disposable gloves are recommended when direct hand contact with body fluids is anticipated. If extensive contact is made with body fluids, hands must be washed afterwards. Gloves used for this purpose should be put in a plastic bag, secured, and disposed of daily.
- If direct skin contact does occur, hands and other affected skin areas of all exposed people shall be routinely washed with soap and water.
- Proper handwashing requires the use of soap and water and vigorous washing under a stream of running water for approximately 10 seconds.
- Clothing and other nondisposable items that are soaked through with body fluids should be rinsed and placed in plastic bags. If presoaking is required to remove stains, rinse or soak the item in cold water prior to bagging. Clothing should be sent home with the student for washing, with appropriate directions to parents and teachers (see *laundry instructions* below). Always wear gloves when handling items that have come in contact with body fluids.
- Contaminated disposable items shall be handled with disposable gloves, put in a plastic bag, secured, and disposed of daily.
- Body fluid spills on hard surfaces (i.e., floors, countertops, books, etc.) shall be disinfected with bleach (diluted to ten parts water and one part bleach). Gloves shall always be worn during cleanup.

- Cleaning equipment:
 - Nondisposable cleaning equipment (such as dust pans, brooms, and buckets) shall be disinfected by thoroughly rinsing in diluted bleach (ten parts water and one part bleach). Mops shall be soaked in the disinfectant after use and then rinsed with hot water. The disinfectant solution shall be promptly disposed of down a drain pipe.
 - Disposable cleaning equipment (such as paper towels, the vacuum bag, or sweepings) shall be placed in plastic bags, secured, and disposed of daily. No special handling is required for vacuuming equipment. Gloves shall always be used during cleanup.
- Laundry instructions:
 - Clothing soaked with body fluids shall be washed separately from other items. Presoaking may be required for heavily soiled clothing. Otherwise, wash and dry as usual. If the material can be bleached, add one-half cup of household bleach to the wash cycle. If the material is not colorfast, add one-half cup of all-fabric bleach to the wash cycle.

LEGAL REF.: A.R.S. § 36-621, *et seq.*
A.A.C. § R9-6-101, *et seq.*

GBI

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Board recognizes the right of its employees, as citizens, to engage in political activity. However, school time may not be used for political purposes. Staff members who intend to engage in political activities shall be guided by the following:

- No employee shall engage in political activities upon property under the jurisdiction of the Board, unless permission has been granted for that purpose through the "Community Use of School Facilities" policy of the Board.
- Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity for the District, and without the participation of District employees or students acting in the capacity of District or school representatives.
- Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be extended only when such invitations are extended to all candidates for the office.
- The use of District equipment, supplies, materials, buildings, or other resources to influence the outcome of any election is not permitted.
- Political circulars or petitions may not be posted or distributed in school.
- The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property.
- The use of students for writing or addressing material intended to influence the outcome of any election, or the distribution of such materials to or by students, is forbidden.
- Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

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.

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.

The District may distribute informational reports on a proposed budget override election as provided in A.R.S. § 15-481

Nothing in this policy shall preclude the District from producing and distributing partial information on elections other than District budget override elections or reporting on official actions of the Governing Board.

This policy shall apply only when an employee is serving as an agent of or working in an official capacity for the District.

District employees shall be permitted time as provided in statute, if required, to vote in the primary or general election.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-481, 15-511, 16-402
A.A.C. § R7-2-1201

PERSONNEL RECORDS AND FILES

Professional employees are required to supply the District office with current and complete official transcripts of all college credits.

It is the duty and responsibility of each certificated employee to keep such certification current.

The District will maintain a complete and current official personnel file for each District employee. Employees will be advised of, and will be permitted to review and comment on, all information of a derogatory nature to be placed 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.

All documents within a personnel file are confidential, and the District may create such subfiles within a personnel file as are appropriate to ensure confidentiality and efficient the use of the file. Access to personnel files will be limited to authorized District officials and employees. Individual Board members shall have access only when specifically authorized by the Board, as evidenced by action of a quorum of the Board in a legal meeting properly noticed. Employees may review their own files by making written requests to the Superintendent. Confidential information obtained prior to an employee's employment, such as recommendations, will not be available for review by the employee.

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

- Use an individual's social security number on forms of identification.
- 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.

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

Documents within a personnel file may be reviewed by the public only to the extent that disclosure is compelled as a public record.

Adopted: November 13, 2008

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

CROSS REF.: DKA - Payroll Procedures/Schedules

KDB - Public's Right to Know/Freedom of Information

PERSONNEL RECORDS AND FILES

A person or entity shall not, unless specifically provided by law:

- Intentionally communicate or make an individual's social security number available to the general public.
- Print an individual's social security number on any card required for the individual to receive services.
- Require the transmission of an individual's social security number over the internet unless providing a secure connection or the social security number is encrypted.
- Require the use of an individual's social security number to access a web site unless a password or unique personal identification number or other authentication device is also required to access the site.
- Print a number that the person or entity knows to be an individual's social security number on any materials that are mailed to the individual unless required by law to place these numbers on the material.
- 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.
- No requirement is made to check third party submitted numbers and unless the recipient of the number has actual knowledge that the number is or includes the individual's social security number, the person or entity may print the number on materials that are mailed to the individual.
- No prohibition on mailing the individual any copy or reproduction of a document that includes a social security number is made if the social security number was included on the original document before January 1, 2005.
- The exception is that if a social security number has been used inconsistent with the use described above after January 1, 2005, so long as the usage is continuous, the person or entity may continue to use the number subject to the conditions below:
 - If the use stops for any reason, then the social security number cannot be used and the use reverts to the conditions bulleted above.
 - Each year the entity must provide the individual with an annual written disclosure of the individual's right to stop the use of the social security number as prohibited above.
 - If an individual requests in writing, the person or entity must stop using the number in any manner conflicting with the law. No fee or charge is allowed, and the entity shall not deny services to the individual because of the request.

The law does not prohibit the collection, use or release of a social security number required by the laws of this state or the United States or for internal verification or administrative purposes.

Unless otherwise provided by law, after January 1, 2005, documents or records recorded and made available on the recording entity's web site shall not contain more than five (5) numbers reasonably identifiable as part of a social security number and shall not contain financial account numbers. A penalty of five hundred dollars (\$500) for each act of recording is possible.

STAFF GRIEVANCES

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

Such procedure shall provide for Board review of any grievance that cannot be resolved at the administrative level. In such instances, the affected individual may request that the Governing Board review the situation. Such request shall be in writing and shall contain the basis for the appeal, including the act or acts out of which the grievance arose, identification of the Board policies and/or administrative regulations involved, and the remedy sought. Within five (5) working days following notification of the Superintendent's decision, any written request for appeal shall be submitted to the Superintendent for transmittal to the Board. The Governing Board shall review the grievance and issue a response within fifteen (15) working days following such review.

The decision of the Governing Board is final.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 38-532

STAFF GRIEVANCES**Definitions**

A *grievance* is a complaint by a District employee alleging a violation or misinterpretation, as to the employee, of any District policy or regulation that directly and specifically governs the employee's terms and conditions of employment. The term *grievance* shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act. The suspension or dismissal of employees is covered by statute and, therefore, is not a grievable matter. Assignment, reassignment, or transfer of an employee to another position or duties is not grievable beyond the Superintendent unless there is a reduction in compensation or the Superintendent requests that it go to the Board.

A *grievant* shall be any employee of the District filing a grievance.

Terms and conditions of employment means the hours of employment, the compensation therefore, including fringe benefits, and the employer's personnel policies directly affecting the employee. In the case of professional employees, the term does not include educational policies of the District. A *day* is any day during which the District conducts business. The *immediate supervisor* is the lowest-level administrator having line supervisory authority over the grievant.

Informal Level

Before filing a formal written grievance, the grievant must attempt to resolve the matter by one or more informal conferences with the immediate supervisor. The first of these informal conferences must be conducted within ten (10) days after the employee knew, or should have known, of the act or omission giving rise to the grievance. A second or any subsequent conference must occur within five (5) days after the initial informal conference, or any subsequent conference.

Formal Level

Level I. Within fifteen (15) days after the employee knew, or should have known, of the act or omission giving rise to the grievance, the grievant must present the grievance in writing to the immediate supervisor.

The grievance shall be a clear, concise statement of the circumstances giving rise to the grievance, a citation of the specific article, section, and paragraph of the policy or regulation that directly and specifically governs the employee's terms and conditions of employment that are alleged to have been violated, the decision rendered at the informal conference, and the specific remedy sought.

The immediate supervisor shall communicate a decision to the employee in writing within five (5) days after receiving the grievance.

Within the above time limits either party may request a personal conference to attempt to resolve the matter.

Level II. In the event the grievant is not satisfied with the decision at Level I, the decision may be appealed to the Superintendent within ten (10) days after receipt of the decision.

REGULATION**REGULATION**

The appeal shall include a copy of the original grievance, the decision rendered, and a clear, concise statement of the reasons for the appeal. The Superintendent shall communicate a decision within ten (10) days after receiving the appeal. Either the grievant or the Superintendent may request a personal conference within the above time limits.

Level III If the grievant is not satisfied with the decision at Level II, the grievant may, within ten (10) days, submit an appeal in writing to the Superintendent for consideration by the Governing Board. If the Board reviews the appeal, a report of the finding will be issued within fifteen (15) days of the finding.

General Provisions

Section 1. Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed an acceptance of the decision rendered at that step, and there shall be no further right of appeal. Failure to file a grievance within fifteen (15) days after the employee knew, or should have known, of the circumstances upon which the grievance is based shall constitute a waiver of that grievance.

Section 2. The filing or pendency of any grievance under the provisions of this policy shall in no way operate to impede, delay, or interfere with the jurisdiction of the Governing Board or the Superintendent.

STAFF GRIEVANCES

LEVEL I - GRIEVANCE FORM A

FORMAL GRIEVANCE PRESENTATION

To be completed by grievant within five (5) days after the last informal conference but no later than fifteen (15) days after the employee knew or should have known of the act or omission giving rise to the grievance.

Grievant _____

Date of formal grievance presentation _____

School _____

Immediate supervisor _____

Assignment _____

Policy or regulation alleged to have been violated _____

Statement of grievance:

Action requested:

Signature of grievant

Date

STAFF GRIEVANCES

LEVEL I - GRIEVANCE FORM B

DECISION OF IMMEDIATE SUPERVISOR

To be completed by immediate supervisor within five (5) days after formal filing.

Grievant _____

Date of formal grievance presentation _____

School _____

Immediate supervisor _____

Decision and reasons of Immediate Supervisor:

Signature of Immediate Supervisor

Date

Grievant's response (to be completed by the grievant within five (5) days after the decision):

- ☐ I accept the above decision of the Immediate Supervisor.
- ☐ I hereby refer the above decision to the Superintendent, with reasons detailing nonacceptance at Level I and any relief sought at Level II.

Signature of grievant

Date

STAFF GRIEVANCES

LEVEL II - GRIEVANCE FORM D

DECISION OF THE SUPERINTENDENT

To be completed by the Superintendent within five (5) days.

Grievant _____

Date of formal grievance presentation _____

Date appeal received by Superintendent _____

Date optional hearing, if any, held by Superintendent _____

Superintendent's decision and reasoning:

Signature of Superintendent

Date

Grievant's response (to be completed by the grievant within five (5) days after the decision):

- ☐ I accept the above decision of the Superintendent.
- ☐ I hereby appeal to the Governing Board for a review of this grievance (Level III).

Signature of grievant

Date

STAFF GRIEVANCES

LEVEL II - GRIEVANCE FORM E

GOVERNING BOARD REVIEW

Grievant _____

Date of formal grievance receipt _____

☐ The attached grievance is hereby appealed to the Governing Board

Detail reasons for nonacceptance of grievance decision at Level II and any relief sought:

(attach additional pages if necessary)

Date the Governing Board received the appeal _____

GOVERNING BOARD RESPONSE (TO BE COMPLETED WITHIN FIFTEEN (15) DAYS OF REVIEW)

☐ The Board affirms the Superintendent's response.

☐ The Board rejects the Superintendent's response.

☐ The Board modifies the Superintendent's response as follows:

(attach additional pages if necessary)

GBP

PROHIBITED PERSONNEL PRACTICES

Disclosure Protected

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:

- A violation of law,
- mismanagement,
- a gross waste of monies, or
- an abuse of authority.

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.

Reporting Protected

A governing board or school district employee who has control over personnel decisions shall not take unlawful reprisal against an employee for good-faith reports about certificated personnel engaged in conduct involving minors that is reportable under A.R.S. § 13-3620 (Reporting Child Abuse). *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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-514, 23-425, 38-532, 41-785

GCA

PROFESSIONAL STAFF POSITIONS

Professional staff positions are created only with the approval of the Board. The District will attempt to activate a sufficient number of positions to accomplish the District's goals and objectives.

Before recommending the establishment of any new position, the Superintendent will present 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.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-501 to 15-503

CROSS REF.: CCB - Line and Staff Relations

PROFESSIONAL STAFF CONTRACTS AND COMPENSATION

Salaries in the District will be differentiated in relationship to duties and responsibilities.

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

After receipt of the Superintendent's recommendations, the Board will annually establish the salaries and benefits for all employees within the budgetary constraints of the District.

Every fiscal year, the District will provide to each employee a total compensation statement that is broken down by category of benefit or payment that includes the employee's:

- A. Base salary and any additional pay.
- B. Medical benefits and the value of any employer-paid portions of insurance plan premiums.
- C. Retirement benefit plans, including social security.
- D. Legally required benefits.
- E. Any paid leave.
- F. Any other payment made to or on behalf of the employee.
- G. Any other benefit provided to the employee

Adopted: date of manual adoption

Revised: February 13, 2012

Revised: June 22, 2020

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-341, 15-502, 15-503, 15-544, 15-952, 15-877

GCBD

PROFESSIONAL STAFF FRINGE BENEFITS

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

Standards of eligibility for fringe benefits will be determined by the Board annually.

Professional staff members who work thirty (30) hours will be eligible for fringe benefits.

Adopted: November 13, 2008

Revised: June 22, 2020

LEGAL REF.: A.R.S. § 15-502

CROSS REF.: DKB - Salary Deductions

PROFESSIONAL STAFF FRINGE BENEFITS**Health Insurance**

Certificated personnel are covered by health insurance in accordance with the following:

Health insurance is available only to certificated personnel who are employed on a full time basis. Part time certificated personnel are given the option to pay for such coverage.

- Teachers:
 - Teachers new to the District at the beginning of the school year shall become eligible for health insurance on August 1 and shall be covered for the eleven months following. Those who sign contracts prior to July 1 but elect coverage between July 1 and August 1 shall be responsible for the full cost of such coverage until August 1.
 - Teachers shall become eligible for insurance on the first of the month following the first thirty (30) days of employment.
 - Insurance for continuing teachers shall be effective from July 1 of one year to June 30 of the subsequent year.
 - Upon termination of the teacher's employment at any time prior to the end of the contract period, the insurance coverage of the teacher shall cease at the end of the month in which the termination is effective.
 - Teachers who complete contracts but do not return for another year shall be covered through June 30 of that year.
- Administrative personnel:
 - Administrative personnel new to the District shall become eligible for health insurance on the first of the month following employment.
 - Insurance for continuing administrators shall be effective from July 1 to June 30 each year.
 - Upon termination of employment, insurance coverage of an administrator shall cease at the end of the month in which the termination is effective.
 - Administrators who complete contracts but do not return for another year shall be covered through June 30 of that year.

Dependent health insurance:

- Certificated personnel eligible for health insurance who desire insurance for dependents shall have deductions made from their salaries upon written request to the payroll office. Deductions for such dependent insurance shall be over a period extending from August to May. Deductions during this period shall cover the entire twelve (12) months' insurance cost to the following June 30. Personnel who begin service to the District after July 1 shall have such dependent insurance cost deducted from their salaries on a prorated basis, the payment being such as to cover the remainder of the year to the following July.

**PROFESSIONAL/SUPPORT STAFF LEAVES AND ABSENCES
(Absent Without Leave)**

An employee may be deemed "absent without leave" when absent from work because of:

- A reason that conforms to a policy currently in effect but the maximum days provided for in that policy will be exceeded; or
- A reason that does not conform to any policy currently in effect; or
- Failure to report to work without prior notification to the supervisor.

In no case shall an employee be compensated for time lost due to being absent without leave.

An employee who is absent without leave is subject to disciplinary action, which may include formal discipline, suspension, and/or dismissal, as is one who was unable to obtain prior approval due to unusual circumstances and such approval is denied upon the employee's return.

Adopted: November 13, 2008

Revised: June 8, 2015

LEGAL REF.: A.R.S. § 15-341

GCCA

INSTRUCTIONAL STAFF SICK LEAVE

Sick leave for certificated instructional personnel is a designated amount of compensated leave that is to be granted to a staff member who, through personal or family illness, injury, or quarantine, is unable to perform the duties assigned.

Each staff member shall be credited with a sick leave allowance at the rate of one day (8 hours) per month up to ten (10) or twelve (12) days, determined by the number of months employed:

Twelve (12) month employment	Twelve (12) days
Ten (10) month employment	Ten (10) days

In accordance with legal opinions, sick leave may be granted only for "services performed"; therefore, a long-term absence may result in a cessation of sick leave accrual and/or promotions or positional advancement.

The unused portion of such allowance shall accumulate without limit.

When a staff member exhausts all days of accumulated sick leave, a non-paid leave of absence must be requested, pursuant to District policy.

Sick leave of any staff member who does not serve a full school year shall be prorated at the rate of one day per month.

Sick leave may be used for any reason that qualifies under the Family and Medical Leave Act (FMLA). See section GCCC for additional information.

Upon request, the staff member shall inform their immediate supervisor of the following:

- A. Purpose for which sick leave is being taken.
- B. Expected date of return from sick leave.
- C. Where the staff member may be contacted during the leave.

Use of Earned Paid Sick Time

Earned paid sick time shall be provided to an employee by an employer for:

- A. An employee's mental or physical illness, injury or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; an employee's need for preventive medical care;
- B. Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;
- C. Reasons related to child care, domestic violence, sexual violence, abuse or stalking, and legal services as described in A.R.S. 23-373.

Earned paid sick time shall be provided upon the request of an employee. Such request must be made through TimeClock Plus®. When possible, the request shall include the expected duration of the absence.

When the use of earned paid sick time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the earned paid sick time and shall make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt the operations of the employer.

GCCA

An employer may not require, as a condition of an employee's taking earned paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned paid sick time.

Earned paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

For earned paid sick time of three (3) or more consecutive work days, an employer may require reasonable documentation that the earned paid sick time has been used for a purpose covered by A, B, or C, above. Documentation signed by a health care professional indicating that earned paid sick time is necessary shall be considered reasonable documentation for purposes of this section

As defined in statute (A.R.S. § 23-371), "family member" means:

- A. Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco parentis, or an individual to whom the employee stood in loco parentis when the individual was a minor;
- B. A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;
- C. A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision;
- D. A grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or
- E. Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Notice:

Employers shall give employees written notice of the following at the commencement of employment or by July 1, 2017, whichever is later: employees are entitled to earned paid sick time and the amount of earned paid sick time, the terms of its use guaranteed in statute, that retaliation against employees who request or use earned paid sick time is prohibited, that each employee has the right to file a complaint if earned paid sick time as required by statute is denied by the employer or the employee is subjected to retaliation for requesting or taking earned paid sick time, and the contact information for the commission where questions about rights and responsibilities under can be answered.

Accrual:

Each staff member will be credited with a sick leave allowance of a minimum of one hour for each 30 hours worked.

Each full-time staff member shall be credited with a sick leave allowance at the rate of one day (8 hours) per month up to ten (10) or twelve (12) days, determined by the number of months employed:

Twelve (12) month employment	Twelve (12) days
Ten (10) month employment	Ten (10) days

An employee must work at least fifteen (15) days in a month to earn a day of sick leave.

Earned paid sick time shall begin to accrue at the commencement of employment or on July 1, 2017, whichever is later.

GCCA

Substitute employees shall accrue a minimum of one (1) hour of earned paid sick time for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than forty (40) hours of earned paid sick time per year.

An employee may use earned paid sick time as it is accrued.

Employees who are exempt from overtime requirements under the Fair Labor Standards Act of 1938 (29 United States Code section 213(A)(1)) will be assumed to work forty (40) hours in each work week for purposes of earned paid sick time accrual unless their normal work week is less than forty (40) hours, in which case earned paid sick time accrues based upon that normal work week.

If an employee is transferred, but remains employed by the same employer, the employee is entitled to all earned paid sick time accrued and is entitled to use all earned paid sick time as provided in this section.

When there is a separation from employment and the employee is rehired within nine (9) months of separation by the same employer, previously accrued earned paid time that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued earned paid sick time and accrue additional earned paid sick time at the re-commencement of employment.

Reimbursement of Unused Sick Leave

Employees shall be reimbursed for unused sick leave days upon termination or interruption of service to the District by retirement, resignation, death, or reduction in force under the following provisions:

- An employee who terminates by retirement, death, or reduction in force and who has at least five (5) years of service with the District at the conclusion of the individual's last year of employment shall be reimbursed at the rate of sixty-six and two-thirds percent (66- 2/3%) of the substitute teacher's salary.
- An employee who terminates by resignation and who has at least five (5) years of service with the District at the conclusion of the individual's last year of employment, shall be reimbursed at thirty-three and one-third percent (33- 1/3%) of the substitute teacher's salary. An employee who terminates by resignation and who has at least seven (7) years of service with the District at the conclusion of the individual's last year of employment shall be reimbursed at sixty-six and two-thirds percent (66-2/3%) of the substitute teacher's salary.

Substitute, student and temporary workers are not eligible for reimbursement of unused sick leave.

All reimbursement, for each unused day of sick leave, shall be rounded to the nearest dollar and shall be based upon the substitute teacher's salary in effect at the time of termination.

Nothing in statute shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement or other separation from employment for accrued earned paid sick time that has not been used outside of the provisions listed in this section for reimbursement of unused sick leave.

Retaliation Prohibited

It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected in statute.

An employer shall not engage in retaliation or discriminate against an employee or former employee because the person has exercised protected rights. Such rights include but are not

GCCA

limited to the right to request or use earned paid sick time pursuant to the statute; the right to file a complaint with the commission or courts or inform any person about any employer's alleged violation; the right to participate in an investigation, hearing or proceeding or cooperate with or assist the commission in its investigations of alleged violations and the right to inform any person of his or her potential rights.

It shall be unlawful for an employer's absence control policy to count earned paid sick time taken as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

Protections of this section shall apply to any person who mistakenly but in good faith alleges violations of this policy based on the supporting statutes.

Adopted: November 13, 2008

Revised: June 8, 2015

Revised: June 12, 2017

Revised: November 6, 2017

Revised: December 14, 2020

Revised: March 29, 2021

LEGAL REF.: A.R.S. §§ 15-502, 15-187, 23-363, 23-364, 23-371 to 23-375

GCCAA

INSTRUCTIONAL STAFF VACATIONS AND HOLIDAYS

Vacations

Instructional staff who work 12 months per fiscal year shall accrue paid vacation days at the following rates:

1-5 years of service,	1 day per month
6-10 years of service,	1 ¼ days per month
11-15 years of service,	1 ½ days per month
16 years or more of service	1 ¾ days per month

Only years of service in which an instructor was eligible for paid vacation count towards years of service.

Vacation may accumulate to 40 days, after which time no more vacation may be earned. As accumulated days of vacation are used and drop below 40 days, an eligible instructor may again accumulate vacation.

Vacations must be approved by a campus administrator or department head.

Instructors Working Less Than 12 Months Per Year

Instructors whose job assignment is for less than 12 months shall not accrue vacation days.

If an instructor changes to a position that is for less than 12 months, accrued vacation days will remain available, but no more days will accrue.

Reimbursement of Unused Vacation

Instructors with unused accrued vacation shall be reimbursed at their hourly rate for their remaining vacation hours upon termination of employment.

Holidays

All 12-month instructors shall be entitled to paid time off for legal holidays during the school year as announced by the Superintendent and in conformance with Arizona law. Other holidays shall be established in the school calendar and entitlement to paid time off for those holidays shall be determined by the employees' employment status.

Adopted: December 13, 2021

LEGAL REF.: A.R.S. §§ 1-301, 15-502, 15-801, 38-608

GCCB

PERSONAL LEAVE

Leave is granted at the discretion of the supervisor based on departmental need. A supervisor may prohibit more than ten percent (10%) of the staff or other groupings of employees from taking leave at any one time. Requests shall be acted upon in order of receipt, and the availability of substitutes, if necessary, may limit the number of requests granted at any one time. It shall not be granted to a person who is on an extension of contract. Personal leave is not accumulative. Unused personal leave is lost except that one (1) additional day of sick leave will be granted at the end of the school year to an employee who does not use any personal leave and returns for the following school year. Personal leave is not eligible for payout when employment ends.

Requests for personal leave must be submitted through TimeClock Plus® at least four (4) working days prior to the first day of leave unless there are extenuating circumstances that prevent the employee from making a timely request. An employee who is unable to provide four working days' notice because of circumstances beyond the employee's control may appeal for personal leave providing the employee notifies their immediate supervisor prior to time of absence and is unable to make other arrangements to appear for work.

Personal leave may not be granted during the following periods:

- On the work day immediately preceding or following a holiday or vacation.
- During the first two (2) weeks of school or the last two (2) weeks of school. On the first or last day of employment for an employee during a school year.

Personal Leave for Teachers:

A maximum of four (4) days per year is granted to teachers for the purpose of personal leave. Personal leave will be charged to the employee's current sick leave and may be granted for any reason other than another employer's employment obligation.

Purchased Leave for Teachers:

Teachers may purchase up to a total of three (3) days of leave per school year, to be charged in an amount equal to the cost of a substitute for the employee. If a substitute is not required, the employee shall still be charged the daily sub rate. If a teacher is to be absent for no more than half (one session) of a school day, the teacher shall be charged half of the daily sub rate. Purchased leave must be requested in advance of the absence. The employee does not need to give a reason for use.

Personal Leave for Non-Instructional Staff:

Full-time non-instructional staff, including aides, earn one day of personal leave per each full semester worked.

Adopted: November 13, 2008

Revised: June 8, 2015

Revised: June 22, 2020

Revised: March 29, 2021

LEGAL REF.: A.R.S. § 15-510

**LEAVES OF ABSENCE WITHOUT PAY
FAMILY AND MEDICAL LEAVE**

The District recognizes that on occasion extenuating circumstances arise that may necessitate absence from duty that is not covered by other specific leave provisions of the District. To address such situations, a leave of absence, without pay, may be granted to an employee for not longer than one year.

A leave of absence may be requested for, but not limited to, the following purposes:

- For additional education that relates to the employee's primary assignment. A plan of contemplated course work must be presented.
- To provide for an unpaid leave in a situation where the employee will be absent from work because of a reason that conforms to a policy currently in effect but the maximum number of days provided for in that policy will be exceeded.
- For a leave of absence that benefits or is in the best interest of the District, as determined by the Board upon review of the application.
- For leave under the Family and Medical Leave Act.
- A leave of absence requested pursuant to this policy may be:
 - Approved by the Superintendent if the leave period does not exceed 12 weeks; or
 - Recommended by the Superintendent and approved by the Governing Board if the leave period exceeds 12 weeks.

A request for leave of absence shall not be denied by the District if the employee is entitled to the leave under the Family and Medical Leave Act. All other requests for leave of absence may be granted or denied by the District, in its sole discretion.

A request for a leave of absence without pay shall be submitted to the employee's Program Director or supervisor before submitting a request to TimeClock Plus®. The Program Director or supervisor will contact the Payroll Specialist to add leave of absence without pay to your TimeClock Plus® account.

The leave of absence shall be only for the purpose and duration approved and may not be extended without written approval by the District.

All accrued sick, vacation, or personal leave (if applicable in accordance with policy) shall be used prior to taking leave without pay unless otherwise agreed to by the District or prohibited by the Family and Medical Leave Act. For certified teachers, all rights of continuing status and other benefits shall be restored at the level earned when the leave was granted.

Family and Medical Leave Act (FMLA)

The District shall fully comply with the Family and Medical Leave Act and all interim and final regulations interpreting the FMLA issued by the U.S. Department of Labor. Accordingly, all portions of this policy that pertain to the FMLA shall be interpreted in a manner consistent with the FMLA and its regulations. Subject to the conditions set forth herein, any eligible employee of the District may take up to 12 weeks of leave during any 12-month period, without pay, for any one or more of the following reasons:

- Because of the birth of a child of the employee and in order to care for such child.
- Because of the placement of a child with the employee for adoption or foster care.
- In order to care for the spouse or a son, daughter, or parent of the employee, if

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such person has a serious health condition.

- Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.
- Because of any qualifying exigency (as the U.S. Department of Labor shall, by regulation, determine) arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation.

Serious health condition means an illness, injury, impairment, or physical condition that involves inpatient care in a hospital, hospice, or residential medical facility, or outpatient care with continuing medical treatment by a licensed physician. Any employee who has been employed by the District at least 12 months and who has completed at least 1,250 hours of service immediately prior to the time the leave is to commence shall be eligible for FMLA leave.

Special conditions applicable to FMLA. Entitlement to leave for the birth of a child or the placement of a child for adoption or foster care ends at the expiration of a twelve-month period, beginning on the date of the event

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of twenty-six (26) workweeks of leave during a 12-month period to care for the service member. The leave described to care for a covered service member shall only be available during a single 12-month period.

A husband and wife working for the District may be limited to a total of twelve weeks of leave during each 12-month period for leave for the birth of a child or the placement of a child for adoption or foster care and to care for an employee's parent with a serious health condition. The aggregate number of work weeks of leave to which both the husband and wife may be entitled under covered service member family leave combined with leave as described in the previous sentence shall be limited to 26 workweeks during one 12-month period.

The District shall not require an employee to substitute accrued sick leave for FMLA leave used by reason of a birth, adoption, or foster placement. An employee shall substitute accrued vacation or personal leave for FMLA leave used by reason of a birth, adoption, or foster placement, to the extent available by policy, unless otherwise agreed to by the District. In any other circumstance, an employee's accrued sick, vacation, personal, or other applicable leave shall be substituted for FMLA leave, to the extent available by policy, unless otherwise agreed to by the District.

Notice. An employee must provide at least 30-days' notice before the FMLA leave is to begin if the need for the leave is foreseeable based on an expected birth, placement for adoption, or foster care, or planned medical treatment for a serious health condition or military service leave of the employee or family member. If 30-days' notice is not practicable, notice must be given as soon as practicable. The notice shall be in the form of a request for leave of absence as specified in this policy. The District may deny FMLA leave to any eligible employee until such time as the employee has provided the required notice.

Certification. All FMLA leave shall be supported by medical certificate provided by the employee's health provider in the form of the exhibit accompanying this policy. In any instance where the FMLA leave must be preceded by 30-days' notice, the medical certificate should accompany the request for leave of absence. In any other instance,

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the medical certificate should be provided within 15 days after the FMLA leave commences. Certification of active military duty or call to active duty in support of a contingency operation for purpose of receiving family leave shall be required under the same conditions as FMLA certification for leave indicated above.

The employee may be requested to provide recertification of medical conditions in support of leave if the District feels that the circumstances so warrant and notice is given. Recertification shall not be required for intervals shorter than 30 days.

Whenever a medical certification or recertification is required of an employee, notice describing such requirement and providing the form of such certification shall be provided to the employee. An employee shall not be denied FMLA leave or other rights under the FMLA unless a notice required by FMLA in such situation has first been provided to the employee.

In the case of continuation, recurrence, or onset of a serious health condition to the employee, covered family of the employee (including a service member being cared for by an employee) and the employee is unable to return to work, certification issued by the health care provider of the person with the serious health condition shall be required to support the inability of the employee to return to work.

Intermittent or reduced time (IRT) leave. FMLA leave may be taken intermittently or on a reduced leave schedule under the following circumstances:

- If medically necessary to care for a family member or for the employee's own serious health condition;
- Because of any qualifying exigency the spouse, or a son, daughter, or parent, of the employee is on active duty or notified of an impending call or order to active duty in support of a contingency operation; or
- If approved by the District.

The District may, for the term of the leave, transfer the employee to an alternative position with equivalent pay and benefits.

If the IRT leave is for an instructional employee (one whose principle function is to instruct students in a class, small group, or as individuals), the District can require the employee either to take leave for a period or periods of a particular duration not greater than the duration of the planned treatment or to transfer temporarily to an available alternative position with equivalent pay and benefits that provides better accommodation of recurring periods of leave, provided the leave is:

- Requested to care for a qualifying family member or as a result of the employee's serious health condition preventing job performance;
- Foreseeable, based upon planned medical treatment; and
- For more than 20% of the working days in the leave period.

The employee may be granted leave under these circumstances, subject to reasonable efforts to schedule treatment so as not to unduly disrupt the educational program.

Special end-of-semester circumstances for instructional employees. Under each of the following conditions, leave for an instructional employee may be required to continue to the end of the academic semester:

- Leave begins more than five weeks before the end of the semester, leave is for at least three weeks, and return to employment would occur during the last three weeks of the semester.
- Leave other than for the employee's serious health condition begins within the

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last five weeks of the semester, leave is for greater than two weeks' duration, and return to employment would occur during the last two weeks of the semester.

- Leave other than for the employee's serious health condition begins within the last three weeks of the semester and leave exceeds five working days.

Employee notification. With each request for FMLA leave, the employee shall be notified:

- About FMLA by provision of the FMLA fact sheet (exhibit EB).
- As appropriate concerning the expectations, obligations, and consequences of taking FMLA leave per 29 C.F.R. § 825.301 of FMLA.
- That FMLA leave may be withheld until a requested notice is provided or the time frame is met.
- That if leave is granted to an employee who is unable to perform the work required, restoration shall be denied until the employee has complied with the request to provide medical certification of ability to return to work.

The District will post notices in conspicuous places on the District premises that provide a summary of FMLA and information on how to file a charge for an FMLA violation.

Health care continuation. An employee taking FMLA leave shall be entitled to have the health care plan in which the employee is participating continue under the same terms and conditions applicable to actively working employees. The District shall require the repayment of any health care premiums paid by the District for continuing coverage during the period of the FMLA leave if the employee fails to return to work after the FMLA leave expires and the failure to return is not due to circumstances beyond the employee's control.

Position restoration. Upon return from FMLA leave, an employee shall be restored to the same position held before the FMLA leave commenced or to an equivalent position with equivalent pay, benefits, and working conditions. The District requires an employee to provide a medical certificate from a health care provider that the employee is able to resume work before returning from FMLA leave for a serious personal health condition. The District may delay the return of an instructional employee from FMLA leave at the end of a semester, in accordance with § 108(d) of FMLA. The District may deny restoration of position to any key employee (i.e., one who is among the highest - paid 10% of all employees of the District), in accordance with § 104(b) of FMLA.

Adopted: November 13, 2008

Revised: June 8, 2015

Revised: March 29, 2021

Revised: October 10, 2022

LEGAL REF.: A.R.S. § 15-510

Family and Medical Leave Act of 1993 29 C.F.R. Part 825

The United States Department of Labor Wage and Hour Division provides forms related to FMLA leave.

The forms for certifying medical leave under the FMLA are listed below. Copy and paste the web address into your browser to obtain the form.

- Certification of Health Care Provider for Employee's Serious Health Condition:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-380-E.pdf>
- Certification of Health Care Provider for Family Member's Serious Health Condition:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-380-F.pdf>
- Certification for Military Family Leave for Qualifying Exigency:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-384.pdf>
- Certification for Serious Injury or Illness of a Servicemember for Military Caregiver Leave: <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-385.pdf>
- Certification for Serious Injury or Illness of a Veteran for Military Caregiver Leave: <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/wh-385-V.pdf>

The following forms will be provided by human resources when you request FMLA leave.

- Notice of Eligibility & Rights and Responsibilities:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-381.pdf>
- Designation Notice:
<https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/WH-382.pdf>

Family and Medical Leave Procedures

The Family and Medical Leave Act (FMLA) of 1993 requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to “eligible” employees for certain family and medical reasons. Employees are eligible if they have worked for a covered employer for at least one year, and for 1,250 hours over the previous 12 months, and if there are at least 50 employees within 75 miles.

Procedures for Taking FMLA

- Employee must go to the immediate supervisor to request the FMLA leave. If at all possible, this should be done at least 30 days prior to the leave.
- Confidentiality will be maintained through this process.
- The Supervisor instructs the employee to go to the Benefits Clerk to get the appropriate forms for FMLA. A specific reason is required at this leave.
- The Benefits Clerk reports to the Chief Financial Officer who in turn will inform the superintendent that an FMLA claim could be pending.
- The Employee completes the FMLA form, including the doctor’s statement and signature, if applicable, and returns this form to the Benefits Clerk.
- The Benefits Clerk gives the form to the Chief Financial Officer who verifies that all information is complete and takes it to the Superintendent for a signature if everything is completed correctly. If not completed correctly, the Chief Financial Officer gives the form back to the Benefits Clerk who will contact the employee to gather more information or to have the employee complete the form correctly. After it is completed correctly, the Benefits Clerk will give the form back to the Chief Financial Officer to check again if everything is complete.
- The Chief Financial Officer gives the form back to the Benefits Clerk to file.
- The Benefits Clerk will contact the employee immediately to tell the employee that the EVIT FMLA process is complete and the specific dates the will start and end.
- During the time the employee is on FMLA, it is the employee’s responsibility to contact his/her immediate supervisor at least once a week, so the supervisor can complete a form monitoring the employee’s condition.
- The supervisor will make a copy of the form to give to the Superintendent for an update on the employee’s condition and then give the original to the Benefits Clerk to file.

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MILITARY/LEGAL LEAVE

The Board recognizes the fact that its employees have citizenship responsibilities and, in order to make it possible for said employees to carry out their responsibilities to the city, county, state, or nation, the Board will grant leaves, in addition to jury duty, when an employee is called to attend field training services for the Military Reserve or National Guard and when an employee is a victim of a juvenile or adult crime exercising a right to be present at a proceeding as defined in statute.

When an employee receives notice that requires leave as delineated above, it is the responsibility of the employee to notify the Program Director or supervisor before submitting a request to TimeClock Plus®. The Program Director or supervisor will contact the Payroll Specialist to add jury-duty, military, or victim leave to your TimeClock Plus® account.

Jury Duty

The Board recognizes that no employee is exempt from jury duty and that leaves of absence for such duty must be granted.

- Only the regular salary may be received by an employee on jury duty.
 - It is the responsibility of the employee to reimburse the District for jury duty pay when such payment is made directly to the employee. Failure to reimburse the District at the completion of the jury duty service will result in a full deduction equal to the number of contract days missed.
 - An employee excused from jury duty after being summoned shall report for regular duty as soon as possible. Failure to report for duty will result in a deduction equal to that portion of a contract day missed.

Jury duty must be verified with documentation provided by the court on the days of jury duty.

Victim Leave

The District shall permit an employee leave if the employee is the victim of juvenile or adult crime and is exercising a right to be present at a proceeding as defined in A.R.S. §§ 8-420 or 13-4439. Compensation may be provided if the employee has available vacation or to the extent other leave may be available by policy.

- An employee's accrued vacation, personal, sick or other applicable leave shall be used to the extent available by policy.
- If paid leave is unavailable, the employee must request an unpaid leave of absence in accord with policy.
- Before an employee may leave work for this purpose, the employee shall provide the employer with a copy of the form provided by law enforcement and if applicable a copy of the information the law enforcement agency provides the employee pursuant to either A.R.S. §§ 8-386 or 13-4405.
- Leave for this purpose may be limited if the leave creates an undue

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hardship to the employer's business.

Witness in court

An employee served with a subpoena requiring the employee's testimony as a witness in court will be given leave, with pay, for the period of required travel and appearance in court. A copy of the subpoena must be submitted to EVIT human resources prior to the employee's absence.

Military Leave

- An employee who is a member of the Military Reserve or National Guard shall be entitled to leave of absence without loss of pay, time, or efficiency rating when engaged in field training [A.R.S. §§ 26-168 and 38-610].
- An employee who is a member of the uniformed service may use any vacation leave or other accumulated paid time off during their service or may take unpaid leave of absence.
- The District must reemploy uniformed service members as defined in 38 § U.S.C. 4303, returning from a period of service, if the service member:
 - Was employed by the District.
 - Gave the District notice that he or she was leaving the job for service in the uniformed services, unless giving notice was precluded by military necessity or otherwise impossible or unreasonable.
 - Has a cumulative period of service in the uniformed services not exceeding five (5) years.

Adopted: date of manual adoption

Revised: June 8, 2005

Revised: June 22, 2020

Revised: March 29, 2021

Revised: October 10, 2022

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OFF-SITE MEETINGS AND CONFERENCES

To attend off-site meetings or conferences, employees must obtain approval from their supervisor at least twenty (20) days prior to the meeting or conference dates (whenever such prior request is possible), and the request must be approved by the superintendent.

The following guides will be used in granting released time and/or travel expense:

- Value of the meeting or conference.
- Funds available in the appropriate budgets.
- Availability of a substitute, if one is necessary.

A per diem subsistence allowance, and/or mileage, for private automobiles may be paid as provided in state law or Board policies; this must be approved by the Superintendent. The necessary forms and instructions for filing travel claims are available at the administration office.

Professional Leave

Leaves from duty without deduction from pay or other earned leave balances may be granted to attend seminars, conferences, or meetings outside the scope of contractual duties, which in the superintendent's judgment would improve the District's instructional program or enhance the employee's ability to perform assigned duties.

Any employee seeking professional leave must submit a leave request through TimeClock Plus® and submit to the employee's immediate supervisor the information necessary for an informed decision. The leave request must be approved by the supervisor and the Superintendent. When possible, the leave request should be submitted at least 20 days prior to the date of the requested leave.

Leave may include per diem subsistence allowance, mileage, for private automobiles as provided in state law or Board policies; and approved by the Superintendent. The necessary forms and instructions for filing travel claims are available at the administration office.

Adopted: November 13, 2008

Revised: June 8, 2015

Revised: June 22, 2020

Revised: March 29, 2021

LEGAL REF.: A.R.S. § 15-510

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SABBATICAL LEAVE

In accordance with Arizona Revised Statutes 15-510, the governing board may authorize leaves of absence for school district personnel when it deems such leaves of absence to be reasonable and for good cause and not detrimental to education within the school district.

Leaves of absence shall be limited to a period of not to exceed one year.

Leaves of absence shall be granted upon application stating the purpose of the leave of absence, the facts as to its necessity or advisability and other information helpful to the governing board in making a determination as to whether the leave should be granted.

Sabbatical leaves of absence may be granted by the governing board to certificated teachers and administrators under this section upon the following additional conditions for the following purposes only:

- Sabbatical leave of absence may be granted only for the purposes of continuing professional education.
- Sabbatical leave may not exceed a period of one year and may only be granted to a certificated teacher or an administrator who has been employed by the school district for a period of seven consecutive years immediately prior to the time the sabbatical leave is to commence, and who has not previously been granted a sabbatical leave of absence by the governing board.
- The governing board may authorize a salary to be paid to the person to whom sabbatical leave is granted of not to exceed one-half of the salary then received by him.
- The salary shall be paid to such person upon the condition that he shall return not later than one year after commencement of the sabbatical leave for renewal of employment for at least one school year, and unless he returns within such period, he shall repay to the school district the amount paid to him during the leave period, and, unless such amount is so paid, the governing board shall direct the county attorney to institute suit against such person to collect such amount.

If leave is granted, all rights prescribed in A.R.S. §§ 15-538.01, 15-539 through 15-544 and 15-547 for certificated teachers who have been employed by the school district for more than the major portion of three consecutive school years and all rights of retirement, accrued leave with pay, salary increments and other benefits provided by law shall be preserved and available to the employee after the termination of the leave of absence. Application for sabbatical leave must be received by March 15.

Adopted: date of manual adoption

Revised: June 8, 2015

LEGAL REF.: A.R.S. § 15-510; Att. Gen. Op. I81-053

MEDICAL LEAVE ASSISTANCE PROGRAM

The District recognizes the existence of circumstances under which a non-job-related serious health condition may exhaust an employee's accrued leave. To provide some measure of relief in such situations, the District has created a Medical Leave Assistance Program. This program is in the best interest of the District and is a positive process that:

- promotes caring and assistance between employees;
- increases employee morale;
- may reduce stresses associated with illness;
- may facilitate the employee's recovery; and
- insures efficient and uninterrupted services to students.

Eligibility to Enroll

All employees are automatically enrolled.

Medical Leave Bank

The District will maintain a Medical Leave Bank, which will be funded as follows:

- Employees may voluntarily donate accrued sick leave to the bank in one-day increments at the employee's daily rate of pay using the Medical Leave Assistance Program Donation Form [GCCG-EA].
- Donations may be made at any time.
- An employee cannot donate more than five accrued sick leave days in any fiscal year.
- The Medical Leave Bank maximum balance is \$75,000.
- The District will maintain a time- and date-stamped list of donations offered in excess of the maximum balance, which will be used in the order in which the offers are received to replenish the Medical Leave Bank balance.
- Donations to the bank, once credited to the Medical Leave Bank, are irrevocable and remain in the Medical Leave Bank from year to year.

Qualifying Leave

The Medical Leave Bank is generally available after 3 consecutive days of absence for:

- the employee's own non-job-related illness, injury, impairment, or physical condition, that involves inpatient care in a hospital, hospice, or residential medical facility, or outpatient care with continuing medical treatment by a licensed physician; or
- to care for the employee's spouse, child, or parent with an illness, injury, impairment, or physical condition that involves inpatient care in a hospital, hospice, or residential medical facility, or outpatient care with continuing medical treatment by a licensed physician.

The Medical Leave Bank is not available for:

- Normal childbirth;
- Bereavement;
- Injuries or illnesses caused exclusively by pandemics, epidemics, natural disasters, acts of war, or terrorism.

Eligibility to Participate

To be eligible to withdraw from the Medical Leave Bank the employee must:

- have a qualifying leave,
- have exhausted all accrued paid leave;
- not be eligible for Workers Compensation;
- not be eligible to receive for short-term or long-term disability benefits;
and
- waive privacy rights to the personal or medical information which must be disclosed to withdraw from the Medical Leave Bank.

Medical Leave Assistance Requests

To make a withdrawal from the Medical Leave Bank the employee must submit to Human Resources a Medical Leave Assistance Request Form [GCCG-EB] and medical certification of the non-job-related medical condition showing that the condition will continue for at least two weeks beyond available accrued paid leave.

Withdrawals from the Medical Leave Bank will be in one-hour increments based on the employee's daily rate of pay. The maximum number of days an employee may withdraw from the Medical Leave Bank for any qualifying leave is thirty days.

Employee will not accrue additional paid leave while utilizing the Medical Leave Assistance Program.

FMLA Leave

This policy does not affect any rights under the FMLA and may be used in conjunction with FMLA leave.

Adopted: December 14, 2020

Revised: January 24, 2022

LEGAL REF.: Att. Gen. Op. I91-027

MEDICAL LEAVE ASSISTANCE PROGRAM DONATION FORM

Name: _____

I have read Governing Board Policy GCCG.

I understand that if the Medical Leave Bank is at maximum capacity, my donation will be time- and date-stamped and held until the balance drops below the maximum at which time the Medical Leave Bank will be replenished with donations in the order in which they are received.

I understand that once my donation of accrued sick leave days is credited to the Medical Leave Bank it is irrevocable.

I am making this donation voluntarily.

I authorize the transfer of _____ (not more than five) sick days to the Medical Leave Bank.

Signature: _____ Date: _____

(submit form to Payroll)

MEDICAL LEAVE ASSISTANCE REQUEST FORM

Name: _____

The reason for this withdrawal is:

- ☐ I have a non-job-related illness, injury, impairment, or physical condition, that involves inpatient care in a hospital, hospice, or residential medical facility, or outpatient care with continuing medical treatment by a licensed physician.
- ☐ I have to care for my spouse, child, or parent with an illness, injury, impairment, or physical condition that involves inpatient care in a hospital, hospice, or residential medical facility, or outpatient care with continuing medical treatment by a licensed physician.

I will have exhausted all of my accrued paid leave before I am able to return to work.

I am not eligible to receive short-term or long-term disability benefits.

I am requesting my daily rate of pay from the Medical Leave Bank for ____ days (not to exceed 30 days).

Start date: _____ End date: _____

I have attached medical certification or documentation of the medical condition necessitating my leave. (If you are on a qualified FMLA leave, you do not need to submit additional medical documentation.)

I understand that by submitting this Medical Leave Assistance Form I am waiving the confidentiality of the information on this form and in the medical certification to the extent necessary to process my withdrawal, which may include disclosure to other employees.

Signature: _____ Date: _____

(submit to form to Human Resources)

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BEREAVEMENT LEAVE

An employee may be granted up to five (5) days of leave per year, deducted from sick leave, to be used in the event of death in the employee's family as defined in GCCA. Submit the request as sick leave through TimeClock Plus® and put "bereavement leave" in the description.

Extensions of bereavement leave may be granted upon personal request to the employee's Program Director or direct supervisor. If approved, all such extensions of bereavement leave shall be deducted from the employee's earned sickleave.

In the absence of any earned sick leave, and upon request, the Superintendent may approve an unpaid leave of absence for each day of extended bereavement leave used.

Adopted: date of manual adoption

Revised: June 8, 2015

Revised: March 29, 2021

Revised: October 10, 2022

LEGAL REF.: A.R.S. § 15-502

ADMINISTRATIVE STAFF VACATIONS AND HOLIDAYS

Vacations

Twelve-month administrators, including instructional department directors, Program Director, and assistant superintendents, earn 12 vacation days yearly during their first two years of employment with the district; these are accrued at one (1) day per month. During their third and fourth years, administrators earn 15 vacation days yearly; these are accrued at 1-1/4 days per month. Starting in an administrator's fifth year, they earn 18 vacation days; these are accrued at 1-1/2 days per month. No more than five vacation days shall be taken by administrators on the days when teachers are required to be on campus. If extenuating circumstances exist, the Superintendent may approve additional vacation days during the school year.

Holidays

All full-time employees shall be entitled to paid time off for legal holidays during the school year as announced by the Superintendent and in conformance with Arizona law. Other holidays shall be established in the school calendar and entitlement to paid time off for those holidays shall be determined by the employees' employment status.

Reimbursement of Unused Vacation

An employee with unused accrued vacation shall be reimbursed at their hourly rate for their remaining vacation hours upon termination of employment.

Adopted: November 13, 2008

Revised: June 8, 2015

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 15-502, 15-801, 38-608

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PROFESSIONAL STAFF HIRING

It shall be the policy of the District to employ and retain the best qualified personnel. This will be accomplished by giving careful consideration to qualifications and by providing competitive salary schedules within the financial capability of the District, adequate facilities, and good working conditions.

The Board has the legal responsibility of approving the employment of all employees. While this responsibility cannot be waived, the Board assigns to the Superintendent the process of recruiting staff members. In carrying out this responsibility, the Superintendent may involve other staff members as needed. All personnel selected for employment must be recommended by the Superintendent and approved by the Board. The Board adopts the following general criteria, which shall be utilized in the selection process for initial employment:

- There will be no discrimination in the hiring process due to race, color, religion, sex, age, national origin, or disability of an otherwise qualified individual.
- Candidates for all teaching positions shall be able to deliver quality instruction.
- Candidates for professional positions shall be qualified for and have the training necessary to perform the instructional duties or functions for which they have applied.
- Each candidate shall provide evidence of meeting state requirements for certification.
- Each candidate shall be requested to complete a consent-and-release form regarding conduct of a background investigation.

A "background investigation" - consisting of communication with the applicant's (or employee's) former employer that concerns education, training, experience, qualifications, and job performance for the purpose of evaluation for employment - shall be conducted on each individual to be considered for a recommendation of employment. Forms developed for this purpose are to be used.

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.

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.

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:

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

Upon recommendation for employment the District shall confirm employment authorization and employment eligibility verification by participating in the E-Verify program of the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services Bureau (USCIS) and the Social Security Administration (SSA) and shall have the employee complete the necessary parts of an Employment Eligibility Verification Form I-9 and provide acceptable documents as required within three (3) days of employment. The District will complete the Form I-9 and maintain the form with copies of the documents and documentation of the authorization pending any inquiry.

Adopted: November 13, 2008

LEGAL REF: A.R.S. §§ 13-3716, 15-502, 15-503, 38-201, 38-231, 38-766.01, 23-211, 23-212, 41-1756

PROFESSIONAL STAFF HIRING**Definition**

A *background investigation* is defined as any communication with an applicant's (or employee's) former employer that concerns the education, training, experience, qualifications, and job performance of the individual and that is used for the purpose of evaluation for employment. Background investigation does not include the results of any state or federal criminal history records check.

Background Investigation Requirements

Only persons designated by the Superintendent shall perform background investigations. Prior to contacting former employers or other persons, the background investigator shall:

- Ascertain that the standard employment application for the type of position has been completed in full.
- Obtain from the individual a consent to background investigation and release as determined by the District.
- Make certain that the individual has identified at least two persons from each past employer who can verify basic job information and discuss the individual's work performance and reason for leaving.
- Examine the application for a complete work history, accounting for any gaps in employment.

Two persons should be contacted at each past employer if possible (any exceptions should be documented). Upon making contact, the contacts or the former employer or employer's agent should be provided the following information:

- The name and identifying information of the District.
- The name of the District representative making the inquiry and how the representative can be contacted.
- The name of the former employee and period of employment as indicated by the individual whose background is being investigated.
- The position for which the individual has applied, with descriptive information as to the duties, if requested or necessary to understanding of the inquiry.

The background investigator shall:

- Ask the questions, and complete the background check form(s) as provided by the District.
- Make impression notes as necessary based upon the questions and responses, and determine if there may be cause to contact others or make further inquiries based upon the responses.
- Provide the information to the Superintendent.

PROFESSIONAL STAFF HIRING**Procedures and Practices for Employment Authorization
And Employment Eligibility Verification**

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 document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination.

Employment Authorization**Procedure**

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

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 DHS databases, using an automated system to verify the employment authorization of all newly hired employees.

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

An employer's participation in E-Verify is voluntary and is currently free to employers. Users can access the web-based access methods using any Internet-capable Windows based personal computer and a web browser of Internet Explorer 5.5 or Netscape 4.7 or higher (with the exception of Netscape 7.0).

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.

The e-mail address to access the start site for E-Verify is:

<https://www.vis-dhs.com/employerregistration/StartPage.aspx?JS=YES>

If you need assistance in completing the registration process or need additional information relating to E-Verify, please call the Office of Verification toll free at 1-888-464-4218.

I-9 Form Completion

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 within 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.

**PROFESSIONAL STAFF HIRING
BACKGROUND CHECK FORM**

Applicant _____ Date _____

Person contacted _____ Telephone _____

Address _____

Relationship to applicant:

☐ Former employer – position _____

☐ District, business, or other entity _____

☐ Personal reference

Method of contact: ☐ Telephone ☐ Letter ☐ Other

QUESTIONS FOR EMPLOYERS

Dates of employment _____

Position held _____

Final rate of pay _____

Was the person reliable? ☐ Yes ☐ No If no, explain _____

Was the person satisfactory? ☐ Yes ☐ No If no, explain _____

Any concern about the person being late to work without authorization? ☐ Yes ☐ No

If yes, explain _____

Any concern with abuse of leave policies (e.g. sick or personal leave)? ☐ Yes ☐ No

If yes, explain _____

Any difficulty establishing communication and rapport with children? ☐ Yes ☐ No

If yes, explain _____

EXHIBIT

EXHIBIT

Would you rehire this person?

☐ Yes ☐ No

Can you identify anyone else who could provide relevant information regarding the applicant's fitness for employment?

Is there any other information I have not asked about that would help us determine this person's eligibility, qualifications, and suitability for employment with our District?

