

ACTION ITEMS

Item 10B.

Policy Advisories

Second Reading

HUMBOLDT UNIFIED SCHOOL DISTRICT

TO: Humboldt Unified School District Governing Board Item # 10B

FROM: Dr. Paul H. Stanton, Superintendent Reading X

DATE: December 13, 2011 Discuss

SUBJECT: Second Reading and Adoption of Policy Advisories Action X
405 – 434 as presented by ASBA
Consent

OBJECTIVE: Board Governance

SUPPORTING DATA:

The Arizona State Legislature recently passed changes to Statutes relating to school districts, students, and teachers. To insure compliance with State Statutes these Policy Advisories are submitted by the Arizona School Boards Association (ASBA).

(-R indicates Regulation / -E indicates Exhibit)

405	BK	School Board Memberships
406	CBA	Qualifications and Duties of the Superintendent
407	DBC-R	Budget Planning, Preparation, and Schedules
408	DBF	Budget Hearings and Reviews/Adoption Process
409	DIC	Financial Reports and Statements
410	DJE	Bidding/Purchasing Procedures
	DJE-R	Bidding/Purchasing Procedures
411	DKB	Salary Deductions
412	KN	School Properties Disposition
413	EHB	Data/Records Retention
	EHB-R	Data/Records Retention
414	FCB	Retirement of Facilities
417	IHAMA	Teaching about Drugs, Alcohol, and Tobacco
418	IHB	Special Instructional Programs
419	IJ	Instructional Resources and Materials
	IJ-R	Instructional Resources and Materials
420	IJND	Technology Resources
	IJND-R	Technology Resources
421	JEA-E	Compulsory Attendance Ages
422	JEB	Entrance Age Requirements
423	JICH	Drug and Alcohol Use by Students
424	JII	Student Concerns, Complaints, and Grievances
	JII-R	Student Concerns, Complaints, and Grievances
	JII-EA	Student Concerns, Complaints, and Grievances
	JII-EB	Student Concerns, Complaints, and Grievances
425	JJE	Student Fund-Raising Activities
426	JJIB	Interscholastic Sports
	JJIB-R	Interscholastic Sports
	JJIB-E	Interscholastic Sports
427	JLCB-E	Immunization of Students
428	JLIB	Student Dismissal Precautions
429	JQ-R	Student Fees, Fines, and Charges
430	JR	Student Records
	JR-R	Student Records
431	KB	Parental Involvement in Education (with <i>optional language</i> included)
	KB-R	Parental Involvement in Education
432	KF	Community Use of School Facilities
	KF-EA	Community Use of School Facilities

433	KFA	Public Conduct on School Property
434	KFAA	Smoking on School Premises at Public Functions

Note: 415 GBAB Medical Marijuana Standards and Conditions for Employees and 416 GBECA Nonmedical Use or Abuse of Drugs or Alcohol were addressed in Section G – Personnel as part of the five year draft review.

SUMMARY & RECOMMENDATION:

Information regarding these advisories has been provided by ASBA to assist the Board in understanding the new legislation and is included along with the proposed draft policies.

The first reading was completed at the November 8, 2011 meeting.

This is the second reading and upon approval these policies will become effective immediately and will be added to the current Policy Manual.

Regulations and exhibits do not require adoption by the Board.

Sample Motion:

I move to adopt the following policies as recommended by ASBA policy advisories:

405	BK	School Board Memberships
406	CBA	Qualifications and Duties of the Superintendent
408	DBF	Budget Hearings and Reviews/Adoption Process
409	DIC	Financial Reports and Statements
410	DJE	Bidding/Purchasing Procedures
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412	KN	School Properties Disposition
413	EHB	Data/Records Retention
414	FCB	Retirement of Facilities
417	JHAMA	Teaching about Drugs, Alcohol, and Tobacco
418	IHB	Special Instructional Programs
419	IJ	Instructional Resources and Materials
420	IJND	Technology Resources
422	JEB	Entrance Age Requirements
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426	JJIB	Interscholastic Sports
428	JLIB	Student Dismissal Precautions
430	JR	Student Records
431	KB	Parental Involvement in Education (with optional language included)
432	KF	Community Use of School Facilities
433	KFA	Public Conduct on School Property
434	KFAA	Smoking on School Premises at Public Functions

Approved for transmittal to the Governing Board: 
 Dr. Paul H. Stanton, Superintendent

Questions should be directed to: Dr. Paul Stanton 759-4000

POLICY SERVICES ADVISORY

Volume 23, Number 3

July 2011

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Note: This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

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POLICY ADVISORY DISCUSSION

Policy Advisory No. 405. BK — School Board Memberships

House Bill 2002 establishes new language in A.R.S. 15-511 that prohibits a school district from spending monies for membership in an association that attempts to influence the outcome of an election. Corresponding language has been added to policy document model BK, School Board Memberships. Districts should evaluate their local, state, and national memberships to determine if the association with each organization is compliant with statute. ASBA has taken organizational steps to comply with the new language thereby qualifying school systems to continue their membership in the Association.

Policy Advisory No. 406. CBA — Qualifications and Duties of the Superintendent

Language added to A.R.S. 15-802 by Senate Bill 1141 directs school districts and charter schools to require and maintain verifiable documentation of residency in Arizona for pupils who enroll in the school district or charter school. Policy document model CBA, Qualifications and Duties of the Superintendent, has been revised to reflect the new requirement.

Policy Advisory No. 407. DBC-R — Budget Planning, Preparation, and Schedules

House Bill 2421 added language to A.R.S. 15-904 concerning electronic submittal of a district's adopted budget to the Department of Education for placement on the Department's website. As ASBA Policy Services periodically requests assistance for adequately interpreting and applying the budget adoption requirements, regulation document model DBC-R, Budget Planning, Preparation and Schedules was modified to provide more detailed guidance on the budgeting process. The new 15-904 language is included in the regulation.

Policy Advisory No. 408. DBF — Budget Hearings and Reviews/Adoption Process

The Fiftieth Legislature enacted changes to A.R.S. 15-904, School District Annual Financial Report (AFR), and A.R.S. 15-905, School District Budgets, which affect the AFR reporting requirements and budget notice, submission, and posting. Policy document model DBF, Budget Hearings and Reviews/Adoption Process, has been revised for clarity and to add the cross reference DBC, Budget Planning, Preparation and Schedules.

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Policy Advisory No. 409. DIC — Financial Reports and Statements

Policy document model DIC, Financial Reports and Statements, has been updated to include the provision added to A.R.S. 15-904 by House Bill 2421, and to also draw the user's attention to the added cross reference DBC-R, Budget Planning, Preparation and Schedules.

Policy Advisory No. 410. DJE and DJE-R — Bidding/Purchasing Procedures

Senate Bill 1263 establishes a number of language adjustments in a variety of Arizona Revised Statutes. Among them is A.R.S. section 15-213 pertaining to procurement practices, which has language added related to obtaining bid security for the construction-manager-at-risk method of project delivery and to contracts for materials or services and contracts for job-order-contracting construction services. Language has been added to policy document model DJE, Bidding/Purchasing Procedures, and regulation document model DJE-R to reflect the statutory provisions. New language provides Boards the opportunity to extend job-order-contracting beyond five (5) years should the board determine a longer duration is advantageous to the district. Such a determination shall be recorded in board meeting minutes and a copy maintained in the bid/contract file. Best practice suggests the duration of the contract including possible extension beyond five (5) years must be noted in the bid language and in the contract.

Policy Advisory No. 411. DKB — Salary Deductions

Substantial changes were made to A.R.S. 23-261.02 by Senate Bill 1365. Specific conditions concerning any deduction from an employee's paycheck for political purposes are enacted into the law and include potential considerable penalties for a violation by the school district or an entity that provides an inaccurate statement concerning use of the deduction for a political purpose.

Recommended policy document model DKB, Salary Deductions, has been updated to disclose the requirements of the law. Although the law applies to deductions made after October 1, 2011, and the declarations must be made on forms consistent with rules adopted by the Attorney General, school systems are encouraged to become fully informed of the requirements and possible penalties prior to the implementation date.

Employee organizations that seek to work with their members to continue to make contributions -- consistent with the new law -- should be allowed to meet with their members on school district premises at a time where the employee is free from work duties or obligations. Contributions made by an individual employee through an automatic deduction from their personal bank accounts continue to be legal under this law

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Policy Advisory No. 412. DN — School Properties Disposition

SB1263 altered A.R.S. 15-342 relating to the Board's discretionary powers pertaining to the sale or lease of District property. The language has been inserted into policy document model DN, School Properties Disposition, along with new provisions concerning the donation of surplus or outdated materials, equipment and furnishings as well as a provision for the sale of certain items to students enrolled in the District.