QUESTIONS FOR PERSONAL REFERENCE

How long have you known the applicant? _____

What is the nature of your relationship? _____

Why do you think the applicant would be a good choice for this position? _____

Do you know of any reasons that could prevent the applicant from fulfilling the functions of the position? _____

Background check form completed by _____
Name Date

GCF-EB

EXHIBIT

EXHIBIT

Any difficulties in establishing communication and rapport with supervisors, parents, or community members? ☐ Yes ☐ No

If yes, explain _____

Did the person ever receive a written counseling statement, letter of direction, or reprimand? ☐ Yes ☐ No

If yes, describe _____

Did the district ever consider taking action or take action to suspend, decline to renew, or dismiss the employee? ☐ Yes ☐ No

If yes, describe _____

Was there ever an allegation or complaint about:

Abusive language? ☐ Yes ☐ No

Insulting or derogatory comments? ☐ Yes ☐ No

Inappropriate contact with a child? ☐ Yes ☐ No

Verbal or physical contact of a sexual nature? ☐ Yes ☐ No

Dishonesty? ☐ Yes ☐ No

Substance abuse? ☐ Yes ☐ No

Failure to provide adequate supervision? ☐ Yes ☐ No

Failure to follow reasonable directions or instructions? ☐ Yes ☐ No

If yes on any of the above, get explanation _____

Was the person ever involved in an incident that resulted in injury to anyone adult or child? ☐ Yes ☐ No

If yes, explain _____

PROFESSION STAFF HIRING
AFFIRMATION OF A REHIRED EMPLOYEE
UPON RETURN TO EMPLOYMENT

To satisfy the requirements of A.R.S. § 38-766.01, and to retain my eligibility to receive retirement benefits from the Arizona State Retirement System ("ASRS") following my return to employment following a qualified retirement, by my signature below I affirm my awareness and acceptance of the following provisions:

- I have attained a normal retirement age as defined by the ASRS.
- I am returning to greater than half time employment not sooner than 12 months following my termination of full time employment for the purpose of retirement.
- If I return to work as a certificated teacher, my employment is not subject to the requirements prescribed in A.R.S. §§ 15-538, 15-538.01, and 15-539-543.
- I understand that:
 - pursuant to A.R.S. § 38-766.01 my election to return to work is irrevocable for the remainder of the employment for which I have made this election, and
 - I must make this acknowledgment in writing and file it with my employer within 30 days of returning to work.

Signature

Date

GCFC

PROFESSIONAL STAFF CERTIFICATION AND CREDENTIALING REQUIREMENTS (Fingerprinting Requirements)

New Hires

All certificated personnel to be hired by the District shall have and maintain a Level 1, IVP fingerprint clearance card.

The candidate's fingerprints shall be submitted, along with the form prescribed in statute, immediately upon being notified of pending employment.

Candidates shall certify on the prescribed notarized form [GCFC-E] 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 criminal offenses listed in A.R.S. §§ 15-512 or 41-1750.07(B) or (C) in Arizona or similar offenses in any other jurisdiction.

The District may refuse to hire or may review or terminate an employee who has been convicted of or pled guilty to any of the criminal offenses cited above or a similar offense in another jurisdiction. In conducting a review, the Governing Board shall utilize the guidelines, including the list of offenses that are not subject to review, as prescribed by the State Board of Education pursuant to A.R.S. § 15-534.

Due Process for Suspended or Revoked Fingerprint Clearance Card

Continued employment is conditioned upon Employee possessing and maintaining a valid Level 1, IVP fingerprint clearance card.

An employee, who is convicted of or pled guilty to any of the offenses listed in A.R.S. §§ 15-512 or 41-1758.07(B), is subject to immediate termination.

An employee charged with any of the offenses listed in A.R.S. §§ 15-512 41-1758.07(B) will be assigned to home until afforded due process by the criminal justice system or the Governing Board.

An employee, who is convicted of or pled guilty to an offense listed in A.R.S. § 41-1758.07(C), will be assigned to home pending a due process hearing before the Governing Board.

An employee, who is charged with an offense listed in A.R.S. § 41-1758.07(C), will not be permitted contact with students unless accompanied by a person with a valid Level 1, IVP fingerprint clearance card.

When considering termination of an employee pursuant to this policy, a hearing shall be held to determine whether a person already employed shall be terminated.

GCFC

In considering whether to hire or terminate the employment of a person, the Governing Board shall take into account the factors listed in A.R.S. 15-512, which are:

1. The nature of the crime and the potential for crimes against children.
2. Offenses committed as a minor for which proceedings were held under the jurisdiction of a juvenile or an adult court.
3. Offenses that have been expunged by a court of competent jurisdiction, if the person has been pardoned or if the person's sentence has been commuted.
4. The employment record of the person since the commission of the crime if the crime was committed more than ten years before the governing board's consideration of whether to hire or terminate the person.
5. The reliability of the evidence of an admission of a crime unless made under oath in a court of competent jurisdiction.

The Superintendent shall develop and implement procedures that include the following in the employment process:

- Provide for fingerprinting of employees covered under this policy and A.R.S. 15-512.
- Provide for fingerprint checks pursuant to A.R.S. 41-1750 *et seq.*

Certificate Renewals

Each District employee who is an applicant for renewal of any certificate prescribed in A.R.S. 15-203 shall be required to be fingerprinted if the employee has not had a fingerprint check.

Each individual will be responsible for the cost for initial and renewal fingerprint clearance.

Adopted: November 13, 2008

Revised: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-512, 15-534, and 41-1750 *et seq.*

CROSS REF.: GCF - Professional Staff Hiring

GCG - Part-Time and Substitute Professional Staff Employment

IJOC - School Volunteers

PROFESSIONAL STAFF CERTIFICATION AND CREDENTIALING REQUIREMENTS

 Name (printed or typed)

 Position

I, _____, being duly sworn, do hereby certify that I have never been convicted of, pled guilty to, and am not now awaiting trial for committing, any of the following criminal offenses in the state of Arizona or similar offenses in any other jurisdiction:

- | | |
|---|--|
| <ul style="list-style-type: none"> • Sexual abuse of a minor • Incest • First- or second-degree murder • Kidnapping • Arson • Sexual assault • Sexual exploitation of a minor • Sexual Exploitation of a vulnerable adult • Felony offenses involving contributing to the delinquency of a minor • Commercial sexual exploitation of a minor • Commercial sexual exploitation of a vulnerable adult • Child sex trafficking as prescribed in A.R.S. § 13-3212 • 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 • Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs • Misdemeanor offenses involving the Possession or use of marijuana or dangerous drugs • Burglary in the first degree | <ul style="list-style-type: none"> • Burglary in the second or third degree • Aggravated or armed robbery • Robbery • A dangerous crime against children as defined in A.R.S. § 13-705 • Child abuse • Abuse of a vulnerable adult • Sexual conduct with a minor • Molestation of a child • Molestation of a vulnerable adult • Manslaughter • Assault • Aggravated assault • Exploitation of minors involving drug offenses • Taking a child for the purpose of prostitution as prescribed in section 13-3206. • Neglect or abuse of a vulnerable adult. • Sex trafficking. • Sexual abuse. • Production, publication, sale, possession and presentation of obscene items as prescribed in section 13-3502. • Furnishing harmful items to minors as prescribed in section 13-3506. |
|---|--|

GCFC-E

EXHIBIT

EXHIBIT

- Furnishing harmful items to minors by internet activity as prescribed in section 13-3506.01.
- Obscene or indecent telephone communications to minors for commercial purposes as prescribed in section 13-3512.
- Luring a minor for sexual exploitation.
- Enticement of persons for purposes of prostitution.
- Procurement by false pretenses of person for purposes of prostitution.
- Procuring or placing persons in a house of prostitution.
- Receiving earnings of a prostitute.
- Causing one's spouse to become a prostitute.
- Detention of persons in a house of prostitution for debt.
- Keeping or residing in a house of prostitution or employment in prostitution.
- Pandering.
- Transporting persons for the purpose of prostitution, polygamy and concubinage.
- Portraying adult as a minor as prescribed in section 13-3555.
- Admitting minors to public displays of sexual conduct as prescribed in section 13-3558.
- Unlawful sale or purchase of children.
- Child bigamy.
- Trafficking of persons for forced labor or services.
-

Employee Signature

Date

Subscribed, sworn to, and acknowledged before me by _____,
this ____ day of _____, 20 ____

State of Arizona
County of Maricopa.

Notary Public

My Commission Expires:

GCFE

PROFESSIONAL/SUPPORT STAFF HIRING - OATH OF OFFICE

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. The District office 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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 38-231

EXHIBIT

EXHIBIT

PROFESSIONAL /SUPPORT STAFF HIRING - OATH OF OFFICE

In addition to any other form of oath or affirmation specifically provided by law for an officer or employee, before entering upon the duties of office or employment, any officer or employee shall take and subscribe to the following oath or affirmation:

State of Arizona, County of Maricopa, I, _____,
[type or print name]

do solemnly swear (or affirm) that I will support the Constitution of the United

States and the Constitution and laws of the State of Arizona; that I will bear true

faith and allegiance to the same, and defend them against all enemies, foreign

and domestic, and that I will faithfully and impartially discharge the duties of the

office of _____
[name of office]

according to the best of my ability, so help me God (or so I do affirm).

Signature of officer or employee

Date

LEGAL REF.: A.R.S. § 38-231

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Substitute Teachers

The Board will establish the daily pay rate for substitute teachers.

The Superintendent will screen all applicants for substitute positions and recommend substitute teachers to the Board for approval. The Superintendent will establish regulations to ensure that all substitutes used in the schools are on the Board- approved substitute list.

Substitute Professional Staff Members

The Superintendent may employ, when conditions warrant, temporary or part-time personnel on a per diem or time card basis. This authority is subject to the following conditions:

- Continued employment of any such person shall be subject to confirmation and approval by the Board at its next official meeting.
- The employee shall be hired on a per diem basis and shall be compensated in accordance with the requirements and limitations of existing contracts that cover similar positions or employees.
- In addition to the conditions set forth above, the temporary assignment of a person to a supervisory or administrative position shall be preceded by notification to the Board. The Superintendent will detail the circumstances that created the need for the part-time employment.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-502, 15-503

A.A.C. § R7-2-603

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT (Substitute Teachers)

Employment of Substitute Teachers

Substitute personnel shall be employed through the personnel department. Only those who have registered with the personnel department shall be employed; otherwise, there shall be no authorization for payment. Every effort shall be made to provide the best qualified substitutes.

Registration of Substitute Teachers

The following materials are required before a substitute teacher may be employed:

- Application for employment.
- Loyalty oath.
- Withholding tax statement (W-4).
- Recorded certificate in the office of the County Superintendent of Schools.
- District interview.
- Employment Eligibility Verification (form I-9).

Payment of Substitute Teachers

The pay schedule for substitutes for each school year shall be set at the same time the regular salary schedule for teachers is adopted. Substitute teachers shall be paid the salary designated by the Governing Board, with the following exceptions:

- *Long-term substitute teachers.* A substitute teacher who teaches in one (1) assignment for a regular teacher shall receive an increased rate of pay as determined by the Governing Board for each day taught beyond the initial twenty (20) consecutive working days. If extenuating circumstances exist, the Superintendent may recommend, to the Board, an additional increased rate of pay and/or fewer required consecutive working days in order to qualify for an increased rate of pay.
- *Permanent substitute teachers.* A substitute teacher may be designated as a "permanent substitute" by the director of business/human resources in the event of a long-term replacement for a regular teacher on a leave of absence. The substitute teacher must possess a regular teaching certificate. An increased rate of pay, as determined by the Board, shall be paid for each day taught beyond the initial twenty (20) consecutive days.
- Short-term substitute teachers receive no fringe benefits, except as required by law, and no contracts shall be issued.
- Substitutes shall accrue no vacation days.

- If a substitute teacher is required to be at school longer than four and one-half (4-1/2) hours in a day, a full day's substitute salary shall be paid. If a substitute teacher is at school four and one-half (4-1/2) hours or less a day, a half (1/2) day's substitute salary shall be paid.

Professional Responsibility

The substitute teacher, as a special faculty member of the District, is responsible for:

- Assuming normal duties and responsibilities of the classroom teacher.
- Reporting to the office of the administrator upon arrival at the assigned school.
- Maintaining high professional standards in contacts with students, other teachers, and parents or guardians.
- Adhering to rules and regulations that pertain to a specific assignment.
- Implementing the program of the regular classroom teacher as outlined in the lesson plans.
- Adhering to the hours of the school day.
- Seeking guidance in any unusual situation.
- Reporting, in summary form, progress and activities of the day for the benefit of the regular classroom teacher.

The classroom teacher who is absent has a professional responsibility to aid the substitute teacher by:

- Maintaining up-to-date lesson plans.
- Itemizing relevant information that pertains to the classroom situation.
- Encouraging and guiding the substitute teacher in everyday school procedures.
- Developing a proper attitude in the classroom, among the students, toward the role that substitutes have in the educational program.
- The administrative responsibility to the substitute teacher includes:
- Defining the role of the substitute teacher in specific classroom situations.
- Establishment of professional and personal communication.
- Submitting substitute teacher evaluation reports.
- Involvement of the substitute teacher in the professional climate of the school.
- Preparing a detailed list of duties for the substitute teacher.

GCGB

ARRANGEMENTS FOR SUBSTITUTE STAFF MEMBERS

The Superintendent will establish procedures for reporting the need for and arranging for professional staff substitutes.

Adopted: June 8, 2015

ARRANGEMENTS FOR SUBSTITUTE STAFF MEMBERS

When utilizing the leave policies of the District, it shall be the responsibility of the teacher to notify their supervisor, as soon as possible but no later than 7:30 a.m. on the date of absence, providing the name of a prearranged substitute teacher.

If the teacher knows in advance that a return to duty will be assured on a certain day, the supervisor should be so notified in order that the substitute may be informed.

GCH

PROFESSIONAL STAFF ORIENTATION AND TRAINING

The Superintendent will establish a program to provide orientation for all new District employees. At a minimum, this program will cover the following items:

- Goals, objectives, and programs of the District.
- Personnel policies.
- Terms of employment.
- General disciplinary rules and procedures.
- Salary and fringe-benefit plans.
- Self-improvement opportunities.
- The evaluation program and name(s) of evaluator(s).
- Handling of body fluids.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

PROFESSIONAL STAFF DEVELOPMENT

The Board recognizes its particular responsibility to provide opportunity for the continual professional growth of its certificated staff. Such opportunities include, within budgetary limitation, special in-service training courses, workshops, school or District visitations, conferences, professional library, and assistance from supervisors and consultants.

In line with such opportunities, the Board encourages educational research by staff members when the conduct of the project does not conflict with the major functions of the school.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. § 15-342

PROFESSIONAL STAFF NON-CONTINUING AND CONTINUING

STATUS *Probationary teacher* means a teacher who is not a continuing teacher. *Continuing teacher* means:

- a certificated teacher who has been and is currently employed by the District for the major portion of 3 consecutive school years, and
- who has not been designated in the lowest performance classification for the previous school year or who has not regained continuing status after being designated as a probationary teacher.

A continuing teacher becomes a probationary teacher in the school year following having been designated in the lowest performance classification and shall remain a probationary teacher until that teacher's performance classification is designated in either of the 2 highest performance classifications.

Administrators are not covered under the terms of the teacher appointment and evaluation statutes and don gain credit toward continuing status.

Adopted: June 22, 2020

LEGAL REF: A.R.S. §§ 15-501-501, 15-536, 15-538.01, 15-539, 15-544, 15-546, 15-547.

Ariz. Att. Gen Opinions: I78-150, I78-286, I80-113, I83-131, I84-048

CROSS REF: GCO – Evaluation of Professional Staff Members

GCK

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

Assignments

The Superintendent will determine all professional staff assignments. Such assignments shall be based on the needs of the District. In addition, no right to school, grade, or subject assignment shall be inferred from the standard teacher's contract.

A teacher who has been employed by the District for the major portion of three (3) or more consecutive school years and who is currently designated in the lowest performance classification for two (2) consecutive school years shall not be transferred as a teacher to another school in the District unless the District has issued a preliminary notice of inadequacy of classroom performance and approved a performance improvement plan for the teacher and the Governing Board has approved the new placement as in the best interests of the pupils in the school. Following a transfer under this provision, a teacher who continues to be designated in one (1) of the two (2) lowest performance classifications shall not be permitted to transfer to another school. A teacher shall not be transferred more than once under the provisions of this paragraph.

Transfers

The procedure for assignment and transfer of professional staff members will be based on the needs of the instructional program. Assignments may be changed to serve the best interests of the District and students.

Professional staff members may apply for transfer or reassignment, whether or not a vacancy exists. Generally, transfers will not be approved during the school year unless the needs of the District dictate such approval.

In the case of vacancies in new or existing positions, first consideration will be given to qualified applicants among current employees.

The resolution of any conflicts over the need for a transfer shall be based on what is best for the instructional program, the needs of the students, and the overall needs of the District as defined by the Superintendent.

Adopted: date of manual adoption

Revised: June 22, 2020

PROFESSIONAL STAFF SCHEDULES AND CALENDARS

Teachers are required to be present on school grounds from 7:30 a.m. to 3:30 p.m., except during the lunch break from 10:35 a.m. to 11:05 p.m., unless the Program Director has authorized their absence. The school day may be extended or altered for additional class time, meetings, special events, and activities. The classroom instructional period is vital to the educational process. Disruptions shall be kept to a minimum, and staff members shall not have family members present during their prescribed work hours.

In order to ensure the safety of students and the security of school campuses, teachers may be assigned supervisory duty during the teaching day. These duty assignments shall be considered a regular part of a teacher's duties and shall be fulfilled accordingly.

Teachers may be asked to perform duties other than classroom teaching. Extra duty assignments may be made by the supervisor or Superintendent.

Adopted: date of manual adoption

Revised: June 8, 2015

Revised: October 10, 2022

LEGAL REF.: A.R.S. § 15-521

GCMC

PROFESSIONAL STAFF MEETINGS

The Superintendent will arrange for and hold staff meetings as the need may arise. This authority may be delegated to Program Directors or Central Administration (the Superintendent, Chiefs, the Director of Legal Services, and the Public Information Officer), who may hold such building meetings on a regularly scheduled basis or as they may arise.

All teachers are required to attend any such meetings unless officially excused by the Program Director or the Superintendent prior to the meeting.

The Board and the administration recognize the value of and encourage grade-level staff meetings or departmental staff meetings. A minimum number of such meetings will be allowed during the regular school day, as long as the minimum number of classroom minutes for the grade level has been met.

Arrangements for such meetings shall be made with the Superintendent through the Program Directors.

Adopted: date of manual adoption

Revised: October 10, 2022

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: IKACA - Parent Conferences

GCMF

PROFESSIONAL STAFF DUTIES AND RESPONSIBILITIES

(Duties of Teachers; Failure to Comply is Unprofessional Conduct; Penalty)

Every teacher shall:

- Present a valid certificate to the County School Superintendent, who shall record it.
- Enforce the course of study, the use of adopted textbooks, and the rules and regulations prescribed for the school.
- Hold students to strict account for disorderly conduct.
- Exercise supervision over students on the campus and at off-campus school activities.
- Keep a school register, which the Governing Board shall carefully preserve as one of the records of the school.
- Make such reports as may be required by the Superintendent of Public Instruction, County School Superintendent, or Governing Board.
- Make the decision to pass or fail a student in a course in high school. Such decisions may be overturned only as provided in A.R.S. § 15-342(11).
- Comply with all rules, regulations, and policies of the Governing Board that relate to the duties as prescribed.

A teacher shall not use sectarian or denominational books or teach any sectarian doctrines or conduct religious exercises.

A teacher who fails to comply with the above is guilty of unprofessional conduct and may be subject to disciplinary action by the Governing Board and by the State Board of Education.

A teacher who is arrested for or charged with any non-appealable offense listed in A.R.S § 41-1758.03(B) and who does not immediately report the arrest or charge to the teacher's supervisor is guilty of unprofessional conduct and shall be immediately dismissed from employment with the School District.

Adopted: November 13, 2008

Revised: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-153, 15-203, 15-341, 15-521, 15-535, 15-539, 15-550, 41-1758.03

CROSS REF.:GBEB – Staff Conduct

GCO – Evaluation of Professional Staff Members

GCO

EVALUATION OF PROFESSIONAL STAFF MEMBERS

The Governing Board has adopted a formal process for the evaluation of professional staff employees to improve instruction and maintain instructional strengths. The district may use the information developed through the teacher performance evaluation system for a variety of purposes, including:

- To determine a teacher's effectiveness in the classroom.
- To provide staff members with motivation and direction to improve.
- To provide a basis for planning in-service training and supervisory activities.
- To provide a basis for personnel decisions, including but not limited to; assignments, renewal/retention, dismissal and compensation.
- To evaluate school and District educational programs and objectives for effectiveness.
- To determine administration effectiveness in implementing policy and leadership.

Definitions

"Certificated Teacher" means, for purposes of this policy, a person who holds a certificate from the State Board of Education to teach in this State and who is employed under a contract by the District in a position that requires certification, except any administrator devoting less than 50% of his/her time to classroom teaching.

"Continuing teacher" means a certificated teacher who has been employed by the District for the major portion of 3 consecutive school years, and who has not been designated in the lowest performance classifications for the previous school year or who has regained continuing status after being designated as a probationary teacher.

A continuing teacher becomes a probationary teacher in the school year after the year the teacher was designated in the lowest performance classifications. The teacher shall remain a probationary teacher until that teacher's performance classification is designated in either of the two (2) highest performance classifications.

"Probationary teacher" means a certificated teacher who is not a continuing teacher.

"Professional Staff" means the group of employees required by the District to hold the following licenses to perform their duties: administrative, teaching, special education, career and technical education, professional non-teaching certificate issued by the SBOE or a nursing license issued by the State Board of Nursing and Psychologist Examiners. Professional staff includes those positions so designated by the superintendent.

Orientation to the Teacher Performance Evaluation System

On an annual basis the District shall provide orientation to District teachers regarding the performance evaluation system. Teachers are expected to review Governing Board Policy GCO and related evaluation materials to familiarize themselves with the system.

Qualified Evaluator

The performance of classroom teachers will be evaluated by qualified evaluators approved by the Governing Board. The Superintendent will annually submit a list of the District's

GCO

qualified evaluators to the Governing Board for approval. All qualified evaluators will be sufficiently trained and qualified to evaluate classroom teachers or specialists by completing training for the evaluation systems approved by the Governing Board.

Performance Classifications

“Performance classifications” mean the four (4) performance classifications for teachers under the law and based on the qualitative definitions of these terms approved by the State Board of Education. They are: Highly Effective, Effective, Developing or Ineffective.

For the final annual evaluation and for each component thereof, the classroom teacher, specialist, and Program Director will be rated according to these four performance classifications. The Governing Board adopts quantitative definitions of the four performance classifications and annually will discuss the district’s aggregate performance ratings for classroom teachers and Program Directors. The quantitative definitions of the four performance classifications are set forth in the administrative regulation adopted by the Superintendent and approved by the Governing Board to implement this policy.

Inadequacy of Classroom Performance

The Board may adopt standards for teaching performance that exceed the standards of the performance classifications.

The Governing Board has adopted the following definition of “inadequacy of classroom performance” that aligns to the performance classifications.

“Inadequacy of classroom performance” means: A receives an overall “ineffective” or three (3) or more “ineffective” or “developing” classifications in any of the classroom performance domains adopted in regulations.

Delegation of Authority to Issue Preliminary Notices of Inadequacy of Classroom Performance

The Governing Board may issue preliminary notices of inadequacy of classroom performance to certificated teachers of the District. The Governing Board also delegates to the Superintendent (as the Governing Board’s authorized designees) the authority to issue preliminary notices of inadequacy of classroom performance to certificated teachers without the need for prior approval of each notice by the Governing Board. In all cases in which the Superintendent issues a preliminary notice of inadequacy of classroom performance without prior approval by the Governing Board, the Governing Board shall be notified of the issuance within ten (10) instructional days.

Evaluation Requirements

Annual Evaluation: Each certificated teacher shall be evaluated at least once annually. In its discretion, the District may conduct more than one evaluation annually.

Observation Requirements: An evaluation shall include at least two (2) actual classroom observations. The governing board may waive the requirement of a second classroom observation for a continuing teacher whose teaching performance based on the first classroom observation places the teacher in one of the two highest performance classifications for the current school year, unless the teacher requests a second observation. There shall be at least sixty (60) calendar days between the first and last observations.

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The last observation may follow the issuance of a preliminary notice of inadequacy of classroom performance and be used to determine whether the teacher has corrected inadequacies and has demonstrated adequate classroom performance.

An observation shall not be conducted within two (2) instructional days of any scheduled period in which school is not in session for one (1) week or more. "Instructional day" means a day in which pupils are scheduled to attend school for instructional time.

Written Feedback to Teacher: Within ten (10) business days after each observation, the qualified evaluator shall provide written feedback to the teacher.

Transmittal of Evaluation to Teacher: The results of an annual evaluation shall be in writing or provided in electronic format to the teacher and a copy shall be transmitted or provided in an electronic format to the within five (5) days after completion of the evaluation. The teacher may initiate a written reaction or response to the evaluation. Responses shall be submitted to the evaluator within ten (10) business days of the date of the transmittal.

Recommendations for Needed Improvement: A specific and reasonable plan for the improvement of teacher performance shall be provided if the teacher's performance warrants improvement. More specifically:

- Each evaluation shall include recommendations as to areas of improvement if the teacher's performance warrants improvement.
- After transmittal of the evaluation, the qualified evaluator or another Board designee shall confer with the teacher to make specific recommendations as to areas of improvement in the teacher's performance.
- The qualified evaluator or other Board designee may provide professional development opportunities for the teacher to improve performance.
- A qualified evaluator implementing an improvement plan for a teacher who has been issued a preliminary notice of inadequacy of classroom performance shall reevaluate the teacher no fewer than 45 instructional days after the issuance of the notice.

Teacher Incentives and Protections

Teachers in the highest performance classification shall be eligible to receive incentives as approved by the Governing Board.

Retention and Confidentiality of Teacher Evaluation Reports and Performance Classifications

Copies of the Evaluation Report and performance classification of a certificated teacher retained by the District are confidential and do not constitute a public record and shall not be released or shown to any person except:

- To the certificated teacher who may make any use of it.
- To authorized District officers and employees for all personnel matters regarding employment and contracts and for any hearing that relates to personnel matters.
- To school districts and charter schools that inquire about the performance of the teacher for prospective employment purposes. A school district or charter school that receives information about a certificated teacher from the evaluation report and performance classification shall use this information solely for employment purposes and shall not release to or allow access to this information by any other person, entity,

GCO

school district or charter school.

- For introduction in evidence or discovery in any court action between the Governing Board and the certificated teacher in which either: (a) the competency of the teacher is at issue; or (b) The evaluation and performance classification were an exhibit at a hearing, the result of which is challenged.
- As otherwise permitted or required by law.

Evaluation of Other Professional Staff

All professional staff, other than classroom teachers, specialists and Program Directors, will be evaluated annually by the employee's supervisor using evaluation instruments approved by the Superintendent. The Superintendent will be evaluated by the Governing Board.

Appeal Procedures

The Superintendent shall develop appeal procedures for teachers who disagree with the evaluation of their performance if the evaluation is for use as criteria for establishing compensation.

Teachers who disagree with an evaluation of their performance may appeal such evaluations as set forth in the evaluation instrument.

Delegated Authority to Implement Policy

The Superintendent is authorized to adopt administrative regulations as necessary or appropriate to implement these policies.

LEGAL REF: A.R.S. §§ 15-203, 15-502, 15-503, 15-536, 15-537, 15-537.01, 15-538, 15-538.01, 15-539 *et seq.*, 15-544, 15-549, 15-977
A.A.C. R7-2-605

Adopted: October 14, 2013

Revised: October 14, 2013

Revised: June 22, 2020

Revised: February 28, 2022

Revised: October 10, 2022

GCP

PROFESSIONAL STAFF PROMOTIONS

The Superintendent will fill positions of increased responsibility with the best available candidates. Candidates will be considered both from within and from outside the District.

Adopted: date of manual adoption

GCQA

PROFESSIONAL STAFF REDUCTION IN FORCE

The number and type of certificated staff positions required to implement the District's educational program will be determined annually by the Board after recommendation from the Superintendent. In the event the Board decides to release certificated staff members, the following guidelines will be in effect:

- Normal attrition due to teacher terminations will be relied upon as the first means of reducing the staff.
- If attrition does not accomplish the required reduction in the staff, the Superintendent shall submit to the Board recommendations for the termination of specific staff members. The criteria used in formulating these recommendations shall include, but shall not be limited to:
 - Qualifications and certification of staff members to accomplish the District's educational program.
 - Overall teaching experience, academic training, and ability.
 - Past contributions to the educational program of the District.
 - All other things being equal, length of service in the District.

Criteria for selection of staff members to be released will be applied separately to teachers within specialty categories.

Noncontinuing teachers will be released before continuing teachers who are legally qualified to hold positions currently held by noncontinuing teachers. Recall provisions will be as specified in Arizona law.

Personnel to be laid off for the ensuing school year shall be notified of such layoff as soon as practical.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-502, 15-544
Att. Gen. Op 178-286

RESIGNATION OF PROFESSIONAL STAFF MEMBER

A professional staff member may not resign effective prior to the end of the term of the contract, unless the resignation is first approved by the Governing board. If the professional staff member intends to resign prior to the end of the term of the contract, notice must be provided to the Governing Board two or more weeks prior to the next regular Governing Board meeting to permit the Governing Board to approve the resignation prior to the date of the resignation and to secure a replacement. If the resignation is due to circumstances beyond the professional staff member's control, notice must be provided as soon as possible after those circumstances arise.

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.

Adopted: November 13, 2008

Revised: March 29, 2021

LEGAL REF.: A.R.S. §§ 15-545, 23-353
A.A.C. R7-2-205

GCQF

DISCIPLINE, SUSPENSION, AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

Categories of Misconduct

Certificated staff members may be disciplined for infractions that include, but are not limited to, the following categories:

- A. Engaging in unprofessional conduct.
- B. Committing fraud in securing appointment.
- C. Exhibiting incompetency in their work.
- D. Exhibiting inefficiency in their work.
- E. Exhibiting improper attitudes.
- F. Neglecting their duties.
- G. Engaging in acts of insubordination.
- H. Engaging in acts of child abuse or child molestation.
- I. Engaging in acts of dishonesty.
- J. Being under the influence of alcohol while on duty.
- K. Engaging in the use of narcotics or habit-forming drugs.
- L. Being absent without leave.
- M. Engaging in discourteous treatment of the public.
- N. Engaging in improper political activity.
- O. Engaging in willful disobedience.
- P. Being involved in misuse or unauthorized use of school property.
- Q. Being involved in excessive absenteeism.
- R. Carrying or possessing a weapon on school grounds unless they are peace officers or have obtained specific authorization from the appropriate school administrator.

Statutory Requirements

Certificated staff members disciplined under A.R.S. §§ 15-341, 15-539 or other applicable statutes:

- A. May not be suspended with or without pay for a period exceeding ten (10) school days under A.R.S. § 15-341.
- B. May be suspended without pay for a period of time greater than ten school days or dismissed under A.R.S. § 15-539.
- C. Shall be disciplined under procedures that provide for notice, hearing, and appeal, subject to the requirements of A.R.S. §§ 15-341 or 15-539, whichever is appropriate.

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- D. Shall, if disciplined under A.R.S. § 15-539 or other applicable statutes, excluding A.R.S. § 15-341, receive notice in writing served upon the certificated staff member personally or by United States registered or certified mail addressed to the employee's last-known address. A copy of charges, together with a copy of all applicable statutes, shall be attached to the notice.
- E. Shall have the right to a hearing in accordance with the following:
 - 1. *Suspension under A.R.S. § 15-341.* The supervising administrator will schedule a meeting not less than 2 days nor more than 10 days after the date the certificated staff member receives the notice.
 - 2. *Dismissal or dismissal with suspension included under A.R.S. § 15-539.* A written request for a hearing shall be filed with the Board within thirty (30) days after service of notice. The filing of a timely request shall suspend the imposition of a suspension without pay or a dismissal pending completion of the hearing.

General Provisions for Discipline under A.R.S. § 15-341

General provisions for discipline are as follows:

- A. *Informal consultation.* Nothing contained herein will limit a supervising administrator's prerogative to engage in informal consultation with a certificated employee to discuss matters of concern related to the employee's performance, conduct, etc.; however, when it is apparent that disciplinary action toward a certificated employee is likely to become a part of the certificated staff member's personnel record as permitted by A.R.S. § 15-341, the procedures outlined herein shall be followed.
- B. *Persons authorized to impose discipline.* Any supervising administrator who is the immediate or primary supervisor of a certificated staff member is authorized to impose a penalty or penalties, short of dismissal. Only the Board may dismiss a certificated staff member.
- C. *Notice.* Any person who is required by this policy to give written notice to any other person affected by this policy may do so by any means reasonably calculated to give the recipient actual knowledge of the notice within a reasonable amount of time. When time is calculated from the date a notice is received, the notice is deemed to be received on the date it is hand delivered or three calendar days after it is placed in the mail.
- D. *Administrative discretion.* In adopting these policies procedures, it is the intention of the District that they be interpreted and applied in a reasonable fashion. The policies are not intended to restrict or eliminate the discretion traditionally afforded to supervising administrators to determine whether discipline is appropriate. Supervising administrators are therefore directed to continue to use reasonable discretion in determining whether a particular alleged violation merits discipline.
- E. *Right not to impose discipline.* The District reserves the right not to discipline a certificated staff member for conduct that violates this policy.
- F. *Definition of work days.* For the purposes of this policy, a work day is any day that the District's central administrative office is open for business.

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- G. *Additional reasons for discipline.* A certificated staff member may be disciplined for conduct that has occurred but that, at or near the time of misconduct, was not the subject of or identified as a reason for a specific proceeding under this policy.

Amendments. The District reserves the right to amend this policy in any way at any time. Any amendment shall have prospective application only.

Severability. If any provision of this policy is held to be invalid for any reason, such action shall not invalidate the remainder of this policy. If any provision of this policy conflicts with any provisions in any other policies adopted by the District, the provisions of this policy shall prevail.

Procedure for Discipline under A.R.S. § 15-341

The following procedures will be used to impose any discipline that (1) shall become a part of the certificated staff member's personnel record and (2) is permitted under A.R.S. § 15-341

Step 1 - Notice

Upon the supervising administrator's determination of the existence of cause to impose discipline, the supervising administrator shall notify the certificated staff member of intent to impose discipline. The notice shall be in writing and shall be delivered in person or by first-class mail. The notice shall include the following:

- A. The conduct or omission on the part of the certificated staff member that constitutes the reason for discipline.
- B. A scheduled meeting time between the supervising administrator and the certificated staff member. Such meeting shall be scheduled not more than 10 working days after the date the certificated staff member receives the notice.
- C. A statement of the disciplinary action the supervising administrator intends to impose, including, if applicable, the number of days of suspension with or without pay.
- D. Copies of any available relevant documentation, at the discretion of the supervising administrator.

Step 2 - Hearing:

At the hearing, the supervising administrator shall discuss with the certificated staff member the conduct that warrants disciplinary action and shall provide the certificated staff member with any appropriate evidence and a copy of relevant documentation if not previously provided.

The supervising administrator shall conduct the hearing in an informal manner, without adherence to the rules of evidence and procedure required in judicial proceedings.

Step 3 - Decision (in writing):

At the hearing, or within 10 working days following the hearing, the supervising administrator shall, in writing, inform the certificated staff member of the decision. If the decision is to

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impose discipline, written notice of the discipline shall be enclosed. The written notice of the decision shall state that a copy of the notice, decision, and a record of the disciplinary action shall be placed in the certificated staff member's personnel file and shall specify the date the discipline shall be imposed unless the certificated staff member files a written request for appeal within 5 working days after the decision is delivered to the certificated staff member. If the certificated staff member requests an appeal of the decision, the imposition of any discipline shall be suspended pending the outcome of the appeal.

Step 4 - Appeal:

Discipline imposed may be appealed, BUT SUCH APPEALS ARE LIMITED TO ONE ORGANIZATIONAL LEVEL ABOVE THE LEVEL OF THE SUPERVISING AUTHORITY WHO DETERMINED THE DISCIPLINE. Only when the discipline is determined by the Superintendent shall the appeal be to the Board, which, at its discretion, may appoint a hearing officer. The appeal shall contain a brief statement of the reasons why the certificated staff member believes the administrator's decision is incorrect.

The appeal shall specifically describe the part of the determination with which the certificated staff member disagrees:

- A. Determination was founded upon error of construction or application of any pertinent regulations or policies.
- B. Determination was unsupported by any evidence as disclosed by the entire record.
- C. Determination was materially affected by unlawful procedure.
- D. Determination was based on violation of any statutory or constitutional right.
- E. Determination was arbitrary and capricious.
- F. The penalty was excessive.

The supervising administrator, the Superintendent, or, when appropriate, the Board or the Board-appointed hearing officer may, at the conclusion of the appeal, uphold the discipline, modify the decision, or refer the matter back to the level from which it was appealed for rehearing and additional information. Such decision, along with specific direction as to the effective date of any discipline, shall be communicated to the certificated staff member within a reasonable amount of time following the appeal, not to exceed 7 working days.

Additional Provisions and Conditions

During the pendency of the hearing, neither the certificated staff member nor the supervising administrator shall contact the Superintendent or a Board member to discuss the merits of the supervising administrator's recommendation or charges and proposed discipline except as provided by this policy. No attempt shall be made during such period to discuss the merits of the charges with the person designated to act as hearing officer.

The assigned hearing officer shall, by use of a mechanical device, make a record of the appeal hearing.

This policy, under A.R.S. § 15-341, does not apply to dismissal of a certificated staff member except to the extent that the Board may find, subsequent to dismissal proceedings, that a lesser form of discipline as set forth in this policy should be imposed.

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Not all administrative actions regarding a certificated staff member are considered “discipline,” even though they may involve alleged or possible violations by the certificated staff member. This policy addresses only discipline and has no application to any of the following:

- A. The certificated staff member evaluation procedure or the resulting evaluations as they pertain to the adequacy of the certificated staff member’s classroom performance.
- B. Letters or memorandums directed to a certificated staff member containing directives or instructions for future conduct.
- C. Counseling of a certificated staff member concerning expectations of future conduct.
- D. Nonrenewal of a contract of a certificated staff member employed by the District for less than the major portion of three consecutive school years (noncontinuing certificated staff member).

In the case of dismissal or dismissal with suspension under A.R.S. § 15-539, hearing and appeal procedures shall follow those provided for in the appropriate statutes.

If charges presented to the Board for dismissal of a certificated person allege immoral conduct, the charge or a resignation involving such charges shall be reported to the Department of Education.

As used in this policy, immoral conduct means any conduct that is contrary to the moral standards of the community and that reflects an unfitness to perform the duties assigned to the certificated staff member.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-2911, 15-203, 15-341, 15-342, 15-350, 15-507, 15-508, 15-514, 15-536, 15-538, 15-538.01, 15-540, 15-541-43, 15-549, 15-551, 41-770

CROSS REF.: DKA - Payroll Procedures/Schedules
GCJ - Professional Staff Noncontinuing and Continuing Status

DISCIPLINE, SUSPENSION, AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

Upon a written statement of charges presented by the Superintendent and/or adopted by the Board that cause exists to dismiss or suspend a teacher for more than ten days without pay, due process, written charges, and a hearing, if requested, shall be provided in accord with A.R.S. § 15-539 *et seq.* and relevant regulations.

If charges have been adopted by the Governing Board stating cause, a teacher may be placed on administrative leave by the Board, per A.R.S. § 15-540.

When the Superintendent presents a statement of charges wherein the alleged cause for dismissal constitutes immoral conduct, the Governing Board may adopt a resolution authorizing filing of a complaint with the State Board of Education. Pending disciplinary action by the State Board of Education on a Governing Board complaint alleging immoral conduct, a teacher may be reassigned by the administrator or placed on administrative leave by the Board, per A.R.S. § 15-540. When the Superintendent has reasonable grounds to believe that an act of immoral conduct that would constitute grounds for dismissal or criminal charges by a certificated person has occurred, a report shall be made to the Department of Education by the Superintendent, per A.R.S. § 15-514.

The Governing Board shall keep confidential the name of a student involved in a hearing for dismissal, discipline, or action on a teacher's certificate, with exceptions as noted in A.R.S. § 15-551.

GCR

NONSCHOOL EMPLOYMENT BY PROFESSIONAL/SUPPORT STAFF MEMBERS

A regular, full-time employee's position in the District shall be given precedence over any type of outside work or self-employment. Employees are free to carry on individual work or self-employment projects as long as no District facilities, equipment, or school(s) are used, except as provided by policy, and the outside work or self-employment does not interfere with the employees' performance of District-assigned duties.

The outside work or self-employment by a staff member is of concern to the Board insofar as it may:

- Prevent the employee from performing assigned responsibilities in an effective manner.
- Be prejudicial to proper effectiveness in the position or compromise the District.
- Raise a question of conflict of interest - for example, where the employee's position in the District permits access to information or other advantage useful to the outside employer.

Therefore, an employee may not perform any duties related to outside work or self-employment during regular District working hours or during the additional time that is needed to fulfill the responsibilities of the District position. Employees who violate this policy are subject to reprimand, suspension, or termination.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. § 15-321, 15-341

CROSS REF.: EDB - Maintenance and Control of Materials and Equipment

KF - Community Use of School Facilities

GCRD

TUTORING FOR PAY

School buildings are not to be used for private tutoring or classes for which students pay a fee to staff members unless a rental contract has been entered into with the District.

Staff members are not permitted to provide tutoring for pay to any students who attend or are registered in any of their own classes.

Adopted: date of manual adoption

LEGAL REF.: Att. Gen. Op. R97-023

PROFESSIONAL RESEARCH AND PUBLISHING

The Board has proprietary rights to publications, instructional materials, and devices prepared by employees unless prepared by such employees on their own time and without use of school facilities and/or equipment.

- The Board authorizes the Superintendent to review material prepared by staff members prior to copyright or patent for subsequent publication or distribution, and to recommend waiving all or part of the Board's proprietary rights in favor of the employees preparing such materials.
- Any staff member who submits professional materials for publication in which the District is mentioned will submit all such material to the Superintendent prior to release for publication, including materials developed on the employee's own time.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

GDA

SUPPORT STAFF POSITIONS

Support staff positions are created only with the approval of the Board. The District will attempt to activate a sufficient number of positions to accomplish the District's goals and objectives.

Before recommending the establishment of any new position, the Superintendent will present 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.

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

New Hires

All newly employed at-will support staff members will serve a 90-day probationary period during which no leave will accrue. Upon receipt of a satisfactory evaluation for this period the newly employed support staff member will be entitled to begin accruing leave in accordance with the current leave policies of the District.

Adopted: September 20, 2001

LEGAL REF.: A.R.S. §§ 15-341, 15-502

SUPPORT STAFF CONTRACTS AND COMPENSATION

Support staff members are all employees of the District who are not required by state law or by a District policy, regulation, or job description to possess *teaching* certificates from the Arizona Department of Education for the purpose of performing their jobs, unless they are expressly designated as professional staff members in notices of employment or contracts executed by the Governing Board.

Employment Status

All non-professional support personnel are at-will employees of the District. The employment of an at-will employee may be terminated by action of the Governing Board for any reason or for no reason, with or without advance notice, as the Governing Board desires. No employee or Governing Board member shall have the authority to make any agreement or contract to the contrary or any agreement with an at-will employee for any specified period of time. No District policy or regulation or item within the District's handbook is intended to - and shall not operate to - create any property or contract rights inconsistent with the at-will employment status of support staff members.

Compensation

The Superintendent will provide to the Board recommendations on the salaries and benefits of support staff employees in conjunction with the development of the District's annual budget. The Board will determine salaries and benefits of support staff employees annually, differentiated on the basis of duties and responsibilities.

Every fiscal year, the District will provide to each employee a total compensation statement that is broken down by category of benefit or payment that includes the employee's:

- A. Base salary and any additional pay.
- B. Medical benefits and the value of any employer-paid portions of insurance plan premiums.
- C. Retirement benefit plans, including social security.
- D. Legally required benefits.
- E. Any paid leave.
- F. Any other payment made to or on behalf of the employee.
- G. Any other benefit provided to the employee.

Adopted: date of manual adoption

Revised: February 13, 2012

Revised: June 22, 2020

Revised: March 29, 2021

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-341 15-502
A.A.C. § R7-2-601 *et seq.*

CROSS REF.: GDQB - Resignation of Support Staff Members

GDBD

SUPPORT STAFF FRINGE BENEFITS

The Governing Board will review support staff (classified) fringe benefits each year during the budget process and may modify the benefits to meet the best interest of the District.

Standards of eligibility for fringe benefits will be determined by the Board annually.

Staff members who work at least thirty (30) hours per week will be eligible for fringe benefits as determined by the Board.

Adopted: May 12, 2003

Revised: June 22, 2020

LEGAL REF.: A.R.S. § 15-502

**SUPPORT STAFF FRINGE BENEFITS
(Health, Accident, and Hospitalization Insurance)**

Support staff personnel who qualify pursuant to Policy GDBD are covered under health, life, and accidental death and dismemberment insurance plans as described below.

The District will pay for health insurance that covers eligible employees only, and not for any dependent members of their families unless such dependents are also covered by the District.

New Support Personnel

Employees who are new to the District will become eligible for the District's health, life, and accidental death and dismemberment insurance on the first of the month immediately following employment.

Upon an employee's termination of employment at any time during the year, the insurance coverage of the employee will cease at the end of the month in which the termination is effective. Employees will be reimbursed for insurance premiums deducted in advance.

Administrative Support Personnel

Administrative support personnel new to the District at the beginning of the school year will become eligible for the District's health, life, and accidental death and dismemberment insurance on the first of the month immediately following employment.

Upon an employee's termination of employment at any time during the year, the insurance coverage of the employee will cease at the end of the month in which the termination is effective. Employees will be reimbursed for insurance premiums deducted in advance.

Dependent Coverage for Support Personnel

Support personnel who are eligible for health, life, and accidental death and dismemberment insurance who desire such coverage for dependents will have deductions made from their salary upon written request to the employee benefits and payroll offices. Deductions for such dependent coverage will be over a period extending from July to June. Deductions during that period will cover the entire twelve (12) months' insurance cost to the following July.

Personnel who begin service to the District after July 1 will have such dependent insurance cost deducted from their salary on a prorated basis, the payment being such as to cover the remainder of the year to the following July.

Personnel working less than twelve (12) months who desire dependent coverage shall be responsible for the full cost of the dependent coverage on the first of the month immediately following the first day of active service.

GDCA

NON-INSTRUCTIONAL STAFF SICK LEAVE

Sick leave for non-instructional staff personnel is a designated amount of compensated leave that is to be granted to a staff member who, through personal or family illness, injury, or quarantine, is unable to perform the duties assigned.

Each full-time staff member shall be credited with a sick leave allowance at the rate of one day per month, determined by contract length. For example:

Twelve-month employees 12 days

Ten-month employees 10 days

In accordance with legal opinions, sick leave may be granted only for "services performed"; therefore, a long-term absence may result in a cessation of sick leave accrual and/or promotions or positional advancement.

The unused portion of such allowance shall accumulate without limit for full-time employees.

When a staff member exhausts all days of accumulated sick leave, a non-paid leave of absence must be requested, pursuant to District policy.

Sick leave of any staff member who does not serve a full school year shall be prorated at the rate of one day per month.

Sick leave may be used for any reason that qualifies under the Family and Medical Leave Act (FMLA). See section GCCC for additional information.

Upon request, the staff member shall inform their direct supervisor of the following:

- Purpose for which sick leave is being taken.
- Expected date of return from sick leave.
- Where the staff member may be contacted during the leave.

Use of Earned Paid Sick Time

Earned paid sick time shall be provided to an employee by an employer for:

- A. An employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; an employee's need for preventive medical care;
- B. Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;
- C. Reasons related to child care, domestic violence, sexual violence, abuse, or stalking, and legal services as described in A.R.S. § 23-373.

Earned paid sick time shall be provided upon the request of an employee. Such request

GDCA

must be made through TimeClock Plus®. When possible, the request shall include the expected duration of the absence.

When the use of earned paid sick time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the earned paid sick time and shall make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt the operations of the employer.

An employer may not require, as a condition of an employee's taking earned paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned paid sick time.

Earned paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

For earned paid sick time of three (3) or more consecutive work days, an employer may require reasonable documentation that the earned paid sick time has been used for a purpose covered by A, B, or C, above. Documentation signed by a health care professional indicating that earned paid sick time is necessary shall be considered reasonable documentation for purposes of this section

As defined in statute (A.R.S. § 23-371), "family member" means:

- A. Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands in loco parentis, or an individual to whom the employee stood in loco parentis when the individual was a minor;
- B. A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood in loco parentis when the employee or employee's spouse or domestic partner was a minor child;
- C. A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision;
- D. A grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or
- E. Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

Notice:

Employers shall give employees written notice of the following at the commencement of employment or by July 1, 2017, whichever is later: employees are entitled to earned paid sick time and the amount of earned paid sick time, the terms of its use guaranteed in statute, that retaliation against employees who request or use earned paid sick time is prohibited, that each employee has the right to file a complaint if earned paid sick time as required by statute is denied by the employer or the employee is subjected to retaliation

GDCA

for requesting or taking earned paid sick time, and the contact information for the commission where questions about rights and responsibilities under can be answered.

Accrual:

Part-time employees shall accrue a minimum of one (1) hour of earned paid sick time for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than forty (40) hours of earned paid sick time per year.

Each full-time staff member shall be credited with a sick leave allowance at the rate of one day per month, determined by the number of months employed:

Twelve-month employees	12 days
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Ten-month employees	10 days
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An employee must work at least fifteen (15) days in a month to earn a day of sick leave.

Earned paid sick time shall begin to accrue at the commencement of employment or on July 1, 2017, whichever is later.

An employee may use earned paid sick time as it is accrued, except that new employees must wait until the ninetieth calendar day after commencing employment before using accrued earned paid sick time.

Employees who are exempt from overtime requirements under the Fair Labor Standards Act of 1938 (29 United States Code section 213(A)(1)) will be assumed to work forty (40) hours in each work week for purposes of earned paid sick time accrual unless their normal work week is less than forty (40) hours, in which case earned paid sick time accrues based upon that normal work week.

If an employee is transferred, but remains employed by the same employer, the employee is entitled to all earned paid sick time accrued and is entitled to use all earned paid sick time as provided in this section.

When there is a separation from employment and the employee is rehired within nine (9) months of separation by the same employer, previously accrued earned paid time that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued earned paid sick time and accrue additional earned paid sick time at the re-commencement of employment.

Reimbursement of Unused Sick Leave

Employees shall be reimbursed for unused sick leave days upon termination or interruption of service to the District by retirement, resignation, death, or reduction in force under the following provisions:

An employee with at least five years of service whose employment is terminated by retirement, death, or reduction in personnel, and an employee with at least seven years of service whose employment is terminated by resignation, dismissal, or nonrenewal of contract shall be reimbursed at a rate equivalent to twice the hourly rate per accrued sick day.

An employee with five years of service whose employment is terminated by resignation, dismissal, or nonrenewal of contract shall be reimbursed at a rate equivalent to the hourly rate per accrued sick day.

GDCA

Part-time and temporary workers are not eligible for reimbursement of unused sick leave. Nothing in statute shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement, or other separation from employment for accrued earned paid sick time that has not been used outside of the provisions listed in this section for reimbursement of unused sick leave.

Retaliation Prohibited

It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected in statute.

An employer shall not engage in retaliation or discriminate against an employee or former employee because the person has exercised protected rights. Such rights include but are not limited to the right to request or use earned paid sick time pursuant to the statute; the right to file a complaint with the commission or courts or inform any person about any employer's alleged violation; the right to participate in an investigation, hearing or proceeding or cooperate with or assist the commission in its investigations of alleged violations and the right to inform any person of his or her potential rights.

It shall be unlawful for an employer's absence control policy to count earned paid sick time taken as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

Protections of this section shall apply to any person who mistakenly but in good faith alleges violations of this policy based on the supporting statutes.

Adopted: December 13, 2010

Revised: June 8, 2015

Revised: June 12, 2017

Revised: November 6, 2017

Revised: December 14, 2020

Revised: March 29, 2021

LEGAL REF.: A.R.S. §§ 15-502, 15-187, 23-363, 23-364, 23-371, 23-372, 23-373, 23-374, 23-375

GDD

SUPPORT STAFF VACATIONS AND HOLIDAYS

Full Time Employees Working 12 Months Per Year

Rate of accumulation. Full-time non-instructional, non-administrative employees who work 12 months per fiscal year shall accumulate vacation with pay at the following rates:

1-5 years of service, inclusive	1 day per month
6-10 years of service, inclusive	1 ¼ days per month
11-15 years of service, inclusive	1 ½ days per month
16 years or more of service	1 ¾ days per month

Vacation may accumulate to 40 days, 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.

Vacations must be approved by a campus administrator or department head.

Relinquishment of Full-Time Status.

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.

Full Time Employees Working Less Than 12 Months Per Year

Employees whose job assignment is for less than 12 months shall not accrue vacation days.

Reimbursement of Unused Vacation

An employee with unused accrued vacation shall be reimbursed at their hourly rate for their remaining vacation hours upon termination of employment.

Holidays

All full-time employees shall be entitled to paid time off for legal holidays during the school year as announced by the Superintendent and in conformance with Arizona law. Other holidays shall be established in the school calendar and entitlement to paid time off for those holidays shall be determined by the employees' employment status.

Adopted: November 13, 2008

Revised: June 8, 2015

Revised: June 22, 2020

LEGAL REF.: A.R.S. §§ 1-301, 15-502, 15-801, 38-608

GDF

SUPPORT STAFF HIRING

It shall be the policy of the District to employ and retain the best qualified personnel. This will be accomplished by giving careful consideration to qualifications and by providing competitive wages within the financial capabilities of the District, adequate facilities, and good working conditions.

Recruitment of classified personnel is the responsibility of the Superintendent. Other members of the administration and supervisory staff will assist as responsibilities are delegated by the Superintendent.

The Board adopts the following general criteria and procedures, which shall be utilized in the selection process for initial employment:

- There will be no discrimination in the hiring process due to race, color, religion, sex, age, national origin, or disability of an otherwise qualified individual.
- Candidates for all positions shall be physically and mentally able to perform the duties of the position job descriptions for which they have applied.
- Each candidate shall be requested to complete a consent-and-release form regarding conduct of a background investigation.
- A "background investigation" - consisting of communication with the applicant's (or employee's) former employer that concerns education, training, experience, qualifications, and job performance for the purpose of evaluation for employment - shall be conducted on each individual to be considered for a recommendation of employment. Forms developed for this purpose are to be used.

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

A district may hire and place a non-certificated employee into service before receiving the results of the mandatory fingerprint check. However, until fingerprint clearance has been received, an applicant who is required or allowed to have unsupervised contact with pupils cannot be hired and placed into service until:

- The District documents in the applicant's file the necessity for hiring and placing the applicant into service before a fingerprint check can be completed.
- The District obtains from the Department of Public Safety a statewide criminal history information check on the applicant. Subsequent criminal history checks are also required every 120 days until the date that the fingerprint check is completed.
- The District obtains references from the applicant's current employer and two most recent previous employers, except that for applicants who have been employed for at least five years by the most recent employer, only references from that employer are required.

The District provides general supervision of the applicant until the date the fingerprint check is completed. Upon recommendation for employment the District shall confirm employment authorization and employment eligibility verification by participating in the E- Verify program of

GDF

the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services Bureau (USCIS) and the Social Security Administration (SSA) and shall have the employee complete the necessary parts of an Employment Eligibility Verification Form I-9 and provide acceptable document as required within three (3) days of employment. The District will complete the Form I-9 and maintain the form with copies of the documents and documentation of the authorization pending any inquiry.

The District reports to the Superintendent of Public Instruction on June 30 and December 31 the number of applicants hired prior to the completion of a fingerprint check and the number of applicants for whom fingerprint checks have not been received after one hundred twenty (120) days and after one hundred seventy-five (175) days of hire.

Any person who permits unauthorized access to criminal history record information, releases criminal history record information, or procures the release or uses criminal history record information other than in accord with A.R.S. 41- 1750 is guilty of a class 6 felony.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 13-3716, 15-502, 15-512, 38-201, 38-481, 41-1756

SUPPORT STAFF HIRING**Definition**

A *background investigation* is defined as any communication with an applicant's (or employee's) former employer that concerns the education, training, experience, qualifications, and job performance of the individual and that is used for the purpose of evaluation for employment. Background investigation does not include the results of any state or federal criminal history records check.