Policy Advisory No. 413. EHB and EHB-R — Data/Records Retention

A.R.S. 341, as modified by Senate Bill 1263, now has language that enables the storage of public records either on paper or in an electronic format, or a combination of paper or electronic format. Policy document model EHB, Data/Records Retention, and regulation document model EHB-R have been adjusted accordingly.

Policy Advisory No. 414. FCB — Retirement of Facilities

A.R.S. 15-341 has language added by Senate Bill 1263 prescribing that the Governing Board may consult with the School Facilities Board for technical assistance and for information on the impact of closing a school. New policy document model FCB, Retirement of Facilities, reflects the addition to the statute.

Policy Advisory No. 415. GBAB — Medical Marijuana Standards and Conditions for Employees

addressed in Section G

Proposition 203, The Arizona Medical Marijuana Act, was passed by the voters in the 2010 General Election. The Act, recorded as Chapter 28.1 in Arizona Revised Statutes Title 36, prescribes the mandatory, permissive, and restrictive laws pertinent to qualified cardholder patients, caregivers, and nonprofit medical marijuana dispensary agents, as well as the employment of qualified cardholders, the policies and rules applicable to district employee and student personnel, public conduct on school property, and the use of school facilities by the community.

Policy Advisory No. 416. GBECA — Nonmedical Use or Abuse of Drugs or Alcohol

Refer to above discussion under Policy Advisory No. 415.

Policy Advisory No. 417. IHAMA — Teaching About Drugs, Alcohol, and Tobacco

Although having been enacted in a legislative session prior to 2011, a modification to A.R.S. 15-712 adds date rape drugs to the list of dangerous drugs schools may include in their instructional program. The term has been added to policy document model IHAMA, Teaching About Drugs, Alcohol, and Tobacco.

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Policy Advisory No. 418. IHB — Special Instructional Programs

Senate Bill 1256 includes an expansion of the definition of the home school district of a child with a disability to include a child who “is a ward of this state and the child is enrolled in an accommodation school pursuant to A.R.S. 15-913.” Advisory 416 adds the full definition of home school district to policy document model IHB, Special Instructional Programs, for clarity and ready reference if related questions arise.

Policy Advisory No. 419. IJ and IJ-R — Instructional Resources and Materials

Senate Bill 1244 produced the newly enacted statute A.R.S. 15-113, Rights of Parents; Public Educational Institutions. It addresses the rights of parents to review learning materials or activities, to remove a student from the activity, class, or program in which the material is used, and to make a request for an alternative assignment. Corresponding adjustments have been made to Policy document model IJ, Instructional Resources and Materials, and regulation document model IJ-R. *These changes also affect document models IJND, IJND-R, KB, and KB-R.*

Policy Advisory No. 420. IJND and IJND-R — Technology Resources

Refer to above discussion under Policy Advisory No. 419.

Policy Advisory No. 421. JEA-E — Compulsory Attendance Ages

Technical corrections were made by House Bill 1256 to correct the required number of instructional days from one hundred seventy-five (175) to one hundred eighty (180) to be consistent throughout the statutes. Regulation document model JEA-E, Compulsory Attendance Ages, is adjusted accordingly.

Policy Advisory No. 422. JEB — Entrance Age Requirements

Recommended policy document model JEB, Entrance Age Requirements, has been modified to align with revisions to A.R.S. 15-821 that enables a school district or charter school to receive a portion of basic state aid when a child who has not reached the age of five (5) before September 1 is admitted to a kindergarten program but does not remain, then returns to kindergarten in the subsequent year.

Policy document model JEB has also been revised to conform with the changes to A.R.S. 15-802 added by Senate Bill 1142 stating that school districts and charter schools are to require and maintain verifiable documentation of Arizona residency for students who enroll in the school district or charter school.

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Policy Advisory No. 423. JICH — Drugs and Alcohol Use by Students

School administrators have been inquiring if policy could be created or revised to provide the authority or mechanism for restricting student use of compounds and components, regardless of their street names, that when combined produce effects similar to those of controlled substances. Research identified Chapter 34.1, Imitation Substance or Drug Offenses, in A.R.S. Title 13. That information formed the basis for modifications incorporated in Policy JICH, Drug and Alcohol Use by Students.

Policy Advisory No. 424. JII, JII-R, JII-EA, and JII-EB — Student Concerns, Complaints, and Grievances

Policy JII, Student Concerns, Complaints, and Grievances, was first recommended by ASBA Policy Services in 2000. Five years later the Legislature revised A.R.S. section 15-341 to include intimidation and bullying as cited reasons about which students could make a complaint or grievance. The 2011 Legislature further modified section 15-341 to substantially increase the particular requirements school districts and charter schools must adopt and implement related to bullying, intimidation, and harassment. To address the statutory revisions Policy Services recently issued Advisory 404 recommending the new policy category JICK – Student Violence/Harassment/Intimidation/Bullying. After Advisory 404 was issued further analysis of document model JII disclosed internal conflicts between certain provisions covered in both JII and JICK. Consequently, JII and its associated regulation and exhibits have been revised to remove bullying, intimidation, and harassment with reference to JICK, as well as modifying its suggested rules and procedures to better align with those in JICK and eliminate noted conflicts between JII and JICK. JII is now more focused on civil rights protections while JICK is essentially dedicated to dealing with alleged acts of bullying, intimidation and harassment.

Policy Advisory No. 425. JJE — Student Fund-Raising Activities

Policy Services has determined that recommended document model JJE, Student Fund-Raising Activities, may be misleading and possibly inconsistent with statutory requirement. A.R.S. 15-1121 defines student activities monies as being those funds raised from activities approved by the District Governing Board. Therefore, to promote full compliance with the statutory provision document model JJE has been revised to indicate the types of fund-raising activities in which students may be engaged must be those approved by the Governing Board. The specific fund-raising activities, within the types approved by the Governing Board that student groups and organizations may pursue, remain subject to approval by the Superintendent.

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Policy Advisory No. 426. JJIB, JJIB-R and JJIB-E — Interscholastic Sports

Senate Bill 1521 addresses interscholastic activities related to the dangers of concussions, head injuries and the risks of continued participation in athletic activity after concussion. Language has been inserted into A.R.S. 15-341 that prescribes the board shall develop in consultation with a statewide private entity that supervises interscholastic activities, procedures to inform and educate coaches, pupils and parents, of the dangers of concussions and head injuries and the risks of continued participation in athletic activity after a concussion. ASBA Policies Services consulted with the Arizona Interscholastic Association (AIA) regarding their concussion program.

It is critical to communicate to pupils, parents/guardians and coaches the necessity to participate in the developed program prior to participation in an athletic activity. Language has been added to policy document model JJIB, Interscholastic Sports and regulation document model JJIB-R. AIA's Statement and Acknowledgement Form is reproduced as exhibit document model JJIB-E. A.R.S. 15-341 also establishes that a group or organization that uses property or facilities owned or operated by a district for athletic activities shall comply with the statutory requirements addressed in document models JJIB, JJIB-R, JJIB-E, KF and KF-EB.

Policy Advisory No. 427. JLCB-E — Immunization of Students

The exhibit has been revised to incorporate the 2011-2012 changes provided by the Arizona Immunization Program Office.

Policy Advisory No. 428. JLIB — Student Dismissal Precautions

Also contained in the Arizona Medical Marijuana Act are prohibitions against certain discriminatory actions based on the person being a registered medical marijuana cardholder. Policy document model JLIB, Student Dismissal Precautions, now presents when a cardholder can and cannot be denied custody, visitation, or parenting time with a minor.

Policy Advisory No. 429. JQ-R — Student Fees, Fines, and Charges

House Bill 2301 revised A.R.S. 43-1089.01 to authorize unspent income tax credit contributions for a specific purpose or program to be classified as undesignated if the designated program or purpose has been discontinued or unused for two (2) fiscal years. Regulation document model JQ-R, Student Fees, Fines, and Charges, contains the revision.

Under A.R.S. section 43-1089.01(E), the site council must designate funds not designated for a specific purpose. House Bill 2301 pertains to funds that have been designated but where such designation no longer can serve the purpose for which it has been designated. (*Example: funds are designated for dance team but dance team no longer exists.*)

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House Bill 2301 does not provide for schools not required to have a school (site) council, but that will probably not become a significant issue for many.

Policy Advisory No. 430. JR and JR-R — Student Records

By House Bill 2587 the Legislature enacted an addition to A.R.S. 15-142, Access to Directory Information Relating to Pupils and to School Property, prescribing a release-by date and directing the Department of Education to design and provide a form for requesting that directory information not be released in accordance with the restrictions in the No Child Left Behind Act of 2001. Language in document models JR and JR-R, Student Records, have been adjusted for compliance. Exhibit JR-EB will be revised and distributed whenever the form developed by the Department of Education is provided.

Policy Advisory No. 431. KB and KB-R — Parental Involvement in Education

Refer to discussion for Advisory 419, IJ - Instructional Resources and Materials for information from Senate Bill 1453 relative also to document models KB and KB-R.