Background Investigation Requirements

Only persons designated by the Superintendent shall perform background investigations. Prior to contacting former employers or other persons, the background investigator shall:

- Ascertain that the standard employment application for the type of position has been completed in full.
- Obtain from the individual a consent to background investigation and release as determined by the District.
- Make certain that the individual has identified at least two persons from each past employer who can verify basic job information and discuss the individual's work performance and reason for leaving.
- Examine the application for a complete work history, accounting for any gaps in employment.

Two persons should be contacted at each past employer if possible (any exceptions should be documented). Upon making contact, the contacts or the former employer or employer's agent should be provided the following information:

The name and identifying information of the District.

- The name of the District representative making the inquiry and how the representative can be contacted.
- The name of the former employee and period of employment as indicated by the individual whose background is being investigated.
- The position for which the individual has applied, with descriptive information as to the duties, if requested or necessary to understanding of the inquiry.

The background investigator shall:

- Ask the questions, and complete the background check form(s) as provided by the District.
- Make impression notes as necessary based upon the questions and responses, and determine if there may be cause to contact others or make further inquiries based upon the responses.
- Provide the information to the Superintendent.

SUPPORT STAFF HIRING

NOTICE OF EMPLOYMENT

You are hereby notified that, pursuant to action taken at a meeting of the East Valley Institute of Technology District No. 401 Governing Board held on (1) _____, you have been employed for the position of (2) _____ beginning (3) _____, at the rate of (4) _____ per hour. A work schedule for the position is enclosed, which includes information on holidays and non-work days.

Your employment may be terminated by the District or by you, with or without cause, upon giving the other party ten (10) working days' notice. No legitimate expectation of continued employment beyond the ten (10) days' notice, as required in this paragraph, is created by this employment, understandings with the Board or its agents, or interpretations of Board policies. You are expected to comply with the requirements of the job description and Board policies while employed by the District.

Employee Signature

Date

Superintendent Signature

Date

Key to numbers in blanks:

- (1) Date of meeting
- (2) Title of position
- (3) Date that duties begin
- (4) Hourly rate of pay

GDF-EB

EXHIBIT

SUPPORT STAFF HIRING

EXHIBIT

BACKGROUND CHECK FORM

Applicant _____ Date _____

Person contacted _____ Telephone _____

Address _____

E-mail address _____

Relationship to applicant:

☐ Former employer - position _____

District, business, or other entity _____

☐ Personal reference _____

Method of contact: ☐ Telephone ☐ Letter ☐ Other _____

QUESTIONS FOR EMPLOYERS

Dates of employment _____ Position held _____

Final rate of pay _____ Was the person reliable? ☐ Yes ☐ No

If no, explain _____

Was the person satisfactory? ☐ Yes ☐ No If no, explain _____

Any concern about the person being late to work without authorization? ☐ Yes ☐ No

If yes, explain _____

Any concern with abuse of leave policies (such as sick or personal leave)? ☐ Yes ☐ No

If yes, explain _____

Any difficulty establishing communication and rapport with children? ☐ Yes ☐ No

If yes, explain _____

GDF-EB

Any difficulties in establishing communication and rapport with adults? ☐ Yes ☐ No

If yes, explain _____

Did the person ever receive a written counseling statement, letter of direction, or reprimand?

☐ Yes ☐ No If yes, describe _____

Did the district ever consider taking action or take action to suspend, decline to renew, or

dismiss the employee? ☐ Yes ☐ No If yes, describe _____

Was there ever an allegation or complaint about:

Abusive language? _____

Insulting or derogatory comments? _____

Inappropriate contact with a child? _____

Verbal or physical contact of a sexual nature? _____

Dishonesty? _____

Substance abuse? _____

Failure to provide adequate supervision? _____

Failure to follow reasonable directions or instructions? _____

If yes on any of the above, get explanation

Was the person ever involved in an incident that resulted in injury to an adult or child?

☐ Yes ☐ No If yes, explain _____

Would you rehire this person? ☐ Yes ☐ No

Can you identify anyone else who could provide relevant information regarding the applicant's fitness for employment? _____

GDF-EB

Is there any other information I have not asked about that would help us determine this person's eligibility, qualifications, and suitability for employment with our District?

QUESTIONS FOR PERSONAL REFERENCE

How long have you known the applicant? _____

What is the nature of your relationship? _____

Why do you think the applicant would be a good choice for this position? _____

Do you know of any reasons that could prevent the applicant from fulfilling the functions of the position? _____

Background check form completed by _____
Name Date

Professional Staff Hiring

Procedures and Practices for Employment Authorization and Employment Eligibility Verification

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.

Employment Authorization Procedure

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

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.

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.

An employer's participation in E-Verify is voluntary and is currently free to employers.

Users can access the web-based access methods using any Internet-capable Windows based personal computer and a web browser of Internet Explorer 5.5 or Netscape 4.7 or higher (with the exception of Netscape 7.0).

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.

The e-mail address to access the start site for E-Verify is:

<https://www.vis-dhs.com/employerregistration/StartPage.aspx?JS=YES>

If you need assistance in completing the registration process or need additional information relating to E-Verify, please call the Office of Verification toll free at 1-888-464- 4218.

I-9 Form Completion

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.

SUPPORT STAFF HIRING**Consent to Conduct Background Investigation and Release**

I, _____ [applicant's name], have applied to the East Valley Institute of Technology for work as a _____ [job title].

I understand that in order for the District to determine my eligibility, qualifications, and suitability for employment, the District will conduct a background investigation to determine if I am to be considered for an offer of employment. This investigation may include asking my current employer, any former employer, and any educational institution I have attended about my education, training, experience, qualifications, job performance, professional conduct, and evaluations, as well as confirming my dates of employment or enrollment, position(s) held, reason(s) for leaving employment, whether I could be rehired, reasons for not rehiring (if applicable), and similar information.

I hereby give my consent for any employer or educational institution to release any information requested in connection with this background investigation.

According to the Family Educational Rights and Privacy Act, I understand that I have a right to see most education records that are maintained by any educational institution.

In light of the preceding paragraph, I ☐ waive ☐ do not waive _____ (initial) my right to see any written reference or other information provided to the District by any educational institution.

According to A.R.S. § 23-1361, any employer that provides a written communication to the District regarding my current or past employment must send me a copy at my last known address. I acknowledge that some employers are unwilling to provide factual written references concerning a current or past employee unless they may do so confidentially, without revealing the references to the employee, and that the District will not further consider my application if it cannot complete its background investigation.

In light of the preceding paragraph, I ☐ waive ☐ do not waive _____ (initial) my right to receive a copy of any written communication furnished to the District by any employer.

Whether or not I have waived my right to see or to receive copies of written references furnished to the District by employers or educational institutions, I release, hold harmless, and agree not to sue or file any claim of any kind against any current or former employer or educational institution, and any officer or employee of either, that in good faith furnishes written or oral references requested by this District to complete its background investigation.

A photocopy or facsimile ("fax") copy of this form that shows my signature shall be as valid as an original.

DATED this _____ day of _____, 20____.

Witness

Applicant

**SUPPORT STAFF HIRING
Wage Notice**

You are hereby notified that, pursuant to Board action taken at a meeting of the Board on _____, your wages have been set at \$ _____ per hour, effective _____.

Employee Signature

Date

Superintendent Signature

Date

GDFA

SUPPORT STAFF QUALIFICATIONS AND REQUIREMENTS (Fingerprinting Requirements)

All newly hired noncertificated District personnel-and personnel who are not paid employees of the District and who are not either the parents or the guardians of students who attend school in the District but who are required or allowed to provide services directly to students without the supervision of a certificated employee-shall be fingerprinted as a condition of employment, except for the following:

- A. Personnel who are required as a condition of licensing to be fingerprinted if the license is required for employment.
- B. Personnel who were previously employed by the District and who reestablished employment with the District within one year after the date that the employee terminated employment with the District.

For the purposes of this policy, *supervision* means under the direction of and, except for brief periods of time during a school day or a school activity, within sight of a certificated employee when providing direct services to students.

The candidate's fingerprints shall be submitted, along with the form prescribed in GDFA-E, within 20 days after being selected. The District may elect to employ a candidate on a day-to-day or time-card basis until the fingerprint check is complete. The District may terminate an employee if the information on the affidavit required by A.R.S. § 15-512 is inconsistent with the fingerprint test results.

The District will assume the cost of fingerprint checks but will assess the employee for charges incurred. Personnel who are not paid employees will not be charged for fingerprint costs.

Individuals 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:

- A. Sexual abuse of a minor.
- B. Incest.
- C. First- or second-degree murder.
- D. Kidnapping.
- E. Arson.
- F. Sexual assault.
- G. Sexual exploitation of a minor.
- H. Felony offenses involving contributing to the delinquency of a minor.
- I. Commercial sexual exploitation of a minor.
- J. 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.

GDFA

- K. Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs.
- L. Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.
- M. Burglary in the first degree.
- N. Burglary in the second or third degree.
- O. Aggravated or armed robbery.
- P. Robbery.
- Q. A dangerous crime against children as defined in A.R.S. § 13-604.01.
- R. Child abuse.
- S. Sexual conduct with a minor.
- T. Molestation of a child.
- U. Manslaughter.
- V. Aggravated assault.
- W. Assault.
- X. Exploitation of minors involving drug offenses.

The District may refuse to hire or may review or terminate personnel who have been convicted of or admitted committing any of the criminal offenses above or a similar offense in another jurisdiction. In conducting a review, the Governing Board shall utilize the guidelines, including the list of offenses that are not subject to review, as prescribed by the State Board of Education pursuant to A.R.S. § 15-534. In considering whether to hire or terminate the employment of a person, the Governing Board shall take into account the factors listed in A.R.S. § 15-512.

When considering termination of an employee pursuant to A.R.S. § 15-512, a hearing shall be held to determine whether a person already employed shall be terminated.

The Superintendent shall develop and implement procedures that include the following in the employment process:

- A. Provide for fingerprinting of employees covered under this policy and A.R.S. § 15-512.
- B. Provide for fingerprint checks pursuant to A.R.S. 41-1750.
- C. Provide for properly assessing employees for fingerprint checks and depositing said funds with the county treasurer.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-512 and 41-1750

CROSS REF.: GDG - Part-Time and Substitute Support Staff Employment

SUPPORT STAFF QUALIFICATIONS AND REQUIREMENTS

 Name (printed or typed)

 Position

_____, being duly sworn, do hereby certify that I have never been convicted of or admitted in open court or pursuant to a plea agreement committing, and am not now awaiting trial for committing, any of the following criminal offenses in the state of Arizona or similar offenses in any other jurisdiction:

Sexual abuse of a minor	Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs
Incest	Misdemeanor offenses involving the Possession or use of marijuana or dangerous drugs
First- or second-degree murder	Burglary in the first degree
Kidnapping	Burglary in the second or third degree
Arson	Aggravated or armed robbery
Sexual assault	Robbery
Sexual exploitation of a minor	A dangerous crime against children as defined in A.R.S. 13-604.01
Felony offenses involving contributing to the delinquency of a minor	Child abuse
Commercial sexual exploitation of a minor	Sexual conduct with a minor
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	Molestation of a child
	Manslaughter
	Assault or Aggravated assault
	Exploitation of minors involving drug offenses

 Employee Signature

 Date Signed

Subscribed, sworn to, and acknowledged before me by _____
 this _____ day of _____, 20____, in Maricopa County

 Notary Public

My commission expires:

PART-TIME AND SUBSTITUTE SUPPORT STAFF EMPLOYMENT

The Superintendent may employ, when conditions warrant, temporary or part-time personnel on a per diem or time card basis. This authority is subject to the following conditions:

- Continued employment of any such person shall be subject to confirmation and approval by the Board at its next official meeting; however, employment shall not be recommended to the Board prior to satisfactory completion of any pending fingerprint check.
- The employee shall be hired on a per diem basis and shall be compensated in accordance with the requirements and limitations of existing contracts that cover similar positions or employees.
- In addition to the conditions set forth above, the temporary assignment of a person to a supervisory or administrative position shall be preceded by notification to the Board. The Superintendent will detail the circumstances that created the need for the part-time employment.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-502

SUPPORT STAFF ORIENTATION AND TRAINING

The Superintendent will establish a program to provide orientation for all new District employees. At a minimum, this program will cover the following items:

- Goals, objectives, and programs of the District.
- Personnel policies.
- Terms of employment.
- General disciplinary rules and procedures.
- Salary and fringe benefit plans.
- Self-improvement opportunities.
- The evaluation program and name(s) of evaluator(s).
- Handling of body fluids.

Adopted: date of manual adoption

SUPPORT STAFF ASSIGNMENTS AND TRANSFERS

Assignments

The Superintendent will determine all support staff assignments. Such assignments shall be based on the needs of the District.

Transfers

The transfer of support staff members will be based on the needs of the District. Assignments may be changed to serve the best interests of the District.

Staff members may apply for transfer or reassignment, whether or not a vacancy exists.

It shall be the policy of the Board that personnel be assigned on the basis of their qualifications, the needs of the District, and their expressed desires. When it is not possible to meet all three conditions, personnel shall be assigned first in accordance with the needs of the District, second where the Superintendent determines the employee is most qualified to serve, and third as to expressed preference of the employees.

The Superintendent shall have the responsibility for the assignment of all personnel throughout the District.

The resolution of any conflicts over the need for a transfer shall be based on what is best for the instructional program, the needs of the students, and the overall needs of the District as defined by the Superintendent.

The above applies to transfers within the same job classification and pay grade. Reassignment of an employee to a position of greater or lesser pay requires Board approval.

Adopted: date of manual adoption

GDK

SUPPORT STAFF SCHEDULES AND CALENDARS

All classified employees shall report to their duty stations on time each workday and shall, as scheduled, be available there until the designated time(s) they are scheduled to leave.

Adopted: date of manual adoption

GDL

SUPPORT STAFF WORKLOAD

The normal workweek for classified support staff personnel will not exceed forty (40) hours per week. Typically, the week will be based on eight (8) hours per day, five (5) days per week; however, the Superintendent may designate other work week structures to meet varying conditions and needs of the District.

Employees will be notified at least one week in advance of any modification to the workweek plan.

Individual employee work schedules will be based on the position held by the respective employees and on District needs as identified during the employment process.

For the purpose of calculating regular and overtime hours in accordance with wage and hour requirements, the District's designated workweek shall begin at 12:01 a.m. on Sunday and conclude at 12:00 midnight the following Saturday.

An employee may work overtime, provided that advance authorization is obtained from the supervisor in charge or, in the case of an emergency, authorization is obtained immediately upon completion of the work or as soon thereafter as practicable.

Adopted: November 13, 2008

Revised: June 10, 2019

LEGAL REF.: A.R.S. § 23-391

29 U.S.C. 207, Fair Labor Standards Act

29 CFR 516 *et seq.*, Fair Labor Standards

Act Arizona Constitution, Article 18, Section 1

SUPPORT STAFF WORKLOAD**(Fair Labor Standards Act: Overtime Compensation)**

Nonexempt employees who work more than 40 hours per week shall be awarded "compensatory time" at the rate of one and one-half hours for each hour of overtime work. In cases of emergency, when the employee cannot be immediately released for this time and one-half compensation, the Superintendent will make the decision as to paying the employee at the rate of time and one-half or having the employee take the time off at a future date. The hours must be approved by the immediate supervisor before an employee works overtime or, in the case of an emergency, immediately upon completion of the work or as soon thereafter as possible.

GDLB

SUPPORT STAFF MEETINGS

The Superintendent will arrange for and hold staff meetings as the need may arise. This authority may be delegated to the building principals or supervisor(s), who may hold such meetings on a regularly scheduled basis or as the need arises.

All appropriate staff members are required to attend any such meeting(s) unless officially excused.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321, 15-341

SUPERVISION OF SUPPORT STAFF MEMBERS

The supervisor(s) of the various departments or divisions shall be responsible for the supervision of personnel assigned to these areas and shall provide the necessary orientation to new employees and in-service training for all employees under their supervision.

All other classified employees shall be under the supervision of the administrative heads of the units to which the employees are assigned. The administrative head shall be responsible for the necessary orientation of new employees and shall provide in-service training as needed.

Supervision shall include evaluation of the employee.

Adopted: date of manual adoption

GDO

EVALUATION OF SUPPORT STAFF MEMBERS

All support personnel shall be evaluated by the appropriate supervisor or administrator. A written evaluation of effectiveness of each support staff member shall be completed during the first year of employment. The first evaluation shall be not later than 90 days after entry on duty. A second first-year evaluation may be scheduled. At least once each year thereafter, an evaluation will be conducted. The evaluation will be used to increase job proficiency.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-1326

EVALUATION OF SUPPORT STAFF MEMBERS

Definition of Rating Scale Terms

1 = Outstanding

- Performance exceeds the requirements of the position.
- Displays high degree of self-motivation.
- Consistently generates output of superior quality.

2 = Satisfactory

- Performance is adequate for the requirement of the position; meets expectations of the job.
- Self-motivation confined to accomplishing assigned tasks.
- Generates output of acceptable quality.

3 = Improvement needed

- Performance is not of the quality expected of the position; frequently falls short of job expectations.
- Frequently lacks motivation to complete assigned tasks.
- Frequently generates output of poor quality.

4 = Unsatisfactory

- Performance is definitely inadequate for the position; consistently falls short of job expectations.
- Lacks self-motivation.
- Consistently generates output of inferior quality.

**EVALUATION OF SUPPORT STAFF MEMBERS
(Performance Rating Report)**

Employee _____

Department _____

Supervisor _____

Date of rating _____

*Rating scale:**1 = outstanding 2 = satisfactory 3 = improvement needed 4 = unsatisfactory***1 2 3 4 RATING FACTORS:**☐ ☐ ☐ ☐

1. **Quality of work:** The ability to produce work that satisfies or surpasses job requirements. Consider accuracy, completeness, thoroughness, neatness of work.

☐ ☐ ☐ ☐

2. **Quantity of work:** Volume or amount of work done.

☐ ☐ ☐ ☐

3. **Knowledge:** Knowledge of methods, materials, objectives, and other fundamental information skills.

☐ ☐ ☐ ☐

4. **Adaptability:** Ability to learn, perform under changes and in emergencies, grasp detail, comprehend differences between important and trivial.

☐ ☐ ☐ ☐

5. **Work habits:** Organization of work, care of equipment, safety, industry.

☐ ☐ ☐ ☐

6. **Working relationship with students and other employees:** Ability to get along with the students and other employees.

☐ ☐ ☐ ☐

7. **Dependability:** Degree to which employee can be relied upon to do the job without close supervision. Punctuality, attendance on the job.

☐ ☐ ☐ ☐

8. **Attitude:** Interest in work, willingness to meet job requirements and accept suggestions, loyalty to the organization, ethical conduct.

☐ ☐ ☐ ☐

9. **Personal fitness:** Physical capacity, appearance, personal habits.

☐ ☐ ☐ ☐

10. **Judgment:** Soundness of decisions, common sense.

☐ ☐ ☐ ☐

OVERALL RATING (average): Should reflect the above ratings.

Number of days absent for any reason _____ total points _____

Comments:

1. What are the employee's strengths? ("Outstanding" ratings must be explained in this space.)

2. What are the employee's weaknesses? ("Unsatisfactory" and "Improvement Needed" must be explained in this space.)

3. General comments:

I have discussed this performance rating report with the evaluator.

Employee's signature _____ Date _____

Evaluator's signature _____ Date _____

GDP

SUPPORT STAFF PROMOTIONS AND RECLASSIFICATION

The Superintendent will fill positions of increased responsibility with the best available candidates. Candidates will be considered from both within and outside the District.

A change in assignment shall be considered a promotion to which the job classification or pay grade is greater and shall require Board approval.

Adopted: date of manual adoption

GDQA

SUPPORT STAFF REDUCTION IN FORCE

The number and type of classified staff positions required to implement the District's educational program will be determined annually by the Board after recommendation from the Superintendent. In the event the Board decides to release classified staff members, the following guidelines will be in effect:

- Normal attrition due to terminations will be relied upon as the first means of reducing the staff.
- If attrition does not accomplish the required reduction in the staff, the Superintendent shall submit to the Board recommendations for the termination of specific staff members. The criteria used in formulating these recommendations shall include, but shall not be limited to:
 - Qualifications of staff members to accomplish the District's program.
 - Overall experience, training, and ability.
 - Past contributions to the program of the District.
 - All other factors being equal, length of service in the District.

Criteria for selection of staff members to be released will be applied separately to employees within specialty categories.

Personnel to be laid off for the ensuing school year shall be notified of such layoff as soon as practical.

Adopted: date of manual adoption

GDQB

RESIGNATION OF SUPPORT STAFF MEMBERS

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. Authorized unused vacation credit will be paid to employees with the last paycheck.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 23-352, 23-353

CROSS REF.: GDL - Support Staff Workload

**DISCIPLINE, SUSPENSION, AND DISMISSAL OF
SUPPORT STAFF MEMBERS
(Discipline)**

Minor Disciplinary Action

A support staff member may be disciplined for any conduct that, in the judgment of the District, is inappropriate. Minor disciplinary action includes, without limitation thereto, verbal or written reprimands, suspension with pay, or suspension without pay for a period of five days or less. Minor disciplinary action shall be imposed by the support staff member's supervisor. A support staff member who wishes to object to a minor disciplinary action shall submit a written complaint to the supervisor's superior within five work days of receiving notice of the disciplinary action. The supervisor's superior will review the complaint and may confer with the support staff member, the supervisor, and such other persons as the supervisor's superior deems necessary. The decision of the supervisor's superior will be final.

Suspension without Pay for More than Five Days

At-will employees. The employment of an at-will employee may be suspended without pay for a period of more than five days by action of the Superintendent for any conduct by the employee that, in the judgment of the Superintendent, is inappropriate. Before suspending an at-will employee, the Superintendent will inform the employee of intent to suspend the employee and will give the employee an informal opportunity to explain why, in the employee's opinion, the suspension should not be imposed. The Superintendent's decision will be final.

Term employees. The employment of a term employee may be suspended without pay for a period of more than five days by action of the Superintendent for any conduct that, in the judgment of the Superintendent, is inappropriate. If the Superintendent intends to suspend a term employee without pay for more than five days, the notice and hearing procedures prescribed for the dismissal of term employees shall be followed, except that the hearing officer shall be designated by the Superintendent and the findings of the hearing officer shall be a final decision. At the Superintendent's option, the Superintendent may request that the Governing Board act as the hearing officer. If the hearing officer or the Governing Board finds that there is not cause to suspend the employee without pay for more than five days, the Superintendent may, after reviewing the findings, impose minor disciplinary action.

Dismissal

At-will employees. The employment of an at-will employee may be terminated by action of the Governing Board for any reason, or for no reason, with or without advance notice, as the Governing Board desires. If the Superintendent recommends that the Governing Board terminate an at-will employee, the recommendation shall be submitted to the Governing Board in writing and a copy of the recommendation shall be delivered to the employee. The at-will employee may submit to the Governing Board prior to the Board meeting a written response to the recommendation. If the at-will employee chooses to attend the Board meeting when the recommendation is considered, the Governing Board may, in its discretion, permit the employee to address the Governing Board concerning only the recommendation.

GDQD

Term employees. The employment of a term employee may be terminated for cause by action of the Governing Board at any time prior to the expiration of the term of employment. For the purposes of this provision, *cause* means any conduct that, in the judgment of the District, is detrimental to the interests of the District or its personnel or students and shall include, without limitation thereto, the following:

- Absence without leave
- Abuse of leave
- Alcohol or drug impairment
- Child abuse or molestation
- Discourteous treatment of the public
- Dishonesty
- Excessive absenteeism
- Fraud in securing employment
- Improper attitude
- Incompetence or inefficiency
- Insubordination
- Neglect of Duty
- Unauthorized possession of a weapon on school grounds
- Unauthorized use of school policy
- Unlawful conduct
- Use of illegal drugs
- Violation of a directive of a supervisor
- Violation of a District policy of regulation

If the Superintendent recommends termination of a term employee, a copy of the recommendation shall be delivered to the employee. The employee may request a hearing within five work days after receipt of the recommendation. If a hearing is requested, the Superintendent shall deliver a written notice of the time and place of the hearing and a written statement that gives the reasons for the recommendation, a list of persons whom the Superintendent expects to testify in support of the recommendation (together with a brief summary of what each person is expected to say), and a general description of any other evidence that the Superintendent at the time believes may be presented at the hearing in support of the recommendation.

The hearing shall be conducted by the Governing Board or by a person designated by the Governing Board within not less than five work days and not more than 30 calendar days after a request for hearing is submitted by the employee. The date of the hearing may be postponed by stipulation of the employee and the District, or by and in the sole discretion of the Governing Board or the hearing officer, or at the request of the aggrieved employee or the District for such reason or reasons as the Governing Board or hearing officer may deem appropriate.

The employee may be represented at the hearing by counsel, at the employee's expense. The employee shall have the opportunity to present witnesses and to cross-examine any witnesses presented by the District. Formal rules of evidence shall not apply. A record of the hearing shall be made by use of a mechanical device.

If a hearing officer is used, the hearing officer shall prepare a written statement of findings as to whether there is cause for termination of the employee and submit it to the Governing Board within ten work days after the conclusion of the hearing. The Governing Board shall review the written statement and, if desired, the record, and the Governing Board's decision whether to accept the findings and whether to terminate employment or to impose other discipline shall be a final decision.

If the Governing Board conducts the hearing, it shall render a decision within ten days after the conclusion of the hearing.

General Matters

Failure to object to a disciplinary action or take other action within the time limitations set forth in this policy shall mean that the employee does not wish to pursue the matter further. Complaints filed after the expiration of the applicable time limitation will not be considered.

The filing or pendency of a complaint or other form of grievance pursuant to this policy shall in no way limit or delay action taken by the supervisor or the Superintendent authorized by this policy to take such action.

A complaint relating to minor disciplinary action, suspension without pay for more than five days, or dismissal shall not be processed as a grievance.

None of the procedures of this policy shall alter the status of an at-will employee.

This policy does not apply to:

- Any administrative recommendation or Governing Board action, discussion, or consideration involving the nonrenewal of a term employee.
- Ratings, comments, and recommendations made in the course of an evaluation of a support staff member.
- The decision of the Superintendent to place a support staff member on administrative leave.
- Counseling of or directives to a support staff member regarding future conduct.

Adopted: date of manual adoption

LEGAL REF.: A. R. S. §§ 13-291, 15-341, 15-505, 41-770

CROSS REF.: DKA - Payroll Procedures/Schedules

HA

MEET-AND-CONFER GOALS/PRIORITY OBJECTIVES

The Governing Board shall determine on an annual basis whether and to what extent to enter into discussions with employee groups concerning salary and fringe benefits. 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.

Adopted: January 13, 1997

MEET- AND-CONFER GOALS/PRIORITY OBJECTIVES

Scope

The subjects of the meet-and-confer procedures shall be wages and benefits.

IA

INSTRUCTIONAL GOALS AND OBJECTIVES

All parts of the curriculum are interrelated and important to the development of the student. The physical, emotional, social, aesthetic, and cognitive development of the student are all elements of importance within the school program.

The District will provide basic communication and computational skills, an experience-based curriculum, and exploration of different disciplines and decision-making techniques to enable the student to choose between alternatives.

Specifically, the District instructional program will be designed and implemented to provide for developing:

- Skills in communication - to include reading, writing, speaking, listening, and composition.
- Skills in computation. Appreciation of the world of work.
- Pride of workmanship and skills for economic survival.
- Appreciation of the importance of physical fitness. Research and problem-solving skills.
- Ability to think analytically, critically, and independently. Ability leading to citizen responsibility.
- Understanding and respect for our cultural heritage. Appreciation for the intrinsic value of education.
- Appreciation of the fine arts. Skills in technology.

Adopted: date of manual adoption

CROSS REF.: AD - Educational Philosophy/School District Mission

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IB

ACADEMIC FREEDOM

A professional staff seeks to educate people in the democratic tradition, to foster recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights, and to instill appreciation of each individual's values. These democratic values can be transmitted best in an atmosphere free from censorship and artificial restraints on free inquiry and learning.

Within the confines of state law, Board policy gives teachers the opportunity to create in the classroom an atmosphere of freedom. This atmosphere permits students to raise questions dealing with critical issues of the time. An atmosphere of freedom produces an environment conducive to the study, investigation, presentation, and interpretation of facts. The teacher is responsible for exercising good judgment in selecting issues for discussion of value to the students involved. These issues selected for discussion must have demonstrated relevance in some significant way to the course of study that the instructor is to be addressing.

Adopted: date of manual adoption

SCHOOL YEAR

The school year shall be not less than 180 instructional days

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.

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.

The Board shall establish the school calendar each year after recommendations from the Superintendent.

Adopted: September 20, 2001

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-341.01, 15-801, 15-854, 15-855, 15-881, 15-901, 15-901.08

ID

SCHOOL DAY

The normal school day for the instruction of the students of this District shall be in accordance with Arizona Revised Statutes.

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 District.

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, 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 President as soon as possible.

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-801, 15-861, 15-901

IGA

CURRICULUM DEVELOPMENT

The need and value of a systematic, ongoing program of curriculum development and evaluation involving students, parents, teachers, and administrators are recognized. It is essential that the school system continually develop and modify its curriculum to meet changing needs. The Board authorizes the Superintendent to develop the curriculum for the school system and to organize committees to review the curriculum. All major curriculum changes shall be approved by the Governing Board.

It shall be the responsibility of the Superintendent to develop proposals relating to curriculum modifications and additions that, in the opinion of the professional staff and consultants, are essential to the maintenance of a high-quality program of education from grades ten (10) through twelve (12).

All certificated personnel have professional obligations to the school program beyond regular classroom duties, and these obligations will include work on curriculum committees.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-203, 15-341, 15-701, 15-201.01, 15-722

CURRICULUM DEVELOPMENT

The following shall be adhered to in making changes in curriculum and in instruction:

- A written request for the proposed change shall be presented to the Principal by a teacher, a group of teachers, or other interested party. The request shall include at least the following items:
 - The need for a change.
 - Expected results.
 - The procedure that shall be followed.
 - Materials needed for the program.
 - Cost factors.
 - Methods for checking results.
- The request for change must be approved by the Superintendent. If the request represents a significant departure from established programs, the request must also be approved by the Governing Board. If approved, a copy of the request shall be given to the persons directly concerned. A report of the results shall be submitted to the Superintendent.

IGD

CURRICULUM ADOPTION

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. Curricular proposals from the professional staff may be presented to the Superintendent, who will be responsible for making recommendations to the Board on such matters.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-721, 15-722

IGE

CURRICULUM GUIDES AND COURSE OUTLINES

Curriculum guides shall be developed for the various subject areas. These guides shall present at least a minimal outline for instruction and a basis for further development of the particular courses.

In accordance with requirements of the state of Arizona, the District will develop its own curriculum guides to reflect local needs. The guides shall be designed to assist users in implementing the District philosophy regarding the teaching of a subject and will, when possible, suggest a variety of possibilities for instruction, patterns of individualization, variations of approaches, and materials.

The Superintendent will formulate procedures for the development and use of curriculum guides.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-701, 15-701.01

CURRICULUM GUIDES AND COURSE OUTLINES

Development of Curriculum Guides

Curriculum guides will be developed by the staff members and teachers who are to use them.

If participation of the entire staff is not feasible, representatives of the staff and/or departments concerned shall be appointed to committees for study, creation, and revision of any particular guide.

When work is completed on a guide, the committee responsible for its development shall present it to the Superintendent.

Use of Guides

Curriculum guides are to serve as a framework from which a teacher will develop units of study, individual lesson plans, and approaches to instruction that will serve the students' particular needs at a particular time. The guides shall be used to map the logical sequence of instruction.

The administration shall see that optimum use is made of available curriculum guides. Teachers will adhere to the guides.

IHA

BASIC INSTRUCTIONAL PROGRAM

Courses and programs shall be organized and taught that will educate students for employment or further education in technical careers. This would include providing students with opportunities for developing:

- Technological skills sufficient to qualify for entry-level positions or higher in one or more specific occupational areas.
- Applied academic and thinking skills to permit each student to solve life's problems.
- Social skills sufficient to permit each student to become a contributing employee as well as a strong community member.
- Life management skills to enable each student to become a well-rounded, responsible individual.
- Business, economic, and leadership skills to enhance the students' opportunities of successful integration into and success in the economic structure surrounding them.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-203, 15-701, 15-701.01, 15-741.01, 15-802,
A.A.C. § R7-2-301 *et seq.*

IHAMA

TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO

The instructional program may include content on drugs, alcohol, and tobacco for the purpose of developing students' ability to make intelligent choices based on facts, and to develop courage to stand by their own convictions. Further, instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, and other dangerous drugs on the human system and instruction on the nonuse and prevention of use and abuse of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs may be included in the courses of study, with emphasis on grades four (4) through nine (9). Instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs, and other dangerous drugs on a human fetus may be included in the courses of study in grades six (6) through twelve (12). 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.

Objectives of the substance abuse program:

- To create an awareness of the total drug problem: prevention; education; treatment; rehabilitation; and law enforcement on the local, state, national, and international levels.
- To inform the students of the effect on the body of narcotics, sedatives, hallucinogens, and stimulants through the appropriate classes.
- To relate the use of drugs and alcohol to physical, mental, social, and emotional consequences.
- To encourage the individual to adopt an appropriate attitude toward pain, stress, and discomfort.
- To understand the need for seeking professional advice in dealing with problems related to physical and mental health.
- To understand the personal, social, and economic problems caused by the misuse of drugs and alcohol.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 13-3401, 15-345, 15-712

CROSS REF.: JICG - Tobacco Use by Students

JICH - Drug and Alcohol Use by Students

SPECIAL INSTRUCTIONAL PROGRAMS

The East Valley Institute of Technology (EVIT) works collaboratively with the sending high schools (Public Agencies) that are members of home districts of EVIT students and applicants, to facilitate interagency working relationships regarding the education of the students with disabilities.

The target populations for these services are defined as students with a current 504 Accommodation Plan or current Individualized Education Program (IEP) in their residing Public Agency but who attend EVIT.

The Americans with Disabilities Act (ADA)

“The Americans with Disabilities Act gives civil rights protections to individuals with disabilities that are like those provided to individuals on the basis of race, sex, national origin, and religion. It guarantees equal opportunity for individuals with disabilities in employment, public accommodations, transportation, State and local government services, and telecommunications.” (US Department of Education Office of Civil Rights at ed.gov)

The Rehabilitation Act of 1973 - Section 504 (Section 504)

Section 504 of the Rehabilitation Act is a civil rights statute that prohibits discrimination against individuals with disabilities in any school programs or activities. A student is protected by Section 504 if he/she has a physical or mental impairment, which substantially limits a major life activity, is regarded as disabled, or has a record of an impairment. Students protected under Section 504 may have an accommodation plan to enable them to benefit from the educational program.

The Individuals with Disabilities Education Act of 2004 (IDEA)

IDEA mandates that all children with disabilities have access to free appropriate public education (FAPE) that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment and/or independent living. Furthermore, IDEA requires transition services be addressed for every student receiving special education services beginning no later than the first Individualized Education Program (IEP) to be in effect when the child is 16, and updated annually thereafter. According to IDEA, transition services “means a coordinated set of activities for a child with a disability that is designed to be within a results oriented process, that is focused on improving the academic and functional achievement of the child with a disability to facilitate the child’s movement from school to post-school activities, including post-secondary education, vocational education, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation; is based on the individual child’s needs, taking into account the child’s strengths, preferences, and interests; and includes instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation. The IEP must include appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills, and the transition services (including courses of study) needed to assist the child in reaching those goals. The IEP must also be made accessible to all general education teachers.

In Conclusion

It is clear that the intent of IDEA is that transition services for students with disabilities be collaborative in nature. EVIT works with students’ home districts to ensure Free Appropriate Public Education (FAPE) is provided to students, including implementation of IEP and 504 plans, and to develop intergovernmental agreements that set a framework to facilitate compliance with IDEA and Section 504 for shared students with disabilities. Agreements shall include language related to students with disabilities that reflects the attached regulation. Any charter or private school, whose students with disabilities wish to participate in career and technical training at EVIT, shall abide by requirements set forth in the attached regulations.

IHB

Adopted: June 28, 2021

LEGAL REF.: A.R.S. §§ 15-761, 15-761.01, 15-763, 15-763.01, 15-764, 15-765 to, 15-771, 15-773, 15-769, 15-881, 15-1181-85, 15-1201-05, 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. § 794, Rehabilitation Act of 1973, (Section 504)

CROSS REF.: JIB - Class Size

IKE - Promotion, Retention, and Acceleration of Students
IKF - Graduation Requirements JKD - Student Suspension
JKE - Expulsion of Students JR *et seq.* - Student Records

ADMISSIONS, SERVICES AND ACCOMMODATIONS FOR STUDENTS WITH DISABILITIES

Application, Admission and Enrollment Procedures for Students with Disabilities
("Procedures") in Centralized Campus Programs.

1. Definitions.

- a. "Student," unless otherwise noted, means a student with a disability" or "students with disabilities" as defined by Section 504 of the Rehabilitation Act of 1973 ("Section 504"), 29 United States Code ("U.S.C.") § 705 et seq.; Title II of the Americans with Disabilities Act ("ADA"), 42 U.S.C. § 12101 et seq.; the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. § 1400 et seq.; or A.R.S. §§ 15-341, 15-393, and 15-761 et seq.
- b. "Eligible Student" means a student, as defined in FERPA (34 C.F.R. § 99.3), who has reached 18 years of age or a student of any age attending a postsecondary institution, except the term shall not include a Student whose parent(s) have obtained legal guardianship of the Student or a Student that has executed a "Delegation of Parental Rights" pursuant to A.R.S. § 15-773.
- c. "Program Supports" means specially designed instruction and related services, supplementary aids and services, accommodations, equipment and/or modifications required in either the Individualized Education Plan ("IEP") or a plan required under Section 504 ("Section 504 Plan") or both, for Students.
- d. "EVIT-Designated Representative" means one or more persons designated by EVIT to participate in meetings with the Home District's IEP or Section 504 team.
- e. "Home District" means any Arizona public school district that is an EVIT member district.

2. Non-Discrimination Policy.

- a. EVIT does not discriminate against prospective students to any of EVIT's Central Campus Programs based upon their disability. EVIT shall not unilaterally deny Students admission or enrollment because they have taken or are taking special education resource classes or have been in a self-contained classroom.
- b. EVIT's admissions procedures include objective, non-discriminatory eligibility criteria for determining admission for each of its programs that have been approved by U.S. Department of Education Office for Civil Rights ("OCR") as required by the resolution agreement between EVIT and OCR dated September 13, 2013.
- c. EVIT's eligibility criteria for admission or enrollment in any Central Campus Program apply to all students, regardless of whether the student has a disability. The eligibility criteria are essential and necessary to admission or participation in EVIT's programs.

3. Pre-Application or Admission Procedures.

- a. EVIT does not make preadmission inquiries about an EVIT Central Campus Program applicant's disabilities. EVIT does not request or require an applicant or Home District to disclose the existence of a student's disability, IEP or Section 504 Plan to its personnel prior to the Student's admission to EVIT, except:
 - i. Home District may elect to invite EVIT to participate in a Home District Student's IEP or Section 504 meeting prior to a Student's application or admission to EVIT. In this case, Home District shall seek consent from a parent/guardian or eligible Student, in writing or by email, to invite an EVIT-Designated Representative to participate in the Student's IEP or Section 504 meeting.
 - ii. At the time it seeks consent of the parent/guardian or eligible Student to invite an EVIT-Designated Representative to the meeting, Home District shall also provide a statement or letter signed by an EVIT administrator that contains the following content:

An EVIT Designated Representative will participate in meetings solely as a resource regarding EVIT's programs and will not attempt to influence the student's decision of whether to apply for admission to or attend EVIT's Central Campus Programs. The EVIT-Designated Representative may provide information about the curriculum of Central Campus Programs, if appropriate, and may provide input about the Student's IEP or 504 Plan to the extent that the Student may need program supports to participate in a Central Campus Program.

The EVIT-Designated Representative will not review student applications for admission to programs at any of EVIT's Central Campuses or otherwise participate, directly or indirectly, in review or determination regarding students' applications for admission to a Central Campus Program.

Any information obtained by an EVIT-Designated Representative about the Student will not be shared with EVIT personnel responsible for making admissions decisions, prior to the admissions decisions being made, and will not affect any decision by EVIT to admit the Student to programs at any of EVIT's Central Campuses.

- iii. Home District shall provide an EVIT-Designated Representative with a reasonable amount of time, and no fewer than four (4) business days' notice, of Home District's request to have an EVIT-Designated Representative participate in a Student's IEP or Section 504 meeting.
 - iv. EVIT shall provide Home District with the names of the EVIT-Designated Representative(s) who may attend an IEP or Section 504 meeting. Only

those individuals may attend IEP or Section 504 meetings, unless otherwise agreed by the parties. No more than one EVIT-Designated Representative may participate in a meeting without prior consent from the IEP team.

- v. During and after the Student's IEP or Section 504 meeting, the EVIT-Designated Representative(s) shall adhere to the requirements set forth in the letter to the parent/guardian or eligible Student described in paragraph 5(c) above.
- vi. EVIT's participation, or lack thereof, in such meetings shall not impact the Student's admission to EVIT.

4. EVIT'S Notice to Parent/Guardian, Eligible Student and Home District Regarding Admission Decision; Home District Responsibility to Provide Student Records.

- a. EVIT shall provide the parent/guardian or eligible Student and Home District with its decision regarding a Student's admission to EVIT no later than five (5) business days following EVIT's decision.
- b. If EVIT denies a Student's application for enrollment, the letter of denial shall include the following information: (i) the objective, non-discriminatory eligibility criteria a Student does not meet; and (ii) the appeal process available to the Student if the Student believes the denial was disability related. The notice shall reference EVIT's Governing Board Policy AC, "Nondiscrimination/Equal Opportunity" and its related Administrative Regulation AC-R.
- c. Once admitted to a Central Campus Program, no Student is required to reapply to EVIT in subsequent years, if the Student is continuously enrolled in a Central Campus Program, unless:
 - i. The Student desires to change from the program in which the Student is currently enrolled to another program; and
 - ii. The new program that the Student desires to enroll in has substantially different admission or eligibility criteria; and
 - iii. The same requirement for reapplication applies to all other non-disabled EVIT students.

5. Sharing Information After Admission and Enrollment.

- a. Upon notice that a Student has been accepted to EVIT, Home Districts provide EVIT with the Student's IEP or Section 504 Plan within ten (10) calendar days of receipt of EVIT's notice of acceptance, or at least one (1) week prior to the Student's first day of attendance at EVIT, if EVIT provides the notice during the summer months.

- b. EVIT will provide Student IEPs or Section 504 Plans to EVIT personnel who will be responsible for implementing applicable portions of the IEP or Section 504 Plan at EVIT. EVIT ensures that the personnel are trained as needed to ensure that each Student's IEP or Section 504 Plan is properly and fully implemented.
- c. Home Districts provide EVIT with any updates to a Student's IEP or Section 504 Plan which affect Program Supports provided at EVIT's Central Campuses, if any, while the Student is enrolled at an EVIT Central Campus.
- d. EVIT provided Home District with the information and data Home District requires to provide parents/guardians or eligible Students with progress reports and to provide updated present levels of academic and functional performance to IEP team members.

6. Provision of Program Supports.

- a. EVIT is responsible for providing, at EVIT's expense, each Student with the accommodations set forth on each Student's IEP or Section 504 Plan set forth in the Student's IEP or Section 504 Plan that are commonly provided by a properly certificated and qualified classroom teacher that are required for the Student when participating in Central Campus courses.
- b. Home Districts are responsible for providing, at Home District's expense, any Program Supports necessary for a Home District Student to participate in Central Campus courses other than the accommodations described in subsection (a) of this section, unless Home District has contracted with EVIT to provide other Program Supports pursuant to subsection (e) of this section.
- c. If a Home District fails or refuses to provide Program Supports that are included in a Student's IEP and required for the Student to receive a free appropriate public education at EVIT after receiving at least five (5) written days' notice from EVIT, EVIT may provide those Program Supports to the Student and invoice Home District for the same.
- d. Home District and EVIT personnel shall communicate in advance of a Home District Student's participation in Central Campus courses to determine that all Program Supports will be provided to ensure compliance with the Student's IEP or Section 504 Plan.
- e. Home District and EVIT may opt to contract with each other or a third party to provide a Home District Student with required Program Supports while the students are participating in courses at a Central Campus Program.
- f. If requested by a Home District, EVIT provides the Home District's personnel or independent contractor with necessary physical space and Internet access at no cost to Home District, including office space, as needed, for confidential meetings between Home District's staff and students and assuring students are provided appropriate Program Supports.

- g. Home District and EVIT ensure that their personnel, including any independent contractors, are properly trained, qualified, and/or certified as may be required by state and federal law to provide such Program Supports. Upon request, EVIT shall provide Home District with copies of the certifications or other credentials of its instructional staff.
- h. Home Districts schedule and conduct all evaluations, manifestation determination reviews, and IEP or Section 504 meetings required to serve its Students who attend EVIT central campus courses. EVIT will give Home District timely notice whenever a disciplinary incident occurs on the EVIT central campus that may require a manifestation determination and/or IEP meeting for a Student. EVIT and Home District will ensure that their teachers and other staff members participate in such evaluations, manifestation determination reviews, and meetings as needed.

7. Services and Equipment Expenses.

- a. EVIT and Home District separately bear the cost of Program Supports provided by their employees or independent contractors for the Home School Student when attending Central Campus courses.
- b. EVIT and Home District separately bear the cost of their personnel attending any evaluation or IEP or Section 504 meeting or any meeting EVIT personnel have with Home District representatives to discuss the progress of a Student or for providing administrative services.
- c. If a Student with an IEP requires the use of specialized equipment that is not otherwise required for students in an EVIT Central Campus Program, Home District is responsible for purchasing the equipment. Said equipment shall be returned to Home District when the Student is no longer enrolled at EVIT or after it is determined that the Student no longer needs the equipment.

8. IEP or Section 504 Meetings While a Student is Attending EVIT.

- a. Upon enrollment and/or attendance of a Student at EVIT, a parent/guardian, eligible Student, Home District, or EVIT may request that an IEP or Section 504 meeting be held to review and possibly revise the Student's IEP or 504 Plan to ensure that the Student is provided a free appropriate public education while attending EVIT.
- b. As an alternative to convening an IEP or Section 504 meeting, and in conformity with the IDEA's requirements set forth in 34 C.F.R. § 300.324(a)(4) for changes to an IEP, the parent/guardian or eligible Student, Home District, and EVIT may agree to revise the Student's IEP or Section 504 Plan to include agreed-upon Program Supports necessary due to the Student's attendance at EVIT without the need for a meeting. In this case, a copy of the updated IEP or Section 504 Plan shall be provided to the parent/guardian or eligible Student and Home

REGULATION**REGULATION**

District shall ensure that the Student's Home District's IEP or Section 504 team is informed of the changes.

- c. EVIT will notify Home District in writing or by email of whether an EVIT-Designated Representative will participate in a Home District's IEP or Section 504 meeting in person or by phone.
- d. All IEP or Section 504 decisions shall be made by the Home District's IEP or Section 504 team as provided by law.

9. FERPA/ Confidentiality of Records.

EVIT and Home Districts maintain confidentiality of all educational records shared pursuant to this Agreement, as required by the Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g et seq. ("FERPA"), IDEA and Section 504. No records provided to the EVIT-Designated Representatives shall be disclosed to any EVIT employee involved in the processing or consideration of, or decision concerning, EVIT admission applications prior to student admission.

10. Monitoring by Home District.

Home District representatives may visit EVIT Central Campuses at any time to monitor the education of Students at EVIT, including, without limitation, the provision of Program Supports to Home District's Students and the progress of Students in Central Campus Programs. Home District representatives shall identify themselves and sign in when visiting EVIT. Home District representatives who have not previously attended an EVIT annual orientation program shall be notified of the program by EVIT and shall be expected to attend.

11. Investigation of Complaints.

Any complaints from students, parents, guardians, or staff alleging discrimination against Students or prospective Students of EVIT based on their disability that are received by EVIT or Home District shall be forwarded to the other party within two (2) business days. The complaints shall be processed in accordance with the parties' respective non-discrimination and/or non-harassment Governing Board Policies and Administrative Regulations. The parties shall notify each other of the outcome of the investigation and any corrective or other remedial action that has been taken. The parties shall maintain records of such complaints and the related investigation in accordance with Arizona's public records laws.

12. Non-discrimination.

EVIT and Home Districts comply with Executive Order 2009-09 and all other applicable state and federal employment laws, rules, and regulations, mandating that all persons shall have equal access to employment opportunities, and that no person shall be discriminated against due to race, color, religion, sex, national origin, age, veteran's or military status, or disability. Students shall have equal access to educational opportunities.

GRIEVANCE PROCEDURES

EVIT prohibits discrimination on the basis of disability in its programs or activities, including harassment based on disability or the creation of a hostile environment. Any alleged discriminatory practices within the scope of Section 504 of the Rehabilitation Act of 1973 (Section 504) or the Americans with Disabilities Act (ADA) may be addressed through this grievance procedure. EVIT has adopted this internal grievance procedure to provide prompt and equitable resolution of complaints alleging any action prohibited by Section 504 or ADA.

Informal Conference. Individuals are encouraged to discuss their grievance with the school site Principal to determine if the matter can be resolved through informal discussion. The informal conference is not required.

Initial Written Grievance. If the matter cannot be resolved through an informal conference with the Principal, the grievant can submit his/her grievance in writing to EVIT's Superintendent, who serves as EVIT's 504/ADA Compliance Officer. A grievant may reach the Superintendent by phone at 480-461-4102 or through his Executive Assistant at 480-461-4105. The grievance should be submitted within thirty (30) days of the alleged violation using Governing Board Policy form JII-EA.

The grievance should contain:

- The grievant's name, address, telephone number and relationship to EVIT (i.e. parent, student, employee)
- The grievant's home high school (if applicable)
- The grievant's immediate supervisor (if applicable)
- Date of occurrence being grieved
- Statement of grievance and action/resolution requested

The 504/ADA Coordinator or designee may schedule a conference with the grievant to review the grievance. The 504/ADA Coordinator or designee shall conduct an adequate, reliable and impartial investigation, including affording interested persons an opportunity to present witnesses and other evidence.

The 504/ADA Coordinator or designee shall issue a written determination to the parties involved regarding the grievance and a proposed resolution, if any, within ten (10) working days after submission of the grievance. Notwithstanding the above, if the 504/ADA Coordinator or designee is unable to render a decision within ten (10) working days, the grievant will be provided a written explanation of the reason for the delay. EVIT will take steps, when appropriate, to prevent recurrence of discrimination and correct discriminatory effects on grievant and others.

Reconsideration of Grievance. If the grievant is not satisfied with the 504/ADA Coordinator's or designee's determination, the grievant may request reconsideration of the determination by submitting a written request to the Assistant Superintendent. The request shall contain the original grievance and explanation of why grievant is not satisfied with the determination made by the 504/ADA Coordinator or designee. The request must be made within ten (10) working days of receipt of the initial written

determination. The Assistant Superintendent may request a conference with the grievant and/or additional information from the grievant, witnesses or other individuals.

A written decision regarding request for reconsideration will be issued and a copy sent to grievant within ten (10) working days after it was submitted. Notwithstanding the above, if the Assistant Superintendent is unable to render a decision within ten (10) working days, a written explanation of reason for the delay will be provided to the grievant.

Maintenance of Files. The 504/ADA Coordinator or designee is responsible for maintaining files and records relating to Section 504/ADA grievances for at least three years following completion of grievance process.

Remedies and Non-Retaliation. If an investigation results in substantiated findings of disability discrimination, appropriate remedial action will be taken that may include disciplinary action and/or compensatory services to ameliorate the effects of discrimination. A grievant's right to prompt and equitable resolution of a complaint shall not be impaired by pursuit of other remedies. The grievance process is not a prerequisite to the pursuit of other remedies such as filing of complaint with the U.S. Department of Education's Office of Civil Rights (www.ed.gov/ocr). Retaliation by EVIT employees against a grievant or investigation participant is prohibited.

IHBCA

PROGRAMS FOR PREGNANT/PARENTING STUDENTS

Pregnant students should have the same educational opportunities as their peers. Such students may also need additional counseling and health services that are available through the public schools.

Pregnant students may elect to remain in the regular school program and shall not be involuntarily excluded from any part of the school program, provided, however, that reasonable safeguards are maintained both for the school's and the student's best interests.

Pregnant students shall notify school authorities of their status as soon as it is ascertained. The Superintendent will establish procedures as necessary to implement this policy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: AD - Educational Philosophy/School District Mission
IHBF - Homebound Instruction

PROGRAMS FOR PREGNANT/PARENTING STUDENTS

The District affirms the right of a pregnant student to continue her participation in the public school program.

As soon as the pregnancy is medically confirmed, the student shall consult with a member of the counseling staff or the principal for the purpose of planning her educational program.

The student may be eligible for the following educational plans or may suggest alternatives:

- She may remain in her present school program, with modifications as necessary, until the birth of her baby is imminent or until her physician states that continued participation would be detrimental to her health.
- If eligible for homebound or chronic illness status, in accord with A.R.S. § 15-901, she may temporarily withdraw from school at the direction of her physician and may receive homebound instruction from the date of her withdrawal until her physician states that she is physically able to return to school.

Efforts will be made to see that the educational program of the student is disrupted as little as possible; that she receives information on available health and counseling services, as well as instruction; and that she is encouraged to return to school after delivery.

IHCA
SUMMER SCHOOL

A summer session may be held if deemed necessary.

The Superintendent shall invite suggestions from staff members, students, and the school community to determine what areas of the curriculum shall be included in the summer session.

Remuneration for teaching during the summer session shall be established by the Board.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-881, 15-1141, 15-1142, 15-1143

IIB

CLASS SIZE

The student-teaching ratio for staffing in the District is the responsibility of the Board. Staffing patterns and student grouping shall be flexible so as to accommodate varied instructional delivery approaches, student needs, curriculum requirements, and fiscal resources. Each year the Superintendent will make staffing recommendations during the budget review and preparation process.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-342, 15-764

CROSS REF.: IHB - Special Instructional Programs

IJ

INSTRUCTIONAL RESOURCES AND MATERIALS

Supplies

All students in the elementary (K-8) schools will have required textbooks and supplies furnished by the District.

The Governing Board shall furnish free required textbooks and related printed subject matter materials for high school students in grades nine (9) through twelve (12).

“Textbook” means printed instructional materials or digital content and related instructional materials, that are created and published primarily for use in school instruction and required by a state or local educational agency for use by pupils in the classroom, including material that require electronic equipment to access as a learning resource.

A student or parent may purchase, at the price paid for the books, such books as are necessary for high school students. Students and their parents shall be held responsible for proper care of books and school property. Books must be kept clean and unmarked. Parents may be required to pay for any damage to school property.

The Superintendent is authorized to establish a replacement-fee schedule and make it available to students, staff members, and parents. Students and parents will be advised of this replacement-cost policy upon enrollment or at the beginning of each school year.

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.

Access to Instructional Material by Parents and Guardians

The Superintendent shall establish procedures that permit parents or guardians of students enrolled in the District to have advance access to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District in accordance with the terms of this policy. A parent who objects to any learning material or activity on the basis that the material or activity is harmful, because of sexual content, violent content, or profane or vulgar language, may request to withdraw that student from the activity or from the class or program in which the material is used and request an alternative assignment.

The request by the parent or guardian must be in writing and must specify the materials that the parent or guardian wishes to review.

Such procedures shall make available at least one (1) copy of the materials for review by the parents or guardians. Printed textbooks, printed supplementary books, and printed subject-matter materials may be checked out from the District premises by parents or guardians for periods not to exceed forty-eight (48) hours. All other materials, including films, may be reviewed only on the District premises.

Parents or guardians will be notified when and where the instructional materials may be picked up or reviewed. Materials will be made available on a first-come, first-served basis.