Policy Advisory No. 432. KF and KF-EA — Community Use of School Facilities

Refer to above discussion under Policy Advisory No. 415.

Policy Advisory No. 433. KFA — Public Conduct on School Property

Refer to above discussion under Policy Advisory No. 415.

Policy Advisory No. 434. KFAA — Smoking on School Premises at Public Functions

Refer to above discussion under Policy Advisory No. 415.

If there are questions, contact Policy Services at (602) 254-1100 or fax information to (602) 254-1177. Ask for James Deaton, Director of Policy Services; Dr. Terry Rowles, Policy Analyst; or Steve Highlen, Policy Analyst. E-mail addresses are, respectively, [jdeaton@azsba.org], [trowles@azsba.org], and [shighlen@azsba.org].

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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: date of manual adoption

LEGAL REF.: A.R.S. 15-342
15-511

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.

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 ~~financial accounts; business and property records; and personnel, school population, and scholastic records,~~ 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.

require utility bills @ enrollment

- 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.

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: date of manual adoption

LEGAL REF.: A.R.S. 15-503
 15-802
 38-201
 41-1758
 A.A.C. R7-2-603

CROSS REF.: CBI - Evaluation of Superintendent

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: date of manual adoption

LEGAL REF.: A.R.S. 15-481
15-904
15-824
15-905
15-905.01
15-952
15-991

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

REGULATION**REGULATION**

BUDGET PLANNING, PREPARATION, AND SCHEDULES

The business manager 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 ~~on the budget~~.
- Date(s) for ~~the 40th day and 100th day~~ student membership and attendance reports.
- Date(s) for estimates on the maintenance and operations and capital budgets.
- Date for completion of salary 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 (10) 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.

REGULATION**REGULATION**

- 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.
- 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.

REGULATION**REGULATION**

- 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.

REGULATION**REGULATION**

- 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

~~The Board shall prepare a notice fixing the time not later than July 15 and place at which a public hearing and Board meeting shall be held to present the proposed budget for consideration of the residents or taxpayers of the District.~~

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: date of manual adoption

LEGAL REF.: A.R.S. 15-903
15-905
15-905.01
15-911
15-915
15-948

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

FINANCIAL REPORTS AND STATEMENTS

~~Prior to~~ 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: date of manual adoption

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

LEGAL REF.: DBC-R – Budget Planning, Preparation and Schedules

BIDDING / PURCHASING PROCEDURES

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 prepare regulations to assure the District conforms to proper procedures and practices.

Purchases Not Requiring Bidding

Purchases of five thousand dollars (\$5,000) or less may be made at the discretion of the Superintendent. Such procurements are not subject to competitive purchasing requirements, however reasonable judgment should be used to ensure the purchases are advantageous to the District.

Verbal price quotations will be requested from at least three (3) vendors for a transaction in excess of five thousand dollars (\$5,000) but less than twenty-five thousand dollars (\$25,000). The price quotations should be shown on, or attached to, the related requisition form. If three (3) verbal quotations cannot be obtained, documentation showing the vendors contacted that did not offer price quotations, or explaining why price quotations were not obtained, shall be maintained on file in the District office.

Written price quotations will be requested from at least three (3) vendors for transactions of at least twenty-five thousand dollars (\$25,000) but not more than fifty thousand dollars (\$50,000). If three (3) written price quotations cannot be obtained, documentation showing the vendors contacted that did not offer written price quotations, or explaining why written price quotations were not obtained shall be maintained on file in the District office.

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.

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 more than fifty thousand dollars (\$50,000). 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:

Registered Sex Offender Restriction. Pursuant to this order, the named vendor agrees by acceptance of this order that no employee of the vendor or a subcontractor of the vendor, who has been adjudicated to be a registered sex offender, will perform work on District premises or equipment at any time when District students are, or are reasonably expected to be, present. The vendor further agrees by acceptance of this order that a violation of this condition shall be considered a material breach and may result in a cancellation of the order at the District's discretion.

Required Scrutinized Business Operations Clause

All contracts for District purchase of goods or services shall include a clause requiring the contractor offering the goods or services to certify that the contractor does not have scrutinized business services in Sudan nor in Iran.

The District through the Superintendent shall:

- Verify that the offeror does not appear on the most recent list prepared by the Arizona Central Procurement Officer of parties excluded from Arizona contracts.
- Notify the State Central Procurement Officer of any contractor the District suspects has submitted a false certification.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 11-952 23-214
 15-213 34-101 *et seq.*
 15-213.01 35-391 *et seq.*
 15-213.02 35-393 *et seq.*
 15-239 38-503
 15-323 38-511
 15-342 39-121
 15-382 41-2632
 15-765 41-2636
 15-910.02 41-4401
 A.G.O. I83-136
 I87-035
 I06-002
 A.A.C. R7-2-1001 *et seq.*
 USFR VI-G-8 *et seq.*

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

REGULATION**BIDDING / PURCHASING PROCEDURES**

All District purchases shall be in accordance with the relevant sections of the Arizona Revised Statutes (including, but not limited to 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.

REGULATION

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 Fifty Thousand Dollars**

The District may enter into contracts of less than fifty thousand dollars (\$50,000) 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.

REGULATION**REGULATION****Multiple Year Purchases Totaling
More Than Fifty Thousand Dollars**

The District may enter into contracts for more than fifty thousand dollars (\$50,000) 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.

REGULATION**REGULATION****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 fifty thousand dollars (\$50,000). 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 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.

REGULATION**REGULATION****Competitive Sealed Bidding**

If the intended procurement is for construction to cost less than one hundred fifty thousand dollars (\$150,000), 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.

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.

REGULATION**REGULATION**

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. 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.

REGULATION**REGULATION****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;

REGULATION	REGULATION
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- 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.

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.

REGULATION**REGULATION**

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, 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.

REGULATION**REGULATION****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 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.

REGULATION**REGULATION****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.

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: date of manual adoption

LEGAL REF.: A.R.S. 15-121	<u>35-146</u>
15-135	<u>35-147</u>
23-352	42-2001
<u>23-361.02</u>	43-401

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 affect 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: date of manual adoption

LEGAL REF.: A.R.S. 15-189
 15-341
 15-342
 U.S.F.R. Sec. III-J-5(10); App. B(6)
 A.A.C. R7-2-1131
 A.G.O. I80-036
 I80-189

CROSS REF.: BCB - Board Member Conflict of Interest
 GBEAA - Staff Conflict of Interest
 IJJ - Textbook/Supplementary Materials Selection and
 Adoption

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 ~~Department of~~ 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 records 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: date of manual adoption

LEGAL REF.: A.R.S. 15-271
 15-272
 15-521
15-341
 23-721
 23-926
 23-962
 38-421
 38-423
 38-424
 39-101
 39-103
 39-121
 41-1346 *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 business manager:

- 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*.

REGULATION**REGULATION**

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.us/records/school.aspx>

and

http://www.lib.az.us/records/Standards_and_Guidelines.aspx

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: date of Manual adoption

LEGAL REF.: A.R.S. 15-341
38-431.01

CROSS REF.: JC - School Attendance Areas

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: date of manual adoption

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

A long-range plan will be the basis for providing special education services for students with exceptional needs and education requirements. These services may include specialized programs, personnel, facilities, materials, and equipment needed to promote the individual physical, social, intellectual, and emotional growth of exceptional students.

The Superintendent shall develop procedures that provide educational opportunities for individuals with disabilities and that accomplish District compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education. Such procedures shall include, but not be limited to, the following provisions:

- All children with disabilities aged birth (0) through twenty-one (21) years within the District's jurisdiction are to be identified, located, and evaluated including children attending religious or private schools who are in need of special education and related services.
- A free appropriate public education (FAPE) shall be available to all children with disabilities aged three (3) through twenty-one (21) years within the District's jurisdiction, including children advancing from grade to grade, those who have been suspended or expelled from school in accordance with the applicable IDEA rules and regulations, and any child with a disability the District has placed in or referred to a private school or facility. The District may refer to and contract with approved public or private agencies as necessary to ensure the provision of FAPE for children with disabilities. FAPE for an eligible student with a disability shall extend through conclusion of the instructional year during which the student attains the age of twenty-two (22).
- A full individual evaluation encompassing existing and additional data shall be conducted for each child to determine if the child is a child with a disability and the educational needs of the child before the initial provision of special education and related services. A reevaluation of each child shall be conducted at least every third year.
- An individualized education plan (IEP) shall be developed and implemented for each eligible child served by the District and for each eligible child the District places in or refers to a private school or facility. An IEP or an individualized family service plan (IFSP) will be in place for each child with a disability prior to the provision of FAPE.