Adopted: February 13, 2012

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-102, 15-341, 15-113, 15-342, 15-721 to 15-730

CROSS REF.: ABA - Community Involvement in Education

IJND — Technology Resources

KB - Parental Involvement in Education

INSTRUCTIONAL RESOURCES AND MATERIALS**Availability of and Access to Instructional Materials by Parents or Guardians**

Parents or guardians of students enrolled in the District shall have access in advance to instructional materials, learning materials and activities currently in use, or being considered for use, in the District. Such access shall be governed by the following:

- Requests must be in writing and must specify the materials that the parents or guardians want to review.
- Requests shall be submitted to the office of the
- At least one (1) copy of such instructional materials shall be available for parent or guardian review.
- Printed textbooks, supplementary books, and other printed subject matter may be checked out for removal from District premises for up to forty-eight (48) hours. All other materials, including films, may be reviewed only on District premises.
- School personnel involved in handling requests to review materials will notify the parents or guardians as to when and where such materials may be picked up or reviewed.
- Materials will be available on a first-come, first-served basis.

Objections to Learning Materials and Activities

A student whose parent or guardian objects to any learning material or activity may be withdrawn from the activity or from the class or program in which the material is used, providing:

- The objection is in writing and is specific in its description of the activity or learning material to which the parent or guardian objects.
- The objection includes a statement that the parent or guardian understands that the educational information and concepts covered in the activity or material may not be covered in any other manner or form and that the parent or guardian understands that the student may not be able to make up the material or activity in any other way.
- Although the student may be unable to make up for the missed activity or material, no penalty will accrue to the student in grades or credit, with the exception that, if the objection removes a student from a substantial portion of a class, promotion and credit decisions will be based on applicable District policies.
- All such objections shall be directed to the principal of the school in which the student is enrolled, who shall forward a copy of the written objection to the Superintendent, indicating that the student has been removed from the activity or stating the reason for nonremoval.
- Upon receiving a principal's recommendation for removal or nonremoval, the Superintendent will review the situation and make a decision regarding the matter and communicate that decision to the parent or guardian and the principal.
- Within ten (10) days after receiving notification of such decision from the Superintendent, the parent or guardian may request an appeal to the Board.

TEXTBOOK/SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

The Board will approve and adopt all new textbooks and supplementary books. The Superintendent shall establish textbook selection procedures that shall provide for the appropriate involvement of staff members, students, and community members. These procedures may provide for the establishment of textbook selection committees.

Recommendations from textbook selection committees will be forwarded to the Superintendent.

In recommending books, the committees will strive for continuity of textbooks throughout the different grades and use the same book series in all classes of the same grade. Recommended textbooks will be placed on display in the District office for at least 60 days prior to the meeting at which the Board will consider their adoption.

“Textbook” means printed instructional materials or digital content and related instructional materials, that are created and published primarily for use in school instruction and required by a state or local educational agency for use by pupils in the classroom, including material that require electronic equipment to access as a learning resource.

Objectives of Selection

It is the responsibility of the school textbook committees to:

- Recommend resources that will support and enrich the curriculum, taking into consideration the varied interests, abilities, learning styles, and maturity levels of students served.
- Recommend resources that will stimulate growth in factual knowledge, critical analysis of differing sides of issues, literary appreciation, aesthetic values, and recognition of various societal values.
- Place principle above personal opinion and reason above prejudice in the recommendation of resources of the highest quality in order to assure a comprehensive collection of resources appropriate for the complete education of all students.

The Superintendent will establish procedures for the purchase and distribution of all necessary textbooks, supplemental books, and other related instructional materials from the adopted list free of cost to students.

Removal of Textbooks/Supplementary Materials

Textbook selection committees may recommend to the Superintendent that certain previously adopted textbooks or supplementary materials be deleted from the Board-approved list. Textbooks and supplementary materials will not be deleted without the approval of the Board.

Disposal of Learning Materials

The Board authorizes the Superintendent to establish regulations for the disposal of surplus or outdated learning materials when it has been determined that the cost of selling such materials equals or exceeds estimate d market value of the learning materials.

Adopted: date of manual adoption

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 15-203, 15-342, 15-721, 15-722, 15-726
A.A.C. § R7-2-204

CROSS REF.: DV - School Properties Disposition

KEC - Public Concerns/Complaints about Instructional Resources

SPECIAL-INTEREST MATERIALS SELECTION AND ADOPTION

Commercial organizations offer a variety of materials for use by teachers in the classroom. Many of these materials are of high educational value, with little or no advertising emphasis. Other materials are primarily advertising and have only limited educational value.

In general, supplementary materials (printed materials, models, films, slides, pictures, charts, exhibits for educational purposes, etc.) from commercial, political, religious, or other non-school sources should have approval by the principal. This approval may be given to materials that are of obvious educational quality, supplement and enrich text and reference book materials, are timely and up to date, and promote American democratic ideals and moral values.

Advertising materials of a commercial, political, or religious nature should not be displayed or distributed in the schools or on the school grounds. Students may not be used as the agents for distributing non-school materials to the homes. The Superintendent shall be the final judge of whether or not such materials shall be utilized with students and will establish necessary procedures for their evaluation, approval, and use.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-535

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TEACHER AIDES

The purpose of teacher aides shall be to provide follow-up activities to instruction by the teacher or to free the teacher from routine tasks and permit the teacher to work on follow-up instructional tasks. The responsibilities for supervision and evaluation of teacher aides will be as assigned by the Superintendent.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341, 15-502

CROSS REF.: GDA - Support Staff Positions

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TECHNOLOGY RESOURCES

(Movies/Videos/Electronic Materials)

It is the District's policy that there is educational value in utilizing movies and videos in classrooms only when such movies and videos extend or reinforce the concepts being taught and have been planned for in advance. Parents or guardians of students enrolled in the District shall have access in advance to instructional materials, learning materials and activities currently in use, or being considered for use, in the District.

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.

The Superintendent shall develop regulations governing the use of movies/ videos in the classroom.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-113, 15-341

CROSS REF.: IJ - Instructional Resources and Materials

KB - Parental Involvement in Education

TECHNOLOGY RESOURCES**(Movies/Videos/Electronic Materials)**

Movies and videos and electronic materials with ratings other than for general audiences of all ages are not to be shown in classrooms or at any District facility (this includes buses and motels where students are present) except when:

- The movie or video or electronic material has been previewed by the teacher or other certificated staff member.
- The movie video or electronic material has been determined to not contain material that is objectionable or inappropriate for the age group to which it is intended to be shown.
- The responsible school administrator has approved the use of the movie or video or electronic material prior to its showing.
- The teacher or other certificated staff member has provided advance notification to each student's parent(s), or other responsible adult, of the title of the movie video or electronic material and the date on which it will be shown.
- When a movie, or video or electronic material has a rating the above advance notification will include the rating and the source providing the rating.
- A student whose parent(s) or other responsible adult has provided notice of their disapproval will not be permitted to view the movie video or electronic material.

Parents or guardians have the right to have advance access to instructional materials, learning materials and activities currently in use, or being considered for use, in the District.

Parents have the right to request that their child not view any movie or video, regardless of its rating or the purpose for which it is to be shown.

A parent or guardian who objects to any 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, may request to withdraw that student from the activity or from the class or program in which the material is used and request an alternative assignment.

TECHNOLOGY RESOURCES

(Movies/Videos/DVD)

OFF-AIR VIDEO TAPE REQUEST FORM

Date of request _____

I request permission to tape the following program off-air for classroom use:

My subject area: _____

District objectives that will be met by viewing this tape: _____

My reason(s) for wanting students to view this program: _____

Name _____ Dept. or grade level _____

School _____ Date(s) of tape use _____

**Submit this form to your department chairperson.
If approved, submit it to the principal.**

Chairpersons' Signature_____
Principal's SignatureCheck One: ☐ Accepted ☐ Not accepted ☐ Notify Teacher ☐ File in Office

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION

Electronic Communications Systems

Purpose

The District is committed to the development and establishment of a quality, equitable and cost effective Electronic Communications System. The System's sole purpose shall be for the advancement and promotion of learning and teaching.

The System will be used to provide statewide, national, and global communication opportunities for staff and students.

The Superintendent will establish administrative regulations governing use of the System. The administrative regulations will be consistent with sound guidelines, policies and procedures.

Failure to abide by District policies and administrative regulations governing use of the System may result in the suspension and/or revocation of system access. Additionally, student violations may result in discipline up to and including expulsion. Staff violations may also result in discipline up to and including dismissal. Fees, fines, or other charges may also be imposed.

Internet Safety Policy

Purpose

Pursuant to the requirements of Public Law 106-554, the Children's Internet Protection Act (CIPA) and the Neighborhood Children's Internet Protection Act (NCIPA), the policies established herein, hereafter shall be known as the East Valley Institute of Technology District No. 401 *Internet Safety Policy*.

The East Valley Institute of Technology District No. 401, hereafter referred to as the District, is providing to the East Valley Institute of Technology, hereafter referred to as the School, access to *the Network*, a regional/local electronic communication system, which includes Internet access. The District may provide access to *the Network* to its employees, Board members, students, and guests.

The Network has a limited educational purpose. The term "educational purpose" includes use of the system for classroom activities, professional or career development, and limited high-quality personal research activities. All use must be in compliance with the acceptable use provisions of the District and the Internet Service provider, AT&T.

Users may *not* use *the Network* system for commercial purposes, defined as offering or providing goods or services or purchasing goods or services for personal use. District acquisition policies will be followed for purchase of goods or services through the system for District or School use.

Users may *not* use *the Network* for political lobbying. However, employees and students may use *the Network* to communicate with their elected representatives to

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express their opinion on political issues in accordance with state law and District policies.

Responsibilities

The District Superintendent, or designee, will serve as the coordinator to oversee the operations of *the Network* and will work with the employees of the District, School, and other state organizations, as necessary.

The Campus Director (school principal), or designee, will serve as the building-level coordinator for the system and will approve building-level activities, ensure teachers receive proper training in the use of the system and the requirements of this policy. In coordination with the Information System (IS) Director the Campus Director will establish a system to ensure adequate supervision of students using the system, maintain executed user agreements, and be responsible for interpreting the *Acceptable Use Policy* at the building level.

District staff are authorized to develop regulations and agreements for the use of *the Network* that are in accordance with this policy statement, AT&T policy, and other District policies, including the student disciplinary code. These regulations can include, but are not limited to:

- Acceptable use policies for students, staff, board members, and guests.
- The level of access that will be provided.
- A District Web policy.
- Agreements for students, employees, and guests and informational material for parents.

Access to the Network

The Network is for use by District and School employees, board members and students. The District will determine the extent to which students will be granted access to the system.

Guests may receive an individual account with the approval of the District Superintendent or IS Director, if there is a specific, District or School related purpose requiring such access. Use of *the Network* by a guest must be specifically limited to the purpose. An agreement will be required and parental signature will be required if the guest is a minor.

Technology Protection Measures

Technology protection measures, also referred to as Internet filters, must be on any computer with Internet access to block access to visual depictions deemed “obscene,” “child pornography,” or “harmful to minors.” Filtering is required for all Internet-enabled computers whether minors or adults use them.

Filtering for adult Internet usage may be disabled for “bona fide research or other lawful purposes.” The Website Grant or Restrict Access Request Form, also known as

“the Net Nanny,” will be used to request that filters be removed to allow staff Internet access to previously restricted sites.

District Limitation of Liability and Indemnification

The District makes no warranties of any kind, either expressed or implied, that the functions or the services provided by or through *the Network* will be error-free or without defect. The District will *not* be responsible for any damage users may suffer, including but not limited to, loss of data or interruptions of service. The District is *not* responsible for the accuracy or quality of the information obtained through or stored on the system. The District will *not* be responsible for financial obligations arising through the unauthorized use of the system. Users will indemnify and hold the District harmless from any losses sustained as the result of intentional misuse of *the Network* by the user. The District and School will inform all users of *the Network* about this limitation of liability and indemnification.

Due Process

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through the District system.

In the event there is an allegation that a student has violated the District’s *Acceptable Use Policy*, the student will be provided with a notice and opportunity to be heard in the manner set forth in the *student disciplinary code*.

Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student in gaining the self-discipline necessary to behave appropriately on an electronic network. If the alleged violation also involves a violation of other provisions of the student disciplinary code, the violation will be handled in accordance with the applicable provision of the code.

Employee violations of the District’s *Acceptable Use Policy* will be handled in accordance with District policy.

The Information Systems (IS) Director or Superintendent may terminate the account privileges of a guest user by providing notice to the user. User accounts not active for more than ninety (90) days will be removed, along with the user’s files, without notice to the user.

Search and Seizure

System users have a limited privacy expectation in the contents of their personal files and records of their on-line activity while on the District system.

Routine maintenance and monitoring of the system may lead to discovery that the user has or is violating the District’s *Acceptable Use Policy*, the student disciplinary code, or the law. If the System administrator discovers a potential violation by a District or School user, the administrator will notify the respective team leaders and/or supervisors.

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An individual search will be conducted if there is reasonable suspicion that a user has violated the law or the student disciplinary code. The nature of the investigation will be reasonable and in the context of the nature of the alleged violation.

District employees shall be aware that documentation of violations of the District's *Acceptable Use Policy* will be made a part of their personnel files.

Copyright

The District will establish a Web site and will develop Web pages that will present official information about the District and the School. The District Superintendent and the IS Director will designate a District Web Publisher who will be responsible for maintaining the official Web site and monitoring all District Web activity. The Web Publisher will develop style and content guidelines for official District and school Web materials and procedures for the placement and removal of such material. All official District and School materials on the District Web site must be approved through a process established by the District Web Publisher.

Acceptable Use Policy

Purpose

The District, is obtaining access to *the Network*, a regional/local electronic communication system, which includes Internet access, provided through an Agreement with *AT&T*. District staff have been authorized to develop regulations and agreements for the use of *the Network* that are in accordance with the District Policy statement, *AT&T* policy, and other District policies, including the *student disciplinary code*. This document contains the District Internet regulations and agreements.

Academic Freedom, Free Speech, and Selection of Materials

District policies on Academic Freedom and Free Speech will govern the use of the Internet.

When using the Internet for class activities, teachers will:

- Select materials that are age appropriate and that are relevant to the course objectives.
- Preview the materials and sites they require students to access to determine the appropriateness of the materials contained or accessed through the sites.
- Provide guidelines and lists of resources to assist their students in channeling their research activities effectively and properly.
- Assist their students in developing the skills to ascertain the truthfulness of information, distinguish fact from opinion, and engage in discussions about controversial issues while demonstrating tolerance and respect for those who hold divergent views.

Parental Notification and Responsibility

The District will notify the parents about the District network and the policies governing its use. Parents must sign an agreement to allow their student to have an individual account (please refer to the Student Internet Account Agreement). Parents may request alternative activities for their child(ren) that do not require Internet access.

Parents have the right at any time to investigate the contents of their child(ren)'s e-mail files. Parents have the right to request termination of their child(ren)'s individual account at any time.

The District Acceptable Use Policy contains restrictions on accessing inappropriate material and student use will be supervised. However, there is a wide range of material available on the Internet, some of which may not conform with particular values of the families of the students. It is not practically possible for the District to monitor and enforce a wide range of social values in student use of the Internet. Further, the District recognizes that parents bear primary responsibility for transmitting their particular set of family values to their children. The District will encourage parents to specify to their child(ren) what material is and is not acceptable for their child(ren) to access through the District System.

The District will provide students and parents with guidelines for student safety while using the Internet (please refer to the Student Internet Policy Handbook and Guidelines).

Parents are responsible for monitoring their student's use of *the Network* if they are accessing the system from home.

Access

The following levels of access will be provided:

Individual Accounts for Students: Secondary and Post-Secondary students may be provided with individual Internet accounts. A Student Internet Account Agreement will be required for an individual account. The student and his/her parent (if under the age of 18) must sign this agreement.

Individual Accounts for District Employees: District employees may be provided with an individual account. No agreement will be required. Existing employment contracts and existing Board and District policies cover employee use.

Individual Guest Accounts: Individuals who are not employed by the District but work on District premises will be provided individual guest accounts. A Guest Internet Account Agreement will be required for each individual and must be signed by the guest and supervisor.

The District will monitor unauthorized student access as described below in *Staff Monitoring of Student Internet Access*.

Unacceptable Uses

The following uses of the system are considered unacceptable:

- Personal Safety:
 - Users will *not* post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, et cetera.
 - Users will *not* use chat rooms or messaging communications, i.e., AOL Instant Messaging, when it is not school related or authorized by the teachers.
 - Users will agree *not* to meet with someone they have met on-line without their parent's approval and participation.
 - Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.
- Illegal Activities:
- Users will *not* attempt to gain unauthorized access to the District System or to any other computer system through the District's System, or go beyond their authorized access. This includes attempting to log in through another person's account or accessing another person's files, or engaging in "hacking."
 - These actions are illegal, even if only for the purpose of "browsing."
 - Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
 - Users will not use the District System to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal activity, threatening the safety of others, et cetera.
 - System Security:
 - Users are responsible for the use of their individual account and should take all reasonable precautions to prevent others from being able to use their account. Under no conditions should a user provide their password to another person.
 - Users will immediately notify the IS Department (Support) if they have identified a possible security problem. However, users will not go looking for security problems, because this may be construed as an illegal attempt to gain access.

IJNDB

- Users will avoid the inadvertent spread of computer viruses by following the standard virus protection procedures established below in Staff Virus Protection Procedures.
- Users will not download software into District computers without expressed permission from the IS Director.
- Inappropriate Language:
 - Restrictions against inappropriate language apply to public messages, private messages, and materials posted on Web pages.
 - Users will not use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.
 - Users will not post information that, if acted upon, could cause damage or a danger of disruption.
 - Users will not engage in personal attacks, including prejudicial or discriminatory attacks.
 - Users will not harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending them messages, they must stop.
 - Users will *not* knowingly or recklessly post false or defamatory information about a person or organization.
- Respect for Privacy:
 - Users will *not* re- post a message that was sent to them privately without permission of the person who sent them the message.
 - Users will *not* post private information about another person.
- Respecting Resources Limits:
 - Users will use the System only for educational and professional or career development activities (no time limit), and limited, high- quality program related personal research.
 - Users will not download large files unless absolutely necessary. If necessary, users will download the file at a time when the System is not being heavily used. The file will be removed from the System at the earliest opportunity.
 - Users will not post chain letters or engage in “spamming.” Spamming is sending an annoying or unnecessary message to a large number of people.
 - Users will check their e-mail frequently and delete unwanted messages promptly.

IJNDB

- Users will subscribe only to discussion group e-mails that are relevant to their education or professional/career development. Students may subscribe with the approval of their instructor and must unsubscribe at the end of the school year unless other arrangements are made.
- Plagiarism and Copyright Infringement:
 - Users will not plagiarize works that they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.
 - Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the users shall follow the expressed requirements. If the users are unsure whether or not they can use a work, they shall request permission from the copyright owner
- Inappropriate Access to Material:
 - Users will *not* use the District System to access material that is profane or obscene (pornography) that advocates illegal or dangerous acts, or that advocates violence or discrimination towards other people (hate literature).
 - If users inadvertently access such information as described above, then they shall immediately disclose the inadvertent access following District procedures established below in *Procedures for Inadvertent Access to Inappropriate Internet Site*. This will protect users against allegations that the *Acceptable Use Policy* has been intentionally violated.

Virus Protection Procedures

If users receive an alert on the computer from the District's anti-virus software stating that a virus has been detected, the following procedures apply:

- Students will immediately notify their teachers;
- Teachers or other staff members will notify Support through e-mail (support@evit.com) when a virus alert appears on a student's computer or on their own computer;
- *Support* will investigate the virus at the workstation where the virus was found and assume the proper procedures to quarantine/delete the virus.

Following are tips to protect your computer from viruses and hoaxes:

- Only open e-mail attachments after confirming the source of the file with the sender. Though there are no absolute methods to avoid infection, confirming the source of attachments will greatly reduce risks.

IJNDB

- **Never** open an attachment that contains the following extensions:

-.exe	-.vbs	-.com	-.bat
-.msi	-.scr	-.sys	

If users receive an e-mail from someone instructing them to delete files from their system, *immediately* forward the e-mail to *Support*.

Procedures for Inadvertent Access to Inappropriate Internet Site

If users inadvertently access an inappropriate site on the Internet, then it must immediately be reported. The following procedures shall apply if an incident of this nature occurs:

- Students will immediately notify their teachers;
- Teachers and other staff members will immediately notify *Support* by completing the Website Grant or Restrict Access Request Form.
- *Support* will add this site to their filtering list as a site that should be blocked. *Support* will acknowledge receipt of the report by notifying the user(s) that the site has been added to the filtering software's list.

Staff Monitoring of Student Internet Access

Teachers are responsible for the supervision and monitoring of Internet usage by their students. If a teacher discovers a student engaging in inappropriate conduct while using the Internet, he/she must immediately report this behavior to his/her respective supervisor by using the Student Discipline Referral of Student to Principal form and to the IS Director by notifying *Support* by e-mail.

Inappropriate student Internet use shall include all items outlined above in *Unacceptable Uses*.

If a teacher or other staff member suspects a student of engaging in inappropriate conduct while using the Internet but has not actually witnessed the actions of the student, then the teacher and/or staff member shall request that the IS Department monitor the individual student's activity by e-mailing *Support* (support@evit.com) a detailed message with a copy to the respective supervisor. The e-mail shall contain the following information:

- Name of the Student;
- Name of the Program; and
- Reason for Request (Why student's Internet activity needs to be monitored.)

Support will monitor the student's Internet usage activities and notify the teacher/staff member and supervisor of their findings.

Web Policy

District/School Web Site

The District may establish a Web site for the District and School. Materials appropriate for placement on the District Web site include: District information, school information, teacher or class information, student projects, and student extracurricular organization information. Personal, non- educationally-related information will *not* be allowed on the District Web site.

Web-site Material Style/Content Guidelines

The Web Publisher shall be responsible for the approval of material display and removal from the District's Internet and Intranet. The Web Publisher shall coordinate with the IS Director and department staff for content placement and removal and consult with other departments including the Superintendent's Office and the Public Relations Department.

The design and style of the Internet and Intranet will be consistent within each respective site including the use of color, backgrounds, fonts, images, et cetera. Teacher and other staff web pages also will contain consistent design. Staff members may request placements of image files within their content but will not be allowed to use custom backgrounds or fonts.

The following procedures shall be followed to request or suggest content removal or placement:

- An e- mail with detailed information shall be sent to *Support* (support@evit.com). The e-mail will contain file attachments (.txt or .doc) for content placement.
- If a student Web-site, the e-mail must contain attachments of HTML files and shockwave files (.swf) if Flash is used.
- If a teacher or staff Web-site makes a request for specific images to be placed within their content, the e-mail shall contain the image file attachments.
- The Web Publisher will contact the customers with the status of their requests periodically until the projects are completed.

Teacher Web Pages

Teachers may establish Web pages for use with class activities or to provide a resource for other teachers, students and parents. Teachers will be responsible for maintaining their class or educational resource sites in coordination with the District Web Publisher. Teacher Web pages will not be considered official material but will be developed in such a manner as to reflect well upon the District and School.

Staff Web Pages

Staff may develop a Web page as a resource for others, provided that information is related to functions of their jobs. Staff will be responsible for maintaining their resource sites in coordination with the District Web Publisher. Staff Web pages will not be considered official material, but will be developed in a manner as to reflect well upon the District.

Student Web Pages

Students may create a Web site as part of a class activity. Materials presented on a student class activity Web site must meet the educational objectives of the class activity.

With the approval of the Campus Director (school principal) and IS Director, students may establish personal Web pages in coordination with the teacher and Web Publisher. Materials presented in the students' personal Web site must be related to each student's educational and career preparation activities.

It will not be considered a violation of a student's right to free speech to require removal of material that fails to meet established educational objectives or that is in violation of a provision of the *Acceptable Use Policy* or *student discipline code*. However, student material may not be removed on the basis of disagreement with the views expressed by the student.

Student Web pages must include the following notice: "This is a student Web page. Opinions expressed on this page shall not be attributed to the East Valley Institute of Technology or the District."

Student Web pages will be removed at the end of each school year. A notice will be provided to the students prior to such removal.

Guest Web Pages

With the approval of the Superintendent and IS Director, individuals who are not employed by the District but work on District premises may establish Web pages in coordination with the Web Publisher. Materials presented on the Guest Web pages must relate specifically to the functions of the job.

Guest Web pages must include the following notice: "This is a Guest Web page. Opinions expressed on this page shall not be attributed to the East Valley Institute of Technology or District."

Student Organization Web Pages

With the approval of the Campus Director (school principal) and IS Director, Student Organizations may establish Web pages. Materials presented on the organization Web page must relate specifically to organization activities.

The Organization Web pages must include the following notice: "This is a student organization Web page. Opinions expressed on this page shall not be attributed to the East Valley Institute of Technology or the District."

Web Page Design

All District *Acceptable Use Policy* provisions will govern materials placed on the Web.

Web Pages shall ***not***:

- Contain the full name, address, or phone number of students. First names or first names and the first letter of the last name may be used where appropriate.
- Display photographs or videos of any identifiable individual.
- Contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner. There will be no assumption that the publication of copyrighted material on a web site is within the fair use exemption.

Material placed on the Web site is expected to meet academic standards of correct and proper spelling, grammar, and accuracy of information.

All Web pages shall carry a stamp indicating when it was last updated and the e- mail address of the person responsible for the page.

All Web pages shall have a link at the bottom of the page that will help users find their way to the appropriate home page.

Students may retain the copyright on the materials they create that is posted on the Web. District employees may retain the copyright on materials they create and post, if appropriate under District policies.

Users should retain a back-up copy of their Web pages.

Adopted: November 13, 2008

LEGAL REF.: Public Law No. 106-554. § 1721 of CIPA amends section 254(h) of the Communications Act of 1934, as amended, 47 U.S.C. §151 *et seq.* Section 1721 references section 1732 of the Children's Internet Protection Act, which amends section 254 of the Communications Act by adding a new subsection at the end of section 254. Sections 1731-1733 of CIPA are also referred to as the Neighborhood Children's Internet Protection Act (N-CIPA).

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION**Electronic Communications System*****Purpose***

The District, will establish administrative regulations for the use of the District's Electronic Communications System, hereafter referred to as the System.

The administrative regulations will be consistent with sound guidelines as may be provided by Public Law 106-554, the Children's Internet Protection Act (CIPA) and the Neighborhood Children's Internet Protection Act (NCIPA), and other District Policies.

General District Responsibilities

The District will designate staff as necessary to ensure coordination and maintenance of the District's System.

The District will provide staff training in the appropriate use of the District's System including copies of District policy and administrative regulations. Staff will provide similar training to authorized users.

The District will cooperate fully with local, state, or federal officials in any investigation relating to misuse of the District's System.

The District will use only properly licensed software, audio, or video media purchased by the District or approved for use by the District. The District will comply with the requirements of law regarding the use, reproduction, and distribution of copyrighted works and with applicable provisions of use or license agreements.

The District will retain ownership and control of its computers, hardware, software, and data at all times. The Superintendent or designee will routinely review user files and communications to maintain System integrity, monitor network etiquette, and ensure that those authorized to use the District's System are in compliance with Board policy, administrative regulations and the law. The District will inform System users that files and other information, including e-mail, generated or stored on District servers are not private and may be subject to such monitoring.

The District will determine which users and sites accessible as part of the District's System are most applicable to the curricular needs of the District and may restrict user access, accordingly.

The District will provide electronic access filtering or security software to help prevent inappropriate use of the District's System.

The District will install and use desktop and/or server virus detection and removal software.

The District will provide e-mail access for those authorized to use the District's System consistent with the District's mission and goals.

The District will establish a retention schedule for the removal of e-mail.

The District will inform appropriate System users that e-mail sent or received by a public official or employee in connection with the transaction of public business may be public record and subject to state archivist rules for retention and destruction.

The District may set quotas for System disk usage. The District may allow System users to increase their quota by submitting a written request to the Supervisor and the Information Systems (IS) Director stating the need for the increase.

The District shall ensure that all students and non-school System users complete and sign an agreement to abide by the District's Electronic Communications Policy and Administrative Regulations. All such agreements will be maintained on file in the School's office.

System Access

Access to the District's System is authorized to the following:

- Board members;
- District employees;
- Students with parent/guardian approval and when under the direct supervision of teachers or other staff members; and
- Volunteers, contractors, or others as authorized by the Superintendent and/or IS Director.

Users shall be permitted to use the District's System only to conduct business related to the management or instructional needs of the District or to conduct research related to education consistent with the District's mission and goals.

General Use Prohibitions/Guidelines/Etiquette

Operation of the District's System relies upon the proper conduct and appropriate use of System users. Students, staff and others granted System access are responsible for adhering to the following prohibitions and guidelines, which require legal, ethical, and efficient utilization of the District's System:

- *Prohibitions:*
 - Attempts to use the District's System for commercial or personal gain are strictly prohibited.
 - Attempts to use, reproduce, or distribute material on the District's System in violation of copyright laws or applicable provisions of use or license agreements are strictly prohibited.
 - Attempts to degrade, disrupt, or vandalize the District's equipment, software, materials, or data or those of any other user of the District's System or any of the agencies or other networks connected to the

District's System are strictly prohibited. This prohibition includes attempts to gain unauthorized access to restricted information, networks, and other user's accounts or files.

- Attempts to evade, change, or exceed resource quotas or disk usage quotas are strictly prohibited.
- Attempts to intentionally access or download any text file or picture or engage in any conference that includes material which is libelous, obscene, indecent, vulgar, profane, or lewd are strictly prohibited.
- Attempts to advertise any product or service not permitted to minors by law are strictly prohibited.
- Attempts to intentionally access information that constitutes insulting or fighting words, the very expression of which injures or harasses others or presents a clear and present likelihood that, either because of its content or the manner of distribution, will cause a material and substantial disruption of the proper and orderly operation of the school or school activities, will cause the commission of unlawful acts or violation of lawful Board policies and/or administrative regulations are strictly prohibited.
- Attempts to gain access to any service via the District's System, which has a cost involved or attempts to incur other types of unauthorized costs, are strictly prohibited. The user accessing such services will be responsible for these costs.
- Attempts to post or publish personal student contact information, unless authorized by the IS Director and teacher, are strictly prohibited. Personal contact information includes photograph, age, home, school, or work addresses or phone numbers.
- Attempts to arrange student meetings with anyone on the District's System, unless authorized by the IS Director, teacher, and with prior parent approval, are strictly prohibited.
- *Guidelines/Etiquette:*
 - System users will adhere to the same standards for communicating on line that are expected in the classroom and consistent with Board policy and administrative regulations.
 - System users will respect other people's time and Cyberspace. Use of real-time conference features such as talk/chat/Internet relay chat may occur only as approved by the teacher, supervisor, and IS Director. System users will avoid downloading excessively large files and will remain on the System only long enough to get needed information then exit the System.

- System users will take pride in communications by checking spelling and grammar.
- System users will respect the privacy of others by not reading the mail or files of others without their permission.
- System users will cite all quotes, references, and sources.
- System users will adhere to guidelines for managing and composing effective e-mail messages.
- System users will protect password confidentiality. Passwords are not to be shared with others.
- Using another user's account or password or allowing such access by another may be permitted with supervisor or IS Director's approval only.
- System users will communicate only with such users and/or sites as authorized by the District.
- System users will be forgiving of the mistakes of others, share their knowledge, and practice good mentoring techniques.
- System users will report security problems to the supervisor and *Support* by e-mailing support@evit.com.

Violations and Consequences

- Students:
 - Students who violate general System user prohibitions shall be subject to discipline up to and including expulsion and/or revocation of District System access up to and including permanent loss of privileges.
 - Violations of law will be reported to law enforcement officials.
 - Parents, students, and/or a representative may appeal disciplinary action in accordance with established District procedures.
- Staff:
 - Staff who violate general System user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, negotiated agreements, or applicable provisions of law.
 - Violations of the law will be reported to law enforcement officials.
- Others:
 - Other guest users who violate general System user prohibitions shall be subject to suspension of System access up to and including permanent revocation of privileges.
 - Violations of the law will be reported to law enforcement officials.

Telephone/Membership/Other Charges

The District assumes no responsibility or liability for any membership or phone charges including, but not limited to, long distance charges, per minute (unit) surcharges, and/or equipment or line costs incurred by any home usage of the District's System.

Any disputes or problems regarding phone services for home users of the District's System are strictly between the System user and his/her local phone company and/or long distance service provider.

Information Content/Third Party Supplied Information

System users and parents of student System users are advised that use of the District's System may provide access to materials that may be considered objectionable and inconsistent with the District's mission and goals. Parents should be aware of the existence of such materials and monitor their student's home usage of the District's System accordingly.

Opinions, advice, services, and all other information expressed by System users, information providers, service providers, or other third party individuals are those of the providers and not the District.

System users may not order services or merchandise from other individuals or merchandise from other individuals and agencies that may be accessed through the District's System. These individuals and agencies are not affiliated with the District. The District makes no warranties or representation whatsoever with regard to any goods or services provided by the seller. District staff and administration shall not be a party to any such transactions.

The District does not warrant that the functions or services performed by or that the information or software contained on the System will meet the System user's requirements or that the System will be uninterrupted or error-free or that defects will be corrected. The District's System is provided on an "as is, as available" basis. The District does not make any warranties, whether expressed or implied, including without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the System and any information or software contained therein.

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION**STUDENT INTERNET ACCOUNT AGREEMENT****1. Student Section (please print) Student**

Name: _____

Student I.D.: _____

Program: _____

Teacher: _____

Home High School: _____

I have read the District's *Student Internet Policy Handbook and Guidelines*. I agree to follow the rules contained in Policy IJNDB. I understand that violation of the rules may constitute discipline up to and including expulsion from school and/or suspension or revocation of System access and related privileges and/or referral to law enforcement officials.

Student Signature: _____ Date: _____

2. Sponsoring Teacher

I agree to sponsor the above named student and to supervise his/her responsible use of the District's System as defined by the District's policies and administrative regulations while in school.

Teacher's Name: _____ Date: _____

Teacher's Signature: _____

3. Parent's/Guardian's Section

I have read the District's *Student Internet Policy Handbook and Guidelines*. I hereby release the District, its personnel, and any institutions with which it is affiliated, from any and all claims and damages of any nature arising from my child's use of, or inability to use, the District's System, including, but not limited to, claims that may arise from the unauthorized use of the System to purchase products or services. *I understand that I can be held liable for damages caused by my child's intentional misuse of the System.*

I will monitor my child's use of the System and his/her potential access to the Internet and will accept responsibility for supervision in that regard if and when my student's use is not in a school setting. I will emphasize to my child the importance of following the rules for personal safety and I will supervise my child's use of the System if my child is accessing the System from home.

IJNDB-EA

EXHIBIT

EXHIBIT

- ☐ I give my permission to issue:
- ☐ An Internet account for my child (allows information searching and file transfer)
 - ☐ A personal e-mail account (allows the sending and receiving of electronic mail).
- ☐ I do not give my permission for my child to participate in the District's Electronic Communication System.

Parent's/Guardian's Name (please print): _____

Home Phone: _____ Cell _____

Home Address: _____

Parent's/Guardian's Signature: _____ Date: _____

Agreement must be renewed each School Year.

USE OF TECHNOLOGY RESOURCES IN INSTRUCTION

INFORMATION FOR PARENTS

Educational Purpose

The Network has been established for a limited educational purpose. The term “educational purpose” includes classroom activities, career development, and limited high-quality personal research.

The Network has *not* been established as a public access service or a public forum. The East Valley Institute of Technology District No. 401, hereafter referred to as the District, has the right to place reasonable restrictions on the materials students will access or post through the System. Students are also expected to follow the rules set forth in the District Student Code of Conduct rules and the law in their use of *the Network*.

Students shall *not* use *the Network* for commercial purposes. This means they shall *not* offer, provide, or purchase products or services through *the Network*.

Students shall *not* use *the Network* for political lobbying. But, they may use the System to communicate with elected representatives and to express their opinion on political issues.

Student Internet Access

Secondary students may obtain an individual account with the approval of their parents/guardians and the School.

Students and their parents must sign an Account Agreement to be granted an individual account on *the Network*. This Agreement will be renewed on an annual basis. Parents/Guardians of secondary students may withdraw approval at any time.

Post- secondary students may obtain an individual account and must sign an Account Agreement to be granted an individual account on *the Network*. This Agreement will be renewed on an annual basis.

Unacceptable Uses

Personal Safety

Users will *not* post personal contact information about themselves or other people. Personal contact information includes address, telephone, school address, work address, et cetera.

Users will not use chat rooms or messaging communications, i.e., Instant Messaging, when it is not school related or authorized by the teachers.

Users will not agree to meet with someone they have met on- line without their parent’s approval and participation.

Users will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.

Illegal Activities

Users will *not* attempt to gain unauthorized access to *the Network* or to any other computer system through *the Network*, or go beyond their authorized access. This includes attempting to log in through another person's account *or* accessing another person's files, *or* engaging in "hacking". These actions are illegal, even if only for the purpose of "browsing".

Users will not make deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.

Users will not use the Network to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, engaging in criminal gang activity, threatening the safety of others, et cetera.

System Security

Users are responsible for the use of their individual account and should take all reasonable precautions to prevent others from being able to use their account. Under no conditions should a user provide their password to another person.

Users will immediately notify the IS Department (Support) if they have identified a possible security problem. However, users will not go looking for security problems, because this may be construed as an illegal attempt to gain access.

Users will avoid the inadvertent spread of computer viruses by following the standard virus protection procedures established in Policy IJNDB.

Users will not download software into District computers without expressed permission from the IS Director.

Inappropriate Language

Restrictions against Inappropriate Language apply to public messages, private messages, and materials posted on Web pages.

Users will *not* use obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language.

Users will *not* post information that, if acted upon, could cause damage or a danger of disruption.

Users will *not* engage in personal attacks, including prejudicial or discriminatory attacks.

Users will *not* harass another person. Harassment is persistently acting in a manner that distresses or annoys another person. If a user is told by a person to stop sending them messages, they must stop.

Users will *not* knowingly or recklessly post false or defamatory information about a person or organization.

Respect for Privacy

Users will *not* re-post a message that was sent to them privately without permission of the person who sent them the message.

Users will *not* post private information about another person.

Respecting Resources Limits

Users will use the System only for educational and professional or career development activities (no time limit), and limited, high-quality program related personal research.

Users will *not* download large files unless absolutely necessary. If necessary, users will download the file at a time when the System is not being heavily used. The file will be removed from the System at the earliest opportunity.

Users will *not* post chain letters or engage in “spamming”. Spamming is sending an annoying or unnecessary message to a large number of people.

Users will check their e-mail frequently and delete unwanted messages promptly.

Users will subscribe only to discussion group e-mails that are relevant to their education or career development as determined by the instructor.

Plagiarism and Copyright Infringement

Users will *not* plagiarize works that they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.

Users will respect the rights of copyright owners. Copyright infringement occurs when an individual inappropriately reproduces a work that is protected by a copyright. If a work contains language that specifies acceptable use of that work, the users shall follow the expressed requirements. If the users are unsure whether or not they can use a work, they shall request permission from the copyright owner. If there are questions, ask a teacher.

Inappropriate Access to Material

Users will *not* use the District System to access material that is profane or obscene (pornography) that advocates illegal or dangerous acts, or that advocates violence or discrimination towards other people (hate literature).

If users inadvertently access such information as described in Policy ‘ADS, then they shall immediately disclose the inadvertent access following District procedures established in that policy. This will protect users against allegations that the policy has been intentionally violated.

Parents of students using *the Network* should instruct users if there are additional materials that they think would be inappropriate for their access. The District fully expects that students will follow their parents’ instructions in this matter.

Student Rights***Free Speech***

Users' rights to free speech, as set forth in the District student conduct regulations, apply also to their communication on the Internet. *The Network* is considered a limited forum, and therefore, the District may restrict the users' speech for valid educational reasons. The District will not restrict the users' speech on the basis of a disagreement with the opinions being expressed.

Search and Seizure

Users should expect only limited privacy in the contents of their personal files on the District System and records of their online activity.

Routine maintenance and monitoring of the Network may lead to discovery that a user may have violated Policy IJNDB, the District student disciplinary code, or the law.

An individual search will be conducted if there is reasonable suspicion that a user may have violated Policy IJNDB, the District student conduct regulations, or the law. The investigation will be reasonable and related to the suspected violation.

Users' parents have the right at any time to see the contents of their child's/children's e-mail files.

Due Process

The District will cooperate fully with local, state, or federal officials in any investigation concerning or relating to any illegal activities conducted through the District System.

In the event there is an allegation that a student has violated the District's Policy IJN1DB and its accompanying regulation, the student will be provided with a notice and opportunity to be heard in the manner set forth in the student disciplinary code.

Disciplinary actions will be tailored to meet specific concerns related to the violation and to assist the student in gaining the self-discipline necessary to behave appropriately on an electronic network. If the alleged violation also involves a violation of other provisions of the student disciplinary code, the violation will be handled in accordance with the applicable provision of the code. Additional restrictions may be placed on the use of the student's Internet account.

Limitation of Liability

The District makes no guarantee that the functions or the services provided by or through the District System will be error-free or without defect. The District will not be responsible for any damage you may suffer, including but not limited to, loss of data or interruptions of service. The District is not responsible for the accuracy or quality of the information obtained through or stored on the System.

The District will not be responsible for financial obligations arising through the unauthorized use of the System. *Parents can be held financially responsible for any harm to the System as a result of intentional misuse.*

COMPUTER INSTRUCTION

Computers shall be used in productive ways that relate clearly to the educational needs of students. Emphasis shall be placed on the use of the computer as a tool in the instructional process to help them write, calculate, solve problems, and gather information. The computer's role shall be expanded to that of an object of instruction. Elective classes at this level shall provide opportunity for programming and computer applications related to the world of work. Students at all levels shall have the opportunity to develop the skills necessary to function in and contribute to society.

Adopted: date of manual adoption

COMPUTER INSTRUCTION

District goals for computer education are:

- To utilize computers as tools in the instructional process and for the management of instruction.
- To develop skills necessary to apply appropriate computer applications pertinent to an information society.
- To develop an awareness and understanding of what computers can do effectively.
- To develop an awareness for future trends and applications of computers in society.
- To provide opportunities for intensive staff training in the use of computers in the educational setting.

IJOA

FIELD TRIPS

Field trips must be planned within the context of the school program and must be appropriate for the age level, grade level, and curriculum. Due to limitations imposed by local conditions, field trips may be limited by the Superintendent. All field trips must be specifically approved by the Superintendent long enough in advance so that arrangements can be made prior to the trip. Before any student is taken from the school grounds on a field trip, written permission must be obtained from the parents or legal guardians. Transportation shall be provided only by District approved conveyances, driven by authorized personnel.

In general, field trips shall be conducted within the normal school day and shall be limited to a distance of not more than seventy-five (75) miles one way from the school. Longer trips or overnight trips must have Governing Board approval. The District will not sponsor, approve, support, or encourage field trips that do not meet the criteria outlined in this policy, unless the Board gives approval after a presentation justifying the specific need for the exception.

Adopted: date of manual adoption

FIELD TRIPS**Purpose**

Student travel may be approved when the activity provides students with an educational experience directly related to the curriculum goals and objectives adopted by the Governing Board. The activity should supplement, extend, or enrich the instructional program in a manner not possible to achieve on campus.

General Information

Generally, no group shall be approved for more than one (1) out-of-state trip per year, and no activity should be repeated yearly for any given group of students.

Special conditions may require out-of -state travel to be approved by the Superintendent, subject to later review and ratification by the Board.

The District acknowledges that travel may be organized by individuals or groups that are not associated with or approved by the District. Employees of the District shall not engage in any such activities while acting within the scope of District responsibilities. Employees shall not use District communications or symbols or identify themselves as representatives of the District when organizing such travel.

Planning, fund raising, and commitments involving travel shall be kept to a minimum until appropriate administrative approval has been given.

The District does not encourage trips designed primarily for recreation, reinforcement, or recruitment purposes. Administrators are encouraged to conduct positive reinforcement activities on the school campus.

When students travel to take part in competitive events, participation shall be by invitation, schedule, or the result of performance in local competitions.

Students who have completed graduation requirements may travel as representatives of the District to approved activities. The graduated students shall meet all requirements of non-graduated students.

Approval Procedure

All requests for student travel must be received and approved by the appropriate administrator a minimum of ten (10) working days prior to the travel date. Any request for travel must be accompanied by information relating to:

- Destination.
- Purpose of the travel.
- Itinerary showing the dates and times of the activities.
- Financial requirements and the sources of the funds.
- Student data, including but not limited to number of participants, sex, grade level, and related course.
- Lodging and/or meal accommodations when necessary.
- Transportation.
- Substitute-teacher coverage.

Financing

Monies to fund student travel may be derived from student activities monies, personal funds, or District budget allocations. Student activities monies may be used to defray the cost of student travel.

- At the secondary level (grades 10 - 12), students may find it necessary to use personal funds to pay the difference between the allocation of student activities monies and the actual cost of the trip.
- Monies collected for student travel shall not be in excess of the projected cost of the trip and shall be deposited in the appropriate student activities monies account.

Pursuant to A.R.S. § 15-1241, funds may be accepted from the State Board of Education for the purpose of supporting student travel to national academic competitions.

Fund-raising activities for the purpose of financing local or extended student travel must be approved by the appropriate administrator. The appropriate administrator shall report all approved fund-raising activities to the Superintendent.

Instruction

Loss of instructional time for classes not associated with the travel activity shall be kept to a minimum. Extended student travel activities shall not exceed two (2) days while classes are in session. Exceptions may be approved by the Superintendent.

Participation in travel activities where students bear more than an incidental financial responsibility is voluntary. Students who choose not to participate shall be provided with other educational experiences when appropriate and should not be adversely affected in terms of course requirements, grades, or eligibility to participate in other activities.

Parent/Guardian Permission for Trips

It might be necessary to have on file a permission slip, signed by the parent/guardian, before a student may be permitted to participate in a travel activity. Please refer to Policy DOA for details.

Supervision

Adult supervision by certificated employees is required for all student travel.

Both male and female chaperons shall, in most cases, accompany mixed student groups on all overnight trips. Exceptions may be approved by the Superintendent.

A chaperon/student ratio of 1:10 is desirable.

Spouses, classified employees, parents/guardians, and other responsible adults may also serve as chaperons when approved by the appropriate administrator. Noncertificated chaperons shall receive direction from and be responsible to the certificated individual who is coordinating the activity.

The certificated employee coordinating the activity shall be responsible to maintain a file of parent/guardian permission forms until the activity is concluded.

All chaperons are expected to provide close supervision to students and to conduct themselves in a manner beyond reproach throughout the travel activity.

Transportation

In most instances, District buses and/or other District vehicles shall be used for in-state travel. Generally, District buses may not be used for out-of-state trips. Commercial transportation may be utilized if requested by the certificated employee responsible for supervision of the activity and approved by the appropriate administrator.

- Requests for District transportation shall be submitted to the office of the director of business/human resources at least fifteen (15) days prior to the date of the student travel. The request shall be signed by the certificated individual responsible for supervising the travel and the appropriate administrator. The request shall also include the account number or other source of funding for the travel.
- Requests for District transportation to support student travel may be denied if other District-identified needs are of a higher priority.

Normally, the use of school buses for local student travel is limited to the hours between 9:00 a.m. and 1:30 p.m. on Monday through Friday. Requests that deviate from this guideline must be approved by the appropriate administrator.

- Private vehicles owned and driven by District employees with valid drivers' licenses, or other private vehicles owned and driven by nonemployee adults with valid drivers' licenses, may be used as means of transporting students, upon approval by the appropriate administrator and the director of business/human resources. Prior to transporting students, the owner of the private vehicle shall have on file in the office of the appropriate administrator proof of a minimum liability coverage of \$100,000.00 - \$300,000.00.
- District employees must possess valid Arizona operators' licenses to transport students in District-owned cars or vans.

Students are expected to use District transportation when provided unless other arrangements are made by parents/guardians and approved by the appropriate administrator. Students may use personal vehicles to transport themselves to curriculum-related or extracurricular activities when there is valid justification, and only under the following conditions:

- Parents/guardians of students who drive must provide written permission, with justification, to the appropriate administrator for approval and the files.

No student shall be given permission by any employee to use said student's personal vehicle to leave campus for the purpose of securing class materials.

FIELD TRIPS

OVER 75 MILES ONE WAY/OVERNIGHT/

OUT-OF-STATE FIELD TRIP REQUEST

**MUST BE SUBMITTED TO THE PRINCIPAL NO LESS THAN SEVEN
(7) WORKING DAYS PRIOR TO THE BOARD MEETING**

Group _____ Related Course _____

Event _____

Location _____ Dates of travel _____

Certificated supervisor of travel _____

Purpose as related to educational goals and objectives _____

Total number of students traveling:

_____ Male _____ Female Chaperon/student ratio: _____

Itinerary

Departure from _____ Day/date/time _____

Return to _____ Day/date/time _____

Approximate miles to destination _____

Total days away _____ Total school days away _____

Financial Requirements

Total cost per student _____ Total cost paid by student account _____

Student activity accounts number(s) from which expenses will be paid _____

Lodging

Name of hotel/motel _____

Address _____ Phone # _____

Transportation

District vehicle: ___ Bus ___ Van ___ Car

Commercial transportation _____

Contact person _____ Phone # _____

Private vehicle type _____ License plate # _____

Registered to _____ Driver's license # _____

Operator of a private vehicle must have on file with the unit administrator proof of a minimum \$100,000 - \$300,000 liability coverage.

Attachments

1. List of chaperons, their positions, travel costs, and funding source (list if only one). _____

2. Itinerary showing dates, times, and activities.

- 3. Brochures and other information.
- 4. Individual teacher travel requests.
- 5. Student organization minutes approving expenditure of student funds.
- 6. Substitute teacher required? 0 Yes 0 No.
- 7. Name of substitute teacher, if known _____

Date submitted to principal _____

Signature of certificated supervisor of travel _____

Date _____

Approval

	Approved	Not Approved	Date
Principal	_____	_____	_____
Superintendent	_____	_____	_____
Governing Board	_____	_____	_____
Administrative Response	_____		

IJOB

COMMUNITY RESOURCE PERSONS/SPEAKERS

The District recognizes that one of the greatest resources of the school is to be found in the people of the community who have special knowledge and particular talents to contribute to the school program. Therefore, the use of community resources and citizens to serve in furthering the educational program is encouraged. Staff members should study the needs of the school, survey the resources available in the school community, weigh their probable usefulness, and then present to a Program Director or Central Administration for approval any staff-developed plans for using those community resources. The Program Director or Central Administration will consider all such plans, on both their merit and their implications, as if they were to be carried out throughout the District. Use of outside personnel and resources would be under procedures authorized by the Program Director or Central Administration.

Adopted: November 13, 2008

Revised: October 10, 2022.

IJOC

SCHOOL VOLUNTEERS

Volunteers can make many valuable contributions to the students and educational programs of the District. A volunteer program is approved subject to suitable rules, safeguards, and regulations as developed by the Superintendent.

The Superintendent shall promote appropriate annual recognition of volunteer services.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-3716, 15-512, 23-901.06

CROSS REF.: GCFC - Professional Staff Certification and Credentialing Requirements
(fingerprinting requirements)

GDFA - Support Staff Qualifications and Requirements
(fingerprinting requirements)

SCHOOL VOLUNTEERS***General guidelines for volunteers:***

- Volunteers shall not replace paid school staff members. The presence of volunteers does not mean that fewer employees shall be hired.
- Volunteers, in all instances, shall work under the direct supervision of school personnel. When volunteers work directly with students, the activities shall be under the direct supervision of a teacher or administrator.
- Because school personnel are responsible for the instruction, safety, and discipline of students, there are several tasks that are not to be performed by volunteers. Volunteers shall not provide the curriculum or the teaching plan, diagnose student needs or evaluate achievement, or counsel or discipline students. Volunteers shall not have access to student cumulative records.
- New community volunteers (those who do not currently have students attending school) are required to complete a screening form before consideration is given for volunteer positions in the District. This process includes a reference check.

The director of business/human resources shall:

- Publicize needs for, recruit, and identify volunteers.
- Conduct appropriate orientation and in-service training programs and help volunteers to feel and become part of the District by providing information, advice, and assistance.
- Assist the school and offices in locating individuals who possess special talents and abilities needed by the school.
- Periodically report to the Superintendent and the Governing Board regarding progress and problems of community participation, and recommend appropriate steps to ensure optimum benefit by community participants in school programs.

The District will comply with A.R.S. § 15-512.

REPORT CARDS/PROGRESS REPORTS

Student Progress Reports

It is essential that students' progress in school be fully communicated to their parents.

The school will report students' progress to the students and to their parents or guardians as appropriate. 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. The Superintendent will develop progress report forms or cards in accordance with this policy.

The following specific requirements are established:

- Parents will be informed regularly, and at least four times a year, as to the progress their children are making in school.
- Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration. The progress of all students will be reviewed at the midpoint of each grading period.
- Insofar as possible, distinctions will be made between a student's attitude and academic performance.
- At comparable levels, the school will strive for consistency in grading and reporting except as this is inappropriate for certain classes or certain students.
- When no grades are given but evaluation is made informally in terms of the student's own progress, such evaluation will be a realistic appraisal of the skills developed by the student.
- When grades are given, school staff members will take particular care to explain to parents the meaning of marks and symbols as they apply to student achievement.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-709, 15-746, 15-767

IKACA

PARENT CONFERENCES

Parent/teacher conferences may be conducted. The Superintendent will establish procedures for such conferences. In addition to scheduled opportunities, parents shall have opportunities to arrange conferences with teachers at other times during the year.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-901

CROSS REF.: IKAB - Report Cards/Progress Reports

HOMEWORK

The development of study skills and self-discipline are integral and indispensable elements of a quality educational process.

Homework should be assigned consistent with the maturity, special needs, potential, and achievement level of the individual student. It should not carry the stigma of punishment. Its assignment should be specifically addressed to the objectives of the instructional program, and, in addition, students should develop responsibility for actively pursuing knowledge without immediate supervision outside as well as within the classroom.

Students, regardless of their intellectual capacity, should understand that mastery of skills is not always possible within the time constraints of the classroom. Each student should leave the District with a firm foundation for pursuing knowledge and developing skills on an independent basis.

The Superintendent is responsible for procedures that will achieve objectives through homework, including, but not limited to, the following:

- Intervention that changes deficient performance to performance that meets acceptable standards.
- Reinforcement and mastery of critical skills and concepts. Special emphasis will be placed on the mastery of basic skills.
- Challenge through exploration of concepts and skills that complement and elaborate those introduced in the classroom.
- Feedback from the teacher through correction and clarification of all outside assignments.

Adopted: date of manual adoption

ILE

EVALUATION OF INSTRUCTIONAL PROGRAMS

The District shall maintain an instructional improvement system for the purpose of evaluating the effectiveness of existing programs. The purposes of the evaluation process shall:

- Provide data for improving program content and process.
- Determine if the staff is meeting expectations as prescribed in the Arizona Revised Statutes, State Board of Education policies and regulations, and District Governing Board policies and administrative regulations.
- Determine if the District is meeting program expectations.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-321

IMA

TEACHING METHODS (Lesson Plans)

The Board considers written lesson plans a useful tool to ensure continuity of instruction.

The Superintendent shall establish procedures that set forth the requirements for lesson plans and for their preparation and review. Such procedures shall reflect current standards of the profession and shall have as their primary objective the best possible educational program for the students of the District.

To facilitate more effective instruction, lesson plans should be prepared sufficiently in advance of the class presentation to allow plan books to be inspected and compared to the guidelines established by the Superintendent.

Teachers shall make thorough preparation for all daily lessons and shall prepare their plans to reflect such preparation.

Adopted: date of manual adoption

**TEACHING METHODS
(Lesson Plans)**

Guidelines for the implementation of this administrative regulation shall include:

- Lesson plans shall be developed and shall reflect the scope and sequence of the courses of instruction. Acceptable alternatives may be approved by the Program Director or Central Administration.
- Lesson plans should include information pertinent to the effective implementation of a lesson. When commercially prepared plans are in use, lesson plans may simply refer to the appropriate aspects of such plans.
- While instructors are required to be thoroughly prepared for each daily lesson, plans may be prepared for each lesson or on a long-term basis (i.e., unit of work), whichever is most appropriate. Material to be used in a lesson(s), such as duplicated material, cassette tapes, films, filmstrips, transparencies, may serve as an integral part of the plan.
- Lesson plans for individualized programs should be consistent with the general overview and purpose of the instructional program. The progress of individual student(s) must be a consideration in the plan.
- Instructors are to provide adequate directions for substitutes, the purpose of which shall be to continue, if possible, the ongoing program or, if more appropriate, a meaningful educational alternative that relates to the subject area.
- Copies of lesson plans must be available for substitute instructors.