- To the maximum extent appropriate, opportunities for the least restrictive setting, inclusion in educational exercises with regular program students, and for interaction with the total school environment will be provided to exceptional students, the exception to be only when the student's condition, with supplementary aids and services, make such regular class education unsatisfactory.
- All required procedural safeguards must be guaranteed to the exceptional students and their parents. The parents will be provided with notices of procedural safeguards in each specified instance and all due process conditions will be satisfied with respect to the provision of a free appropriate public education.
- The District shall follow the established state and federal standards to protect the confidentiality of personally identifiable information at the collection, storage, disclosure, and destruction stages.
- To the extent essential to provide FAPE to children with disabilities aged three (3) through twenty-one (21), extended school year (ESY) services shall be made available and implemented as necessary.
- Criteria for the graduation of exceptional students, including accomplishment in reading, writing, and mathematics, shall be as specified in the District policy on graduation requirements. Such standards shall be equivalent to or greater than those established by the State Board of Education.
- Not later than March 1 of each year conduct a review of the reasonable and acceptable ratio of students per teacher for each disability category. The applicable ratios shall be specified in a regulation accompanying the District policy on class size.
- The discipline of exceptional students, and unevaluated students suspected of having a qualifying disability, is to be conducted in such a manner as to comply with FAPE and requirements of the IDEA.

For the purpose of this policy as it relates to a child with a disability, home school district means the school district in which the person resides who has legal custody of the child as provided in A.R.S. 15-824. If the child is a ward of the state and a specific person does not have legal custody of the child or is a ward of this state and the child is enrolled in an accommodation school pursuant to A.R.S. 15-913, the home school district is the district the child last attended or, if the child has not previously attended a public school in this state, the school district within which the child currently resides.

The Superintendent is authorized and directed to establish procedures for the development and administration of the necessary programs, and to document District compliance with the law and this policy. Such procedures will be made available to staff members and to parents as necessary to enhance compliance.

Adopted: date of manual adoption

LEGAL REF.:	A.R.S. 15-761	15-764	15-881
	15-761.01	15-765 to 15-769	15-1181 to 15-1185
	15-763	15-771	15-1201 to 15-1205
	15-763.01	15-773	36-555
	A.A.C. R7-2-401	R7-2-405	R7-2-603
	R7-2-402	R7-2-601	
	R7-2-403	R7-2-602	
	20 U.S.C. 1400 <i>et seq.</i> , Individuals with Disabilities Education Act		
	29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)		

CROSS REF.: IIB - Class Size
 IKE - Promotion, Retention, and Acceleration of Students
 IKF - Graduation Requirements
 JKD - Student Suspension
 JKE - Expulsion of Students
 JR *et seq.* - Student Records

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).

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 ~~instructional~~ 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: date of manual adoption

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

REGULATION**REGULATION****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.

REGULATION**REGULATION**

- 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.

TECHNOLOGY RESOURCES

(Movies/Videos/Electronic Materials)

It is the policy of the District that there is educational value in utilizing movies and videos in classrooms only when such movies and videos extend and/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: date of manual adoption

LEGAL REF.: A.R.S. 15-113
15-341

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

REGULATION**REGULATION****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, ~~or~~ 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, ~~or~~ 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, ~~or~~ 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.

EXHIBIT**EXHIBIT**

COMPULSORY ATTENDANCE AGES

Every child between the ages of six (6) and sixteen (16) years shall attend a school and shall be provided instruction in at least the subjects of reading, grammar, mathematics, social studies, and science. The person who has custody of the child shall choose a public, private, charter, or home school as defined in A.R.S. 15-802 to provide instruction.

The parent or person who has custody of the child shall do the following:

- If the child will attend a public, private, or charter school, enroll the child and ensure that the child attends the public, private, or charter school for the full time that school is in session. If the child attends a school that is operated on a year-around basis, the child shall regularly attend during school sessions that total not less than one hundred ~~seventy five (175)~~ eighty (180) school days or two hundred (200) school days, as applicable, or the equivalent as approved by the Superintendent of Public Instruction.
- If the child will attend a private school or home school, file an affidavit of intent with the County School Superintendent stating that the child is attending a regularly organized private school or is being provided instruction in a home school, in accord with A.R.S. 15-802.
- If the child will attend home school, the child has not reached eight (8) years of age by September 1 of the school year, and the person who has custody of the child does not desire to begin home instruction until the child has reached eight (8) years of age, file an affidavit of intent pursuant to A.R.S. 15-802 stating that the person who has custody of the child does not desire to begin home school instruction.