IMB

TEACHING ABOUT CONTROVERSIAL/SENSITIVE ISSUES

Democratic tradition often involves dealing with controversial issues. Knowledge and understanding of such issues are an indispensable part of education.

The teacher holds a position of authority and respect in the classroom and community, and by virtue of that position has great influence in the formation of the values of all students. It must be clear that personal views are not a part of the instructional program and must be tempered by the responsibility to maintain professionalism.

To ensure that controversial issues are dealt with fairly and objectively, and with instruction as their goal, such issues may be a part of the curriculum as long as the following policies are observed:

- Teachers should instruct students in the principles and techniques of the scientific method and provide opportunities for practice in applying established facts to specific problems.
- Teachers should seek to develop in students the ideals of truth and honesty.
- All personnel should seek to create an atmosphere in which difference of opinion can be voiced without fear and hostility and with mutual respect for all viewpoints.
- Constitutional guarantees of due process and freedom of speech will continue to be observed as to students and teachers alike when they are involved in a controversial issue.
- Teachers should encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined, and checked for accuracy.
- Teachers should seek to develop in students a sense of responsibility for their beliefs, opinions, attitudes, and actions.
- Teachers should place major emphasis upon “why” and “how” to think rather than “what” to think.

No district employee may use public monies for or allow instruction that presents any form of blame or judgment on the basis of race, ethnicity, or sex as defined in A.R.S. § 41-1494(D).

Adopted: date of manual adoption

Revised: August 23, 2021

LEGAL REF.: A.R.S. §§ 41-1494(D) and 15-111

IMDB

FLAG DISPLAYS

The school shall display the American flag and the Arizona state flag in appropriate locations.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-506

IMG

ANIMALS IN SCHOOLS

The Superintendent may establish procedures for appropriately and humanely bringing live animals into a classroom. Such procedures shall forbid the transporting of live animals on school buses.

Seeing-eye and service dogs are permitted on school buses and in classrooms to perform the functions for which they are trained. A dog's laminated identification card may be requested for verification.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 11-1024

A.A.C. § R17-9-104

ANIMALS IN SCHOOLS

Animals may be brought into the classroom for educational purposes. However, they must be appropriately and humanely cared for and properly handled. Any person who wishes to bring an animal into the classroom must receive prior permission from the Superintendent.

The following guidelines shall apply to animals in the schools:

- Prior to granting permission, teachers should check with the school first-aid employee regarding any known allergies among students in the classroom. If allergies exist, parents must be contacted for further direction.
- Animals shall not be transported on school buses.
- Teachers must assume primary responsibility for the humane and proper treatment of any animals in the classroom.
- Only the teacher or students designated by the teacher are to handle the animals.
- If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety.
- Staff members or students who have been bitten by an animal shall report such incident to a campus administrator and the first-aid employee immediately. The Superintendent should notify the public health authorities if the injury merits medical follow-up. Public health authorities should determine the appropriate action and period of confinement for an animal if an injury results. Any animal involved in a serious injury must be impounded until authorization for release is granted by health authorities.
- Animals shall be retained in containers appropriate to minimize the potential for endangering the health and safety of individuals.
- Animals shall have a direct relationship to the District's approved curriculum.
- Animals shall be handled in a manner so as to minimize the potential for legal liability in the event of an injury to a student or an adult.

Animals owned by the District are the legal responsibility of the employees assigned the responsibility for their use and care. The use of animals from other sources shall not be encouraged. However, if used, the above criteria must be satisfied.

Any time animals or insects are used in classrooms, students and others involved shall be instructed as to restrictions, limitations, and/or dangers in their handling and care.

IMH

CLASS INTERRUPTIONS

The Superintendent shall establish regulations limiting class interruptions, with particular emphasis on use of communication devices and interruptions by salespersons or visitors.

Adopted: date of manual adoption

CLASS INTERRUPTIONS

It will be the responsibility of the Program Director to limit the clerical duties of classroom teachers as much as possible and to reduce, to a minimum, interruptions of classroom programs. Instructors should not be called out of their classrooms for telephone calls, salespersons, or visitors. Exceptions may be made in emergencies. The classroom setting shall not be interrupted by the use of the interschool communication system unless authorized by the Program Director.

STUDENT POLICIES GOALS/PRIORITY OBJECTIVES

The Superintendent will establish an environment conducive to the best learning achievement for each student through meeting the following goals:

- To individualize the learning program in order to provide appropriately for each student.
- To protect and observe the legal rights of students.
- To enhance the self-image of individual students through helping them feel respected and worthy, and through a learning environment that provides positive encouragement.
- To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
- To deal with students in matters of discipline in a just and constructive manner.
- To provide, in every way feasible, for the safety, health, and welfare of students.
- To promote regular attendance and good work.

Adopted: date of manual adoption

EQUAL EDUCATIONAL OPPORTUNITIES

The right of a student to participate fully in classroom instruction shall not be abridged or impaired because of race, color, religion, sex, age, national origin, and disability, or any other reason not related to the student's individual capabilities.

The right of students to participate in extracurricular activities shall be dependent only upon their maintaining the minimum academic and behavioral standards established by the Board and their individual ability in the extracurricular activity.

Adopted: November 13, 2008

LEGAL REF.: 20 U.S.C. § 794, Rehabilitation Act of 1973, Section 504
20 U.S.C. § 1401, 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
20 U.S.C. § 2000, Civil Rights Act of 1964, as amended in 1972,
Title VI, Title VII
Arizona Constitution, Act XI, Sec. 6

CROSS REF.: AC - Nondiscrimination
ACA - Sexual Harassment
GBA - Equal Employment Opportunity
KED - Public Concerns/Complaints about Facilities or Services

STUDENT VIOLENCE/HARASSMENT/INTIMIDATION/BULLYING

It is District policy to strive for a learning environment for students that is free from harassment. The District will take appropriate and effective actions, within defined legal parameters, to achieve this goal.

If a student believes he or she has been subject to harassment under this policy, the student should report the behavior to a teacher, counselor, or school administrator. For the purpose of this policy harassment may, depending on all the circumstances, be defined as:

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

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

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

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

Cyber-bullying:

Cyber-bullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other internet communications, on school computers, networks, forums and mailing lists, or other District-owned property, and by means of an individual's personal electronic media and equipment. Cyber-bullying may include threats, hate speech, ridicule or posting false statements to humiliate a student.

Harassment:

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

Intimidation:

Intimidation is intentional behavior by a student, or group of students, that places another student, or group of students, in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media. "Bullying" as used in this policy refers to "harassment, intimidation, and bullying."

Prohibitions and Discipline

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

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

Reporting Incidents of Bullying

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

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

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

If a bullying incident is reported, the administration shall provide to the student who has allegedly been bullied a written copy of student rights, protections and support services available to the student and shall notify the student's parent(s) of the report.

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.

Investigating Incidents of Bullying

The administration shall investigate all reports of bullying. If the Program Director

JBB

determines that bullying has occurred, discipline will be administered pursuant to Board Policies. The administration will meet with the alleged victim on completion and disposition of the investigation to review the findings of the investigation and, if bullying has occurred, notify the victim of the action taken. Regardless of the outcome of the investigation, the Program Director will meet with the alleged perpetrator to review the findings of the investigation and, if bullying has occurred, notify the perpetrator of the discipline that will be administered.

Subject to the restrictions of the Family Educational Rights and Privacy Act

(FERPA) set out in policy JR, the parent(s) or guardian(s) of the involved students shall also be informed of the findings of the investigation.

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

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.

Documentation of all incidents reported pursuant to this policy shall be maintained by the District for not less than six (6) years. In the event the District provides documentation of reported incidents to persons other than school officials or law enforcement, all individually identifiable information shall be redacted. Restrictions established by FERPA on disclosure of personally identifiable student information must be observed at all times.

Disseminating Information on Bullying

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

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

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

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

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

Adopted: December 12, 2011

Revised: October 10, 2022

HARASSMENT OF STUDENTS**Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or to have been the victim of unlawful discrimination by an employee or student of the District, or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Governing Board.

Complaint Procedure

The District is committed to investigating each complaint and to taking appropriate action on all confirmed violations of policy. The Superintendent shall investigate and document complaints filed pursuant to this regulation as soon as reasonable. In investigating the complaint, the Superintendent will maintain confidentiality to the extent reasonably possible. The Superintendent shall also investigate incidents of policy violation that are raised by the Governing Board.

If after the initial investigation the Superintendent has reason to believe that a violation of policy has occurred, the Superintendent shall determine whether to hold an administrative hearing and/or to recommend bringing the matter before the Board. If there is reason to believe that the Superintendent has violated policy, the complaint shall be made to the President of the Governing Board.

If the person alleged to have violated this regulation is a student, the due process provisions of the District's policy JK shall apply. If the person alleged to have violated this regulation is a teacher or administrator, the due process provisions of the District's policy GCQF shall apply, except that the supervising administrator may be assigned to conduct the hearing. In cases of serious misconduct, dismissal or suspension proceedings in accordance with A.R.S. § 15-539 *et seq.* may be initiated. If the person alleged to have violated this regulation is a classified employee, the Superintendent may impose discipline under Policy GDQD if the evidence so warrants. The Superintendent also may impose a suspension without pay, or recommend dismissal, or other appropriate discipline.

If the Superintendent's investigation reveals no reasonable cause to believe that this regulation has been violated, the Superintendent shall so inform the complaining party in writing.

Timelines

The complaint must be filed within thirty (30) calendar days after the complaining party knew or should have known that there were grounds for a complaint/grievance.

Once the written complaint has been filed using the forms provided by the District, the Superintendent shall require the immediate supervisor or site administrator to investigate and respond in writing to the complaining party within five (5) working days.

If the immediate supervisor or site administrator does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Governing Board. The Governing Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. **Name of Reporter/Person Filing the Report:** _____
(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report.)

2. Check whether you are the: **Target of the behavior** ☐ **Reporter (not the target)** ☐

3. Check whether you are a: ☐ **Student** ☐ **Staff member (specify role)** _____
☐ **Parent** ☐ **Administrator** ☐ **Other (specify)** _____

Your contact information/telephone number: _____

4. If student, state your program: _____ Grade: _____

5. If staff member, state your work site: _____

6. **Information about the Incident:**

Name of Target (of behavior): _____

Name of Aggressor (Person who engaged in the behavior): _____

Date(s) of Incident(s): _____

Time When Incident(s) Occurred: _____

Location of Incident(s) (Be as specific as possible): _____

7. **Witnesses** (List people who saw the incident or have information about it):

Name: _____ Student Staff Other _____

Name: _____ Student Staff Other _____

Name: _____ Student Staff Other _____

8. Describe the details of the incident including names of people involved, what occurred, and what each person did and said, including specific words used. Please use additional space on back if necessary.

FOR ADMINISTRATIVE USE ONLY

9. **Signature of Person Filing this Report:** _____ **Date:** _____
(Note: Reports may be filed anonymously.)

10: **Form Given to:** _____ **Position:** _____ **Date:** _____

Signature: _____ **Date Received:** _____

1. Investigator(s): _____ Position(s): _____
2. Interviews:
- | | | |
|--|-------------|-------------|
| <input type="checkbox"/> Interviewed aggressor | Name: _____ | Date: _____ |
| <input type="checkbox"/> Interviewed target | Name: _____ | Date: _____ |
| <input type="checkbox"/> Interviewed witnesses | Name: _____ | Date: _____ |
| | Name: _____ | Date: _____ |
3. Any prior documented incidents by the aggressor? ☐ Yes ☐ No
- If yes, have incidents involved target or target group previously? ☐ Yes ☐ No
- Any previous incidents with findings of BULLYING, RETALIATION ☐ Yes ☐ No

Summary of Investigation:

(Please use additional paper and attach to this document as needed)

III. CONCLUSIONS FROM THE INVESTIGATION

1. Finding of bullying or retaliation:

☐ YES

- ☐ Bullying
- ☐ Retaliation

☐ NO

- ☐ Incident documented as _____
- ☐ Discipline referral only _____

2. Contacts:

- ☐ Target's parent/guardian Date: _____
- ☐ Law Enforcement Date: _____
- ☐ Aggressor's parent/guardian Date: _____

3. Action Taken:

- ☐ Loss of Privileges ☐ Detention ☐ Suspension
- ☐ Community Service ☐ Education ☐ Other _____

4. Describe Safety Planning: _____

Follow-up with Target: scheduled for _____ Initial and date when completed: _____

Follow-up with Aggressor: scheduled for _____ Initial and date when completed: _____

Report forwarded to Program Director: Date _____ Report forwarded to Superintendent: Date _____

(If Program Director was not the investigator)

Signature and Title: _____ Date: _____

HARASSMENT OF STUDENTS COMPLAINT FORM

(To be filed with the compliance officer)

Please Print:

Name: _____ Date: _____

Address _____

Telephone _____ EVIT Class _____

Incident information:

This incident involved: (check all that apply)

_____ Sexual harassment	_____ Harassment about race, ethnicity, or color
_____ Harassment about religion	_____ Harassment about gender
_____ Harassment about disability	_____ Harassment about sexual orientation

Date and location of alleged incident: _____

Name of the person you believe did the harassing: _____

Describe the incident as clearly as you can. Use specific words or actions you heard or observed. List any witnesses (attach additional sheets if necessary):

I hereby certify that the information I have provided in this complaint is true, correct and complete to the best of my knowledge.

Complainant's signature _____ Date _____

Received by _____ Date _____

STUDENT ATTENDANCE

The parent or guardian is charged by law with responsibility for the student's consistent school attendance. The Superintendent will enforce the laws regarding attendance, with consideration for the variables that affect children and families. The Superintendent will place emphasis on the prevention and correction of the causes of absenteeism.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-346, 15-771, 15-802, 15-804 to 15-807, 15-826, 15-843,
15-872, 15-873

CROSS REF.: JH - Student Absences and Excuses

STUDENT ATTENDANCE

Attendance Records

Each time a class meets, the teacher shall check and formally record the attendance of all students assigned to the class. The name of any absent student shall be entered on the prescribed attendance/absence report and be submitted to the office.

A master list of student absences will be prepared daily from attendance reports received in the office.

The school administrator is accountable for assuring that accurate and timely daily records of student membership and attendance are maintained.

ENTRANCE AGE REQUIREMENTS

Special Preschool

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. If otherwise eligible, 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. The Superintendent shall make such determination based upon one (1) or more consultations with parent(s), guardian(s), the child, and the multidisciplinary placement team.

Kindergarten and First Grade

For admission to kindergarten, children must be five (5) years of age prior to September 1 of the current school year. 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. 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.

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

The Board may admit children who have not reached the required age as prescribed above if it is determined to be in the best interest of the children, and such children must reach the required age of five (5) for kindergarten and six (6) for first grade by January 1 of the current school year.

For a child who has not reached six (6) years of age (five [5] for kindergarten) before September, the determination of whether to admit shall be based upon one (1) or more consultations with the parent(s) or guardian(s), the child, the teacher, the school principal, and/or professional consultants.

When a child who has not reached age five (5) prior to September 1 was admitted for early enrollment in kindergarten, and the child then repeats kindergarten in the following year, the District is not eligible to receive basic state aid for the child's second year. When a child who has not reached age five (5) prior to September 1 was admitted for early enrollment in kindergarten but does not remain enrolled the District may receive a portion of basic state aid on behalf of that child in the subsequent year. The District may charge tuition for any child who is ineligible for basic state aid pursuant to A.R.S. § 15-821.

High School

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

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 under the following conditions:

- The student must meet 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.

The Superintendent will develop procedures for the student to demonstrate competency in the standards adopted by the State Board of Education.

Residency Verification

In accordance with guidelines and forms adopted by the Arizona Department of Education the District shall require and maintain verifiable documentation of residency in the State of Arizona for pupils who enroll in the District.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. § 15-701, 15-701.01, 15-703, 15-766, 15-771, 15-821, 15-901,
15-901.02, 15-767

A.A.C. § R7-2-301

CROSS REF.: JF - Student Admissions

JHD - Exclusions and Exemptions from School Attendance

JLC - Student Health Services and Requirements

STUDENT ADMISSIONS

Over Twenty -Two (22) Years of Age or Older

A person over twenty-two (22) years of age may be admitted on a tuition basis contingent upon satisfactory completion of the admission process, availability of classroom capacity, and satisfaction of the following conditions:

- Applicants must:
 - Submit a copy of their official high school transcript with proof of high school graduation; or
 - Submit a copy of their general education diploma (GED) or GED transcript. If there is no high school diploma or GED, they must enroll at the same time in a GED preparatory program.
 - Submit a signed permission slip and agreement to permit a background check of prior residency and any criminal activity, certifying 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 criminal offenses listed in Arizona or similar offenses in any other jurisdiction. Admission may be denied or attendance terminated if a record contradicting the statement given is found.
 - Each applicant must meet the academic eligibility prerequisites for any program for which they may apply as established and applied uniformly to all admitted students.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. § 15-828

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

CROSS REF.: IKEB - Acceleration

JFAA - Admission of Resident Students

JFAB - Admission of Nonresident Students

JFABD - Admission of Homeless Students

JFB - Open Enrollment

JG - Assignment of Students to Classes

and Grade Levels JLCB - Immunizations of Students

JLH - Missing Students

JR - Student Records

JRCA - Request for Transfer of Records

STUDENT ADMISSIONS

Name _____

Date of Birth _____

I, _____, being duly sworn, do hereby certify that I have never been convicted of or admitted in open court or pursuant to a plea agreement committing, and am not now awaiting trial for committing, any of the following criminal offenses in the state of Arizona or similar offenses in any other jurisdiction:

Sexual abuse of a minor	Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs
Incest	Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs
First- or second-degree murder	Burglary in the first degree
Kidnapping	Burglary in the second or third degree
Arson	Aggravated or armed robbery
Sexual Assault	Robbery
Sexual exploitation of a minor	A dangerous crime against children as defined in A.R.S. 13-604.01
Felony offenses involving contributing to the delinquency of a minor	Child Abuse
Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute	Sexual conduct with a minor
or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs	Molestation of a child
	Manslaughter
	Assault or Aggravated assault
	Exploitation of minors involving drug offenses

Signature _____

Date signed _____

Subscribed, sworn to, and acknowledged before me by

_____, this _____ day of _____, 20__.

in _____ County, Arizona.

My Commissions Expires _____

Notary Public _____

JFAA

ADMISSION OF RESIDENT STUDENTS

A student who is a resident of the Career and Technical Education District, is under twenty-two (22) years of age, is registered in a public high school within the District, and meets other prerequisites shall be admitted without payment of tuition to the school.

The following students are residents of the District:

- 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.
- 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.
- A student who is 18 years of age or older and whose place of residence is in the District.
- A student who is homeless, and who attended a school in the District at the time of becoming homeless.

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 may include, without limitation, landlord - tenant agreements, rent receipts, and receipts for utility payments.

Adopted: September 13, 2004

LEGAL REF.: A.R.S. §§ 15-816 *et seq.*, 15-821 to 15-824,
42 U.S.C. § 11301 McKinney-Vento Homeless Assistance Act of 2001

CROSS REF.: IKEB - Acceleration
JFAB - Admission of Nonresident Students
JFABD - Admission of Homeless Students
JFB - Open Enrollment
JG - Assignment of Students to Classes and Grade Levels
JLCB - Immunizations of Students
JLH - Missing Students
JR - Student Records
JRCA - Request for Transfer of Records

JFAB

TUITION/ADMISSION OF NONRESIDENT STUDENTS

For purposes of open enrollment, a "nonresident pupil" means a student who resides in this state and who is enrolled in or is seeking enrollment in the high school of a district other than the high school of a district in which the student resides. A student who is not a resident of the East Valley Institute of Technology (EVIT) District but is a resident of Arizona and who is admitted to the high school of an EVIT attendance district under open enrollment established by state law and District policy shall be admitted to EVIT without payment of tuition.

A person over twenty-two (22) years of age may be admitted on a tuition basis contingent upon satisfactory completion of the admission process, availability of classroom capacity, and satisfaction of admission criteria.

"Residence" Defined

The residence of a student 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. Documentation of residency may include, but is not limited to, landlord-tenant agreements, rent or lease receipts, and receipts for utility payments.

Adopted: September 13, 2004

LEGAL REF.: A.R.S. §§ 8-201, 15-816 through 15-816.07, 15-823, 15-825
42 U.S.C. § 11301 McKinney-Vento Homeless Assistance Act of 2001

CROSS REF.: IKEB - Acceleration
JFABD - Admission of Homeless Students
JFB - Open Enrollment
JG - Assignment of Students to Classes and Grade Levels
JLCB - Immunizations of Students
JLH - Missing Students
JR - Student Records
JRCA - Request for Transfer of Records

JFAC

TUITION AND FEE REFUNDS

TUITION

The District will automatically refund tuition to any tuition-paying student for the following reasons at the following rates:

Reason	Refund
Class is cancelled	100%
Student withdraws within 10 calendar days of the start class	100%
Student withdraws after the first half of the course	0%
Student is called to active military duty	100%
Student withdraws due to hardship	Prorated

Failing to attend class does not entitle a student to a refund.

Any amounts student may owe the District will be deducted from the refunded amount.

PROCEDURE

To withdraw for any reason a student must complete a Withdrawal Request Form and submit it to their Program Director with supporting documentation, if necessary. The Withdrawal Request Form can be found in Board Policy JFAC-A and the Student Handbook. The Program Director will meet with the student. If after meeting with the student, the student still wants to withdraw, the Program Director will forward the Withdrawal Request Form to the Admissions Office. For high-school students, the Program Director must also complete the State of Arizona Official Notice of Pupil Withdrawal Form. See Board Policy JFAC-B. The Admissions Office will notify the Financial Aid Office of the withdrawal. The Financial Aid Office will automatically issue a refund within 45 days of the withdrawal request. Students do not need to request a refund.

FEES

Supply and Uniform fees, less \$100, will only be refunded if the student submits a Request to Withdraw Form before the 10th calendar days of the start of class.

Fees for consumable supplies and books will not be refunded once the student receives them.

Registration, parking, and student ID fees are non-refundable.

HARDSHIPS

Hardships include:

- a doctor verified serious illness
- serious illness or death in the family,
- involuntary change in residence or job transfer,
- divorce, or
- unexpected loss of income.

JFAC

GRIEVANCES

A student may appeal any adverse decision by following the District's grievance procedures in Board Policy JII and JII-R.

FEDERAL FUNDING

If a student has received Title IV Federal Financial Aid, the student may have to repay the funding received. The District is required to return unearned federal funding to the U.S. Department of Education. Students will be billed for the portion the District must return.

Adopted: December 13, 2021

WITHDRAWAL REQUEST FORM

To withdraw from a course, this form must be filled out completely. The student must obtain the instructor's signature indicating that all EVIT owned materials, tools, and equipment have been returned in undamaged condition. Student will then submit the form to the student's Program Director, who will schedule a meeting with the student.

If the student is a high school student, Program Director must also complete the state's Official Notice of Pupil Withdrawal Form. See Board Policy JFAC-B.

If the student is due a tuition refund, the refund will be processed automatically and paid out within 45 days of submission of this form to the Program Director. Refunds will be processed according to Board Policy JFAC.

If a student withdraws intending to transfer to another course, the student must also comply with the Withdraw for Program Transfers procedure in the student handbook. Transfers must be initiated before the third day of class.

 Student's Name

 Date of birth

 Program/Course Number & Title

 EVIT Student ID #

 Instructor's Signature

 Date EVIT property returned

 Program Director's Signature

 Date submitted
REASON FOR WITHDRAWAL

- ☐ Transferring to another course
- ☐ Personal issues
- ☐ Course content not what was expected
- ☐ Family emergency
- ☐ Class schedule conflicts with work schedule
- ☐ No transportation
- ☐ Serious medical issue
- ☐ Moving out of district
- ☐ Military, called to active duty
- ☐ Other _____

 Student's Signature

 Date

 Parent's or Guardian's Signature
(If student is under age 18)

 Date

Arizona
Department of Education

GUIDELINES &
PROCEDURES

SUBJECT: Pupil Withdrawal & LEA Compliance Audit

I. PURPOSE

The purpose of this guideline is to establish pupil withdrawal and LEA compliance in the Arizona Department of Education (the “Department of Education” or “the department”).

II. GUIDELINE

This guideline applies to any local education agency, school district, charter school, or any other entity in the Department of Education.

- a. Pursuant to A.R.S. § 15-239(A)(1), the Department of Education may monitor school districts to ascertain that laws applying to school districts are implemented as prescribed by law.
- b. Pursuant to A.R.S. § 15-827(A), (B), a pupil who enters a school shall present to the Program Director of the school a properly executed withdrawal form if such pupil previously attended another school in this state. The withdrawal form shall be prepared and distributed by the office of the superintendent of public instruction.
- c. Pursuant to A.R.S. § 15-1042 (H), student information shall include reasons for the withdrawal if reasons are provided by the withdrawing pupil or the pupil's parent or guardian.

In order for the Department of Education to ensure that laws applying to schools are implemented as prescribed by law, the Department of Education hereby establishes pupil withdrawal and LEA compliance guidelines and may conduct pupil withdrawal and LEA compliance audits. The audit shall be conducted on-site and/or electronically at any time. Upon request, the Department of Education may copy records, including all paper, electronic and other records relating to pupil withdrawal. All records requested shall be retained in their original form by the LEA.

Any local education agency, school district, charter school, or any other entity within the department shall cooperate with and make its administrators, teachers, staff, facilities and resources available for the purpose of providing data requested by the Department of Education.



Official Notice of Pupil Withdrawal

Student Information																			
1. Student's Legal Last Name		2. Student's Legal First Name		3. Middle Name															
4. Sr/Jr/2 nd /3 rd																			
5. State Student ID	6. School Student ID	7. Grade Level	8. Gender <input type="checkbox"/> Male <input type="checkbox"/> Female	9. Date of Birth (mm/dd/yyyy) / /															
10a. Primary Withdrawal Type Select the following that best describes why the student is withdrawing from school: <ul style="list-style-type: none"> <input type="checkbox"/> WD Demoted to the previous grade level during the current school year <input type="checkbox"/> WK Transferred to another calendar track within the same school <input type="checkbox"/> WP Promoted to the next grade level during the current school year <input type="checkbox"/> W1/S1 Transferred to another school in state <input type="checkbox"/> S99 Student transferred to another school within this district during summer <input type="checkbox"/> W21/S21 Transferred to attend school out of state <input type="checkbox"/> W22/S22 Transferred to attend school in another country <input type="checkbox"/> W2 Withdrawal due to chronic illness <input type="checkbox"/> W3 Expelled or long-term suspension <input type="checkbox"/> W4/S4 Attendance record showing 10 consecutive days of unexcused absence or status unknown <input type="checkbox"/> W5/S5 Dropout - no intention of completing necessary requirements for diploma <input type="checkbox"/> W6/S6 Age out (Older than 22 years of age or younger than 6 years of age) <input type="checkbox"/> W7/S7 Met all high school graduation requirements and awarded diploma <input type="checkbox"/> W15 Met all requirements for Grand Canyon Diploma and awarded diploma <input type="checkbox"/> W8/S8 Deceased <input type="checkbox"/> W9/S9 Transfer to be home taught <input type="checkbox"/> W10/S10 Transferred to a state detention or correctional facility <input type="checkbox"/> W11/S11 Withdrawal to obtain GED <input type="checkbox"/> W12/S12 Transfer to vocational or technical school which does not award HS diploma <input type="checkbox"/> W13/S13 Completion of a course of study at CTED before or after graduation <input type="checkbox"/> W17 Received GCD; no longer enrolled full-time in AZ public university <input type="checkbox"/> W18 Received GCD; no longer enrolled full-time in AZ community college <input type="checkbox"/> W14 Met all requirements but not awarded GCD; continuing in high school <input type="checkbox"/> W19/S19 Eligible for GCD; student is no longer enrolled in a full-time CTE program <input type="checkbox"/> W20 Awarded GCD; post GCD participation unknown or ineligible 			10b. Additional Withdrawal Reason (Optional) Select one of the following only if applicable: <ul style="list-style-type: none"> <input type="checkbox"/> WR1 School identified for Federal School Improvement¹ <input type="checkbox"/> WR2 School identified as persistently dangerous¹ <input type="checkbox"/> WR3 Individual Transfer Option (victim of a violent criminal offense)¹ <input type="checkbox"/> WR4 Pregnancy / Biological Parent of a Child² <p>¹ In accordance with No Child Left Behind and State Board of Education Policy</p> <p>² In accordance with A.R.S. §15-1042(H)</p> <p><u>Note for WR1 and WR2</u> If a school does not have this designation, or if a student transfers to another school with the same designation, then this withdrawal reason is invalid</p>																
11a. Data in SMS Added by: (initials)		11b. Date Added (mm/dd/yyyy) / /		11c. Last Day of Attendance or Summer Withdrawal Date (mm/dd/yyyy) / /															
12. Parent/Guardian Signature		13. Student Signature (if applicable)		14. Date (mm/dd/yyyy) / /															
Information is certified correct according to School records																			
15. School	16. District /Charter # (CTD)	17. School # (S)	18. Withdrawal Code (based on 10a.)																
19. School Official Signature			20. Date (mm/dd/yyyy) / /																
Note: If parent or guardian is unable to sign this form, the school district should indicate the reason the signature was not obtainable.																			
21. SPEDⁱ Check all that apply. <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> A</td> <td><input type="checkbox"/> HI</td> <td><input type="checkbox"/> MOID</td> <td><input type="checkbox"/> PSD</td> <td><input type="checkbox"/> SLI</td> </tr> <tr> <td><input type="checkbox"/> DD</td> <td><input type="checkbox"/> MD/MDSSI</td> <td><input type="checkbox"/> OHI</td> <td><input type="checkbox"/> SID</td> <td><input type="checkbox"/> TBI</td> </tr> <tr> <td><input type="checkbox"/> ED/EDP</td> <td><input type="checkbox"/> MIID</td> <td><input type="checkbox"/> OI</td> <td><input type="checkbox"/> SLD</td> <td><input type="checkbox"/> VI</td> </tr> </table>					<input type="checkbox"/> A	<input type="checkbox"/> HI	<input type="checkbox"/> MOID	<input type="checkbox"/> PSD	<input type="checkbox"/> SLI	<input type="checkbox"/> DD	<input type="checkbox"/> MD/MDSSI	<input type="checkbox"/> OHI	<input type="checkbox"/> SID	<input type="checkbox"/> TBI	<input type="checkbox"/> ED/EDP	<input type="checkbox"/> MIID	<input type="checkbox"/> OI	<input type="checkbox"/> SLD	<input type="checkbox"/> VI
<input type="checkbox"/> A	<input type="checkbox"/> HI	<input type="checkbox"/> MOID	<input type="checkbox"/> PSD	<input type="checkbox"/> SLI															
<input type="checkbox"/> DD	<input type="checkbox"/> MD/MDSSI	<input type="checkbox"/> OHI	<input type="checkbox"/> SID	<input type="checkbox"/> TBI															
<input type="checkbox"/> ED/EDP	<input type="checkbox"/> MIID	<input type="checkbox"/> OI	<input type="checkbox"/> SLD	<input type="checkbox"/> VI															
22. ELL																			
AZELLA Information		ELL Program Information																	
Most Recent Assessment Date (mm/dd/yyyy) / / Most Recent Overall Proficiency Level _____		Was student receiving ELL services in the current fiscal year? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, program type (SEI type, ILLP, Bilingual): _____ Was student withdrawn from ELL Service in the current fiscal year by parent request? <input type="checkbox"/> Yes <input type="checkbox"/> No																	
If your district/charter administered an AZELLA test to this student, please attach a copy of the student's most recent AZELLA Student Report.																			

Form#: ADE-41-123. Rev 07/2019, in compliance with ARS 15-827.

Official Notice of Pupil Withdrawal FORM**INSTRUCTIONS REVISED July 2019**

The information provided below is intended to provide general guidelines for the information to be collected in each box on the Pupil Withdrawal Form.

Required versus Optional: Submit all required information and any available optional information as applicable. The fields marked as required are necessary for a successful enrollment.

Box #	Required	Description
1	Yes	Last name of the student as it appears on the document used for registration
2	Yes	First name of the student as it appears on the document used for registration
3	No	Middle name of the student as it appears on the document used for registration
4	No	Name extension (e.g., Jr. Sr., III) as it appears on document used for registration
5	Yes	State Student ID is a number issued by the Arizona Department of Education after the enrollment record for this student is submitted to the department; previously called SAIS ID
6	Yes	School Student ID is a number issued by the district/charter
7	Yes	Grade Level is standard PS, KG, 1-12, UE (Ungraded Elementary)
8	Yes	Gender of the student
9	Yes	Date of the student's birth as it appears on the document used for registration
10a	Yes	Type of withdrawal, as identified by the parent/guardian or school official
10b	No	Supplemental withdrawal reason as identified by the student, parent, or guardian (NOT by a school official). <ul style="list-style-type: none"> For WR1 and WR2 - If a school does not have this designation, or if a student transfers to another school with the same designation, then this withdrawal reason is invalid Schools are not required to find out whether or not students are leaving school because of pregnancy. If the school does receive that information, however, it should be reported. As stated in A.R.S. §15-1042(H): "[T]he student level data shall include reasons for the withdrawal if reasons are provided by the withdrawing pupil or the pupil's parent or guardian."
11a	Yes	Initials of the individual updating the Student Management System (SMS)
11b	Yes	Date removed from Student Management System
11c	Yes	Last day of attendance (This is the date used for withdrawal date - the date in the Student Management System)
12	Yes	Signature of the parent or guardian of the student (or signature of the student if the student is emancipated)
13	Yes	Signature of the student
14	Yes	Date the form was signed by the person named in box 12
15	Yes	School withdrawing the student
16	Yes	District/Charter # (CTD) County Type District (Must be a 6 digit number)
17	Yes	School # (S) (Must be a 3-digit number)
18	Yes	Withdrawal Code based on information in 10a – See attached withdrawal code definitions
19	Yes	School Official Signature certifying the information is correct
20	Yes	Date the form was signed by the person named in box 18
21	Yes*	Special Education (SPED) student need *Required for SPED Students
22	Yes**	English Language Learner (ELL) student status **Required for ELL Students

DOCUMENTATION OF WITHDRAWAL

An Official Notice of Pupil Withdrawal form must be completed for students who withdraw. To confirm that a student transferred out, a school or LEA must have “official written documentation” that a student has transferred to another school or to an educational program that culminates in the award of a regular high school diploma (34 C.F.R. §200.19(b)(1)(ii)(B)(I)). Examples of official written documentation include: a request for student records from a receiving public or private high school or an educational program (that culminates in a regular high school diploma); or a written record of a response from an official in the receiving school or program acknowledging the student’s enrollment. A conversation with a parent or neighbor of a student, for instance, would not be considered official written documentation of a transfer.

A school or LEA must have written confirmation that a student has emigrated to another country (34 C.F.R. §200.19(b)(1)(ii)(B)) but need not obtain official written documentation. For example, if a parent informs a school administrator that the family is leaving the country, the school administrator may document this conversation in writing and include it in the student’s file.

Audit Process

To ensure pupil withdrawal data is accurate, complete and consistent, the Arizona Department of Education may audit Pupil Withdrawal and LEA Compliance documentation. The scope of the audit will examine data on the Official Notice of Pupil Withdrawal form, supporting documentation and data submitted to AzEDS by the school. The objective of the audit is to ensure accurate reporting consistent with the Official Notice of Pupil Withdrawal policies and procedures.

Upon a student’s withdrawal from a school, the LEA must document the withdrawal of students and maintain the Official Notice of Pupil Withdrawal on file along with supporting documentation in accordance with the LEA’s record retention policy. Documentation is required for all Primary Withdrawal Types in section 10a of the Official Notice of Pupil Withdrawal. Documentation supporting use of a Primary Withdrawal Type must be an accepted form of documentation based on the withdrawal type. The Official Notice of Pupil Withdrawal should be signed by the student and/or a parent or guardian if applicable (i.e. student is a minor). Documentation must be signed and dated by an authorized representative of the LEA.

The Department may conduct audits at any time via site visit or desktop review. Upon request, a local education agency, school district, charter school, or any other entity shall provide the Department of Education the authority to examine and copy records, including all paper, electronic and other records relating to pupil withdrawal. All records requested shall be made available in their original form.

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Code	Examples of Documentation based on Withdrawal Reason
WD	- Student was demoted to the previous grade level during the current school year
WK	- Transferred to another calendar track within the same school before scheduled end of school year.
WP	- Student was promoted to the next grade level during the current school year.
W1, S1, W21, S21, S99 Transfer	- Request for student records from a receiving public or private high school or an educational program(that culminates in a regular high school diploma). - Written record of a response from an official in the receiving school or program verifying or acknowledging the student's enrollment. - Report from AzEDS indicating other enrollment in an Arizona high school (i.e. Dropout tracker report).
W2 Illness	- Documentation of illness from a medical provider. - Documentation from parent.
W3 Expelled or long-term suspension	- School expulsion documentation supporting the expulsion.
W4, S4 Absences or status unknown	- Attendance record showing 10 consecutive days of unexcused absence. - Notes documenting who they contacted, contact method, phone number or email contacted, and dates attempted
W5, S5 Dropout	- Attendance record. - If under age 18, parent's signature on pupil withdrawal form. - If over age 18, parent's/student's signature on pupil withdrawal form.
W6, S6 Age	- Documentation showing student not of school age (under 6 or over 21 years of age). - Documentation showing date of birth.
W7, S7 Graduated	- Official transcript or diploma.
W8, S8 Deceased	- Death certificate. - Obituary, other newspaper article. - Program from the funeral/memorial service. - Written statement from the parent or guardian.
W9, S9 Transfer to be home taught	- Written parental statement.
W10, S10 Transfer to detention	- Copy of court order. - Written notification from a law enforcement agency, the office of the prosecuting attorney, or the jail or penitentiary, that the student is incarcerated.
W11, S11 GED	- Copy of the GED certificate. - Written documentation from the testing company must include the date of GED completion, location, address, or contact information of the company.
W12 Continuing studies at vocational or technical school	- Parent's signature on pupil withdrawal form. - Documentation of enrollment in a vocational or technical school.
W14	- Student has met all the requirements for the Grand Canyon Diploma but has not been awarded the diploma. Student is continuing in high school.
W15	- Student has met all the requirements for the Grand Canyon Diploma and has been awarded the diploma.
W17	- Student received the Grand Canyon Diploma but LEA may not count this student : 1. Is no longer enrolled full-time at an AZ public university; or 2. Is no longer enrolled in an AZ public university.
W18	- Student received the Grand Canyon Diploma but LEA may not count this student: 1. Is no longer enrolled full-time at an AZ Community College; or 2. Is no longer enrolled in an AZ Community College.
W19, S19	- Student was eligible for the Grand Canyon Diploma but LEA may not count this student because student is no longer enrolled in a full-time CTE program.
W20	- Student was awarded the Grand Canyon Diploma and the student's post GCD participation is unknown or ineligible.
W22/S22	- Parent's written notice that the student will be attending school out of the country, request for records or written record of a response from an official at receiving school
WR1 School identified as federal School improvement	- Signed documentation from student/parent indicating reason.
WR2 School identified as persistently dangerous	- Signed documentation from student/parent indicating reason.
WR3 Individual transfer option	- Signed documentation from student/parent indicating reason.
WR4 Pregnancy/biological parent of child	- Signed documentation from student/parent indicating reason.

REGULATIONHome Schooled Students

This code is used for students who withdraw to be taught at home. A.R.S. § 15-802(B)(3) allows a student to be taught at home after certain requirements are met. The parent must file an affidavit with the county school superintendent that the child is attending a regularly organized private or home school. Official written documentation is required to apply this code. Documentation may include a letter of withdrawal or other written confirmation from the parent or guardian, or the affidavit filed with the county school superintendent.

Summer Withdrawal Codes

Certain S-codes may be submitted when a student fails to attend school as expected by the LEA for the current school year. Beginning in the 2016-2017 school year, only certain withdrawal transactions can use a corresponding summer code. Summer withdrawal codes may be used to update the student's cohort membership in compliance with state and federal laws. If a student assigned a cohort by ADE was enrolled on the last day of the previous school year and was pre-registered for the following school year, the appropriate summer withdrawal code (S-Code) may be submitted to AZEDS to update the student's cohort membership. The applicable S-code may apply to any date between the end of the last school year the student completed and beginning of the new school year for which the student pre-registered.

EXAMPLE Jenny, class of 2020, completed her first year of high school with a year-end status of Promoted. She was expected to return as a 10th grade student. Jenny moves out of state, and her new school sends a request for a transcript. Jenny's high school in Arizona must update their cohort membership by submitting a withdrawal code of S21 prior to the start of the new school year and document the transcript request accordingly.

Changes in Withdrawal Codes

The withdrawal codes should be changed retroactively during the school year if additional information becomes available before the Year-End Enrollment Report is filed. Since withdrawal codes are used to calculate dropout and graduation rates, it is to a school's advantage to re-code those students whenever possible. However, ADE may update a student's cohort status based on another qualifying enrollment in another Arizona public school which may award a diploma.

EXAMPLE Luis was absent for two weeks, and his whereabouts were unknown. He was withdrawn as a W4. A week later, the school received a request from Maui High School in Hawaii for his school records. Luis's withdrawal was reclassified from a W4 (Absence/Status Unknown) to a W1 (Transfer). The Arizona school must have written documentation that Luis re-enrolled in school prior to the end of the fiscal year in which he dropped out in order to change Luis' exit code from a W4 to a W1.

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Supplemental Withdrawal Reasons

Supplemental Withdrawal Reasons are only compatible with certain specific Withdrawal Codes.

Withdrawal Code	WR1: school choice: school identified for Federal School Improvement	WR2: school choice: school identified as persistently dangerous	WR3: school choice: individual transfer option	WR4: pregnancy / biological parent of a child
W1 Transfer: other school	yes	yes	yes	yes
W2 Illness				yes
W3 Expelled or long term suspension				
W4 Absence or status unknown				yes
W5 Dropout				yes
W6 Age				
W7 Graduated				
W8 Deceased				
W9 Transfer: home taught				yes
W10 Transfer: detention				
W11 GED				
W12 Vocational school				
W13 Completed				

Special Education (SPED)

If at the time of withdrawal, the student has been identified as eligible for special education (SPED) and related services regardless of an IEP being completed, please select all disability categories for which the student has been identified as eligible.

The disability categories are as follows:

A	Autism	OHI	Other Health Impairment
DD	Developmental Delay	OI	Orthopedic Impairment
ED	Emotional Disability	PSD	Preschool Severe Delay
EDP	Emotional Disability – Separate Facility, Private	SID	Severe Intellectual Disability
HI	Hearing Impairment	SLD	Specific Learning Disability
MD	Multiple Disabilities	SLI	Speech/Language Impairment
MDSSI	Multiple Disabilities Severe Sensory Impaired	TBI	Traumatic Brain Injury
MIID	Mild Intellectual Disability	VI	Visual Impairment
MOID	Moderate Intellectual Disability		

ⁱ Per ARS § 15-771(A), the only needs that can be reported for preschool students are: DD, HI, PSD, SLI, and/or VI.

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STUDENT WITHDRAWAL FROM SCHOOL/DROPOUTS

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

Reasons for withdrawal may include:

- Parents or legal guardians moving from the District or to an area served by another school within the District.
- Parents requesting the withdrawal of students who have passed their sixteenth birthday.
- Expulsion or long-term suspension by the Board.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-827 to 15-829

CROSS REF.: JF - Student Admissions

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STUDENT ABSENCES AND EXCUSES

The regular school attendance of a child of school age is required by state law. Regular school attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith.

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.

When Absent from School

State law mandates that the school record reasons for all student absences. Therefore, when a student is absent, it will be necessary for the parent to call the school on or before the day of the absence in order to advise the school as to the reason for the absence. When it is impossible to call on the day of the absence, the school should be notified on the morning the student returns, in time for the student to obtain an admission slip prior to the student's first class. All absences not verified by parental or administrative authorization will remain unexcused.

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

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

All personnel will solicit cooperation from parents in the matter of school attendance and punctuality, particularly in regard to the following:

- The scheduling of medical and dental appointments after school hours except in cases of emergency.
- The scheduling of family vacations during school vacation and recess periods.

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.

School administrators are authorized to excuse students from school for necessary and justifiable reasons.

Adopted: December 13, 2008

LEGAL REF.: A.R.S. §§ 15-346, 15-802, 15-807, 15-843, 15-873, 15-902

COSS REF.: JE - Student Attendance

TRUANCY

A child between the ages of six and sixteen failing to attend school during the hours school is in session is truant unless excused pursuant to A.R.S. §§ 15-802, 15-803, or 15-901.

Truant means an unexcused absence for at least one 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. It also includes any after school special help session or disciplinary session that the student has been directed to attend.

Unexcused absence for at least five school days within a school year constitutes habitual truancy. The Superintendent will establish procedures to identify and deal with unexcused absences, beginning with notification of parents. Continued violation may lead to suspension from school, with re-admittance only with permission from the Superintendent's office.

Adopted: date of manual adoption

LEGAL REF. A.R.S. §§ 8-201, 15-802-805, 15-841, 15-843

CROSS REF.: JEA - Compulsory Attendance Ages

**EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE
(Chronic Health Conditions)**

The District will provide appropriate educational opportunities for any student identified by a licensed physician or podiatrist as having a chronic health condition that will affect regular school attendance. Homework will be made available in a timely manner to ensure that such students have the opportunity to successfully complete assignments and avoid losing credit because of their absence from school. The assigned teacher(s) shall have the responsibility to provide, in a timely manner, homework for students designated as having chronic health conditions. Further, students with chronic health conditions shall be provided flexibility in physical education activity requirements so that they may participate in the regular physical education program to the extent that their health permits.

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

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-346, 15-761, 15-843, 15-902

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

(Chronic Health Conditions)

Identification/Referral Process

Staff members shall be informed of procedures to follow in serving "students with chronic health conditions." Teachers will review registration data and make note of any students who were previously served as students with chronic health conditions.

Registration forms, enrollment data, and attendance registers will identify certified students with chronic health conditions who are eligible for modified instructional services.

The screening procedures used to screen kindergarten students and new enrollees for possible referral to special education or compensatory programs will provide an indication of whether students with high absenteeism have health conditions that may be considered chronic if they are due solely to illness, disease, or accident. Students can be identified or referred at any time during the school year.

The person responsible for collection of attendance data shall be informed of these available services and should be given direction for noting whether a student's frequent absences are due to illness, disease, or an accident. Registration, enrollment, and attendance procedures shall indicate eligible students with chronic health conditions for documenting ADM adjustments with the Arizona Department of Education, School Finance Section.

When a student is identified as possibly requiring services as a student with a chronic health condition (via registration, screening procedures, attendance data, or parent referral), a medical certification form with a letter of explanation shall be sent to the parents, to be returned within thirty (30) days. The teacher and parent shall meet within fifteen (15) days following return of the medical certification.

Upon referral of a student for medical certification, the school first-aid employee, if applicable, shall be consulted to include any medical data in the student's health records (i.e., the annual report that identifies types of chronic illnesses monitored).

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Eligibility Criteria

The parents shall submit a written medical certification to the District, which will include:

- Medical diagnosis.
- Medical prognosis.
- Physical limitations affecting physical education activities and requirements.
- Anticipated surgeries, treatment, or hospitalizations that, although not expected to cause sufficient absences to require homebound services, may interfere with regular school attendance.
- Physician's signature and date signed.

The appropriate instructional services needed are to be recommended by the teacher after consultation with the parent according to the following considerations:

- The nature of the health condition relevant to the student's anticipated activity level during absences (based on review of the medical certification).
- The student's academic capacity.
- The teacher's recommendations for service delivery based on course-work difficulty and the student's ability to learn independently.
- The amount of face-to-face instruction time required by the student for optimum continuous learning outside the regular classroom.
- The most appropriate service delivery in order to maintain integration in the career and technical education program as much as possible.

After the teacher and the parent have discussed the student's needs, an instructional agreement will be recommended by the parent and the teacher specifying the delivery and return of homework assignments and anticipated contact time with the teacher to assist the student in completing required course work *during absences*. This agreement, together with the teacher's recommendation for appropriate instructional services, will be forwarded to the administration for review and modification, if necessary, prior to signature by the parent, teacher, and Superintendent.

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If the absences of a student who is classified and has served as a student with a chronic health condition amount to three school months (or 60 school days), another medical certification shall be obtained and reviewed by the teacher and the parent. They shall discuss the appropriate service delivery necessary for continuous learning. If homebound services are appropriate, the policies for referral shall be followed, which may entail:

- Obtaining parental consent to evaluate.
- Obtaining medical certification.

On a yearly basis, the District shall review instructional needs of any student with a chronic health condition. An updated medical certification shall be obtained for each school year to verify the need for continuing instructional modifications and ADM adjustments, if applicable. However, the student may be recertified at any time to reevaluate appropriate services needed.

Miscellaneous Provisions

Homework assignments will be provided *during absences* of students with chronic health conditions, and credit will be given for course work completed within established time lines.

Students with chronic health conditions will be given credit for completed course work if frequent absenteeism is due to chronic health conditions as certified by a licensed physician.

The counselors who schedule students with chronic health conditions will take into consideration the anticipated days of absence (noted on the medical certification form) and the feasibility of completing courses requiring laboratory work or vocational workshops.

**EXCLUSIONS AND EXEMPTIONS
FROM SCHOOL ATTENDANCE**

Dear _____

This letter is to inform you that the School District makes special arrangements for homework assignments for certain students who have "chronic (recurring) health conditions." As a result of frequent absences from school because of illness or an accident, _____ may be eligible to receive modified instructional services provided for "students with chronic health conditions."

A form is enclosed asking your family physician to state how this health condition is affecting school attendance. If your physician believes the condition to be "chronic" and anticipates frequent absences for the school year (but fewer than 60 school days, as for homebound services), please ask the physician to fill out the medical certification form and return it to the school.

If _____ is eligible as a "student with a chronic health condition," the school will make sure that you receive homework and contact with a teacher *during* necessary absences. The teacher will work out an agreement for homework assignments with you to assure receipt of credit for completed homework.

If you have any questions, please contact me at _____

Sincerely,

MEDICAL CERTIFICATION OF CHRONIC HEALTH CONDITIONS**Student Information**

Student's name: _____ Date of Birth: _____

Parent/Guardian: _____ Phone: _____

Address: _____

Program: _____ Instructor: _____

**Medical Information
(to be completed by licensed health professional)****CHECK ONE**

- ☐ Student is unable to attend class due to illness, disease, pregnancy complication, or accident.
- ☐ Student suffers from a condition requiring management on a long-time term basis.
- ☐ Student has an infant with a severe health problem.

Medical diagnosis: _____

Medical prognosis: _____

Anticipated number of days of absences during the school year: _____

Dates of absences if known: _____

Physical limitations affecting educational activities: _____

By signing below, I certify that medical information above is correct.

Health professional's name and licensed title: _____

Health professional's signature: _____ Date: _____

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE**INSTRUCTIONAL AGREEMENT FOR STUDENTS
WITH CHRONIC HEALTH CONDITIONS**

School year _____

Student's Name_____
Grade_____
Date_____
Parent's name_____
Phone_____
Address_____
Person responsible for homework coordination
Name/Title

Homework coordination

Eligibility checklist:

- _____
1. Medical certification of chronic health condition (diagnosis, prognosis, and inability to attend school regularly).
- _____
2. Medical certification of physical limitations for physical education.
- _____
3. District office has noted chronic condition on attendance register.
- _____
4. If applicable, the school nurse informed of student's chronic health condition.
- _____
5. Student's teacher(s) informed of student's chronic health condition.
- _____
6. If applicable, school counselor informed of student's chronic health condition.
- _____
7. Physical education activities/requirements adapted according to medical certification.

Signature

8. Certificated teacher to provide homework and contact with _____ during absences for the school year as follows:

Signature

9. Parent/guardian agrees to return completed homework to the school for absences during the school year as follows:

Approved: _____
Superintendent's signature

Annual review of instructional agreement:

_____ Number of excused absences due to chronic condition

- ☐ Promotion requirements met via completed homework for excused absences
- ☐ Transcripts and attendance record attached

For the _____ school year, ☐ should ☐ should not be registered as having a chronic health condition.

Superintendent's signature

Parent's signature

Date

STUDENT RIGHTS AND RESPONSIBILITIES

This policy sets forth guidelines by which student rights are to be determined consistent with law.

The Board has the authority and responsibility to establish reasonable rules and regulations for the conduct and deportment of students of the District. At the same time, no student shall be deprived of equal treatment and equal access to the educational program, due process, and free expression and association in accordance with these guidelines.

Attendant upon the rights established for each student are certain responsibilities, which include respect for the rights of others, obedience to properly constituted school authority, and compliance with the rules and regulations of this District.

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

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

Such procedures shall be reviewed annually and updated when required.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-841 to 15-844

CROSS REF.: JKD - Student Suspension/Expulsion/Due-Process Rights
JLI - Student Safety

STUDENT RIGHTS AND RESPONSIBILITIES

All students are entitled to enjoy the basic rights of citizenship that are recognized and protected by laws of this country and state for persons of their age and maturity. Each student is obligated to respect the rights of classmates, teachers, and other school personnel. The school shall foster a climate of mutual respect for the rights of others. Such environment will enhance both the educational purpose for which the District exists and the educational program designed to achieve that purpose.

All District personnel shall recognize and respect the rights of students, just as all students shall exercise their rights responsibly, with due regard for the equal rights of others and in compliance with the rules and regulations established for the orderly conduct of the educational mission of the District. Students who violate the rights of others or who violate rules and regulations of the District or of their school are subject to appropriate disciplinary measures designed to correct their own misconduct and to promote adherence by them and by other students to the responsibilities of citizens in the school community.

The following basic guidelines of rights and responsibilities shall not be construed to be all-inclusive, nor shall it in any way diminish the legal authority of school officials and the Governing Board to deal with disruptive students.

Rights:

- Students have the right to a meaningful education that will be of value to them for the rest of their lives.
- Students have the right to a meaningful curriculum and the right to voice their opinions, through representatives of the student government, in the development of such a curriculum.
- Students have the right to physical safety, safe buildings, and sanitary facilities.
- Students have the right to consultation with teachers, counselors, administrators, and anyone else connected with the school if they so desire, without fear of reprisal.
- Students have the right to free elections of their peers in student government, and all students have the right to seek and hold office in accordance with the provisions of the student government constitution and in keeping with the extracurricular guidelines of the District.
- Students have the right to be made aware of administrative and/or faculty committee decisions and to be aware of the policies set forth by the Governing Board and school.

REGULATION**REGULATION**

- Legal guardians or authorized representatives have the right to see the personal files, cumulative folders, or transcripts of their children who are under the age of 18 years. School authorities may determine the time and manner of presentation of this information.
- Students' academic performance shall be the prime criterion for academic grades; however, noncompliance with school rules and regulations may affect grades (e.g., unexcused absences).
- Students shall not be subjected to unreasonable or excessive punishment.
- Students have the right to be involved in school activities, provided they meet the reasonable qualifications of sponsoring organizations, state organizations, and school regulations.
- Married students share these rights and responsibilities, including the opportunity to participate in the full range of activities offered by the school, and shall be subject to the rules and regulations of the school.

Responsibilities:

- Students have the responsibility to respect the rights of all persons involved in the educational process and to exercise the highest degree of self-discipline in observing and adhering to school rules and regulations.
- Students have the responsibility to take maximum advantage of the educational opportunities available and seek to achieve a meaningful education.
- All members of the school community, including students, parents, and school staff members, have the responsibility to promote regular attendance at school.
- Students have the responsibility to protect school property, equipment, books, and other materials issued to or used by them in the instructional process. Students will be held financially responsible for any loss or intentional damage caused to school property.
- Students have the responsibility to complete all course assignments to the best of their ability and to complete make-up work after an absence. Students have the responsibility to help maintain the cleanliness and safety of the school buildings and property.
- Students have the responsibility to present themselves in class at the prescribed time and with the necessary materials.

STUDENT INVOLVEMENT IN DECISION MAKING

A primary task of the school is to create a stimulating learning climate that develops active involvement of students in their education and develops a spirit of inquiry. This climate is created when students work together with school staffs in such activities as planning and evaluating school programs.

The District encourages student involvement that will enhance:

- Achievement of the course goals, improvement of the courses of study, and planning of classroom activities.
- Freedom of expression, recognizing that every privilege and right has a corresponding responsibility.
- Student participation in assembly programs and school-sponsored forums of interest.
- Participation in student government organizations that provide students with a voice in school affairs.

Cocurricular or extracurricular activities that broaden their educational experiences.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-321

JIBA

STUDENT GOVERNMENT

The organization of a student council in the school is encouraged.

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.

Members of the student council are to be elected democratically. The rights and responsibilities of the council should be clearly set forth by the school. The student council must have a faculty advisor.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 15-341

STUDENT CONDUCT

The Superintendent will establish regulations governing the conduct of students in school, traveling to and from school, and at school functions. In establishing these regulations, the Superintendent may consult with student or staff committees. In addition to compliance with regulations established by the Superintendent, students are expected to obey all rules and regulations adopted by the Governing Board, and to obey any order given by a member of the faculty or staff relating to school activities.

A student shall be defined as any person who is regularly enrolled in good standing in an educational program provided by or approved by the District and carried on in premises owned or controlled by the District.

Students in school buildings, on school grounds, using District property for any purposes, or attending a District-sanctioned event shall not engage in improper behavior, including but not limited to the following:

- 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.
- Physical abuse of or threat of harm to any person on District owned or controlled property or at District sponsored or supervised functions.
- 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.
- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- Unlawful use, possession, distribution, or sale of tobacco, alcohol, or drugs or other illegal contraband on District property or at school - sponsored functions.
- Conduct or speech that violates commonly accepted standards of the District and that, under the circumstances, has no redeeming social value.
- 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.
- Knowing violation of District rules and regulations. 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.
- Any conduct constituting a breach of any federal, state, or city law or duly adopted policy of the Board.
- Carrying or possessing a weapon on school grounds.

In addition to the general rules set forth above, students shall be expected to obey all policies and regulations for student conduct adopted by the Board. Students shall not engage in any activities prohibited herein, nor shall they refuse to obey any order given by a member of the faculty or staff who is attempting to maintain public order.

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Any student who violates these policies and regulations may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to other civil and criminal prosecution. These punishments may be in addition to any customary discipline that the District presently dispenses.

The authority of the Superintendent to establish regulations covering students may be delegated to Program Directors or Central Administration for their individual areas.

Adopted: date of manual adoption

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 13-2911, 15-341, 15-507, 15-521, 15-841 to 15-843

CROSS REF.: JK - Student Discipline

JKD - Student Suspension/Expulsion/Due-Process Rights

KFA - Public Conduct on School Property

JICA

STUDENT DRESS

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

The Board authorizes the Superintendent to develop and enforce school regulations prohibiting student dress or grooming practices that:

- Present a hazard to the health or safety of the student or to others in the school.
- Materially interfere with school work, create disorder, or disrupt the educational program.
- Cause excessive wear or damage to school property.
- Prevent students from achieving their educational objectives.
- Represent membership in a gang.

Obscene language or symbols, or symbols of sex, drugs, or alcohol on clothing are expressly prohibited.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: JICF - Secret Societies/Gang Activity

STUDENT DRESS

The District encourages students to take pride in their attire as it relates to the school setting. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, professional attire worn in the workplace, and the safety, health, and welfare of self and others.

- Only tailored shorts and skirts that are hemmed may be worn in grades kindergarten through twelve.
- Bare midriffs, halter tops, and spaghetti straps are not acceptable.
- Bare feet are never acceptable. In the interests of student safety, shoes must be worn at all times. Closed shoes are to be worn in any program where open-toed shoes would present unsafe practices.
- Jewelry shall not be worn if it presents a safety hazard to self and/or others.
- Profane or defamatory writing on clothing or jewelry is not acceptable.
- No bandannas of any color, size, or shape may be carried or displayed in any classroom or at any school activity. This also includes simulations of anything representing "colors."
- No hats may be worn in a classroom, except for properly approved occupational safety headgear required for special classes.
- Gang-related personalization is not permitted on hats, on items of clothing, or on one's person. This includes anything worn or carried on campus, as well as items with price tags attached.
- Obscene language or symbols, or symbols of drugs, sex, or alcohol on clothing are expressly prohibited.

Exceptions for special activities or health considerations may be preapproved by the administrator.

Students who volunteer for extracurricular activities are subject to the standards of dress as defined by the sponsors of such activities.

JICB

CARE OF SCHOOL PROPERTY BY STUDENTS

Each student is expected to take pride in the physical appearance of the school. Teachers and students should be observant at all times to prevent damage or destruction of school property. Any marking or marring of school property should be reported to the office at once.

No student shall damage or deface any property belonging to the District. The type of discipline that may be imposed for damage to school property by students depends upon the circumstances. Students may be subject to suspension or other discipline for willful damage or destruction of school property.

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. Students who have reached the age of eighteen years will be held personally responsible for damages and restitution.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 12-661, 15-727, 15-842

CROSS REF.: JKD - Student Suspension/Expulsion/Due-Process Rights
JO - Student Fees, Fines, and Charges

SECRET SOCIETIES/GANG ACTIVITY

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

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

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 12-661, 13-1202, 13-2911, 15-341, 15-342, 15-507, 15-521,
15-841 to 15-843
Att. Gen. Op. I78-103, I78-218, I80-055, I84-036
A.A.C. §§ R7-2-401, R7-2-405

SECRET SOCIETIES/GANG ACTIVITY

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

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

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

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

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

JICFA

HAZING

There shall be no hazing of any student enrolled in the District schools. Hazing is defined as any act that injures, degrades, or disgraces-or tends to injure, degrade, or disgrace-any student.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-341

JICG

TOBACCO USE BY STUDENTS

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

- School grounds.
- School buildings.
- School parking lots.
- School playing fields.
- School buses and other District vehicles
- Off-campus school-sponsored events.

The Superintendent may establish procedures necessary to implement this policy. Disciplinary penalties for the possession or use of tobacco or similar products may include, but are not limited to, suspension of the student from school or a recommendation for expulsion when there is evidence of repeated and continuous violation of this policy.

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 13-3622, 15-341, 36-798.03
20 U.S.C. § 6083

CROSS REF.: GBED - Smoking by Staff Members
KFAA - Smoking on School Premises at Public Functions

DRUG AND ALCOHOL USE BY STUDENTS

Students on school property or at school events shall not knowingly breath, inhale or drink a vapor-releasing substance containing a toxic substance, nor shall a student sell, transfer or offer to sell or transfer a vapor-releasing substance containing a toxic substance to a person under eighteen (18) years of age.

The non-medical use, possession, distribution or sale of:

- alcohol
- drugs,
- synthetic drugs,
- counterfeit drugs, or
- imitation drugs,

on school property or at school events is prohibited. *Non-medical* is defined as "a purpose other than the prevention, treatment, or cure of an illness or disabling condition" consistent with accepted practices of the medical profession.

Students in violation of the provisions of the above paragraph shall be subject to removal from school property and shall be subject to prosecution in accordance with the provisions of the law.

Students attending school in the District who are in violation of the provisions of this policy shall be subject to disciplinary actions in accordance with the provisions of school rules and/or regulations.

For purposes of this policy, "drugs" shall include, but not be 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.

Medical Marijuana

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 (A.R.S.).

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.

A student medical marijuana cardholder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all students attending the school.

A student medical marijuana cardholder shall not:

- undertake any task under the influence of marijuana that would constitute negligence.
- possess or engage in the medical use of marijuana,
 - on a school bus,
 - on the grounds of any preschool, elementary school or secondary school.
- smoke marijuana,
 - on any form of public transportation, or
 - in any public place.
- operate, navigate, or be in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana,
 - except that a registered qualifying student cardholder 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.
- use marijuana in any manner not authorized by Title 36, Chapter 28.1 of the Arizona Revised Statutes, or
- offer to give, sell, or dispense medical marijuana to another student or other individual on school property, in school-provided vehicles, at school events, or when functioning as a representative the school.

JICH

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.

Student who violates any portion of this policy may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to applicable civil and criminal prosecution.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 4-101, 4-241, 4-244, 13-3401 through 13-3461, 15-345,
36-2801 *et seq.*
20 U.S.C. § 7101 *et seq.*

CROSS REF: JICH — Drug and Alcohol Use by Students
JLC - Student Health Services and Requirements
JLCD - Administering Medicines to Students

DRUG AND ALCOHOL USE BY STUDENTS

Drug Abuse Prevention

The following administrative procedures are to be used to implement the Governing Board policy on drug abuse prevention:

- It shall be the responsibility of all school employees to report to the Program Director or other administrator in charge all suspected instances of the use, possession, or sale of drugs.
- Distribution or sale of drugs:
 - When it is reasonably certain that a student is involved in the distribution or sale of drugs, law enforcement authorities and parent(s) or legal guardian(s) shall be contacted.
 - A student who has been determined to be involved in the distribution of drugs shall be reported to the law enforcement authorities and shall be subject to suspension or expulsion.
- Possession of drugs:
 - Law enforcement authorities shall be contacted when the Program Director determines that drugs to be used for non-medical purposes are found in the possession of a student. The Program Director may also contact law enforcement authorities to help make such a determination. Students who are in possession of drugs to be used for non-medical purposes may be suspended or expelled.
 - A student who has been suspended for a drug-related offense for a second time will be referred to the Superintendent for further action (A.R.S. § 15-843).
- Under the influence of drugs:
 - A student who is reasonably suspected of being under the influence of drugs shall be referred to an administrator in charge of discipline.
 - The parent(s) or legal guardian(s) of a student who is determined to be under the influence of drugs shall be contacted. The student may be suspended or expelled.
 - A student who has been involved in a drug-related offense for a second time will be referred to the Superintendent for further action (A.R.S. § 15-843).
- Student who seeks help:
 - The District does not condone the non-medical use of drugs. The need for the availability of help to those who use/abuse drugs is recognized. It is the position of the District that communications between students and professional staff members will be held in trust unless it becomes evident that withholding information may result in harm or injury to the student or others. Staff members shall refer students who seek help to an administrator.

REGULATION**REGULATION**

- Involvement with medical drugs (medication):
 - A student who needs access to medical drugs in school shall leave them, in the original container, with the first-aid employee. Permission and written directions from a physician concerning their use shall be left with the first-aid employee.
 - Students who are in possession of medically approved drugs, but have not followed the directions described above, shall be disciplined in accordance with school disciplinary policies.
 - Students who distribute such drugs to others will be considered as distributing drugs for non-medical purposes.
- Parental involvement:
 - When the Dean of Discipline questions a student who is reasonably suspected of having violated the school drug policy, reasonable efforts shall be made to notify the student's parents or legal guardian that such questioning has taken place.
 - Reasonable efforts shall be made to notify the parents or legal guardian of a student who has been determined to have violated the school drug policy.
- Medical services:
 - A student who is reasonably suspected of being under the influence of drugs while school is in session shall be referred to an administrator. Such cases shall be treated like any other medical problem.
 - When there is reasonable suspicion that any student is under the influence of drugs while at a school activity and health services are unavailable, it shall be the responsibility of the supervisor on duty to call for appropriate assistance.
- Return to school:
 - When a student has returned from a suspension for using drugs for non-medical purposes, reasonable efforts should be made by school personnel and parent(s) or legal guardian(s) to prevent the problem from recurring. The process could include, but not necessarily be limited to, the following:
 - Utilization of community-based programs.
 - In-school group or individual counseling.
 - An effort by the professional staff to help the student emphasize the positive alternative to drug-use behavior.
- Student neglect, child abuse, or child maltreatment:
 - A staff member who believes that a parent or other adult is contributing to drug - using behavior of a student shall confer with the Program Director.
 - Such a conference does not change the duty of the staff member to ensure that the case is referred to the appropriate child protective services for further investigation.

REGULATION**REGULATION**

- Drug education:
 - Substance abuse prevention shall be combined with health, science, citizenship, or a similar program.
 - In addition to the established curriculum, the Program Director of Central Administration shall direct the use of other educational information, including, but not necessarily limited to, assemblies, speakers, printed materials, class discussions, and bulletin board materials.
- Student counseling.
 - Counseling should emphasize drug abuse prevention as well as treatment, and an effort should be made to make it available to all students who desire the service.
 - Counseling may be done individually or in groups.
 - When a student seeks out an employee other than a counselor to discuss a drug problem, the particular staff member shall advise the counselor.
- Staff education:
 - Within the first 30 days of each school year, the Superintendent shall arrange a meeting that will include information on drug abuse prevention. The program will be conducted by personnel trained in drug abuse prevention and will include, but not necessarily be limited to, District policies and procedures, identification of commonly used drugs, and an approach that recognizes the dignity and worth of each student.
- Parent and community education:
 - At least once annually, the District shall sponsor a program for the community on its drug abuse prevention programs. In addition to presentations by school staff members, the program may include representatives of law enforcement agencies and medical professions.
 - Additionally, the District may offer programs in parent effectiveness training.
 - News releases and other forms of communications may be used to educate parents and the community, using regular school channels for such purposes. Such communications will be approved by the Superintendent.

Confidentiality

In order to preserve the rights of those in a counseling relationship, the counselor will inform the individual that information within the school setting cannot always be kept confidential. In some cases, it will be referred to the appropriate individual or agency. Such cases may include those that endanger the welfare of the student or others.

The student shall be advised that school records include data concerning school achievement, test results, and attendance. School records are protected by federal and state statutes and do not include information concerning drug involvement.

DRUG AND ALCOHOL USE BY STUDENTS

In order to comply with federal funding requirements, the District shall:

- Gather information relative to local community drug and alcohol counseling, rehabilitation, and reentry programs that are available to students and make such information available to parents and students.
- Annually distribute a copy of standards of conduct and the statement of disciplinary sanctions that apply to alcohol and drug violations. A copy of all rules pertaining to discipline, suspension, and expulsion shall be distributed to students, parents, and transfer students at the time of initial enrollment and annually at the beginning of school.
- Indicate in a statement (which could accompany the copy of conduct standard and sanctions) that the use of illicit drugs and the unlawful possession and use of alcohol are wrong and harmful.

The District should perform a biennial review of the programs to:

- Ensure that disciplinary sanctions for students are consistently enforced.
- Determine program effectiveness and implement change to the program if needed.

WEAPONS IN SCHOOL

No student shall carry or possess a weapon or simulated weapon on school premises without authorization by a school administrator. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter to the school administrator. 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 A.R.S. 15-515, if the weapon is a deadly weapon or the student is a minor in possession of a firearm.

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 year, suspended for a period of not less than one year, or expelled and not be readmitted within a one-year period, if ever. The Governing Board, in its sole discretion, may modify the one-year duration of such disciplinary action on a case-by-case basis.

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 or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

For the purposes of this policy:

- *Weapon* means any of the following:
 - A firearm.
 - A knife, other than a folding pocket knife with a blade length of not more than 2-1/2 inches that cannot be locked in an open position.
 - A destructive device.
 - A dangerous instrument.
- *Simulated weapon* means an instrument displayed or represented as a weapon.

JICI

- *Firearm* means any of the following:
 - Any loaded or unloaded gun that will, that is designed to, or that may readily be converted to expel a projectile by the action of an explosive.
 - The frame or receiver of any such firearm.
 - Any firearm muffler or silencer.
 - Any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive charge of more than one-fourth ounce, mine, or similar device.
 - Any combination of parts that could be readily assembled to form a firearm.
- *Destructive device* means:
 - Any device other than a firearm that will, or is designed to, or may be readily converted to expel a projectile by any means of propulsion, such as a BB/pellet gun, slingshot, bow, or crossbow.
 - Any collection of parts that could be readily assembled to form a destructive device.
- *Dangerous instrument* means anything other than a firearm, knife, or destructive device that is carried or possessed by a student for the purpose of being used or being available for use to cause death or inflict serious physical injury.
- *School premises* means the school, school grounds, school buses, or any premises, grounds, or vehicles used for school purposes and includes premises where school-sponsored events are held away from District property.
- *Deadly weapon* means any weapon designed for lethal use, including a firearm.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 13-2911, 13-3102, 13-3111, 15-341, 15-341, 15-515,
15-841, 15-843
20 U.S.C. § 3351

CROSS REF.: JI - Student Rights and Responsibilities
JIC - Student Conduct
JIH - Interrogations, Searches, and Arrests
JK - Student Discipline
JKD - Student Suspension/Expulsion/Due-Process Rights

WEAPONS ON CAMPUS
Non-lethal devices for self-defense

A student may carry, **but not display**, pepper spray or a stun gun incapable of shooting a projectile for self-defense on campus.

Penalties for display of either device for any reason other than self-defense are as follows:

First offense: confiscation of the device until the end of class

Second offense: confiscation of the device until the end of the program

Subsequent offenses: the full range of discipline up to and including expulsion available under Board Policies JBB, JICB, JK, or JKD.

JIG

MARRIED STUDENTS

Married students must report any name changes to their guidance counselors or the Program Director if school records are to reflect the married name on school transcripts. A student's marital status does not reduce the requirements or opportunities of the educational system in the District.

Adopted: date of manual adoption

Revised: October 10, 2022

STUDENT INTERROGATIONS, SEARCHES, AND ARRESTS

Interviews

If a peace officer appears on campus requesting to interview a student attending the school, the school administrator shall be notified and the school office shall contact the student's parent(s). The parent(s) will be asked if they wish the student to be interviewed and, if so, will be requested to be present or to authorize the interview in their absence. A parent may be present during an interview except when interviews are conducted by a child protective services worker pursuant to A.R.S. §§ 8-303 and 8-802.

If the parent(s) cannot be reached, the peace officer should be requested to contact the parent(s) and make arrangements to question the student at another time and place.

If a student is taken into custody (arrested), the arresting officer shall be requested to notify the student's parents or guardian. The arresting officer will be asked to complete and sign a "Form for Signature of Arresting Officer." School personnel shall make every reasonable effort to make sure parents have been notified that a student has been taken into custody. The personnel of the District shall cooperate fully with the police.

Searches

The administration has 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.

Items provided by the District for storage (e.g., lockers, desks) of personal items are provided as a convenience to the student but remain the property of the school and are subject to its control and supervision. (Students have no reasonable expectancy of privacy, and lockers, desks, storage areas, etc., may be inspected at any time with or without reason, or with or without notice, by school personnel.)

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 8-303, 8-304, 8-802, 13-3881, 13-3883
Att. Gen. Op. I77-211, I88-062, I91-035

177-211

STUDENT INTERROGATIONS, SEARCHES, AND ARRESTS**ACKNOWLEDGMENT CONCERNING USE OF STUDENT LOCKERS**

I acknowledge and understand that:

- Student lockers are the property of the District.
- Student lockers remain at all times under the control of the District.
- I am expected to assume full responsibility for my school locker.
- The District retains the right to inspect student lockers for any reason at any time without notice, without student consent, and without a search warrant.

Student

Date

Locker Number

STUDENT INTERROGATIONS, SEARCHES, AND ARRESTS

FORM FOR SIGNATURE OF ARRESTING OFFICER

I, _____, a duly sworn peace officer and member of the _____ Department, _____ division, have asked that _____, a student in the East Valley Institute of Technology be surrendered to me, and pursuant thereto have taken said student into my custody and am assuming full responsibility for the student's arrest.

Name _____

Badge Number _____

Date/Time _____

Signature _____

School Action

Date and time parents notified (if more than one attempt is made, include such information here) _____

Administrator's Signature _____

1 copy for School Records

1 copy for Parent Mailing

1 copy for Police Officer

1 copy for Witnessing Administrator

**STUDENT INTERROGATIONS,
SEARCHES, AND ARRESTS**

FORM FOR SIGNATURE OF INTERVIEWING OFFICER

I, _____, a duly sworn peace officer and member of the _____ Department, _____ division, have asked that _____, a student in the _____ School, be made available for interview.

Date _____ Signature _____

Time _____ Badge Number _____

School Action

Date and time parents notified (if more than one attempt is made, include such information here) _____

Signature of Administrator

- 1 copy for School Records
- 1 copy for Parent Mailing
- 1 copy for Police Officer
- 1 copy for Witnessing Administrator

JII

STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

The Superintendent is directed to establish procedures whereby students with sufficient concern may present a complaint or grievance provided that:

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

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

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

When the initial complaint or grievance is submitted in a manner other than on the prescribed form, the administrator shall obtain from the student the particulars of the accusation and complete form JII-EA immediately thereafter. The administrator shall especially note all student-provided particulars determined by the Superintendent to be necessary for the complaint or grievance to be investigated. Any question concerning whether a complaint or grievance falls within this policy shall be determined by the Superintendent.

If the receiving school administrator is included in the allegation, the complaint or grievance shall be transmitted to the next higher administrative supervisor. Failure by the staff member to timely inform a school administrator or next higher administrative supervisor of a student's allegation may subject the staff member to disciplinary action. The staff member shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

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

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

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

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

Forms for submitting complaints are to be available to students, staff and parents or guardians in the school offices.

JII

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

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

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

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

Adopted: February 13, 2012
Revised: December 13, 2021

LEGAL REF.: A.R.S. § 15-341

CROSS REF.: AC - Nondiscrimination/Equal Opportunity
ACA - Sexual Harassment
GBEB - Staff Conduct
JB - Equal Educational Opportunities
JIC - Student Conduct
JICFA - Hazing
JBB - Student Violence, Harassment, Intimidation or Bullying
JK - Student Discipline
KD - Student Suspension
JKE - Expulsion of Students
KE - Public Concerns and Complaints

STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

A student with a complaint or grievance may complain directly to a school administrator or staff member within thirty (30) days of an alleged occurrence. The initial complaint or grievance should be made using form JII-EA, however, a verbal complaint or grievance may be made. When a school staff member receives the information, the staff member will immediately inform a school administrator. If the complaint or grievance involves a school administrator the staff member shall forward the complaint or grievance to the next administrative level.

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

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

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

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

official that the reported incident actually occurred, the record shall not be used for the imposition of discipline.

- The complainant or person against whom the complaint is filed may appeal the findings of the investigation within ten (10) calendar days of receipt of the written findings. The appeal should be submitted in writing to the Superintendent or his/her designee and should identify additional facts, documents, or witnesses the appellant believes should be considered. The Superintendent or his/her designee shall expedite a review of the written findings and determine whether additional investigation is necessary. The Superintendent shall present the parties with a final written notice of decision regarding the appeal within thirty (30) days after the appeal is submitted.

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

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

If there is anyone who could provide more information regarding this, please list name(s), address(es), and telephone number(s).

Name	Address	Telephone Number
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_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

I certify that this information is correct to the best of my knowledge.

Signature of Complainant

Date Signed

EVIT Administrator or staff receiving form

Date received

(Recipient shall provide a copy of the form to the complainant and retain the original for the file.)

Timelines

The school administrator or staff member will investigate and respond in writing to the complaining party within five (5) working days.

If the administrator or staff member does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

Except for a decision by the Board, a decision may be appealed within (10) working days to the next higher administrative level.

STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

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

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

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

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

Provided that:

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

The guidelines to be followed are:

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

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

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

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

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

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

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

Timelines

The school administrator or staff member will investigate and respond in writing to the complaining party within five (5) working days.

If the administrator or staff member does not respond, the Superintendent will have ten (10) additional working days to respond in writing to the complaining party.

If the Superintendent does not respond within the established time, then the complaining party may request in writing that the issue be brought before the Board. The Board will then review the record of the investigation and have thirty (30) days to respond to the complaining party in writing.

The complainant or person against whom the complaint is filed may appeal the findings of the investigation to the next higher administrative level within ten (10) working days of receipt of the written decision. The appeal should identify additional facts, documents, or witnesses the appellant believes should be considered. A final written notice of the decision on appeal will be issued within thirty (30) days of when the appeal is submitted. There is no appeal from a decision made by the Board.

JJA

STUDENT ORGANIZATIONS

The Superintendent may approve the establishment of student organizations appropriate to grade levels within the District.

School activities shall not be held on Sundays unless they have been cleared with the Superintendent.

Adopted: date of manual adoption

JJB

STUDENT SOCIAL EVENTS

An integral part of the education process is the learning derived from participation in school-sponsored social activities. Such activities shall have certificated school personnel as sponsors at all events.

The Superintendent may require the school to develop rules and regulations concerning such activities.

Adopted: date of manual adoption

JJC

STUDENT PERFORMANCES/EXHIBITS/COMPETITION

Any student or group of students planning to give public performances representing the District shall first secure permission from the Program Director. Such performances shall be in keeping with the general goals and objectives of the educational program and the following:

- Funds, if collected, shall be credited to the appropriate student activities fund account.
- The participation in the project will not deprive students of time needed in acquiring basic skills.
- The regular schedule will not be interrupted unless the majority of the students benefit through their participation.
- The activity shall contribute to the educational program.

Adopted: date of manual adoption

Revised: October 10, 2022

JJE

STUDENT FUND - RAISING ACTIVITIES

Fund-raising activities by students on school premises or elsewhere as representatives of the school will be permitted only for the types of fund-raising activities approved by the Governing Board and when connected with specific school activities approved by the Superintendent.

Participation in contests or fund-raising activities shall be governed by the following criteria:

- The aim of the activity shall benefit youth in educational, civic, social, and ethical development.
- The activity shall not be detrimental to the regularly planned instruction.

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.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. 15-1121 through 1123

CROSS REF.: DIC — Financial Reports and Statements

JJF — Student Activities Funds

STUDENT ACTIVITIES FUNDS

Upon recommendation by the Superintendent, the Board will designate a student activities treasurer. The Superintendent shall assure the establishment and maintenance of a "Student Activity Fund" as defined in A.R.S. § 15-1121 through A.R.S. § 15-1124.

When appropriate, and upon recommendation by the Superintendent, the Board may designate an assistant activities treasurer for each school.

The Superintendent shall require the establishment of appropriate procedures whereby all persons having any duties relating to such funds are advised of the requirements and responsibilities therefor. All such persons shall be held strictly accountable for the manner in which these guidelines are followed.

The Superintendent shall ensure that an accurate, detailed record of all revenues and expenditures of the student activities fund is kept. The record shall be made in such form as the Board prescribes. Copies of the record shall be presented to the Board not less than once during each calendar month.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-1121, *et seq.*

CROSS REF.: DIB - Types of Funds/Revolving Funds

STUDENT ACTIVITIES FUNDS

Operational Procedures for Student Activities

The Student Activities Fund Requisition, properly drawn and duly approved, is the basic documentation for all acquisitions from student activities funds. Care should be exercised in the initiation of requisitions. The forms must be legible, preferably typewritten or printed, and with official organization names affixed thereon. Proper account numbers are essential and, if not known, can be provided by the student funds bookkeeper at the District business office. Descriptions of requests must be comprehensive and adequate to assure proper handling.

State Use Taxes

State use taxes apply to most out-of-state purchases and are in lieu of state sales tax. When the vendor does not charge sales tax on the invoice, use tax is paid directly to the State Tax Commission.

Commitments to Vendors

It is not permissible for sponsors and advisers or student members of student organizations to make commitments directly to vendors in the name of an organization or school. Availability of materials or services and/or prices may be ascertained, but the District provides adequate business services to facilitate all procurement.

- All commitments to vendors must be approved by purchase order.
- Commitments made by an individual without proper approval may result in personal liability.

Student Activities Revolving Fund - High School Only

The revolving fund should be used only for emergencies, and only if the vendor will not or cannot provide an invoice. If an emergency arises requiring a purchase from a vendor that will accept a purchase order and provide an invoice, the purchasing department shall issue a purchase order number. The only exception would be emergency expenditures under \$40.00. Under no circumstances can the revolving fund be used for wages, salaries, or personal compensation of any kind.

Money should be advanced only by the District's office as quickly as possible, and no later than one (1) week after the date of the activity. Periodically, the completed requisitions and receipts should be submitted to the student funds office along with a master requisition requesting reimbursement to the revolving fund. The revolving fund must be redeposited with the student funds office at the close of the school year so that the books can be closed.

Requests for Checks

It is recognized that a few instances may exist where requests for checks are practical and procedurally proper. An invoice or contract is necessary in order to request a check.

Cash Advances for Activities

Students or teachers should not have large amounts of cash on hand. Most businesses will accept purchase orders and bill the District.

The only time it may be necessary to request a cash advance would be to do business with a store that will not accept a purchase order. Also, some purchases are so small that it is not economically feasible to use a purchase order.

Cash advances for activities should not exceed \$200.00. Expenditures should be limited to small purchases not in excess of \$40.00 for each store. Exceptions require approval. Purchases must be limited to supplies and are not to be used for equipment or labor.

Cash advances for activities must be requisitioned, with checks made payable to sponsors. It is the responsibility of the sponsor to submit to the appropriate administrator receipts for all expenditures. Unspent money shall be credited back to the account.

Cash advances must be documented and completed within one (1) week after the date of the activity.

The appropriate administrator will be responsible for the safekeeping and proper handling of cash advances.

Capital Outlay Items

A request for capital outlay items must be supported by a copy of the minutes of the meeting authorizing the purchase. The requisition must be approved by the supervisor and the Program Director and Superintendent.

Postage

Student activity clubs, organizations, student governments, and student councils are required to provide their own postage. It is not appropriate to use the District postage meter.

The commingling of student and District funds is not permitted.

Student Activity Payroll Procedures

Every two weeks, the student activities office will prepare a payroll. By Monday of the payroll week, the payroll forms should be submitted to that office. Particular attention should be paid to the following:

- Employee names should be listed alphabetically.
- If an employee is new to the District, a W-4 form must be attached.
- All information on the form must be complete, including employee numbers, unless the employee is new to the District and has not been assigned a number.

Budgeting Student Activities

Each year, the student council shall prepare a budget. The budget is used as a guide in planning, and not as any form of control by the financial services office.

Proper Receipts

Whenever possible, a store receipt should be obtained. If the store does not provide a sales receipt, then one should be made up according to the instructions listed below. The store name must be stamped on the receipt.

Instructions for receipts to support cash advances or reimbursements:

- Cash register tapes alone are not acceptable.
- An itemized sales receipt should be requested at the start of checkout.
- If the store will not provide an itemized sales receipt, one of the District's receipts should be completed as described in the following instructions:
 - The store name should be rubber-stamped (an endorsement stamp shall be accepted), not handwritten.
 - The current date should be shown.
 - "East Valley Institute of Technology" should be shown.
 - Purchases should be itemized, listing the cost of each item.
 - The subtotal should be shown, to which should be added the amount of tax and the total cost.
 - The store clerk should sign the receipt and indicate "paid."
 - The cash register tape should be attached.
- If proper receipts are not obtained, the payee of the cash advance shall be held responsible.
- If problems or questions arise, the student funds office should be called.

Field Trips

Student activities funds may be used to finance field trips if the following guidelines are observed:

- District guidelines regarding field trips must be observed.
- Field trip requests must be reviewed and approved or disapproved by the Superintendent.
- Approved transportation requests must be forwarded to the director of business/human resources.
- The cost of field trips shall be in accordance with current District policy.

CONTESTS FOR STUDENTS

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. The Superintendent shall establish procedures and regulations governing participation in such contests.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-1241
 A.A.C. § R7-2-313

CONTESTS FOR STUDENTS

Participation in contests shall be optional and shall be kept within reasonable bounds. The following statements shall be a guide for determining participation in contests:

- The primary educational aims and the needs and interests of the students must be a consideration at all times.

The school and its students shall not be used to promote private or commercial interests.

- All materials or activities initiated by private sources shall be judged on grounds of their:
 - Direct contribution to educational values.
 - Factual accuracy.
 - Good taste.

Consideration shall be given in all cases to protecting students and teachers against unreasonable added work and responsibilities.

STUDENT DISCIPLINE

The Superintendent shall recommend policies and develop procedures for the discipline of students that comply with A.R.S. § 15-843. These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity and may include a wide range of penalties that may be imposed for violations. When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

Teachers are authorized to temporarily remove a student from a class. A teacher may temporarily remove a student to the Program Director, or to a person designated by the school administrator, in accord with:

- Rules established for the referral of students.
- The conditions of A.R.S. § 15-842, when applicable.

The Superintendent shall establish such rules as are necessary to implement the temporary removal procedure.

Information concerning a student's disciplinary record will be held in the strictest confidence.

Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.

Adopted: date of manual adoption

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 13-402 *et seq.*, 15-341, 15-342, 15-841-844
A.A.C. § R7-2-807

CROSS REF.: MC-Student Conduct

JKA-Corporal Punishment

JKD-Student Suspension/Expulsion/Due-Process Rights

STUDENT DISCIPLINE

A student may be subject to disciplinary action when the student:

- Engages in conduct that is disorderly, *i.e.*, intentionally causing public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, by:
 - Fighting or engaging in violent behavior.
 - Making unreasonable noise.
 - Using abusive or obscene language or gestures.
 - Obstructing vehicular or pedestrian traffic.
 - Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.
- Engages in conduct that is insubordinate, *i.e.*, failing to comply with the lawful directions of a teacher, school administrator, or other school employee in charge of the student.
- Endangers the safety, morals, health, or welfare of others by any act, including but not limited to:
 - Selling, using, or possessing alcohol, drugs, or other controlled substances or drug paraphernalia.
 - Selling, using, or possessing weapons, fireworks, or other dangerous instruments or contraband.
 - Selling, using, or possessing obscene materials.
 - Using profane, vulgar, or abusive language (including ethnic slurs).
 - Gambling.
 - Hazing.
 - Engaging in lewd behavior.
- Engages in any of the following forms of academic misconduct:
 - Lateness for, missing, or leaving school or class without permission or excuse.
 - Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion).
 - Plagiarism.
- Engages in conduct violative of the Board's rules and regulations for the maintenance of public order on school property.
- Has a record of excessive absenteeism.
- Is believed to have or actually has committed a crime.

Reasonableness of use of physical force in self-defense, defense of others, and defense of property will be considered as a mitigating factor in determining penalties for misconduct. The threat or use of physical force by a student is not reasonable (i) when made in response to verbal provocation alone, (ii) when assistance from a school staff member is a reasonable alternative, or (iii) 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.

Permissible Penalties

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- Verbal warning.
- Written warning.
- Written notification to parents. Probation.
- Detention.
- Suspension from transportation. Suspension from athletic participation.
- Suspension from social or extracurricular activities.
- Suspension of other privileges.
- Exclusion from a particular class.
- In-school suspension.
- Involuntary transfer.
- Suspension.
- Expulsion.

Depending upon the nature of the violation, student discipline shall be progressive, *i.e.*, generally, a student's first violation should merit a lighter penalty than subsequent violations. A District employee or agent should take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

Student Disciplinary Proceeding

Each school will establish a procedure that at a minimum will provide the Program Director, or the designee of the school administrator, with documentation of the teacher's reason(s) for the temporary removal of a student from class.

Refusal to readmit per A.R.S. § 15-841:

Upon discussion, by the administrator with the teacher, of disciplinary action implemented in conjunction with a temporary removal in accord with the rules established by the Board, the teacher will be required to state an intent to readmit or

refuse to readmit the removed student. If the teacher refuses to readmit the student, the reason shall be written by the teacher, explaining the conditions used to determine the removal, and shall be provided to the administrator by the next business day following the temporary removal.

- Either of the following conditions must exist for a temporary removal per A.R.S. § 15-841:
 - The teacher has documented that the pupil has repeatedly interfered with the teacher's ability to communicate effectively with the other pupils in the class or with the ability of the other pupils to learn.
 - The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.
- The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. § 15-841. Within three business days following the date of temporary removal, the SPRC shall determine to either place the student in a new class or return the student to the existing class if that is the best or only practicable alternative.
- If the student is qualified for educational services under the Individuals with Disabilities Education Act (IDEA), any change in the student's individualized education program (IEP) shall be determined by the IEP team in accord with federal regulations.

Any teacher, administrator, Board member, parent, or other person may report a violation of student disciplinary rules to an administrator. The administrator will then make an investigation of the charges as deemed appropriate and will institute appropriate proceedings.

This information for the maintenance of public order on school property will be publicized and explained to all students and provided in writing to parents as requested. In order to promote effectiveness of student discipline, the assistance of parents in enforcing rules for student discipline shall be invited and encouraged.

Involving Staff Members

The Program Director is responsible for involving staff members of the school in the development of a positive plan for student discipline. All staff members are responsible for implementing the plan of student discipline for the school.

STUDENT DISCIPLINE

The Superintendent shall establish and retain complete records of student disciplinary actions and procedures. Records regarding student disciplinary actions shall be retained for at least two (2) years after last attendance date.

The accounting for students subject to disciplinary action on discipline record card shall contain an entry of:

- The full name of the student.
- The racial/ethnic and sex designations of the student.
- The time, place, and date of the offense or offenses, or observed behavior.
- Descriptions and dates of other offenses or observed behaviors if not previously reported.
- The names of witnesses or others involved.
- Specific measures taken by person or persons reporting the offense or offenses to effect an adjustment, including the specialized help secured before referral, such as conferences with parents, conferences with the Program Director or Superintendent, and conferences with other school personnel.
- The name and title of the person or persons reporting the offense or offenses.
- The alternatives, if any, that were considered prior to the imposition of the disciplinary action taken by the Program Director or the Superintendent.
- The final disposition of the case.
- The name and title of the person or persons imposing the action or actions.

The kinds of disciplinary actions for which an accounting should be kept shall include, but not be limited to:

- Suspensions and/or expulsion.
- Placement in work room or detention (for disciplinary reasons).
- Transfer to another class (for disciplinary reasons).
- Transfer to another school (for disciplinary reasons).
- Referrals of cases to police and juvenile authorities.
- Others as required.

The District shall have the responsibility of maintaining the necessary discipline records.

EVIT STUDENT DISCIPLINE REFERRAL OF STUDENT TO PROGRAM DIRECTOR

Student's Name: _____

Date/Time of Incident: _____

Room #: _____

Instructor: _____

Purpose for which the student is being referred:

If the referral is for misconduct, have you previously referred this student for the same, or similar, reason(s)? ☐ Yes ☐ No

Do you desire to confer with the Program Director, or the Program Director 's designee, before disciplinary action is taken? ☐ Yes ☐ No

Is it your intent to file a Notice to Program Director of Refusal to Readmit Student? ☐ Yes ☐ No ☐ Possibly

REMINDER: All documentation substantiating the reason(s) and condition(s) for a refusal to readmit the student following the student's temporary removal pursuant to A.R.S. 15-841 must be provided by the next business day following the temporary removal.

Instructor's Signature

Date

STUDENT DISCIPLINE**NOTICE TO PROGRAM DIRECTOR OF REFUSAL TO READMIT
STUDENT**

(Must be submitted by next business day following temporary removal)

Teacher _____ Student _____

School _____ Class _____ Period _____

Under the provisions of A.R.S. § 15-841, I am refusing to readmit the above-named student to the identified class. The temporary removal was made under the following condition (one of the two conditions must be selected and substantiated):

☐ 1. **The pupil has repeatedly interfered with my ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.**

☐ 2. **The pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with my ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.**

Instructions: Describe the incidents that have prompted the decision to remove the student from the class. It is important that complete and detailed information is provided, as it will be used (1) by the Program Director in determining the appropriate discipline management techniques, consistent with Governing Board rules, to be applied to this case, and (2) by the placement review committee to determine whether the student should be placed back in the class if the teacher and Program Director cannot reach consensus that acceptable corrective measures have been accomplished to effect the student's return to class.

To the extent possible, report literal disruptive remarks made by the student, and list contributing factors such as the student's facial or bodily expressions, gestures, sounds, and so forth. Explain how the student attempted to divert the attention of other students, to encourage their participation in the misbehaviors, and to otherwise interfere with the classroom management, teaching, and learning processes. State the techniques, both successful and unsuccessful, that have been attempted to restrain the student's misconduct, gain the student's cooperation, or otherwise control the situation. List the dates of and summarize the communications and conferences with the student's parent(s) or other responsible adult(s) to elicit their assistance in resolving the difficulties with the student.

If the space on this form is inadequate, check the box on the following page and indicate the number of supplemental sheet(s) you are attaching to this notice. Complete one sheet for each incident of misbehavior

EXHIBIT

EXHIBIT

Date of misbehavior: _____

Description of incident: _____

Techniques attempted: _____

Parental conference held? ☐ Yes ☐ No. If yes, date held and summary of outcome.

Date:_____ Summary: _____

☐ Additional space is needed.____supplemental sheets are attached notice.

State the action(s) you expect will be most effective with the student and state your expectation for the outcome of your decision to remove the student from your class.

Instructor's Signature

Date submitted to Program Director

SUPPLEMENTAL NOTICE TO PROGRAM DIRECTOR OF REFUSAL TO READMIT STUDENT

Teacher _____ Student _____

School _____ Class Period _____

Date of misbehavior: _____

Description of incident: _____

Techniques attempted: _____

Parental conference held? ☐ Yes ☐ No. If yes, date held and summary of outcome.

Date: _____ Summary: _____

Sheet _____ of _____ Supplemental Sheets

JKA

CORPORAL PUNISHMENT

The District disallows corporal punishment. *Adopted:*

November 13, 2008

LEGAL REF.: A.R.S. § 15-843

CROSS REF.: JK - Student Discipline

JKD - Student Suspension/Expulsion/Due-Process Rights

JKB

DETENTION OF STUDENTS

Reasonable detention during break-time, noon, or at the close of the school day is permitted, provided that appropriate consideration is given to student transportation, weather, and other extenuating circumstances. However, a student shall not be denied the privilege of eating. Detention should not exceed one class session (2 1/2 hours) per day.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-843

STUDENT SUSPENSION/EXPULSION/DUE-PROCESS RIGHTS

A student may be removed from contact with other students as a temporary measure.

The authority to suspend a student for up to ten days, after an informal hearing is held, rests with the Superintendent. If a danger to students or staff members is present, the Program Director may immediately remove the student from school, with prior contact with the parents and with a notice and hearing following as soon as practicable. Each suspension shall be reported to the Governing Board, within five days, by the person imposing it. [A.R.S. § 15-843]

In all cases, except summary suspension where a clear and present danger is evident, the student shall remain in school until applicable due-process procedures are instituted. In no instance shall students be released early from school unless parents have been notified.

A recommendation to expel shall be through the Program Director and forwarded to the Superintendent. The authority to expel rests only with the Board. All expulsions requested shall have supporting data indicating the required due - process procedure.

Regular Education Students

Suspension for ten days or less:

- Step 1: The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
 - After having received notice, the student will be asked for an explanation of the situation.
 - The authorized District personnel shall make reasonable efforts to verify facts and statements prior to making a judgment.
- Step 2: Following Step 1:
 - Provided that a written record of the action taken is kept on file, authorized District personnel may:
 - Suspend the student for up to ten days.
 - Choose other disciplinary alternatives.
 - Exonerate the student.
 - A Suspend the student for ten days pending a recommendation that the student be given a long-term suspension or expulsion or both.
 - When suspension is involved:
 - A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
 - A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long - term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
 - No appeal is available from a short-term suspension.

Suspension for over ten days or expulsion:

- Step 3a: If the offense is one that could result in a suspension of over ten days, in addition to Step 1 and Step 2 the Superintendent will set up and conduct a formal hearing.
- Step 3b: If the offense is one that could result in expulsion, the Board will determine in executive session whether to hold a hearing, or to designate a hearing officer as provided in A.R.S. 15-843, and whether the hearing shall be held in executive session.
- Step 4: A formal letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult witness present) at least five working days prior to the formal hearing. A copy of this letter will remain on file, and the letter should explain:
 - A statement of the charges and the rule or regulation violated.
 - The extent of the punishment to be considered.
 - The date, time, and place of the formal hearing.
 - A designation of the District's witnesses.
 - That the student may present witnesses.
 - That the student may be represented by counsel.
 - If a hearing officer has been appointed, the name of the hearing officer.
 - The right of the parents or guardian (or an emancipated student) to indicate their objection to the decision to hold the hearing in executive (closed) session. Such objections must be made in writing to the Board, in cases of expulsion, or to the hearing officer.
- Step 5: A formal hearing will be held, during which the student will be informed of the following rights:
 - When a parent or legal guardian has disagreed that the hearing should be held in executive (closed) session, it shall be held in an open meeting unless:
 - If only one student is subject to the proposed action, and disagreement exists between that student's parents or legal guardians, then the Board (hearing officer), after consultation with the student's parents or legal guardians, shall decide in executive (closed) session whether the hearing will be in executive (closed) session.
 - If more than one student is subject to the proposed action and disagreement exists between the parents of different students, then separate hearings shall be held subject to the provisions of A.R.S. 15-843.
 - Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony of such session or from recording such a session at the parent's or legal guardian's expense.
 - The student is entitled to a statement of the charges and the rule or regulation violated.

JKD

- The student may be represented by counsel, without prejudice.
- The student may present witnesses.
- The student or counsel may cross-examine witnesses presented by the District.
- The burden of proof of the offense lies with the District.
- Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.
- The District has the right to cross-examine witnesses, and may be represented by an attorney.
- Step 6: The decision and appeal procedure, if applicable, upon the conclusion of the hearing will be as follows:
 - Suspension:
 - Upon the conclusion of a hearing by a hearing officer in which a decision of long- term suspension is made, the decision may be appealed to the Board. To arrange such an appeal, the parent(s) of the suspended student or the student must deliver to the Superintendent a letter directed to the Board within five (5) days after receiving written notice of the long-term suspension. The letter must describe in detail any objections to the hearing or the decision rendered.
 - The appeal to the Board will be on the record of the hearing held by the hearing officer. If the Board determines that the student was not afforded due- process rights or that this policy was not followed in all substantive respects, the student shall be given another hearing. If the Board determines that the punishment was not reasonable, they may modify the punishment.
 - The decision of the Board is final.
 - Expulsion:
 - Upon conclusion of the hearing by the hearing officer, if a recommendation for expulsion is made, the decision may be appealed to the Board at the time the Board considers the recommendation. A formal letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult witness present) indicating the recommendation that will be made to the Board. A copy of this letter will remain on file, and the letter should explain:
 - The time and place of the Board meeting at which the recommendation will be made.
 - That the recommendation may be appealed at the time the recommendation is made to the Board.
 - That the appeal shall be in writing delivered to the Superintendent prior to the time of the Board meeting.
 - That the written appeal shall indicate a spokesperson on behalf of the student.

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- That the spokesperson will be given time to speak to the Board on appeal.
- Upon conclusion of the hearing on expulsion by the Board, the decision of the Board is final.

Special Education Students

Suspension for ten days or less. Short-term suspension (ten days or less) may be used for special education students for disciplinary reasons on the same basis as for a regular education student. (It is not considered a change of placement.)

- Step 1: The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
 - After having received notice, the student will be asked for an explanation of the situation.
 - The authorized District personnel involved shall make reasonable efforts to verify facts and statements prior to making a judgment.
- Step 2: Following Step 1:
 - Provided that a written record of the action taken is kept on file, authorized District personnel may:
 - Suspend the student for up to ten days.
 - Choose other disciplinary alternatives.
 - Exonerate the student.
 - Suspend the student for ten days pending a recommendation that the student be given a long-term suspension or expulsion or both.
 - When suspension is involved:
 - A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
 - A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long - term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
 - No appeal is available from a short-term suspension.

If a special education student is suspended for an accumulation of more than ten (10) days during the school year, a manifestation determination conference must be held.

Suspension for over ten days or expulsion.

- Step 3: A suspension of more than ten (10) consecutive days, a series of suspensions totaling more than ten (10) days, or expulsion of a special education student requires a manifestation determination conference. Such a conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability.
- Step 4: If the offense is not a manifestation of the disability of the student, the student may be suspended or expelled by following the procedure outlined above for students in general, provided that educational services are continued

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during the period of disciplinary removal for a student with a disability qualified under the Individuals with Disabilities Education Act (IDEA). A student with a disability qualified for educational services under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973, and not qualified under IDEA, may be suspended from school, and educational services may be ceased, if nondisabled students in similar circumstances do not continue to receive educational services.

- Step 5: If the behaviors are a manifestation of the disability of the student, the District may not suspend the student for more than ten (10) school days.

Adopted: November 13, 2008

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 15-342, 15-766, 15-767, 15-841, 15-842, 15-843
Att. Gen. Op. 178-103, 178-218, 180-055, 184-036
A.A.C. §§ R7-2-401, R7-2-405
18 U.S.C. 921 et seq., The Gun-Free School Act of 1990
20 U.S.C. 1401 et seq., Individuals with Disabilities in Education Act
29 U.S.C. 774 (Section 504), Rehabilitation Act of 1973 (P.L. 93-112)

CROSS REF.: IHB - Special Instructional Programs JR - Student Records

REMOVAL OF STUDENTS FROM SCHOOL-SPONSORED ACTIVITIES

The Program Director may remove a student from a school- sponsored activity if the Program Director determines that the student has violated a provision of the student discipline policies, rules, and/or regulations or if the Program Director determines that such removal is in the best interest of the activity or in the best interest of the school as a whole.

- Any school- sponsored club; or
- Any school- sponsored organization such as career and technical student organizations, student government, honor society, or any other organization or class or a similar nature.

An *activity* includes activities as defined above, whether or not a student is receiving or may receive academic credit for the activity.

Adopted: November 13, 2008

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 15- 342(1),15-766,15-767, 15-841, 15-842, 15-843 Att.

Gen. Op. 78-104, 78-218, I80-055, I84-036

Ariz. Admin. Code §§ R7-2-401, R7-2-405

20 U.S.C. § 1401 *et seq.*, Individuals with Disabilities in Education Act

29 U.S.C. § 774 (Section 504), Rehabilitation Act of 1973

CROSS REF.: IHB - Special Instructional Programs

JR - Student Records

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STUDENT INSURANCE PROGRAMS

The Board may provide or make available a student health benefits insurance program for the District. The program will be conducted at no expense to the District. (The District cannot pay for health benefits plan insurance out of monies from the School District's maintenance and operation budget.)

The Superintendent will provide to parents or guardians information on student health benefits insurance if such insurance is available.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-384

Att. Gen. Op. 186-095

STUDENT HEALTH SERVICES AND REQUIREMENTS

The Superintendent shall establish procedures for the student health services program in the District. The procedures will provide for:

- Administration of patent or proprietary medications (over-the-counter [OTC] medications) in compliance with Arizona Revised Statutes and District policies.
- Administration of prescription medications in compliance with Arizona Revised Statutes and District policies.
- Administration of immunizations in conjunction with the County Health Department and in compliance with Arizona Revised Statutes.
- Providing preventive health information.
- The treatment of school-related injuries/illnesses, and recommendation for follow-up care.
- Screening clinics for selected physical impairments.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 15-344

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IMMUNIZATIONS OF STUDENTS

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 is required for attendance of a District student. A direct enrollment District 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. The Superintendent shall review the student's immunization record at least twice each school year until the student receives all of the required immunizations. A student shall not be allowed to attend classes without submitting documentary proof of compliance to the Superintendent unless the student is exempted from immunization. On enrollment, the Superintendent shall suspend that student if the Superintendent does not have documentary proof of compliance and the student is not exempted from immunization. A direct enrollment District student who fails to comply with the immunization schedule shall be suspended from attendance until documentary proof of compliance is provided to the Superintendent, except that a homeless student shall not be suspended from attendance until the fifth (5th) calendar day after enrollment.

Any District 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.

The District will cooperate with county and state health departments in programs of immunization. Parents' permission must be secured before a District student may participate in such immunization projects.

Adopted: June 22, 2020

LEGAL REF.: A.R.S. §§ 15-871-74

Ariz. Admin. Code §§ 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, R9-6-701-07

IMMUNIZATION OF STUDENTS ARIZONA IMMUNIZATIONS REQUIREMENTS

Requirements by age/grade at entry and on a continuing review status¹. Vaccines must follow minimum intervals and ages to be valid. A 4-day grace period applies to these ages and intervals in most situations.

Age	Number of doses required of each immunization
Kindergarten-12th Grade	3 Hep B ² 4 Polio ³ 2 MMR ⁴ 1 Varicella ⁴ 5 DTaP ⁵
Additional requirements at age 11 Years and older ⁶	1 Tdap ⁷ 1 MenACWY

Footnotes:

- Students must have proof of all required immunizations in order to attend school.
- The final dose of hep B must be given at 24 weeks of age or older. If hep B #3 was given before 24 weeks of age, a 4th dose is required.
- 3 doses of polio are acceptable if dose #3 was received at or after 4 years of age and at least 6 months after the second dose; otherwise, 4 doses are required, with the last received at or after the 4th birthday. If the last dose was given ON or AFTER August 7, 2009, it must have been given at a minimum of 4 years of age AND a minimum interval of 6 months following the previous dose. Students who received either 3 or 4 doses PRIOR to August 7, 2009, regardless of age at final dose, have met the requirement.
- Minimum age for dose #1 of MMR and varicella is 12 months. Another dose will be required if dose #1 of either vaccine was given more than 4 days before 1st birthday. MMR and varicella must be given on the same day or at least 28 days apart.
- 4 doses of DTaP are acceptable if last dose was given on or after 4 years of age. A 6th dose is required if 5 doses have been given before 4 years of age, and the child is under 7 years old. For children 7-10, 3 doses of DTaP, DTP, DT, Tdap, or TD are acceptable if all 3 were given after the first birthday.
- In addition to the vaccines required for all K-12 students, 1 dose of Tdap and 1 dose of quadrivalent meningococcal vaccine are required when a student turns 11, regardless of grade. It is recommended that you notify parents ahead of their child's 11th birthday that these vaccines will be due once they turn 11. Do NOT require or recommend Tdap or MenACWY BEFORE age 11. There is no statute-defined time period in which students must come into compliance, but ADHS *recommends* no more than 15 days after the 11th birthday.
- Students must have a minimum of 3 doses of tetanus/diphtheria vaccine, including at least 1 Tdap. If a tetanus-containing vaccine was given between the ages of 7-10, 1 dose of Tdap is required when at least 5 years has passed since the last dose of tetanus-containing vaccine.

The laws and rules governing school immunization requirements are Arizona Revised Statutes §§ 15-871-874; and Arizona Administrative Code, R9-6-701-708. Please review the school requirements in Table 7.1 and "catch-up" schedule in Table 7.2, located in R9-6-701-708.

EXHIBIT

Students must have proof of all required immunizations in order to attend school; however, Arizona law allows K-12 immunization exemptions for medical reasons, lab evidence of immunity, and personal beliefs.

Parental recall or verbal history of any disease is not accepted; therefore, these students must submit an ADHS medical exemption form. **Specifically with varicella (chickenpox), measles, or rubella disease a medical exemption with attached laboratory evidence of immunity is required.**

Homeless students and children in foster care are allowed a 5-day grace period to submit proof of immunization records (assuming that all other students have their immunization records submitted prior to attendance at school).

CATCH UP SCHEDULE AND ADDITIONAL INFORMATION ON VACCINE REQUIREMENTS:

- **Hep B:** Minimum intervals for valid doses are as follows: The 2nd dose is due at least 4 weeks after the 1st dose; the 3rd dose is due at least 8 weeks after the 2nd dose and at least 16 weeks after the 1st dose. The final dose of hepatitis B vaccine (HBV) must be at or after 24 weeks of age. If Hep B 3rd dose was given before 24 weeks of age, a 4th dose is needed.
- **Hep B for students aged 11-15 years** – 2 doses meet the requirement if adult hepatitis B vaccine (Recombivax) was received. Dosage (10mcg/1.0mL) and type of vaccine must be clearly documented. If Recombivax was not the vaccine used, a 3-dose series is required.
- **Meningococcal Vaccine** – Only quadrivalent meningococcal ACWY vaccine doses will be accepted. The only quadrivalent meningococcal vaccines given currently in the U.S. are Menactra and Menveo. The Meningococcal Polysaccharide vaccine (Menomune) was a quadrivalent vaccine so is acceptable; however, production of this vaccine was discontinued in February 2017. Students who received this polysaccharide vaccine are considered acceptable for school requirements. No monovalent or bivalent meningococcal vaccinations will be accepted (MenA, MenB, MenC, or MenC/Y).
- **Poliomyelitis (Polio)** – The 2nd dose is due 4 weeks after the 1st dose; the 3rd dose is due 6 months after the 2nd dose. The U.S. currently does not give anything other than IPV (inactivated polio vaccine) whereas some foreign countries still give the OPV (oral polio vaccine). OPV given prior to April 1, 2016 will be presumed to be trivalent and therefore acceptable, regardless of country of administration. Any OPV doses administered after April 1, 2016 are presumed to be bivalent and therefore unacceptable. Students 18 years and older are exempt from the polio requirement.
- **MMR** – The 2nd dose is due 4 weeks after the 1st dose.
- **Varicella** – 2 doses are **required** for students who receive the first dose at 13 years of age or older. 2 doses are *recommended* for all K-12 students.

Personal Beliefs Exemption Form**Kindergarten – 12th Grade Only**

Arizona Department of Health Services (ADHS) strongly supports immunization as one of the easiest and most effective tools in preventing diseases that can cause serious illness and even death. ADHS also respects the rights of parents to decide whether or not to vaccinate their child.

By state law, (A.R.S. §15-873) a child will not be allowed to attend school until either proof of immunization or a completed exemption form is submitted to the school. The information below is provided to ensure that parents are informed about the risks of not vaccinating.

Place an "X" in the box to the left of each disease listed to exempt your child from the vaccine. Initial and date the box on the right.

<input type="checkbox"/>	Diphtheria (DTaP, DT, Tdap, Td): I have been informed that by not receiving this vaccine, my child is at increased risk of developing diphtheria if exposed to this disease. Serious symptoms and effects of this disease include: heart failure, paralysis (can't move parts of the body), breathing problems, coma, and death.	Initials _____ Date _____
<input type="checkbox"/>	Tetanus (DTaP, DT, Tdap, Td): I have been informed that by not receiving this vaccine, my child is at increased risk of developing tetanus if exposed to this disease. Serious symptoms and effects of this disease include: "locking" of the jaw, difficulty in swallowing and breathing, seizures (jerking and staring), painful tightening of muscles in the head and neck, and death.	Initials _____ Date _____
<input type="checkbox"/>	Pertussis (Whooping Cough) (DTaP, Tdap): I have been informed that by not receiving this vaccine, my child is at increased risk of developing pertussis (whooping cough) if exposed to this disease. Serious symptoms and effects of this disease include: severe coughing fits that can cause vomiting and exhaustion, pneumonia, seizures (jerking and staring), brain damage, and death.	Initials _____ Date _____
<input type="checkbox"/>	Polio (IPV): I have been informed that by not receiving this vaccine, my child is at increased risk of developing polio if exposed to this disease. Serious symptoms and effects of this disease include: paralysis (can't move parts of the body), meningitis (infection of the brain and spinal cord covering), permanent disability, and death.	Initials _____ Date _____
<input type="checkbox"/>	Measles, Mumps Rubella (MMR): I have been informed that by not receiving this vaccine, my child may be at increased risk of developing measles, mumps, and/or rubella if exposed to these diseases. Serious symptoms and effects of measles include: pneumonia, seizures (jerking and staring), brain damage, and death. Serious symptoms and effects of mumps include: meningitis (infection of the brain and spinal cord covering), painful swelling of the testicles or ovaries, sterility, deafness, and death. Serious symptoms and effects of rubella include: rash, arthritis, and muscle or joint pain. If a woman gets rubella while she is pregnant, she could have a miscarriage or her baby could be born with serious birth defects such as deafness, heart problems, and mental retardation.	Initials _____ Date _____
<input type="checkbox"/>	Hepatitis B: I have been informed that by not receiving this vaccine, my child may be at increased risk of developing hepatitis B if exposed to this disease. Serious symptoms and effects of this disease include: jaundice (yellow skin or eyes), life-long liver problems, such as scarring and liver cancer, and death.	Initials _____ Date _____
<input type="checkbox"/>	Varicella (Chickenpox): I have been informed that by not receiving this vaccine, my child may be at increased risk of developing varicella (chickenpox) if exposed to this disease. Serious symptoms and effects of this disease include: severe skin infections, pneumonia, brain damage, and death.	Initials _____ Date _____
<input type="checkbox"/>	Meningococcal: I have been informed that by not receiving this vaccine, my child is at increased risk of developing meningococcal disease. Serious symptoms and effects of this disease include: neurological damage, sepsis, permanent scarring or loss of limbs, and death.	Initials _____ Date _____

Due to my personal beliefs, I request an exemption for my child from the required vaccine doses selected above. I am aware that if I change my mind in the future, I can rescind this exemption and obtain immunizations for my child. Initials _____

- I am aware that additional information about vaccine preventable diseases, vaccines and reduced or no cost vaccination services is available from my local county health department and Arizona Department of Health Services (www.azdhs.gov/phs/immun/index.htm).
- I am aware that in the event the state or county health department declares an outbreak of a vaccine-preventable disease for which I cannot provide proof of immunity for my child, he or she may not be allowed to attend school for up to 3 weeks or until the risk period ends.

Child's Name _____ Date of Birth (month/day/year) _____

Parent/Guardian Signature _____ Date (month/day/year) _____

COMMUNICABLE/INFECTIOUS DISEASES

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 A.R.S. § 36- 629 *et seq.*, appropriate regulations of the State Department of Health Services, and policies of the County Health Department.

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.

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.

Pediculosis (Lice Infestation)

Students with pediculosis shall be excluded from school until treatment specific for pediculosis has been initiated and the student is symptom free.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§15-871, 15-872, 36-629

A.A.C. §§ R9-6-339, R9-6-601 *et seq.*

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ACQUIRED IMMUNE DEFICIENCY SYNDROME AND HUMAN IMMUNODEFICIENCY VIRUS INFECTIONS

Students ill with HIV virus or acquired immune deficiency syndrome (AIDS) have a right to receive a public education. The Board has a responsibility to assure that the school provides a safe environment for all of its students and employees.

The Board directs that:

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

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.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-871, 15-872

A.A.C. §§ R9-6-331, R9-6-701 *et seq.*

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ADMINISTERING MEDICINES TO STUDENTS

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:

- 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.
- 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.
- 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.

The District reserves the right, in accordance with procedures established by the Superintendent, 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.

This policy and any related policies or amendments to such policies shall be forwarded to the District liability insurance carrier for review.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-344, 32-1601, 32-1901

CROSS REF.: EBC-RC - Emergencies (First Aid)

**ADMINISTERING MEDICINES TO STUDENTS
(Medication Procedures)**

Prescription Drugs

For occasions when it is necessary for a student to receive a prescription drug during the school day, the following procedure has been established to ensure the protection of the school and the student and to assure compliance with existing rules and regulations:

Administration by school personnel:

- The medication must be prescribed by a physician.
- The parent or guardian must provide written permission to administer the medicine to the student. Appropriate forms are available from the school office.
- The medication must come to the school office in the prescription container as put up by the pharmacist. Written directions from the physician or pharmacist must state the name of the patient, the name of the medicine, the dosage, and the time it is to be given.
- An administrator may designate a school employee to administer the medication.
- Each administration of prescription drugs must be documented, making a record of the student having received the medication.
- Drugs must be kept in their original containers in a locked medicine cabinet.

Self-administration:

- When the physician feels it is necessary for the student to carry and self-administer the medication, the physician shall provide written recommendations, to be attached to the signed parent permission form.
- The parent or guardian must provide written permission for the student to self-administer and carry the medication. Appropriate forms are available from the school office
- The medication must come in the prescription container as put up by the pharmacist.

Over-the-Counter Medication

When it is necessary for a student to receive a medicine that does not require a prescription order but is sold, offered, promoted, and advertised to the general public, the following procedure has been established to ensure the protection of the school and the student:

Administration by school personnel:

- Written permission must be provided by the parent or guardian for the administration of specific over-the-counter drugs.
- Any over-the-counter drug or medicine sent by the parent to be administered to a student must come to the school office in the original manufacturer's packaging with all directions, dosages, compound contents, and proportions clearly marked.
- An administrator may designate a school employee to administer a specific over-the-counter drug.
- Each instance of administration of an over-the-counter drug must be documented in the daily log.
- Over-the-counter drugs must be kept in their original containers in a locked medicine cabinet.

Self-administration;

- Written permission must be provided by the parent or guardian for the administration of specific over-the-counter drugs by the student.
- Over-the-counter drugs or medicine sent by the parent to be administered by the student must be kept by the student in the original manufacturer's packaging, with all directions, dosages, compound contents, and proportions clearly marked.
- *Necessity* for self-administration of an over-the-counter drug or medicine shall be determined by the student's physician and must be verified by a signed physician's statement attached to the parent or guardian permission form, indicating the specific drug or medicine.

Protection of Students

Use or administration of medication on school premises may be disallowed or strictly limited if it is determined by the Superintendent, in consultation with medical personnel, that a threat of abuse or misuse of the medicine may pose a risk of harm to a member of the student population.

The student shall take extraordinary precautions to keep secure any medication or drug, and under no circumstances shall make available, provide, or give the item to another person. The student shall immediately report the loss or theft of any

medication brought onto school campus. Violation of this regulation may subject the student to disciplinary action.

ADMINISTERING MEDICINE TO STUDENTS**(Request for Giving Medicine at School)**

Name _____ Grade _____

Teacher _____ School _____

Medication _____

Diagnosis/reason for giving _____

Time to be given _____ a.m. Time to be given _____ p.m.

Dates from _____ to _____

Prescription medication must be in the original container as prepared by a pharmacist and labeled, including the patient name, name of medication, dosage, and time to be given. An over-the counter medication must be in the original packaging, with all directions, dosages, compound contents, and proportions clearly marked. Student misuse of medication being self-administered may result in seizure and disciplinary action.

Parent's or Guardian's Signature_____
Date

A signed physician's statement indicating the necessity must accompany any request for self-administration of medicine, whether it is prescription or over-the-counter medicine.

GUIDANCE AND COUNSELING

The focus of the counseling and guidance program in the District is on the developmental needs of students.

Personnel involved in counseling will demonstrate respect for the dignity and worth of each individual and encourage each student to develop individual responsibility and decision-making skills. Personnel involved in counseling coordinate the school guidance program and involve all staff members in designing and implementing plans to meet three major goals:

- *Educational development.* Students may participate in planning their education.
- *Personal/social development.* Students will develop appropriate behaviors for a variety of social settings. Students will develop awareness of self and confidence in their own abilities in order to enhance their career options and development.
- *Career development.* Students will develop career options consistent with their interests, abilities, and values.

Adopted: November 13, 2008

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SCHOOL COUNSELORS AND PSYCHOLOGISTS

The District shall not provide psychological services.

Adopted: date of manual adoption

**SCHOOL COUNSELORS AND PSYCHOLOGISTS
(Psychological Reports)**

Psychological reports or case study evaluations are confidential. Such information will be kept locked in the appropriate records location when not in use by authorized personnel.

Teachers may review a student's file under the cognizance of an administrator.

Psychological reports shall not be taken from the office of the department responsible for the preservation of records.

REPORTING CHILD ABUSE/CHILD PROTECTION

Any school personnel or any other person having responsibility for the care or treatment of children, whose observation or examination of any minor discloses reasonable grounds to believe that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted upon such minor by other than accidental means or which is not explained by the available medical history as being accidental in nature or who has 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 protected under A.R.S. § 36-2281 shall immediately report or cause reports to be made of such information to a peace officer or to the Department of Child Safety of the Department of Economic Security.

A “reportable offense” is any offense listed in JLF-R.

The Arizona Department of Economic Security, Division of Children, Youth and Families, has determined that all mandated reporters may now electronically submit non-emergency reports via a secure online reporting website. Non-emergency reports are those in which a child is not at immediate risk of abuse or neglect that could result in serious harm. Mandated reporters will be able to submit non-emergency reports twenty-four (24) hours a day without wait times.

All reports made via the online website will require the person making the report (reporting source) to provide contact information. A representative from the Child Abuse Hotline may contact the source for additional information, if necessary. This process will make it more convenient to meet the mandated reporting requirements and help ensure child safety.

All emergency situations where a child faces an immediate risk of abuse or neglect that could result in serious harm must still be reported by calling 911 or 1-888-SOS-CHILD (1-888-767-2445). If a reporting source is unsure as to whether or not the report is an emergency situation, the reporting source should call the Child Abuse Hotline to make a report.

Any concerns for the safety of a child due to abuse, neglect or abandonment, must be reported, by:

Calling 1-888-SOS-CHILD (1-888-767-2445),

TDD: 602-530-1831 (1-800-530-1831), or

Submitting *non-emergency* concerns via the Online Reporting Service at <https://dcs.az.gov/about/contacts>.

Pursuant to A.R.S. § 13-3620, such reports shall contain:

- The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- The minor's age and the nature and extent of any injuries or physical neglect, including any evidence of previous injuries or physical neglect.
- Any other information that such person believes might be helpful in establishing the cause of the injury or physical neglect.

A person furnishing a report, information, or records required or authorized under Arizona Revised Statutes or a person participating in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes shall be immune from any civil or criminal liability by reason of such action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

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Professional privilege, provided for by professions such as the practice of nursing or psychology covered by law or a code of ethics regarding practitioner- client confidences, both as they relate to the competency of the witness and to the exclusion of confidential communications, shall not pertain in any civil or criminal litigation in which a child's neglect, dependency, abuse, or abandonment is an issue, nor in any judicial or administrative proceeding resulting from a report, information or records submitted pursuant to the Arizona Revised Statutes nor in any investigation of a child's neglect or abuse conducted by a peace officer or the Child Protective Services of the Department of Economic Security.

A person who fails to report abuse as provided in A.R.S. § 13-3620 is guilty of a class 1 misdemeanor.

Any certificated person or Governing Board member who has reasonable grounds to believe that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of section 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 3 business days after the person first suspects or receives allegation of the conduct.

Any person who is employed as the immediate or next higher-level supervisor to or administrator of a person who is statutorily required to report is not required to report if the supervisor or administrator reasonably believes that the report has been made by the person who is required to report.

Any school employee who has orally reported to the Department of Child Safety or a peace officer a reasonable belief of an offense to a minor must provide written notification to the Program Director of the oral report not later than the next workday following the making of the report.

The district shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign that contains the following:

- A. In boldfaced type, the telephone number of the centralized intake hotline concerning suspected abuse and neglect of children that is established under A.R.S. § 8-455.
- B. Instruction to call 911 for emergencies.
- C. Directions for accessing the website of the Department of Child Safety for more information on reporting child abuse, child neglect, or exploitation of children.

Adopted: date of manual adoption

Revised: June 22, 2020

Revised: August 23, 2021

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 8-201, 13-1404 *et seq.*, 13-1410, 13-1309, 13-3212, 13-3506, 13-3506.01, 13-3552, 13-3553, 13-3608, 13-3619, 13-3620, 13-3623, 15-160.01, 15-514, 46-451, 46-454

CROSS REF.: GBEB-Staff Conduct
GBEBB-Staff Conduct with Students
JKA-Corporal Punishment

REPORTING CHILD ABUSE/CHILD PROTECTION

Abuse means the infliction or allowing of physical injury, impairment of bodily function, or disfigurement, or the infliction of or allowing another person to cause serious emotional damage as evidenced by severe anxiety, depression, withdrawal, or untoward aggressive behavior, and which emotional damage is diagnosed by a medical doctor or psychologist pursuant to A.R.S. § 8-223, and which is caused by the acts or omissions of an individual having care, custody, and control of a child. *Abuse* shall include inflicting or allowing sexual abuse pursuant to A.R.S. § 13-1404, sexual conduct with a minor pursuant to A.R.S. § 13-405, sexual assault pursuant to A.R.S. § 13-1406, molestation of a child pursuant to A.R.S. § 13-1410, commercial sexual exploitation of a minor pursuant to A.R.S. § 13-3552, sexual exploitation of a minor pursuant to A.R.S. § 13-3553, incest pursuant to A.R.S. § 13-3608, or child prostitution pursuant to A.R.S. § 13-3212.

Child, youth, or juvenile means an individual who is under the age of 18 years.

Abuses classified by statute as "reportable offenses" are:

- Indecent exposure [A.R.S. § 13-1402]
- Public sexual indecency to a minor [A.R.S. § 13-1403]
- Sexual abuse [A.R.S. § 13-1404]
- Sexual conduct with a minor [A.R.S. § 13-1405]
- Sexual assault [A.R.S. § 13-1406]
- Molestation of a child [A.R.S. § 13-1410]
- Furnishing items that are harmful to a minor via the Internet [A.R.S. § 13-3506.01]
- Surreptitious photographing, videotaping, filming, or digitally recording or viewing of a minor [A.R.S. § 13-3019]
- Incest [A.R.S. § 13-3608]
- Child prostitution [A.R.S. § 13-3212]
- Commercial sexual exploitation of a minor [A.R.S. § 13-3552]
- Sexual exploitation of a minor (concerning visual depiction of a minor engaged in exploitive exhibition or other sexual conduct) [A.R.S. § 13-3553]
- Luring a minor for sexual exploitation [A.R.S. § 13-3554]
- Admitting a minor to public displays of sexual conduct [A.R.S. § 13-3558]

EXHIBIT

EXHIBIT

REPORTING CHILD ABUSE /CHILD PROTECTION
(Suspected Abuse/Neglect)

To: Child Protective Services, D.E.S. (or other law enforcement agency)

Student's Name _____ Date _____

Student's Birth Date _____ Sex _____

Address _____

Names of parents/guardians _____

School _____ Grade _____ Teacher _____

Description of injury (use reverse side of form if necessary) _____

Referral source: _____

Name Address _____ Position _____

Symbols:

A = Abrasion

B = Blister

Bu = Burn

Br = Bruise

La = Laceration

Le = Lesion

S = Scar

R = Rash

O = Other (describe) _____

Severity:

(1) = Mild

(2) = Moderate

(3) = Severe

Signature and Title of Person Making the Report _____

To whom reported _____ Date of report _____

MISSING STUDENTS

Following proper notification, the records of each missing child will be flagged with a red sticker in the upper-righthand corner of the cumulative folder. When records are requested for missing children, the local law enforcement agency will be notified and no records will be sent.

Nothing contained in this policy shall authorize the District to disclose to any person a student's educational record without prior parental consent unless the District makes a determination that disclosure of such records is necessary to protect the health and safety of the student.

Within five days after enrolling a transfer student from a public school in another school district or from a private school, the District schools will request, directly from the previous school, a certified copy of the student's record. When records are requested by another school, within five days the District will comply with the request unless the record has been flagged pursuant to A.R.S. § 15-829 or the request does not conform to the requirements related to proper release of records by an emancipated student or a parent or guardian.

For purposes of this policy:

- *Flag* means to mark or identify as pertaining to a missing child, or an indication identifying an item as pertaining to a missing child.
- *Missing child* means a person who is under the age of eighteen years, whose temporary or permanent residence is in this state or is believed to be in this state, whose location has not been determined, and who has been reported as missing to a law enforcement agency.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. 13-3620
15-824
15-828
15-829
32-1472

CROSS REF.: JF - School Admissions
JFAB - Admission of Nonresident Students
JR - Student Records
JRCA - Request for Transfer of Records

STUDENT SAFETY

Teachers will be responsible for their classes at all times. At no time are students to be left unsupervised. Students are not to be sent on errands from the school premises.

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. In the case of an emergency, the teacher will seek help from the Program Director.

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.

The Program Director will establish procedures covering the conduct of students going to and from school. In addition, school buildings and equipment will be regularly inspected for health, fire, and safety hazards.

Adopted: September 13, 2004

Revised: October 10, 2022

LEGAL REF.: A.R.S. § 15-341

SUPERVISION OF STUDENTS

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are responsible to the school and the school is responsible for them.

Supervision shall include being within the physical presence and, whenever possible, within a line of vision of the students so that school personnel will have a reasonable opportunity to control the behavior of and assist the students if necessary. Teachers shall exercise supervision as appropriate from the commencement of the school day, before classes begin, during class sessions, during lunch periods, between classes, and at any other time when performing teaching or related duties on behalf of the school.

Security personnel shall be available on campus during class hours for the purpose of responding to calls from staff regarding security and safety issues in the classrooms and other parts of campus.

If it should be necessary in an emergency situation for a teacher to leave the physical presence of the students, then the teacher shall make a reasonable effort to obtain a school employee to supervise the students during the teacher's absence. In no case shall the teacher leave students unsupervised if there is a reasonable possibility that harm to students or property will result from the students being left unattended.

School administrators, teachers, and other staff members will work to help ensure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

Adopted: September 13, 2004

LEGAL REF.: A.R.S. §§ 15-341, 15-502, 15-521

STUDENT DISMISSAL PRECAUTIONS

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, 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.

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 an unreasonable danger to the safety of the minor as established by clear and convincing evidence.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 8-303, 8-304, 8-802, 13-1302, 36-2813

**STUDENT DISMISSAL PRECAUTIONS
(Student Release Requirements)**

At the time of school admission, the Program Director must complete the student's permanent record form, which will identify the student's legal name and the name, address, and telephone number of the student's lawful custodian(s).

Before releasing a student during the school day, the Program Director shall be responsible for the verification of the identity of any lawful custodian or any representative seeking release of a student.

If a lawful custodian, as indicated on the student's permanent record, is not recognized by sight, the Program Director shall require satisfactory identification before such release. If there is a doubt, release may not be granted.

In the case of a written or verbal authorization by a lawful custodian of record, the Program Director shall require satisfactory verification of the message as being from the lawful custodian of record. If there is a doubt, release may not be granted.

If an unauthorized person refuses to honor the decision of the Program Director, the Program Director shall call the local police authority.

If, in the granting of a release of a student, a change in the record of the student's lawful custodian(s) becomes apparent and is verified to the satisfaction of the Program Director, such change shall immediately be entered on the student's permanent record.

If any police or court official requests the release of a student during school hours, parents should be notified as soon as possible.

STUDENT AUTOMOBILE USE AND PARKING

The Superintendent shall establish procedures for registration, parking, and use of motorized vehicles and for searches for and seizures of illegal material contained therein. In the establishment of such procedures the Superintendent will be guided by the following:

- All students will register their vehicles.
- Registration stickers must be displayed on all student vehicles.
- Vehicles may be towed away at student expense for failure to follow policy and procedures related to motorized vehicles.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §15-341

STUDENT AUTOMOBILE USE AND PARKING

Registration

Students will register their vehicles if they intend to drive to school. The registration will require that the owner of the vehicle sign the forms and acknowledgments. Registration stickers will be affixed to the vehicles in a manner specified by the school administration. Students who fail to register their vehicles or who fail to follow school policy and procedures related to use of vehicles may have their vehicles towed away. Any expense related to such towing will be the responsibility of the student. The authorizing school personnel will notify the law enforcement agency of the jurisdiction of the school within one hour of the time the vehicle is moved or towed.

Automobile Searches

Students are permitted to park on school premises as a matter of privilege, not of right. The school retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property. The interiors of student vehicles may be inspected whenever a school authority has reason to believe that illegal or unauthorized materials may be contained inside. Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.

Seizure of Illegal Materials

If a properly conducted search yields illegal or contraband materials, such findings shall be turned over to proper legal authorities for ultimate disposition.

STUDENT AUTOMOBILE USE AND PARKING

ACKNOWLEDGMENT CONCERNING USE OF STUDENT PARKING LOTS

I acknowledge and understand that:

- Students are permitted to park on school premises as a matter of privilege, not of right.
- The District retains authority to conduct routine patrols of student parking lots and inspections of the exteriors of student automobiles on school property.
- The District may inspect the interiors of student automobiles whenever a school authority has reasonable suspicion to believe that illegal or unauthorized materials are contained inside the automobiles.
- Such patrols and inspections may be conducted without notice, without student consent, and without a search warrant.
- A student who fails to provide access to the interior of the car upon request by a school official will be subject to school disciplinary action.
- If the student fails to follow school policy and procedure related to use of vehicles, the vehicle may be towed away and stored, at the owner's expense.

Signature of Student

Date

Signature of Parent/Guardian

Date

Signature of the Vehicle Owner

Date

Arizona Vehicle license number _____

SEX OFFENDER NOTIFICATION

(Sex Offender and Dangerous Juvenile Offender Notification and Protective Measures)

Arizona statutes require law enforcement agencies to provide notification to the District regarding certain registered sex offenders and require courts to notify the District regarding juveniles adjudicated delinquent for "dangerous offenses" or certain sex offenses.

- Arizona Revised Statutes (A.R.S.) §§ 13-3825 and 13-3826 require the local law enforcement agency to notify the community, including area schools, of the presence of a registered sex offender in the community when the offender has been determined by the agency to be a "level two" (medium risk) or "level three" (high risk) offender.
- A.R.S. § 8-350 directs the court to notify the District when a student attending a school in the District has been adjudicated delinquent for or convicted of and placed on probation for a dangerous offense or sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child. *Dangerous offense* is defined in A.R.S. § 8-350 as "an offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person."
- A.R.S. § 13-3821 permits a juvenile court to require a juvenile who has been adjudicated delinquent for certain sex offenses to register as a sex offender until the person reaches the age of twenty-five (25), and A.R.S. § 13-3825 permits a juvenile court to further require such juvenile registered sex offender to be subject to the State's community notification requirements.

It is the Governing Board's desire to create and maintain a safe environment for the District's students and staff members. Therefore, the Superintendent is directed to develop procedures to disseminate the information received from the local law enforcement agency regarding adult and juvenile registered sex offenders present in the District and to provide teachers, parents, guardians, or custodians, upon request, information received from a court pursuant to A.R.S. § 8-350 concerning a juvenile who has been adjudicated for or convicted of a dangerous offense or a specified sex offense.

District Procedures

Procedures within the District shall encompass, but not necessarily be limited to:

- Measures to disseminate information received from the local law enforcement agency to staff members, parents, guardians, or custodians when the District has been notified that a registered offender has moved into the community. When in the judgment of the Superintendent it is determined to be appropriate, the measures will include disseminating the information to students.
- Measures to provide to teachers, parents, guardians, or custodians, upon request, information received by the District under A.R.S. 8-350, regarding juveniles adjudicated delinquent of "dangerous offenses" or sex offenses.

SEX OFFENDER NOTIFICATION

**(Sex Offender and Dangerous Juvenile Offender
Notification and Protective Measures)**

To fulfill the requirements of Policy JLIF the following procedures are to be implemented.

Registered Sex Offender Community Notification

When the local law enforcement agency notifies the District pursuant to A.R.S. §§ 13-3825 and 13-3826 of a registered sex offender's presence in the community, the following actions shall occur:

- A copy of the notification flyer provided by the law enforcement agency, displaying the offender's photograph and disclosing the offender's exact address, status summary, and criminal background, is to be distributed to each District site and department.
- The Superintendent shall post the notification flyer at locations where the flyer is readily accessible for viewing by staff members, students, and visitors.
- The Superintendent shall inform students and staff members that a new flyer has been posted.
- When the registered sex offender described in the notice is also a student within the District, then the provisions regarding juvenile (youthful) dangerous offenders and sex offenders shall also be followed, except that the restrictions against disclosure of information shall not apply to the information obtained in the community notification received from the local law enforcement agency.

When the individual under suspicion is a student in the District, the Superintendent may, pursuant to A.R.S. § 8-350, request from the juvenile court the criminal history of the student to determine if the student has been adjudicated delinquent for or convicted of a dangerous offense or a violation of A.R.S. §§ 13-1405, 13-1406, 13-1410, or 13-1417. If the criminal history provided by the court shows such an adjudication or conviction, then the District shall implement the procedures outlined below for juvenile (youthful) dangerous offenders and sex offenders.

Juvenile (Youthful) Dangerous Offenders and Sex Offenders

When the District is notified by a juvenile court pursuant to A.R.S. § 8-350 that a student attending the District has been adjudicated delinquent for or convicted of and placed on probation for a dangerous offense or sexual conduct with a minor, sexual assault, molestation of a child, or continual sexual abuse of a child the Superintendent shall:

- Send notice to the student's teacher(s), and such other staff members as the Superintendent determines appropriate to the circumstance. The noticed staff members will be provided with the information received from the juvenile court, and be directed to comply with the student record confidentiality requirements prescribed in District Policy JR. A staff member who improperly discloses confidential student information may be disciplined pursuant to District policy.

Instruction in Protective Measures

A committee including members of the District staff, the local law enforcement agency, and such other persons as the Superintendent may determine will convene to develop instruction in protective measures against sexual offenders. These shall include, but not be limited to, techniques child sexual molesters use to charm adults and gain access to children and how sexual predators use the internet to entice students into dangerous situations. The committee is to evaluate and select materials and strategies designed to deliver age-appropriate instruction that equips students in identifying, avoiding, fleeing from, and reporting assaults and attempted assaults by sexual offenders.

Instruction in protective measures is to be incorporated into the general curriculum. Instances of the posting of a new notification of a registered sex offender in the community should be accompanied with repetition and reinforcement of protective measures students should know and apply as a defense against sexual predators.

JLIF

Adopted: June 22, 2020

LEGAL REF.: A.R.S. §§ 8-208, 8-321, 8-350, 8-371, 13-140506, 13-1410, 13-1417, 13-3821, 13-3825, 13-3826
20 U.S.C. § 1232g(b)(7), 42 U.S.C. § 14071(d)

CROSS REF.: DJE - Bidding/Purchasing Procedures
EB - Environmental and Safety Program
GCF - Professional Staff Hiring
GDF - Support Staff Hiring
JA - Student Policies Goals/Priority Objectives
JF - Student Admissions
JLI - Student Safety
JLF - Reporting Child Abuse/Child Protection
JR - Student Records

STUDENT VOLUNTEERS FOR SCHOOL AND COMMUNITY SERVICE

The Board encourages the utilization of student volunteers in the educational program (e.g. student office helpers, etc.) and in useful community services. However, student volunteers must be capable of carrying out the additional load without endangering their academic achievement. Therefore, all student volunteers shall be expected to maintain their grades, attend all classes, and recognize that the activity to which they are volunteering their services is secondary to their primary goal of getting an education.

Teachers and members of the community are encouraged to check with a student's teacher and the Program Director before a student is sought for volunteer help, to make sure that the additional responsibility can be undertaken without endangering the student's academic achievement.

Adopted: November 13, 2008

Revised: October 10, 2022

EMPLOYMENT OF STUDENTS

The Board places a high value on education and strongly urges students to do likewise. All students, therefore, are encouraged to continue with their educational program until graduation from high school.

The Board is aware that many students, for various reasons, seek employment during the school year. These students are reminded that school work and activities must not be neglected, nor shall such employment conflict with the school schedule.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-512, 23-231, 23-232, 23-233, 23-235

STUDENT DONATIONS AND GIFTS

Students shall be discouraged from collecting money, setting aside funds, or purchasing gifts for the school or for faculty members.

Gifts from groups of students to other student(s) shall be limited to small expressions of condolence, remembrance, or appreciation. Guidelines for such remembrances shall be established by the Superintendent.

Solicitations by or of students are to be governed by the following policies:

- Students shall not be solicited to purchase books or other merchandise, except for materials approved by the District for use in the classroom.
- Solicitations by students shall be limited to small contributions, i.e., expressions of condolence, remembrance, or appreciation. Guidelines for such solicitations shall be established by the Superintendent.
- No other solicitations shall be made by or of students during school hours or on school premises.

Adopted: date of manual adoption

STUDENT FEES, FINES, AND CHARGES

The Board recognizes the need for student fees to fund certain school activities that are not financed by local, state, or federal funds. It also recognizes that some students may not be able to pay these fees. No student will be denied an education as a result of inability to pay these supplementary charges.

Students will not be required to supply specific types of school supplies or equipment as a prerequisite to successful completion of a required course or project.

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

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-342, 15-742, 15-727, 15-728, 15-729

CROSS REF.: EDBA - Maintenance and Control of Instructional Materials

**STUDENT FEES, FINES, AND CHARGES
(Tax Credit Contributions)**

The receipt and expenditure of fees or cash contributions may be for “Extracurricular activities” as indicated in A.R.S. §§ 43-1089.01 and 15-342 with contributions also used for “character education programs” as described in A.R.S. § 15-719.

To comply with the requirements of A.R.S. § 43-1089.01 concerning the receipt and expenditure of fees or cash contributions from taxpayers during the previous *calendar* year for support of extracurricular activities and character education programs of the District, annually not later than February 28 each school in the District shall provide the following information on forms prescribed by the Arizona Department of Revenue:

- Total number of fees and contribution payments received,
- Total dollar amount received,
- Total dollar amount spent, categorized specifically by
 - Extracurricular activity
 - Character education program
- Total number of student participants, categorized specifically by
 - Extracurricular activity
 - Character education program

When a school has a site council, the site council shall determine how contributions not designated for a specific purpose are to be used at the school. When a school does not have a site council, the Program Director shall make the determination.

If at the end of a fiscal year a public school has unspent contributions that were previously designated for a specific purpose or program and that purpose or program has been discontinued or has not been used for two (2) consecutive fiscal years, these contributions shall be considered undesignated in the following fiscal year for the purposes of this subsection.

**STUDENT FEES, FINES, AND CHARGES
(Fees)**

Areas where fees may be charged include, but may not be limited to:

- Optional extracurricular activities, which are defined as any optional, noncredit, educational or recreational activity that supplements the education program of the school, whether offered before, during, or after regular school hours.
- Optional programs conducted when school is not in session.
- Career and technical education courses (high school only).
- Other courses, fees for optional services, equipment, and materials offered to the students beyond those required to successfully complete the basic requirements of the course (high school only).

Pursuant to A.R.S. § 15-342, a school district may charge fees for the activities described above if:

- The fees are reasonable.
- The fees do not exceed the actual costs of the activities, programs, services, equipment, or materials.
- The fees are adopted by the Governing Board.
- The Governing Board includes in its action a grant of authority to the principals to waive the assessment of all or a part of any fee if it creates an economic hardship for a specific student.
- No fees are charged for students' access to or use of computers or related materials.

JQA

COLLECTION OF MONEY FROM STUDENTS

The District shall make reasonable attempts regarding the collection of debts owed by students. The Superintendent shall establish guidelines for administrators to follow in implementing this policy.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-705, 15-727, 15-823

Att. Gen. Op. 179-110, 180-084, 183-137, 187-114

COLLECTION OF MONEY FROM STUDENTS

Administrators shall monitor delinquent accounts. Collection efforts shall be made before debts become unmanageable.

Textbooks, Workbooks, Library Books, and/or Equipment Lost or Damaged

Students are expected to reimburse the District for lost or damaged textbooks, workbooks, library books, and/or equipment. Students are encouraged to pay these charges at the time incurred, with cash, check, or a credit card acceptable to the District. In cases of hardship, students may be allowed to arrange payment plans.

Non-Tuition-Related Debt-Recovery Action

Students must meet financial obligations to the District. If a student fails to meet financial obligations in a timely manner, the following action may result:

- Students with delinquent debts exceeding five dollars (\$5.00) may not be issued grade cards.
- Withheld grade cards may be inspected by the student or the parent/guardian in the school office, but may not be removed from the office until the delinquent debt has been paid.

The administrator shall employ rational means to achieve the collection of funds owed the District. Collection methods shall be commensurate with the degree of the financial indebtedness. Initial methods, as appropriate or possible, shall be related to the area that has caused the indebtedness.

For example, a student who fails to pay a charge for an extracurricular activity might be prohibited from signing up for another extracurricular activity. If this method is not successful, more stringent methods shall be utilized. For example, the next step might be to withhold an unrelated item or privilege. Another step might be to sue the student through the parent/guardian.

COLLECTION OF MONEY FROM STUDENTS

Date _____

Dear: _____

We have received your correspondence indicating that the official transcript for _____ has been withheld pending the payment of a debt owed to your school. We appreciate your concern and wish to support your effort.

We also wish to maintain our commitment of service to our students. It is important that we place students in appropriate classes and ask that you assist us by sending an unofficial transcript. We do not accept an unofficial transcript as a transfer of credit.

A copy of your letter will be directed to _____ 's parent/guardian, along with a copy of our policy regarding the transfer of credit.

Sincerely,

COLLECTION OF MONEY FROM STUDENTS**REQUEST FOR FEE WAIVER/DEFERMENT/STUDENT ASSISTANCE****Student Information**

_____ Student's Last Name	_____ First Name	_____ Social Security #	_____ Phone #
_____ Home Address		_____ City/State/Zip Code	
_____ Teacher		_____ a.m. p.m.	Age _____
		Monthly Income \$ _____	No. of Dependents _____

Parent Information

_____ Parent's Last Name	_____ First Name	_____ Home Phone #
_____ Employer		_____ Employer's Address
_____ Work Phone#	_____ Message Phone #	
		Monthly Income \$ _____ No. of Dependents _____

The following information must be filled in

Fees to be waived: \$ _____ for _____ class/program

Fees to be deferred: \$ _____ to be paid on the following dates:

Student assistance for supplies, club dues, activity fee, or other:

_____ for _____ from: bookstore or vendor _____

_____ for _____ from: bookstore or vendor _____

_____ for _____ from: bookstore or vendor _____

Total requested: \$ _____

I hereby certify and warrant the truth and accuracy of the above information and authorize the District or any investigative agency engaged by the District to obtain information concerning me. I understand that this application remains unapproved until signed by authorized representatives of the District.

Student Signature

Parent Signature

Teacher Signature

Date

Date

Date

Student Assistance Committee approval and comments:

Amount: _____ Nonstock# _____

Date: _____

STUDENT RECORDS

Required student records (regular and special education) will be prepared in a manner consistent with State and federal laws, the requirements of the Arizona Uniform System of Financial Records (U.S.F.R.) and those of the Arizona Department of Libraries, Archives and Public Records. Retention periods and disposition of records shall be as specified in the U.S.F.R., the Arizona Department of Library Archives and Public Records and relevant federal statutes and regulations.

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 No Child Left Behind Act of 2001 (NCLB) in the establishment, maintenance, correction, and disposition of student records.

The Board directs the District Administrator to establish procedures for such compliance, including informing parents, students, and the public of the contents. The District Administrator will implement procedures as required by law and will establish procedures for dealing with violations.

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

In adopting this policy, it is the intent of the Board that the 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.

Confidentiality

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.

Annual Notification

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 procedure. This notice will also be provided to each parent of new students enrolling after school begins [34 C.F.R. § 99.7]. The District will arrange to provide translation of the notice to non-English-speaking parents in their native language or mode of communication [34 C.F.R. § 300.91]. The notice shall inform the parents of:

JR

- The right of the parent or an eligible student to inspect and review the student's education records.
- The intent of the District to limit the disclosure of personally identifiable information contained in a student's education records including disciplinary records, except by the prior written consent of the parent of eligible student or under certain limited circumstances as permitted by FERPA, the USA Patriot Act, or the NCLB Act.
- The right of the parent or eligible student to seek to correct parts of the school education records that the student or the parent believes to be inaccurate, misleading, or in violation of student rights. This right includes the right to a hearing to present evidence that the record should be changed if the District decides not to alter it according to the parent's or eligible student's request.
- The right of the of the parent or eligible student to file a complaint with the U.S. Department of Education if they believe the District violated FERPA.

Parents and eligible students have the following rights under FERPA and this procedure [34 C.F.R. §§ 99.7 and 300.613. This notice shall include:

- The procedure for exercising the right to inspect and review education records.
- The procedure for requesting amendments of education records that that the parent of eligible student believe to be inaccurate, misleading, or otherwise a violation of the student's privacy rights.
- The conditions when prior consent is not required, the criteria for determining who constitutes a school official and what constitutes a legitimate educational interest.

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 Superintendent 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 (ESEA) as reauthorized by the No Child Left Behind (NCLB) Act of 2001.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. § 15-141 to 142, 15-828 to 829, 41-1346 *et seq.*, 41-1354, 44-1373

CROSS REF.: IHB - Special Instructional Programs

JF- Student Admissions

FAB - Admission of Nonresident Students

JLH - Missing Students

JRCA - Request for Transfer of Records

STUDENT RECORDS

This procedure is designed to meet the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities in Education Act (IDEA). All personnel in the District are expected to fulfill the requirements of policy and the following procedures in order to protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages [34 C.F.R. § 300.612].

The Superintendent has the responsibility for ensuring the confidentiality of any personally identifiable information [34 C.F.R. § 300.612].

All rights and protections given parents under the FERPA and this procedure transfer to the student upon reaching age eighteen (18) except where the student continues as a dependent under specified circumstances, or enrolling in a postsecondary school. The student then becomes an “eligible student” [34 C.F.R. §§ 99.5 and 300.625].

Definitions

For the purpose of the procedure, the District has used the following definitions of terms:

- A. *Student* - Any person who attends or has attended a program of instruction sponsored by the District and for whom the District maintains education records.
- B. *Eligible student* - A student who has reached age eighteen (18) or is attending a postsecondary school.
- C. *Parent* - Either the natural parent of a student, unless the parent’s rights under the FERPA have been removed by a court order, statute, or other legal document, or a guardian, or an individual acting as a parent or guardian in the absence of the student’s parent or guardian. The District may presume that the parent has the authority to inspect and review education records relating to his or her child unless the District has been advised that the parent does not have authority under applicable law.
- D. *Education records* - Any information directly related to a student recorded in any way including, but not limited to, handwriting, print, computer media, video or audio tape, film, microfilm or microfiche, that is maintained by the District, an employee of the District, or any agent of the District except:
 - 1. Personal records kept by an employee of the District that meets the following tests:
 - a. It is used only as a personal memory aid.
 - b. It is kept in the personal possession of the individual who made it.
 - c. It is not accessible and has never been revealed to any other person except the employee’s temporary substitute.

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2. Medical treatment records maintained for “eligible students.”
 3. Records collected and maintained by a law enforcement unit of the school.
 4. Records containing only information about a person after that individual is no longer a student in the District.
 5. An employment record that is used only in relation to a student’s employment by the District. (Employment for this purpose does not include activities for which a student receives a grade or credit in a course.)
 6. Related alumni records after the student no longer attends classes provided by the District, and the records do not relate to the person as a student.
- E. Personally identifiable information* - Any data or information that makes the subject of a record known. This includes the student’s name, the name(s) of the student’s parent(s) or other family member(s), the student’s address, the student’s Social Security number, a student number, a list of personal characteristics, or other information that would make the student’s identity easily traceable.
- F. Signed and dated written consent* - May include a record and signature in electronic form that:
1. Identifies and authenticates a particular person as the source of the electronic consent.
 2. Indicates such person’s approval of the information contained in the electronic consent.

Locations of Education Records

A list of types and locations of education records collected, maintained, or used will be provided to the parents on request [34 C.F.R. § 300.616]. See Exhibit JR-EA.

Procedure to Inspect Education Records

Parents of a student, the designated representative of the parents, and an eligible student may inspect and review the student’s education records that are collected, maintained, or used by the District [34 C.F.R. § 300.501]. In some circumstances it may be mutually more convenient for the record custodian to provide copies of records. Charges for the copies of records will be costs of copying unless the fee would effectively prevent the parent from exercising rights to inspect and review those records [34 C.F.R. §§ 300.613 and 300.617].

Since a student’s records may be maintained in several locations, the school principal will offer to collect copies of records or the records themselves from locations other than a student’s school so they may be inspected at one (1) site. However, if parents

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and eligible students wish to inspect records where they are maintained, the school's principal will make every effort to accommodate their wishes.

Parents, the designated representative of the parents, or the eligible student should submit to the student's school principal a signed and dated written request that identifies as precisely as possible the record or records wanted for inspection. The District will respond to any request without unnecessary delay before any meeting regarding any individual education program or hearing relating to the identification, evaluation, placement of a student, or the provision of a free appropriate public education, and in no case more than forty-five (45) days after the request has been made [34 C.F.R. § 300.613 and 99.10]. See Exhibit JR-ED.

The principal, or other education records custodian, will contact the parent of the student or the eligible student to discuss how access will be best arranged (e.g., copies, at the exact location, or records brought to a single site).

Parents have the right, upon reasonable request, for explanations and interpretations of the information contained in the records and a right to request copies of the records containing the information, if not in violation of stated policy of FERPA. Parents have the right to have a representative of the parent to inspect and review the records [34 C.F.R. § 300.613 and 99.10].

The principal, or other education records custodian, will make the needed arrangements as promptly as possible and notify the parent or eligible student of the time and place where the records may be inspected. This procedure must be completed in forty-five (45) days or less after receipt of the request for access [34 C.F.R. § 300.613].

If for any valid reason, such as working hours, distance between record location sites, or health, the parent or eligible student cannot personally inspect and review a student's education records, the District will arrange for the parent or eligible student to obtain copies of the record. See below for information regarding fees for copies of records [34 C.F.R. §§ 300.613 and 99.10].

When a record contains information about students other than a parent's child or the eligible student, the parent or eligible student may not inspect and review the records of the other students [34 C.F.R. §§ 300.615, 99.5 and 99.12].

Fees for Copies of Records

All records subject to disclosure under this procedure shall be available for inspection free of charge. If copies are desired, they shall be furnished by the District to the parent or eligible student on request and free of charge. Additional copies may be sent to other schools or agencies without charge. However, the District reserves the right to charge up to thirty-five cents (350) per page for multiple or excessive requests. Copies of available records shall be produced as promptly as possible upon receipt of the request. No fee will be charged for search and retrieval of records [34 C.F.R. § 300.617 and 99.11].

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The District will provide copies of records:

- A. When the refusal to provide copies effectively denies access to the records by the parent or eligible student [34 C.F.R. § 300.617].
- B. At the request of the parent or eligible student, when the District has provided the records to third parties by the prior consent of the parent or eligible student.
- C. At the request of the parent or eligible student when the District has forwarded the records to another school where the student seeks or intends to enroll.

Directory Information

The District designates the following personally identifiable information contained in a student's education records as "directory information" and may disclose that information without prior written consent [20 U.S.C. § 1232g(a)(5)(A)1]:

- A. The student's name.
- B. The student's address.
- C. The student's telephone listing.
- D. The student's date and place of birth.
- E. The student's electronic mail address.
- F. The student's photograph.
- G. The student's grade level.
- H. The student's major field of study.
- I. The student's dates of attendance.
- J. The student's enrollment status (e.g., part time or full time).
- K. The student's participation in officially recognized activities and sports.
- L. The student's weight and height if a member of an athletic team.
- M. The student's honors and awards received.
- N. The student's most recently attended educational agency or institution.

Within the first three (3) weeks of each school year the District will publish in a District communication or send home with each student the above list, or a revised list, of the items of directory information designated as directory information. For a student who enrolls after the notice is published, the list will be given to the parent or eligible student at the time and place of enrollment. See Exhibit JR-EB.

After the parents or eligible student have been notified, they will have two (2) weeks to advise the District in writing (a letter to the Superintendent's office) of any or all of the

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items they refuse to permit the District to designate as directory information about that student.

According to state and federal law if the Governing Board permits the release of directory information relating to students to persons or organizations who inform students of educational or occupational opportunities, then the Governing Board shall provide access to directory information on the same basis to military official recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them. Directory information shall be released on or before October 31 of each year unless the parent or eligible student requests in writing to the District (a letter to the Superintendent's office within two (2) weeks after notification) not to release directory information to any person or organization without prior signed and dated written consent. The District shall distribute a form, separate from any other form, designed and provided to Districts by the Arizona Department of Education allowing pupils to request that directory information not be released. If the District distributes materials to pupils through electronic communication or on an internet website, the form may be distributed in the same manner. A person who is wrongfully denied access to directory information or access to school buildings, school grounds or other property may notify the Department of Education, which shall report the alleged violation to the United States Department of Education. If the parent or eligible student refuses to allow the release of directory information without prior signed and dated written consent, then the District will not provide military recruiters, upon request, directory information containing the student's name, addresses and telephone listings.

At the end of the two (2)-week period, if the parent or eligible student has not returned the form indicating refusal to allow the release of directory information, the District will assume it has their permission to release the above-mentioned information. This designation will remain in effect until it is modified by the prior signed and dated written direction of the parent or eligible student. The student's records will be appropriately marked by the records custodian to ensure compliance with the parents' or eligible student's request.

Use of Student Education Records

To carry out their responsibilities, school officials will have access to student education records for legitimate educational purposes. The District will use the following criteria to determine who are school officials [34 C.F.R. § 99.31]:

- A. A person duly elected to the Board (under limited circumstances).
- B. A person certificated by the state and appointed by the Board to an administrative or supervisory position.
- C. A person certificated by the state and under contract to the Board as an instructor.
- D. A person employed by the Board as a temporary substitute for

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administrative, supervisory, or instructional personnel for the period of such performance as a substitute.

- E. A person employed by or under contract to the Board to perform a special task, such as a secretary, a clerk, the Board attorney, or auditor, for the period of such performance as an employee or contractor.

School officials who meet the criteria listed above will have access to a student's records if they have a legitimate educational interest in doing so [34 C.F.R. § 99.32]. A "legitimate educational interest" is the person's need to know in order to:

- A. Perform an administrative task required in the school employee's position description approved by the Board.
- B. Perform a supervisory or instructional task directly related to the student's education.
- C. Perform a service or benefit for the student or the student's family, such as health care, counseling, student job placement, or student financial aid.

Records of students placed in special educational programs will be under the direct supervision of the program administration. All persons collecting or using personally identifiable information in records of students determined to be a student with a disability will receive training or instruction regarding Arizona's policies and procedures for the protection of these records at the collection, storage, disclosure, and destruction stages in accordance with FERPA and IDEA [34 C.F.R. § 300.623].

The District will maintain for public inspection a current listing of the names and positions of employees who have access to personally identifiable information maintained on students placed in special education [34 C.F.R. § 300.623]. When the information maintained in these records is no longer needed to provide educational services to the student, the District will notify the parents of their right to have the personally identifiable information destroyed [34 C.F.R. § 300.624]. However, a permanent record of a student's name, address, phone number, grades, attendance record, classes attended, grade level completed, and year completed will be maintained [34 C.F.R. § 300.6241]. Destruction of records will be accomplished in accordance with the requirements of Arizona law and regulations of the Department of Library, Archives, and Public Records [34 C.F.R. § 300.623].

The District will release information from or permit access to a student's education records only with a parent's or eligible student's prior signed and dated written consent, except that the Superintendent or a person designated in writing by the Superintendent may permit disclosure [34 C.F.R. §§ 99.30, 99.31, 99.34, and 99.37]:

- A. When a student seeks or intends to enroll in another school district or a postsecondary school the District will not further notify parents or eligible students prior to such a transfer of records. Parents and student have a right to obtain copies of records transferred under this provision. See Exhibit JR-EC.

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- B. When certain federal and state officials need information in order to audit or enforce legal conditions related to federally supported education programs in the District.
- C. To parties who provide or may provide financial aid to a student to:
 1. Establish the student's eligibility for the aid.
 2. Determine the amount of financial aid.
 3. Establish the conditions for the receipt of the financial aid.
 4. Enforce the agreement between the provider and the receiver of financial aid.
- D. If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials.
- E. If a state law adopted before November 19, 1974, required certain specific items of information to be disclosed in personally identifiable form from student records to state or local officials of the juvenile justice system and the officials certify in writing that the information will not be disclosed to any other party, except as provided under state law, without prior signed and dated written consent of the parent or the eligible student.
- F. When the District has entered into a written agreement or contract for an organization to conduct studies on the District's behalf to develop tests, administer student aid, or improve instruction.
- G. To accrediting organizations to carry out their accrediting functions.
- H. To parents of an eligible student if the parents claim the student as a dependent as defined by the Internal Revenue Code of 1954.
- I. To comply with a judicial order or lawfully issued subpoena. The District will make a reasonable effort to notify the parent or the eligible student before making a disclosure under this provision unless directed otherwise by a court of competent jurisdiction.
- J. To comply with an ex parte order from a court of competent jurisdiction requiring the District to permit the U.S. Attorney General or U.S. Attorney General's designee to collect education records in the possession of the District that are relevant to an authorized investigation or prosecution of an offense listed in 18 U.S.C. § 2332b(g)(5)(B) for an act of domestic or international terrorism as defined in 18 U.S.C. § 2331. An ex parte order is an order issued by a court of competent jurisdiction without notice to the adverse party. A disclosure pursuant to an ex parte order will not be recorded as a disclosure of information from a student's education records by the District.

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- K. If the District initiates legal action against a parent or student, the District may disclose to the court, without a court order or subpoena, the education records of the student that are relevant for the District to proceed with the legal action.
- L. If a parent or eligible student initiates legal action against the District, the District may, without a court order or subpoena, disclose the student's education records that are relevant for the District to defend itself.
- M. To comply with the request of authorized law enforcement officials conducting an investigation of acts of terrorism.
- N. The disclosure is in connection with a health or safety emergency. Time is an important and limiting factor in determining whether the disclosure is in connection with a health or safety emergency. The District will permit any school official to make the needed disclosure from student education records in a health or safety emergency if:
 1. The official deems the disclosure is warranted by the seriousness of the threat to the health or safety of the student or other persons.
 2. The information is necessary and needed to address the emergency.
 3. The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency.
- O. The District may release student attendance, disciplinary, and other education records to a law enforcement agency and county attorney pursuant to an intergovernmental agreement between the District, the law enforcement agency, the county attorney, and other state, local, or tribal government agencies to create a local or tribal juvenile justice network 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.
- P. Education records provided pursuant to an intergovernmental agreement entered into in accord with the above provisions shall be used solely for the purposes of the agreement and shall not be disclosed to any other party, except as provided by law.

A District school official may release information from a student's education records, other than directory information, to a third party if the parent or the eligible student gives prior signed and dated written consent for the disclosure and the third party agrees that

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the information will not be disclosed to any other party without the prior consent of the parent or eligible student. The signed and dated written consent must include at least:

- A. A specification of the records to be released.
- B. The reasons for the disclosure.
- C. The person or the organization or the class of persons or organizations to whom the disclosure is to be made.
- D. The signature of the parent or eligible student.
- E. The date of the consent and, if appropriate, a date when the consent is to be terminated.

The parent or the eligible student may obtain a copy of any records disclosed under this provision, unless otherwise provided.

Records of Requests for Access and Disclosures Made from Education Records

The District will maintain an accurate record of all requests for it to disclose information from or to permit access to a student's education records, and of information it discloses and access it permits, with some exceptions as listed below. This record will be kept with, but will not be a part of, each student's cumulative school records. It will be available only to the record custodian, the eligible student, the parent of the student, or to federal, state, or local officials for the purpose of auditing or enforcing federally supported educational programs [34 C.F.R. § 99.32]. See Exhibit JR-EE.

The record will include at least:

- A. The name of the person, organization or agency that made the request.
- B. The interest the person, organization or agency had in the information.
- C. The date the person, organization or agency made the request.
- D. Whether the request was granted and, if it was, the date access was permitted or the disclosure was made.

The District will maintain this record as long as it maintains the student's education records. The record will not include requests for access or access granted to:

- A. the parent or eligible student,
- B. authorized law enforcement officials conducting an investigation of acts of terrorism,
- C. school officials who have a legitimate educational interest in the student,
- D. requests for or disclosures of information contained in the student's education records if the request is accompanied by or authorized by the prior signed and dated written consent of the parent or eligible student, or
- E. for requests for or disclosures of directory information designated for that

student.

Procedures to Seek to Correct Education Records

[34 C.F.R. §§ 99.20 and 99.21]

Parents of students and eligible students have a right to seek to change any part of the student's record they believe is inaccurate, misleading, or in violation of student rights [34 C.F.R. §§ 300.618 and 99.20]. (*Note:* Under the FERPA, the District may decline to consider a request to change the grade a teacher assigns for a course.)

For the purpose of outlining the procedure to seek to correct education records, the term *incorrect* will be used to describe a record that is inaccurate, misleading, or in violation of student rights. The term *correct* will be used to describe a record that is accurate, not misleading, and not in violation of student rights. Also, in this section, the term *requester* will be used to describe the parent of a student or the eligible student who is asking the District to correct a record.

To establish an orderly process to review and correct education records for a requester, the District may make a decision to comply with the request for change at several levels in the procedure [34 C.F.R. §§ 300.618 and 99.20].

First-level decision. A parent of a student or an eligible student who finds an item in the student's education records that appears to be inaccurate, misleading, or in violation of student rights should immediately ask the record custodian to correct it. If the record is incorrect because of an obvious error and it is a simple matter to make the record change at this level, the record custodian will make the correction. However, if the record is changed at this level, the method and result must satisfy the requester.

If the custodian cannot change the record to the requester's satisfaction or the record does not appear to be obviously incorrect, the custodian will:

- A. Provide the requester a copy of the questioned record at no cost.
- B. Ask the requester to initiate a written request for the change.
- C. Follow the procedure for a second-level decision.

Second-level decision. The written request to correct a student's education records through the procedure at this level should specify the correction the requester wishes the District to make. It should at least identify the item thought to be incorrect and state whether the requester believes the item:

- A. Is inaccurate and why,
- B. Is misleading and why, or
- C. Violates student rights and why.

The request will be dated and signed by the requester.

Within two (2) weeks after receiving a written request, the record custodian will study the request, discuss it with other school officials (the person who made the record or

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those who may have a professional concern about the District's response to the request), make a decision to comply or decline to comply with the request, and complete the appropriate steps to notify the requester or move the request to the next level for a decision.

If, as a result of this review and discussion, a decision is reached that the record should be corrected, the record custodian will affect the change and notify the requester, in writing, of that action. Each such notice will include an invitation for the requester to inspect and review the student's education records to make certain the record is in order and the correction is satisfactory.

If a decision is reached that the record is correct, the custodian will make a written summary of any discussions with other officials and of the findings in the matter. This summary and a copy of the written request will be transmitted to the Superintendent.

Third-level decision. The Superintendent will review the material provided by the record custodian and, if necessary, discuss the matter with other officials such as the school attorney or the Board (in executive session unless otherwise requested by parent[s]). The Superintendent will then make a decision concerning the request and complete the steps at this decision level. Ordinarily, this level of the procedure should be completed within two (2) weeks. If it will take longer, the Superintendent will notify the requester in writing of the reasons for the delay and a date when the decision will be made.

If the Superintendent decides the record is incorrect and should be changed, the record custodian will be advised to make the changes. The record custodian will advise the requester of the change.

If the Superintendent decides the record is correct, a letter to the requester will be prepared that will include [34 C.F.R. §§ 300.619 and 99.201]:

- A. The District's decision that the record is correct and the basis for the decision.
- B. A notice to the requester explaining the requester's right to ask for a hearing to present evidence that the record is incorrect and that the District will grant such a hearing.
- C. Instructions for the requester to contact the Superintendent to discuss acceptable hearing officers, convenient times, and a satisfactory site for the hearing (The District will not be bound by the requester's positions on these items but will, as far as possible, arrange the hearing as the requester wishes.)
- D. Advice that the requester may be represented or assisted in the hearing by other parties, including an attorney, at the requester's expense.

Fourth-level decision. After the requester has submitted (orally or in writing) any wishes concerning the hearing officer and the time and place for the hearing, the

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Superintendent will, within one (1) week, notify the requester when and where the District will hold the hearing and whom it has designated as the hearing officer [34 C.F.R. §§ 300.621, 99.21, 99.22, and 99.34].

At the hearing, the hearing officer will provide the requester a full and reasonable opportunity to present material evidence and testimony to demonstrate that the questioned part of the student's education records is incorrect as shown in the requester's written request for a change in the record (second level).

Within one (1) week after the hearing, the hearing officer will submit to the Superintendent a written summary of the evidence submitted at the hearing. Along with the summary, the hearing officer will submit recommendations, based solely on the evidence presented at the hearing, that the record should be changed or should remain unchanged.

The Superintendent will prepare the District's decision within two (2) weeks after the hearing. That decision will be based on the summary of the evidence presented at the hearing and on the hearing officer's recommendation. However, the District's decision will be based solely on the evidence presented at the hearing. Therefore, the Superintendent may overrule the hearing officer if the hearing officer's recommendation is deemed inconsistent with the evidence presented. As a result of the District's decision, the Superintendent will take one (1) of the following actions:

- A. If the decision is that the District will change the record, the Superintendent will instruct the record custodian to correct the record. The record custodian will correct the record and notify the requester as at the second-level decision [34 C.F.R. §§ 300.620 and 99.21].
- B. If the decision is that the District will not change the record, the Superintendent will prepare a written notice to the requester that will include [34 C.F.R. §§ 300.620 and 99.21]:
 - 1. The District's decision that the record is correct and will not be changed.
 - 2. A copy of a summary of the evidence presented at the hearing and a written statement of the reasons for the District's decision.

Advice to the requester that an explanatory statement may be placed in the student's education records stating the reasons for disagreement with the District's decision and/or the reasons for believing the record to be incorrect.

Final administrative step in the procedure. When the District receives an explanatory statement from a requester after a hearing, it will maintain that statement as part of the student's education records as long as it maintains the questioned part of the record. The statement will be attached to the questioned part of the record and whenever the questioned part of the record is disclosed the explanatory statement will also be disclosed [34 C.F.R. §§ 300.620 and 99.21].

Annual Notification to Parents Regarding Confidentiality of Student Education

REGULATION**REGULATION****Records [34 C.F.R. § 300.612]**

Dear Parent:

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

The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act;

Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT);

No Child Left Behind Act of 2001 (NCLB);

The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and

Arizona Revised Statutes, Title 15, sections 141 and 142.

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

These records are maintained in the office of the District under the supervision of the school administrator and are available only to the teachers and staff members working with the student. Upon request, the School discloses education records, including disciplinary records, without consent to officials of another school district in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies, persons or organizations without prior signed and dated written consent of the parent [34 C.F.R. § 99.7]. The signed and dated written consent may be in electronic form under certain conditions [34 C.F.R. § 99.30].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for two (2) years after the date your child was last enrolled in this school district.

You have the right to inspect and review any and all records related to your child within

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forty-five (45) days of the day of receiving a request for access, including a listing of persons or organizations who have reviewed or have received copies of the information [34 C.F.R. § 99.7]. Parents who wish to review their children's records should contact the principal for an appointment or submit to the principal a written request that identifies the record(s) you wish to inspect. School personnel will make arrangements for access and notify you of the time and place where the records may be inspected. School personnel will be available to explain the contents of the records to you. Copies of student education records will be made available to parents when it is not practicable for you to inspect and review the records at the school. Charges for the copies of records will be costs of copying unless the fee prevents the parent from exercising rights to inspect and review those records.

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

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

Copies of the District student education records confidentiality policies and procedures may be reviewed in the assigned office in each school [34 C.F.R. § 99.7]. You have the right to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., concerning alleged failures by the School to comply with the requirements of FERPA [34 C.F.R. § 99.7]. The name and address of the Office that administers FERPA are:

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

STUDENT RECORDS
Locations of Education Records

Types	Location	Custodian
Cumulative school records	Registrar's Office	Registrar
Cumulative school records (former students)	Registrar's Office	Registrar
Health records	First-Aid office	Nurse
Speech therapy records	Not applicable	
Psychological records	Not applicable	
Special test records	Guidance office	Counselor
School transportation records	Not applicable	
Occasional records: education records not identified above, such as those in the Superintendent's office, in the school attorney's office, or in the personal possession of teachers (examples: discipline records, Honor awards)	The principal will collect and make available at the student's school	

STUDENT RECORDS**DESIGNATION OF DIRECTORY
INFORMATION**

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

According to state and federal law the below-designated directory information may be publicly released to educational, occupational or military recruiting representatives without your permission. If the Governing Board permits the release of the below-designated directory information to persons or organizations who inform students of educational or occupational opportunities, by law the District is required to provide the same access on the same basis to official military recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them, unless you request in writing that the District not release the student's information without your prior signed and dated written consent. *If you do not object to the release of any and all of the below-designated information in writing, then the District must provide military recruiters, upon request, directory information containing the student's names, addresses and telephone listings.*

If you *do not want any or all of the* below-designated information about your son/daughter to be released to any person or organization without your prior signed and dated written consent, you must notify the District in writing by checking off any or all of the rejected information, signing the form at the bottom of this page, and returning it to the Superintendent, within two (2) weeks of receiving this form. If the District does not receive this notification from you within the prescribed time, *it will be assumed that your permission is given to release your son's/daughter's designated directory information.*

TO: Program Director

I *do not want any or all* the information I have checked below concerning (student's name) _____ designated as directory information and released to any person or organization without my prior written consent:

- | | |
|---|--|
| <input type="checkbox"/> Name | <input type="checkbox"/> Address |
| <input type="checkbox"/> Telephone listing | <input type="checkbox"/> Electronic mail address |
| <input type="checkbox"/> Date and place of birth | <input type="checkbox"/> Photograph |
| <input type="checkbox"/> Dates of attendance | <input type="checkbox"/> Grade level |
| <input type="checkbox"/> Honors and awards received | <input type="checkbox"/> Major field of study |
| <input type="checkbox"/> Enrollment status (e.g., part time or full time) | |
| <input type="checkbox"/> Participation in officially recognized activities and sports | |
| <input type="checkbox"/> Weight and height of members of athletic teams | |
| <input type="checkbox"/> Most recent educational agency or institution attended | |

Parent's or Guardian's signature

Date

STUDENT RECORDS**Notification to New School of Attendance
of Records Available at Previous
School of Attendance**

Dear Principal,

_____ has been attending District school(s) at _____, Arizona. Records available at our school contain information that should be helpful to your staff in developing an educational program. Our student education records policy permits forwarding copies of records to schools in which the student intends to enroll upon a formal request to receive them.

To expedite the transfer of the information, please review the list below and check the records for which you are requesting a copy.

Information available in our records include the following. (Please check item for a copy.)

Please return this form and the enclosed Request for Student Education Records to:

(Records Custodian)

(School District Name)

(Date)

(Address)

STUDENT RECORDS

(Request for Special Education Records)

Copy to Student File

Name of Agency _____

Address _____

Requester

Name of Authorized Person _____ Phone _____

Requested from:

Name of Agency _____

Address _____

Student

Student Name _____

Address _____

Parent Name _____

Address _____

Previous School _____ Date attended _____

Address _____

Purpose for Request

- ☐ No information available about previous school.
- ☐ Need assistance in understanding complex behavior and needs.
- ☐ Need information to help prepare an education program for the student.
- ☐ Need verification that the student has a disability.
- ☐ Need evaluation information for information for immediate special education placement.
- ☐ Other: _____

EXHIBIT**EXHIBIT***Type of Information Requested*

Permanent Record Data:

☐ Basic Identifying Data, Attendance data, and Academic Data

General Cumulative Data:

☐ General Administrative Data and results of group tests.

Health Data:

☐ General Medical Data and Reports

Specialized Student Data:

☐ Individualized evaluation records and specialized reports (including reports from outside agencies)

Special Education Placement Records:

☐ All records of placement if special education*Assurance Statement and Signatures*

In making this request, the undersigned agrees that the information received will be used only by the professional school staff members who are assigned to work with the student in the education program and will not be released to any other party without prior written consent of the parent.

Authorized Signature_____
Date

I, _____ as the parent of _____,

consent to the release of records listed above to the party named above. I am aware of my rights to review the records and receive a copy at my expense, if I so request.

Signature of Parent_____
Date

STUDENT RECORDS**RECORD OF ACCESS****(To be Placed Inside the Students Record File.)**

Requester (Name or Agency)	Date of Request	Date Request Filled	Records Requested	Access: C-Copy E- Examine V-Verbal	Educational Interest or Purpose	Date Parents Notified

STUDENT RECORDS
DESTRUCTION OF INFORMATION

Date _____

Dear (parent or guardian) _____,

This is to advise you that District schools may destroy special education data and other information on a student who has been in a special education program whenever the student has been withdrawn, transferred, or graduated from the District for at least five years or when the information is no longer needed to provide education services to:

_____ (Student's name)

However, information contained in these records may be needed for other purposes, such as documentation for eligibility for Social Security benefits.

Before these records are destroyed, you have the right to review the records and obtain copies of any information. Please indicate your desire below and return this form to the School District before

_____ (Date)

Sincerely,

Signature, Title of District Official

☐ I do **not** wish to review any records

☐ I wish to review the following records:

Parent's or Guardian's Signature

Date

If you do not complete and return this form within 90 days, records will be destroyed in accordance with established policy.

LEGAL REF.: 20 U.S.C. § 1232(f)(a), 34 C.F.R. § 80.42

JRCA

REQUEST FOR TRANSFER OF RECORDS

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 District school from or to another school.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-141, 15-828, 15-829, 41-1354
20 U.S.C. § 1232

REQUEST FOR TRANSFER OF RECORDS**Requesting Records of Transfer Students**

Upon enrollment of a transfer student from a private school or from a public school in another district, the Program Director shall request that the student's parent or guardian (or an emancipated student) authorize consent for the request for the student's education records on form JR-ED.

Within five school days after enrolling a transfer student from a private school or from a public school in another district, the Program Director shall request, directly from the student's previous school, a certified copy of the student's record.

Responding to Requests for Student Records

Upon receiving a request for the records of a student who has withdrawn from school, the Program Director shall comply and forward the record within five days after receipt of the request, unless:

- The record has been flagged pursuant to A.R.S. § 15-829, in which case the record shall not be forwarded and law enforcement officials shall be notified.
- The request does not conform to the requirements related to proper release of records by an emancipated student or parent.

JRR

STUDENT SURVEYS

Student surveys will be prepared, administered, retained, and communicated to parents and students in a manner consistent with state and federal laws. The requirements of the Arizona Revised Statutes shall be as specified in the relevant statutes and subsequent regulations.

The District will comply with all statutes pertaining to surveys including the requirement that notwithstanding any other law, each school district and charter school shall obtain written informed consent from the parent of a pupil before administering any survey that is retained by a school district, a charter school or the department of education for longer than one (1) year and that solicits personal information about the pupil regarding a number of characteristics any of the following which are listed in A.R.S. § 15-117.

- Critical appraisals of another person with whom a pupil has a close relationship.
- Gun or ammunition ownership.
- Illegal, antisocial or self-incriminating behavior.
- Income or other financial information.
- Legally recognized privileged or analogous relationships, such as relationships with a lawyer, physician or member of the clergy.
- Medical history or medical information.
- Mental health history or mental health information.
- Political affiliations, opinions or beliefs.
- Pupil biometric information.
- The quality of home interpersonal relationships.
- Religious practices, affiliations or beliefs.
- Self-sufficiency as it pertains to emergency, disaster and essential services interruption planning.
- Sexual behavior or attitudes.
- Voting history.

A parent of a pupil that has a reasonable belief that a school district or charter school has violated this section may file a complaint with the attorney general or the county attorney for the county in which an alleged violation of this section occurred. The attorney general or the county attorney for the county in which an alleged violation of this section occurred may initiate a suit in the superior court in the county in which the school district or charter school is located for the purpose of complying with this section. After receiving written notice of an alleged failure to comply with this section, a school district or charter school that determines that a violation has occurred is not subject to a penalty or cause of action under this section if the school district or charter school cures the violation. For the purposes of this subsection, "cure" means to destroy any information gathered in violation of this section and to provide written instruction to the individual circulating the survey, to be kept on file for one (1) year after receipt of the written notice of the alleged failure to comply.

JRR

The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), and the Protection of Pupil Rights Act (PPRA).

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

Annual Notification

At the beginning of every school year, every school district and charter school shall obtain written informed consent from the parent of a pupil to participate in any survey pursuant to A.R.S. 15-117 for the entire year. A parent of a pupil may at any time revoke consent for the pupil to participate in any survey pursuant to subsection A of section 15-117. For any pupil who is at least eighteen years of age, the permission or consent that would otherwise be required from the pupil's parent pursuant to this section is required only from the pupil. All surveys conducted pursuant to subsection A of section 15-117 shall be approved and authorized by the school district or charter school. The school district or charter school is subject to the penalties prescribed in subsection L of section 15-117. A teacher or other school employee may not administer any survey pursuant to subsection A of section 15-117 without written authorization from the school district or charter school.

Adopted: date of Manual adoption

Revised: June 19, 2017

LEGAL REF.: A.R.S. §§ 15-101, 15-102, 15-104, 15-117, 15-141, 15-142, 15-249, 15-742
20 U.S.C. §§ 1232h, 7908, 1400 *et seq.* (Individuals with Disabilities Educ. Act)
20 C.F.R. §§ 98, 300

CROSS REF.: JI - Student Rights and Responsibilities

JII - Student Concerns, Complaints, and Grievances

JICEC - Freedom of Expression

KB - Parental Involvement in Education

KA

SCHOOL-COMMUNITY-HOME RELATIONS GOALS/PRIORITY OBJECTIVES

The Superintendent shall interpret the educational program to the people and invite discussions and suggestions on important educational issues and shall attempt, at all times, to represent the entire community rather than any single group or section. The District shall pursue the following school-community relations goals:

- To develop intelligent citizen understanding of the District in all aspects of its operation.
- To determine how the citizenry feels about the District and what it wishes the District to accomplish.
- To develop citizen understanding of the need for adequate financial support for a sound educational program.
- To help citizens assume a more direct responsibility for the quality of education the District provides.
- To earn the goodwill, respect, and confidence of the citizenry in the personnel and services of the District.
- To bring about citizen understanding of the need for the improvement and what must be done to facilitate essential change.
- To involve citizens in the work of the District and the solving of its educational problems.
- To invite the assistance, cooperation, and understanding of elected and appointed community officials and committees in the development of educational programs and facilities.
- To promote a genuine spirit of cooperation between the District and community in sharing leadership for the improvement of the community.

Adopted: **November 13, 2008**

PARENTAL INVOLVEMENT IN EDUCATION

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

- A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline.
- 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.
- 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.
- 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.
- 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.
- 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 student in grades seven (7) through twelve (12) on laws relating to sexual conduct with a minor or A.R.S. § 15-716 concerning instruction on immune deficiency syndrome, or pursuant to any rules adopted by the State Board of Education.
- 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.
- Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:
 - The right to opt in to a sex education curriculum if one is provided by the District.
 - Open enrollment rights pursuant to A.R.S. § 15-816.01, relating to the District policies on open enrollment.

KB

- The right to opt out of assignments pursuant to A.R.S. § 1-601, Parents Bill of Rights. [See Exhibit KB-EB]
- The right to opt out a child out of immunizations as authorized by A.R.S. § 15-873, relating to an outbreak of a communicable disease.
- The promotion requirements prescribed in A.R.S. § 15-701 for students in grades one (1) through eight (8).
- The minimum course of study and competency requirements for graduation from high school prescribed in A.R.S. § 15-701.01.
- The right to opt out of instruction on the acquired immune deficiency syndrome as provided by A.R.S. § 15-716.
- The right to review their child's standardized nor-referenced test results pursuant to A.R.S. § 15-743.
- The right to participate in gifted programs pursuant as prescribed by A.R.S. § 15-779.01.
- The right to access instructional materials as directed by A.R.S. § 15-730.
- The right to receive the school's annual report card pursuant to A.R.S. § 15-746.
- The school attendance and age requirements for children prescribed in A.R.S. §§ 15-802, 15-803 and 15-821.
- 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.
- The right to be excused from school attendance for religious purposes as described by A.R.S. § 15-806.
- Policies related to parental involvement pursuant to A.R.S. § 15-102 and set out herein.
- 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].
- The right to participate in a parental satisfaction survey to be distributed to the parent of every child enrolled at the school, pursuant to A.R.S. § 15-353.
- Information about the student accountability information system (SAIS) as prescribed in section §15-1042.
- The right to access the failing schools tutoring fund pursuant to A.R.S. § 15-241.
- Making parents aware of this District parental involvement policy,

including.

- 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.
- The parent's right to inspect the District policies and curriculum.
- The communication to parents of techniques designed to assist the student's learning experience in the home.
- Efforts to encourage access to community and support services for children and families.
- The promotion of communication between the school and parents concerning school programs and the academic progress of the parents' children.
- Identifying opportunities for parents to participate in and support classroom instruction at the school.
- 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.
- The development of strategies and programmatic structures at schools to encourage and enable parents to participate actively in their children's education.
- Provide to parents the information in this policy in an electronic form.

Resumes of all current and former instructional personnel shall be maintained and available for inspection by parents and guardians of pupils enrolled. The resume 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 Program Director during regular business hours:

- The Superintendent or Program Director shall:
 - Deliver the requested information to the parent within ten (10) calendar days, or
 - Provide to the parent a written explanation for denial of the requested information.
- If the requested information is denied or is not received by the parent within fifteen (15) calendar days
 - The parent may submit to the Governing Board a request for the requested information, and
 - The Governing Board shall consider the request at the next scheduled meeting of the Board on which the request can be

KB

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.

Adopted: February 13, 2012

Revised: June 22, 2020

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 1-601, 1-602, 15-101, 15-102, 15-113, 15-341

CROSS REF.: ABA - Community Involvement in Education

IHBD - Compensatory Education

IJ - Instructional Resources and Materials

IJND — Technology Resources (Movies/Videos)

JHD - Exclusions and Exemptions from School Attendance KDB -
Public's Right to Know/Freedom of Information

PARENTAL INVOLVEMENT IN EDUCATION**Parent and Teacher Cooperation in Homework, Attendance, and Discipline**

When homework, attendance, and discipline rules are being considered, a procedure similar to, but not limited to, the following shall be used:

- An ad hoc committee shall be appointed by the appropriate administrative officer under the provisions of Board policy. The committee will study the issue and make recommendations to the appointing administrator. The committee will be dissolved when the final report is submitted.
- School staff members, including teachers, will be appointed to study the issues and report to the appointing administrator. The administrator will schedule hearings on the staff report, give parents sufficient notice, and conduct hearings to permit parent reaction to the staff report, copies of which shall be readily available for parent review. Following the hearings, the administrator will prepare recommendations that give careful consideration to the views of teachers and parents. Such recommendations will be submitted to the Superintendent unless the recommendations are prepared by the Superintendent, in which case the recommendations will be submitted to the Board.

Parents' Access to Courses of Study and Learning Materials

Parents who wish to learn about the course of study for their children or to review learning materials shall do so under provisions of Board Policy IJ and supporting regulations.

Parental Objections to Learning Activities or Materials

Parents who wish to object to any learning activities or learning materials may do so under provisions of Board Policies IJ, KB and supporting regulations.

Availability of Instructional Employee Resumes

The administration shall inform parents of the availability of each teaching employee's resume and make that document available for inspection upon request of parents or guardians of pupils enrolled at a school. Such information shall not include teacher address, salary, social security number, and telephone or other personally identifiable information as determined by the District.

KCCA

COMMUNITY INVOLVEMENT IN BOND CAMPAIGNS

While the Board may, and should, provide information to the public on school building needs, it may not use District funds to advocate "yes" votes on bond issues.

The Board may use the input from a Citizen's Advisory Committee in examining educational and building needs of the District.

As the need for a bond issue arises, a Citizen's Committee may encourage and promote the passage of the bond issue and collect funds needed for such promotion.

Adopted: Date of manual adoption

LEGAL REF.: A.R.S. §§ 15-491, 15-492, 15-493

Att. Gen. Op. 179-192, 183-117

PUBLIC GIFTS/DONATIONS TO SCHOOLS

The Board has the authority to accept gifts and donations as may be made to the school or to the District.

The Board reserves the right to refuse to accept any gift that does not contribute toward the achievement of the goals of this District and the ownership of which would tend to adversely affect the District.

Any gift accepted by the Board shall become the property of the District, may not be returned without the approval of the Board, and is subject to the same controls and regulations as are other properties of the District. The Board shall be responsible for the maintenance of any gift it accepts, unless otherwise stipulated.

The Board will make every effort to honor the intent of the donor in its use of the gift but reserves the right to utilize any gift it accepts in the best interest of the educational program of the District.

In no case shall acceptance of a gift be considered to be an endorsement by the Board of a commercial product or business enterprise or institution of learning.

The Superintendent shall:

- Encourage individuals and organizations considering contributions to the schools to consult with the Superintendent on the appropriateness of any such gifts.
- Report to the Board all gifts that have been offered to the District, for their review and action.
- Acknowledge the receipt and value of any gift accepted by the District, and prepare fitting means, as appropriate, for recognizing or memorializing gifts to the District.

Gifts shall be recorded in appropriate inventory listing(s) and property records.

Adopted: November 13, 2008

LEGAL REF.: A.R.S. §§ 15-341, 15-393, 15-1224

Att. Gen. Op. 180-156

CROSS REF.: DDA - Funding Sources Outside the School System

PUBLIC GIFTS/DONATIONS TO SCHOOLS

To be acceptable, a gift must satisfy the following criteria:

- It will have a purpose consistent with those of the school.
- It will be offered by a donor acceptable to the Board.
- It will not begin a program that the Board would be unwilling to take over when the gift or grant funds are exhausted.
- It will not bring undesirable or hidden costs to the school system.
- It will place no restrictions on the school program.
- It will not imply endorsement of any business or product.
- It will not be in conflict with any provision of the school policy or public law.

All gifts, grants, and bequests shall become District property and subject to policies of the District.

PUBLIC INFORMATION AND COMMUNICATIONS

The Superintendent has the responsibility of keeping the public informed as to the purpose, goals, methods, and progress of the educational program. Accuracy, reliability, and leadership in this area will develop confidence and understanding, creating better relationships between the District and the community. All school personnel are responsible for good public relations.

All written notices, bulletins, newsletters, and matters pertaining to students are to be approved prior to release. Matters that pertain to an individual school are to be approved by a Program Director or Central Administration prior to release. Matters that pertain to the District are to be submitted for approval to the Superintendent prior to release.

Non-school-originated material of a commercial, political, or religious nature shall not be released through the students. Notices from community organizations, such as Camp Fire Girls, Boy Scouts, etc., that directly affect the students of the District may, at the discretion of a Program Director or Central Administration, be sent home via the students.

This policy is not intended to interfere with the responsibility of District personnel to communicate directly with the parents or legal guardians of a particular student in areas affecting that student's progress at school. It is intended to ensure that prompt, reliable, and accurate information is released to the parents and patrons of the District.

Adopted: date of manual adoption

Revised: October 10, 2022

KDB

PUBLIC'S RIGHT TO KNOW/FREEDOM OF INFORMATION

The Board recognizes the right of the public to information concerning its actions, its policies, and the details of its educational and business operations. The Board encourages study, discussion, and active participation by all concerned in the promotion of the best possible program of education in the community. It is the practice of the Board to utilize the advice and assistance of interested individuals and groups in the solution of its educational and financial problems.

In recognizing the cooperating organizations in the District and by encouraging their active participation in educational policy making, the Board wishes to make it clear that in no way does it wish to escape its responsibility to the citizens of the community as the official governing body responsible for a final decision on all matters of policy and educational programs. The Board accepts the following basic principles that are essential to a good public-relations program:

- The Board will transact all official business 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 oral and written, may be received and considered when placed on the agenda.
- The Board will function as speedily and as efficiently as circumstances permit, and always with due regard for the public interest.
- Board members will familiarize themselves with the work of the school system in all major areas and shall bring to the schools the viewpoint, the knowledge, and the wisdom of the community.
- The Board will make provision for keeping a record of the proceedings of all meetings. Minutes of all Board meetings (except executive sessions) shall be considered matters of public record.
- The Board will keep in mind that maintaining the confidence and respect of the community is of paramount importance to the success of the educational program of the District.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 38-431 to 38-431.09, 39-101, 39-103

Att. Gen. Op. I83-006, I86-090, I84-179, I91-004, I85-0123

PUBLIC'S RIGHT TO KNOW /FREEDOM OF INFORMATION

Public records of the District will be open for inspection by any person as provided by law.

Public record means any recorded information that is made, maintained, or kept by, or is in the possession of, the District. Such records include minutes of the Governing Board, agendas, financial records, contracts, and statistical summaries.

The office of the Superintendent will be open to receive requests for records inspection or copying during normal business hours on Monday through Friday.

Requests for access to records shall be made in writing and directed to the office of the Superintendent.

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.

The above declaration will be made and signed on the official form provided by the District for requesting inspection and/or copying of public records.

The Superintendent may 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.

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, or (3) disclosure would be detrimental to the best interests of the District. If a public record contains material that is not subject to disclosure, the District will delete such material and make available to the requester such material in the record as is subject to disclosure.

Records contained on a computer will be provided only in the form in which the information can be made available using existing computer programs.

Copies of radio or recording tapes or discs, video or films, pictures, slides, graphics, illustrations, or similar audio or visual items or devices will not be furnished unless such items or devices have been shown or played at a public meeting of the Governing Board.

A fee shall be levied on each request to cover the cost of making copies, staff time, computer time, etc. Fees will be collected prior to releasing material.

The fees will be based upon the following:

- 10¢ per copy for materials indicated as Board minutes, agendas, financial records, contracts, courses of study, or statistical summaries.
- 35¢ per copy for materials not listed above that require additional clerical and/or professional staff time to make available.
- Actual cost, if available, will be assessed.
- Free copies shall be furnished if they are to be used in claims against the United States.

PUBLIC'S RIGHT TO KNOW/FREEDOM OF INFORMATION

REQUEST FOR PUBLIC RECORDS

Name _____ Date _____

Address _____
(street) (city) (state) (zip)

E-mail address _____

Phone: Home _____ Cell _____

Nature of request:

- ☐ Opportunity to review records (no original record may leave the custodian's office)
- ☐ Copies of records.

Records requested:

Be as specific as possible. Attach additional pages, if necessary.

Purpose of Request:

NOTICE: A fee shall be levied on each request to cover the cost of making copies, staff time, computer time, etc. Fees will be collected prior to releasing material. The fees will be based upon the following:

- 10 cents per copy for materials indicated as Governing Board minutes, agendas, financial records, contracts, courses of study, or statistical summaries.
- 35 cents per copy for materials not listed above that require additional clerical and/or professional staff time to make available.
- Actual cost, if available, will be assessed.
- Free copies shall be furnished if they are to be used in claims against the United States.

Please read and sign the following statement:

I have requested public records of the school district for a noncommercial purpose. I understand that if the records should be used for a commercial purpose, a verified statement of the purpose must be submitted per A.R.S. § 39-121.03.

Signature _____

Date _____

KDC

SCHOOL-SPONSORED INFORMATION MEDIA

Publications issued by and in the name of the school or the District shall reflect a high quality of editorial content and format. The exercise of appropriate economy in materials and production is expected as long as the main purpose is not jeopardized.

Articles circulated or submitted for publication by District employees in which the District, or employees of the District, are mentioned directly or indirectly must be cleared by the Superintendent.

Adopted: date of manual adoption

KDCA

USE OF STUDENTS IN PUBLIC INFORMATION PROGRAM

The participation of students in interpreting the educational program of the schools to the community shall be encouraged with the understanding that:

- Students shall not be exploited for the benefit of any individual or group. Students shall participate only in appropriate situations.
- The use of students shall always be evaluated in terms of the effect on the students.
- Students shall not solicit or promote District issues without approval by the Superintendent's office.
- The best possible community relations grow from a superior teaching job in the classroom. Enthusiastic students with serious intentions, well directed by sympathetic and capable teachers, communicate positively with parents and the community. This shall be the cornerstone of good community relations in the District.

Adopted: date of manual adoption

KDD

MEDIA RELATIONS

The Board recognizes its responsibility to provide information to the community and actively seeks to establish a good working relationship with local news media.

To promote a positive relationship between the District and the media, the Board shall provide information to the media concerning the programs and activities of the District as well as matters pending before the Board.

Adopted: date of manual adoption

CROSS REF.: KDC - School-Sponsored Information Media

KDDA

PRESS RELEASES, CONFERENCES, AND INTERVIEWS

All communication with the news media for the purposes of seeking or arranging news coverage, providing official statements from the District, or responding to requests from the news media shall be channeled through the office of the Superintendent.

Adopted: date of manual adoption

CROSS REF.: KD - Public Information and Communications

 KDC - School-Sponsored Information Media

KE

PUBLIC CONCERNS AND COMPLAINTS

Whenever a complaint is made directly to the Board as a whole or to a Board member as an individual, it will be referred to the school administration for study and possible solution.

The administration will develop a procedure for receiving complaints courteously, and it will take steps to make proper replies to complainants. If resolution of a problem is not possible at the building level, either party may refer the matter to the Superintendent for review.

The Board will consider hearing citizen complaints when they have not been resolved by the administration. Matters referred to the Board must be in writing and should be specific in terms of the action desired. The Board will not consider or act on complaints that have not been explored at the appropriate administrative level.

Adopted: date of manual adoption

PUBLIC CONCERNS AND COMPLAINTS

When a Governing Board member has received a complaint and has directed it to the Superintendent or the Board secretary, the Superintendent shall either investigate the situation or assign another administrator to conduct an investigation. When the investigation is complete, the investigating administrator shall contact the Board member who referred the complaint and provide the details of the investigation. At that time the administrator shall provide the Board member with the following two options:

- The Board member may contact the individual who initiated the complaint and provide the details of the investigation.
- The Board member may request that the investigating administrator or the Superintendent contact the individual who initiated the complaint and provide the details of the investigation.

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

The investigating administrator shall inform the Board secretary regarding the disposition of the complaint. The Board secretary shall maintain a log of all complaints referred by Board members, as well as the disposition of each such complaint. Logs may be destroyed after a period of two (2) years.

PUBLIC CONCERNS AND COMPLAINTS

(Submit this form to the Superintendent)

Person(s) or group filing complaint _____

Complainant's address _____

Phone: Home _____ Cell _____

Date complaint submitted: _____

Has problem been discussed with the administration?

☐ No ☐ Yes Date: _____

Summary of the charges (description of incident or event, including date, place, time, alleged problem, and suggested solution). Attach additional pages if necessary:

Identification of other witnesses or persons with information about concern:

Signature

Date

KEB

PUBLIC CONCERNS/COMPLAINTS ABOUT PERSONNEL

Trust in staff members and support for their actions should be such that employees are freed from unnecessary, spiteful, or negative criticisms and complaints.

In spite of this, criticisms and complaints may be forthcoming from the community. These complaints are best handled starting at the school level and, when necessary, should proceed through the various administrative levels.

All complaints shall be referred to the Superintendent for investigation. The employee involved shall be given an opportunity, at each administrative level at which the matter is reviewed, for explanation, comment, and presentation of facts, either formally or informally. The employee will be afforded elements of due process as provided in Arizona law.

Adopted: date of manual adoption

CROSS REF.: BBAA - Board Member Authority and Responsibilities
 BEDH - Public Participation at Board Meetings

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**PUBLIC CONCERNS / COMPLAINTS
ABOUT PERSONNEL****Required Information**

The following information concerning a complaint is required:

- The name(s) of the person(s) making the complaint.
- Whether the person(s) making the complaint represents an individual or a group. If a group is represented, information shall be provided about the nature of the group and the manner in which the group has reviewed and taken a position on the matter.
- Whether the person(s) making the complaint has discussed the problem with the employee in question.
- A summary of the complaint(s) and of the above three items.

Processing of Complaint(s) Following Written Summation

The complaint shall be presented to the employee toward whom it is directed, together with a suggested solution, personally and in writing, by the person(s) filing the complaint. It is the responsibility of the employee's supervisor to keep the Superintendent informed as the matter is reviewed at the various administrative levels.

The employee will have a minimum of five (5) working days in which to reply to the complaint at each administrative level at which the matter is reviewed.

If the complaint is not resolved between the originator of the complaint and the employee, the complaint shall be reviewed by the employee's supervisor. Until the matter is resolved, it may be reviewed at each successive administrative level.

The Superintendent shall be the final administrative level.

Following the decision of the Superintendent, if any of the parties concerned deem it necessary, the matter may be referred to the Board within ten (10) working days following the Superintendent's decision.

The Board shall consider all facts and provide the employee with all elements of due process in reaching a decision.

KEC

PUBLIC CONCERNS/COMPLAINTS ABOUT INSTRUCTIONAL RESOURCES

Occasional objections to the selection of instructional materials may be made by the public despite the care taken to select materials most valuable for the student and the teacher. The complainant will be asked to complete the form "Citizen's Request for Reconsideration of Instructional Material." Upon receipt of a request for reconsideration, the Superintendent will review the work in question. After review by the Superintendent, copies of the request form and the report will be sent to the a Program Director and the citizen.

If not satisfied with the decision contained in the report, the citizen may appeal the decision to the Board.

Should a complaint reach the Board, the Board may refer the matter back to the Superintendent for further review, or the Board may review the materials in question in the light of its policy establishing criteria for the selection of materials.

Adopted: date of manual adoption

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 15-341, 15-721

**PUBLIC CONCERNS/COMPLAINTS
ABOUT INSTRUCTIONAL RESOURCES**

**CITIZEN'S REQUEST FOR RECONSIDERATION
OF INSTRUCTIONAL MATERIAL**

Author _____ Hardcover _____ Paperback _____ Other media _____

Title _____ Copyright date _____

Publisher (if known) _____

Requestor _____ Home telephone _____

Cell phone _____ E-mail address _____

Address _____

Requestor represents the interests of:

☐ Self ☐ Group of Organization _____
(name of group or organization)

Use the reverse side for additional comments if the space below is inadequate.

What parts of the materials did you review?

To what in the material do you object? (Please be specific; cite pages.)

What do you feel might be the result of the use of this material?

EXHIBIT

EXHIBIT

What, if anything, do you feel is good about this material?

Are you aware of any judgment of this material by literary critics? ☐ Yes ☐ No

If "yes," what are the judgments?

What is your understanding of the instructional purpose of the instructional purpose of the materials?

Do you object to that instructional purpose? ☐ Yes ☐ No

What would you like the District to do about this material?

- ☐ Do not assign or recommend it to my child(ren)
- ☐ Do not assign it to any students
- ☐ Refer it a curriculum committee for reevaluation

In its place, what material of equal or greater literary quality or instructional value would you recommend that would meet the educational goals of the District.?

Signature

Date

KED

PUBLIC CONCERNS/COMPLAINTS ABOUT FACILITIES AND SERVICES

The Superintendent shall establish procedures to be used by citizens of the District who have complaints about District facilities or services. Such procedures shall provide for administrative review of such complaints and, further, shall provide for Board review at the request of the complainant if the matter is not resolved by administrative review.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-341, 15-341

20 U.S.C. § 794, Rehabilitation Act of 1973, Section 504

**PUBLIC CONCERNS/ COMPLAINTS
ABOUT FACILITIES AND SERVICES**

Citizens of the District who have complaints about District facilities or services may register such complaints with the site administrator. If the complaints concern eligibility and related procedures, procedural safeguards, or provision of a free and appropriate public education, the complaint may be referred to the appropriate compliance officer at any time.

Required information concerning complaint:

- Name(s) of person(s) making the complaint.
- Whether the person(s) represents an individual or group.
- Whether the person(s) making the complaint has discussed the problem with the site administrator.
- A summary of the complaint
- A suggested solution.

Processing of complaint:

- *Level 1.* The complaint shall be presented in writing to the site administrator. Five (5) working days will be allowed for a reply.
- *Level 2.* If a satisfactory response is not received within five (5) working days, a copy of the complaint may be forwarded to the Superintendent, who will have ten (10) working days to reply.
- *Level 3.* If a satisfactory response is not received within ten (10) working days, a copy of the complaint may be forwarded to the Governing Board for its consideration. Consideration as to the disposition of the complaint will be given within thirty (30) days.

**PUBLIC CONCERNS/COMPLAINTS
ABOUT FACILITIES AND SERVICES**

Person(s) or group filing complaint: _____

Complainant's address: _____

Home phone: _____ Cell phone: _____

E-mail address: _____ Date: _____

Has the problem been discussed with the site administrator? ☐ No ☐ Yes

If yes, administrator's name: _____ Date _____

Summary of the complaint, including date and time, place, and alleged problem (attach additional pages if necessary):

State what you think can and should be done to address you concern. Be as specific as possible.

Signature

Date

COMMUNITY USE OF SCHOOL FACILITIES

Leasing (renting)

School facilities and property may be leased to extended day resource programs and any person, group or organization for any lawful purpose in the interest of the community. The purposes include but are not limited to the following:

- recreational,
- educational,
- political,
- economic,
- artistic,
- moral,
- scientific,
- social,
- religious,
- other civic,
- or governmental.

A reasonable use fee shall be charged for the lease of school facilities and property and this fee may be offset by goods contributed or services rendered by the lessee. "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.

Uncompensated Use

The Superintendent may permit the uncompensated use of facilities and 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 District. "Education function" means uses that are directly related to the educational mission of the District as adopted by the Board and includes the educational mission related uses of parent - teacher organizations, youth organizations and school employee organizations. Use of facilities or property by organizations indicated above that will require a substantial District cost for utilities, services, supplies and/or personnel may be permitted only if goods contributed, services rendered or payments are made to reimburse these costs to the District.

The mission of the District is found in section A of the policy manual (see cross referenced policies below). The mission statement and the group's or organization's promotion of the educational function through the activity, as interpreted by the Superintendent in good faith, will be the basis upon which uncompensated use of District facilities and property shall be approved or denied.

Generally

The Superintendent shall annually recommend a fee schedule to the Board for the lease of school property and such schedule shall include a procedure for determining the value of goods and services being provided as compensation for the use of school property. The schedule shall include a designation of those groups whose activities promote the educational function of the School District as determined in good faith by the Superintendent and presented for Board review.

Property not associated with the use of facilities is covered in section E of the policy manual (see cross referenced policies below). The District will use its best efforts to avoid conflicts with approved use of the facilities and property but no lease or use provision shall be effective if the administrator of the facility finds that it would cause delay, cancellation, or rescheduling of a school-sponsored activity.

Proof of liability insurance shall be required for the use or lease of school property pursuant to A.R.S. § 15-1105.

The Superintendent shall establish such rules and regulations as are needed to implement this policy as well as to assure the preservation of District property.

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.

The lessee of school facilities to be used for athletic activities must confirm knowledge of and compliance with the requirements and restrictions for such use as set out in Board Policy JJIB.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 15-511, 15-1105, 15-1141 to 15-1143, 16-311, 36-2801

CROSS REF.: A - Educational Mission and Belief Statement

AC - Non - discrimination / Equal Opportunity

EDC - Authorized Use of School-Owned Materials and Equipment

KFA — Public Conduct on School Property During Public Events

COMMUNITY USE OF SCHOOL FACILITIES

Organizations that wish to use school facilities must contact the appropriate administrator for approval and scheduling. A permit for use of school facilities must be completed. This application should be completed at least thirty (30) days prior to the use date.

No organization may use District facilities unless the program is approved by the Superintendent.

Religious groups are not permitted to use District facilities unless proper application is made and approved by the Board. The request by any religious organization for regular use of school facilities shall be denied. A religious group that wishes to use District facilities on a temporary basis must own property and have definite plans to construct its own facilities.

In case of conflict of schedule, the following organizations have preference, in the following order:

- The District school.
- Youth organizations.
- Parent organizations.
- Other.

No apparatus, furniture, or equipment is to be moved onto District property unless special permission is granted, in advance, by the Superintendent.

The number of tickets sold to any function shall not exceed the normal capacity of the facility granted for use in the permit.

The use of special equipment owned by the District shall be permitted only when operated by District employees or other individuals specifically authorized in the permit.

No material of any kind shall be attached to any part of the facility without written approval.

No smoking is to be allowed. No refreshments are to be served or sold on school grounds or in the buildings except in the appropriate facilities and with prior approval by the appropriate administrator.

The District shall provide needed custodial services, cafeteria employees, and/or other employees during each period and to clean up and replace facilities after each occasion.

Administrators or caretakers are to have access to all facilities at any and all times. Premises are to be vacated and lights are to be off at the time specified.

All properties are to be accounted for and left in as good condition as received. Extra property is to be removed from the premises no later than twenty-four (24) hours after the performance, or sooner in some cases if the educational process is adversely affected by the extra property.

Any advertising for the promotion of the program, such as newspaper releases, posters, tickets, and handbills, must identify the sponsoring agent.

The District reserves the right to refund payments made in advance for rental of any facilities if the Governing Board should decide that the performance is not in the best interests of the District, and to cancel the use of the facility on the date or dates specified in this agreement by notifying the applicant by one or more of the following means:

- Telephone.
- Messenger.
- Letter to the address as given in the application.
- Insertion of one advertisement in an appropriate daily newspaper at any time prior to any such performance.

The applicant agrees to indemnify and save harmless the District from any claims or loss by reason of the applicant's use or misuse of the leased premises and from any claim or loss by reason of any accident or damage to any person or property occurring on said premises.

A.R.S. § 15-1105(C) requires the applicant to show proof of liability insurance coverage in the amount of \$1,000,000.00, and \$10,000.00 property damage, with the East Valley Institute of Technology School District No. 401 named as an additional insured on the policy.

The applicant affirms that no event will be held for the purpose of advancing any theory subversive to the constitutions or laws of the state of Arizona or the United States or for the purpose of advocating social or political change by violence.

It is understood that the Governing Board reserves the right to make additional conditions and stipulations, and that any such conditions and stipulations (as attached) are a part of this agreement.

Rent is payable within one (1) week after invoice date. It is understood that all rates, as well as other conditions stipulated, are a part of any agreement.

COMMUNITY USE OF SCHOOL FACILITIES

The Program Director may deny a request to provide space for use as a polling place if within two weeks after a request has been made the principal provides a written statement indicating a reason why the election cannot be held in the school that includes any of the following:

- Space is not available at the school.
- A disruption of the normal school activities would occur.
- The safety or welfare of the students would be jeopardized.

COMMUNITY USE OF SCHOOL FACILITIES

An applicant requesting the use of school facilities agrees to comply with the following rules and the District policy concerning conduct on school property if granted permission to use the requested school facilities.

- All community group activities, including preparations, must be conducted in such a manner that students can continue their educational programs without undue interruption.
- An employee of the District must be on duty whenever a school building is used by an organization or group unless prior approval for other arrangements has been granted.
- The applicant is held responsible for the preservation of order. All children attending or participating in the event or activity must be supervised by responsible adults.
- No alcoholic liquors or beverages shall be brought to or consumed in the buildings or on the grounds.
- Tobacco and smoking is prohibited on school property.
- Putting up decorations or scenery or moving pianos or other major furniture is not allowed without prior permission.
- Nothing shall be sold, given, exhibited, or displayed for sale without prior permission from the school. Any sales are prohibited unless the proceeds will be used for charitable or nonprofit educational purposes.
- Unless waived by the District when use is in conjunction with a District activity, groups must provide the District with documentary evidence of liability insurance of at least one million dollars (\$1,000,000). Each group will be responsible for the repair or replacement of damaged equipment, furniture, or facility.
- The District reserves the right to require, if it should deem it necessary, a cash bond of five hundred dollars (\$500), or more to cover any damages that might be done to any equipment, furniture, or facility.
- All wages earned by District employees on duty for approved facilities use shall be paid by the District. No District employees shall be paid directly by any group using the facilities.
- The availability of cafeteria kitchens and other special subject or usage areas may be restricted to specific times or activities. Special fees may be charged for the use of those facilities.
- When more than one (1) applicant requests the use of a facility for the same time, the applicant filing first shall be given first consideration. If a school program or calendar changes, the school program shall take priority, even if the activity has been scheduled. Every effort will be made to reschedule the activity as conveniently as possible when such cancellation has occurred.
- The issuance of keys to facilities is to be discouraged. However, if no alternative is suitable, it shall be the Events Director's responsibility to

issue and retrieve facility keys according to the District key-control procedures.

- Permission shall be denied for activities that would exceed the capacity of the facility or be in violation of fire or safety regulations. It shall be the responsibility of the applicant to make appropriate members familiar with the use of fire and other safety devices and procedures.
- Confirm knowledge of and commitment to comply with the requirements and restrictions for use of facilities for athletic activities as set out in Board Policy JJIB.
- Comply with all applicable requirements of The Arizona Medical Marijuana Act.
- All activities must be conducted within the laws, rules and regulations of the State of Arizona and applicable municipal subdivisions.
- Requests for future use may be denied to an organization that fails to comply with established rules.

PUBLIC CONDUCT ON SCHOOL PROPERTY

No person shall engage in conduct that may cause interference with or disruption of an educational institution. Interference with or disruption of an educational institution includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

A person commits interference with or disruption of an educational institution by doing any of the following:

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

The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.

Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. § 13- 2911.

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

- 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.
- 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.
- Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
- 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.
- Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
- 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

KFA

duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.

- Knowing violation of 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.
- Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
- 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.

Additional Requirements of the General Public

The definition of *general public* is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by a Program Director or Central Administration. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Superintendent or the Superintendent's authorized representative.
- 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.
- Persons attending special functions shall confine themselves to the specific part of the facility assigned in the permit.
- Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- The use of facilities shall be granted only for legitimate purposes. Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.
- No person shall, except as authorized by A.R.S. § 36-2801 *et seq.*:
 - possess or engage in the use of medical marijuana,
 - on a school bus, or
 - on the grounds of any preschool, elementary or secondary school
 - smoke marijuana,
 - on any form of public transportation, or
 - in any public place.
 - operate, navigate or be in actual physical control of any motor vehicle, aircraft or motorboat while under the influence of marijuana,
 - 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.

KFA

Adopted: February 13, 2012

Revised: October 10, 2022

LEGAL REF.: A.R.S. §§ 13-2905, 13-2911, 13-3102, 15-341, 15-507, 36-802, 36-2801 *et seq.*

CROSS REF.: GBEB - Staff Conduct

GCQF - Discipline, Suspension, and Dismissal of Prof. Staff Members

GDQD - Discipline, Suspension, and Dismissal of Support Staff Members

JIC - Student Conduct

JK - Student Discipline

KFAA - Smoking on School Premises at Public Functions

KFAA

SMOKING ON SCHOOL PREMISES AT PUBLIC FUNCTIONS

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

- School grounds.
- School buildings.
- School parking lots.
- School playing fields.
- School buses and other District vehicles.
- Off-campus school-sponsored events.

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

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:

- Approved by the school.
- Established in accord with Arizona Revised Statute 15-712.

No person shall smoke marijuana in any public place.

Adopted: February 13, 2012

LEGAL REF.: A.R.S. §§ 13-3622, 15-341, 15-712, 36-2802, 36-798.03
20 U.S.C. §§ 6083, 7281, 7183

CROSS REF.: GBED - Smoking by Staff Members
JICG - Tobacco Use by Students
KFA — Public Conduct on School Property

KH

PUBLIC SALES ON SCHOOL PROPERTY

Sales by employees or outside vendors, e.g., Avon Products, Stanley Home Products, men's or women's wear, greeting cards, etc., shall not be conducted, nor shall deliveries be made, during working hours. Use of District vehicles for this purpose is strictly forbidden.

Employees violating this policy are subject to disciplinary action.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. § 38-538 *et seq.*

KHA

PUBLIC SOLICITATIONS IN SCHOOLS

A school employee's position in the District shall not be used to influence parents or students to purchase books or other merchandise, except for materials approved by the Superintendent for use in the classroom.

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

The District shall strive to safeguard the students and their parents from money-raising plans of outside organizations, commercial enterprises, and individuals. This policy shall apply particularly to ticket sales and sales of articles or services except those directly sponsored by school authorities or school organizations.

Adopted: date of manual adoption

KHB

ADVERTISING IN SCHOOLS

No advertising or materials used for propaganda purposes shall be permitted in school buildings or on school grounds or properties.

Nothing herein shall be construed to prevent advertising in student publications that are published by student organizations.

Solicitation of advertising or use of the school system to promote the merit of any product by brand name or trademark shall not be permitted by the Board.

Adopted: date of manual adoption

KI

VISITORS TO SCHOOLS

The Superintendent shall establish school - visit procedures for the control of persons other than school personnel or students who enter District premises. Such procedures shall permit the use of legal means to ensure that students, employees, and District property are properly safeguarded. No person, other than one who is a peace officer or one who has obtained specific authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 13-1302, 13-2905, 13-2911, 15-341, 15-507

CROSS REF.: AD - Educational Philosophy/School District Mission
KFA - Public Conduct on School Property

VISITORS TO SCHOOLS**Parents are encouraged to visit the school.**

All visitors to the school must report to the school office upon arrival.

For those who wish to visit a classroom during the school day, it is preferred that the teacher and the principal be contacted in advance to arrange a day and time for such visit so as to avoid any conflicts with the school schedule.

In visiting a classroom, parents must realize that the teacher's first responsibility is to the class as a whole, and the teacher will be unable to converse at any length with the visitor. If a conference is desired, arrangements will be made by the teacher for an appointment with the parent either before or after school hours.

No person may enter onto school premises, including visits or audits to a classroom or other school activity, without approval by the principal. Neither will any person be allowed to conduct or attempt to conduct any activity on school premises that has not had prior approval by the principal.

Anyone who is not a student or staff member of the District schools and is in violation of this policy may be asked to leave the property of the District. Failure to comply with the lawful directions of District officials or of District security officers or any 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 will be against District regulations. Failure to obey such instructions may subject the person to criminal proceedings applicable under law.

RELATIONS WITH GOVERNMENT AUTHORITIES

The District shall seek to establish mutually beneficial relations with local, county, state, and federal governmental agencies. Governmental agencies are an integral part of the community, and their participation shall be sought in matters that affect the educational program and quality of life in the community.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-342, 15-362, 15-363, 15-364

RELATIONS WITH OTHER SCHOOLS AND SCHOOL SYSTEMS

It shall be the policy of the District to cooperate with other schools and local and state regional agencies and organizations in the solution of educational problems of common concern. The District may also cooperate with parochial and private schools in matters of mutual benefit where not expressly prohibited by law.

This cooperation shall extend to such areas as research, exchange of information and data, coordination of curriculum, coordination of school calendars and activities, and construction of facilities that may be efficiently utilized on a cooperative basis.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 11-952, 15-141, 15-205, 15-342, 15-365, 15-1371

RELATIONS WITH EDUCATION RESEARCH AGENCIES

The Superintendent is authorized to cooperate with colleges, universities, and other recognized research agencies in promoting potentially useful research. Because of the number of requests for studies in schools, it may be necessary to limit the number and establish guidelines for the approval of studies.

Decisions in connection with research involving students, teachers, or other employees will be influenced by the following factors:

- The objectives of the research should be clearly stated and the design should produce valid and reliable results that will then be made available to the District.
- The research should be expected to contribute to the improvement of education or the general welfare of students.
- 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.
- Research proposals should be of sufficient scope and depth to justify the time and effort.
- In general, instructional activities will not be interrupted unless there is a clear significance for the educational program of the schools.
- Projects involving student researchers must have prior written approval by a faculty member of the institution in which the student is enrolled. This faculty member must have direct responsibility related to the student's research.

Adopted: date of manual adoption

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RELATIONS WITH COLLEGES AND UNIVERSITIES

In order for staff members and students to benefit from the resources provided by colleges and universities, the Superintendent shall seek out and utilize the services of college and university faculty members or programs when they are compatible with the needs of the District.

Research involving student time shall be of benefit to the District.

Adopted: date of manual adoption

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STUDENT TEACHING AND INTERNSHIPS

The Board authorizes the Superintendent to arrange for the supervision and training of a reasonable number of student teachers each year and to establish procedures for such activity.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-1640, 15-1651

RELATIONS WITH STATE EDUCATION AGENCIES

It shall be the policy of the District to cooperate with the state educational agencies in the attainment of educational goals and objectives.

Waiver from Administrative Rules

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:

- Evidence that the school or the District is currently in compliance with all state laws and State Board of Education rules.
- A statement identifying goals that will be accomplished and how the waiver will assist in enhancing school improvement.
- A three-year plan for school improvement.
- Identification of the specific rules for which the waiver is requested.
- 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-year plan.

The Superintendent may request approval of a waiver by submitting to the Governing Board a proposal containing the minimum requirements as indicated above.

Proposals submitted by the Superintendent will be forwarded by the Governing Board to the State Superintendent of Public Instruction within 30 days.

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

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

Adopted: date of manual adoption

LEGAL REF.: A.R.S. §§ 15-203, 15-239

A.A.C. § R7-2-801

**RELATIONS WITH STATE
EDUCATION AGENCIES**

Waiver from Administrative Rules

A school or school district with a waiver approved by the State Board of Education shall document progress obtained as a result of the waiver and shall report on or before June 30 of each year to the State Superintendent of Public Instruction.

A school district having a school with an approved waiver may report the effects that such waiver has had on the operation of the school district. Reports shall be submitted on or before June 30 of each year to the State Superintendent of Public Instruction.

RELATIONS WITH EDUCATION ACCREDITATION AGENCIES

It shall be the policy of the Board to seek the highest status of membership for its schools in the North Central Association of Colleges and Schools, cooperating in the association's evaluations of the school system and considering its recommendations.

Adopted: date of manual adoption