A person is excused from the duties prescribed above if it is shown to the satisfaction of the school principal or the school principal's designee:

- The child is in such physical or mental condition that attendance at a public school is inexpedient or impracticable.
- The child has completed the high school courses necessary for completion of grade ten (10) as prescribed by the State Board of Education.
- The child has presented reasons for nonattendance at a public school which are satisfactory to the school principal or the school principal's designee. For purposes of this paragraph, the principal's designee may be the School District Governing Board.

EXHIBIT**EXHIBIT**

- The child is over fourteen (14) years of age and is, with the consent of the person who has custody of the child, employed at some lawful wage-earning occupation.
- The child is an enrollee in a work training, career education, vocational, or manual training program that meets the educational standards established and approved by the Department of Education.
- The child was either suspended and not directed to participate in an alternative education program or expelled from school as provided in law.
- The child is enrolled in an education program provided by a state educational or other institution.

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 is ~~readmitted to~~ 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 ~~the second year of kindergarten enrollment~~ any child who is ineligible for basic state aid pursuant to A.R.S. 15-821.

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 nonmedical use, possession, distribution or sale of

- alcohol,
- drugs,
- synthetic drugs,
- counterfeit drugs, or
- imitation drugs,

on school property or at school events is prohibited. *Nonmedical* 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.

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.

~~Any~~ student who violates ~~the above~~ any portion of this policy may be subject to warning, reprimand, probation, suspension, or expulsion, in addition to ~~other~~ applicable civil and criminal prosecution.

Adopted: date of manual adoption

LEGAL REF.: A.R.S. 4-101
4-241
4-244
13-3401 through 13-3461
13-3405
13-3406
15-345
36-2801 et seq., Arizona Medical Marijuana Act

20 U.S.C. 7101 *et seq.*, Safe and Drug-Free Schools and Communities Act

CROSS REF.: JICH – Drug and Alcohol Use by Students
JLC - Student Health Services and Requirements
JLCD - Administering Medicines to Students

STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

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

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

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

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

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

The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/ or grievance. ~~The initial complaint/grievance shall be made only to an administrator or other professional staff member. That person shall elicit from the student the~~ 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. When the initial allegation is submitted in a manner other than on the prescribed form, the particulars of the complaint/grievance must be written on the form as immediately as possible after receipt of the complaint/grievance. The professional staff member may assist the student in completing the complaint/grievance form. The student should sign and date the form, however, unsigned forms are to be processed in the same manner as a signed form. Any question concerning whether a complaint or grievance falls within this policy shall be determined by the Superintendent.

~~When the professional staff member is other than the school administrator, it shall be the responsibility of the staff member to inform a school administrator as soon as feasible, but not later than the next school day following the day that the staff member receives the complaint/grievance. If the receiving school administrator is included in the allegation, the complaint/ or grievance shall be transmitted to the next higher administrative supervisor. A failure by the professional staff member to timely inform the a school administrator or next higher administrative supervisor of the a student's allegation may subject the staff member to disciplinary action. The professional 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.~~

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

~~Middle school and high school students shall file complaints on their own behalf. A student or the student's parent or guardian may initiate the complaint process on behalf of an elementary school student. Except for elementary students, only the student may initiate a complaint/grievance under this policy. A parent or guardian who wishes to complain should do so by completing the forms following policy KE on Public Concerns and Complaints 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 about harassment, intimidation, or bullying shall not be maintained.~~

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 ~~and~~, staff and parents or guardians in the school offices.

Disposition of all complaints or grievances shall be reported to the Superintendent as 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 ~~concern~~, 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: date of manual adoption

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
JICK – Student Violence, Harassment, Intimidation or Bullying
 JK - Student Discipline
 JKD - Student Suspension
 JKE - Expulsion of Students
 KE - Public Concerns and Complaints

REGULATION**REGULATION**

STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

A student who complains or grieves regarding constitutional rights, equal access to programs, discrimination, ~~harassment, bullying, intimidation~~ or personal safety issues may complain directly to ~~the~~ a school administrator, or to a professional staff member. ~~The individual receiving the student complaint must retrieve sufficient detail from the student to complete the form designated for such purpose. When a professional school staff member within thirty (30) days of an alleged occurrence. The initial complaint or grievance should be made using form JII-EA, however, a verbal complaint or grievance may be made. When a school staff member receives the information, the staff member will transmit it to the immediately inform a school administrator not later than the next school day following the day the staff member receives the complaint/grievance. If the complaint/ or grievance involves the a school administrator the professional staff member shall forward the complaint/ or grievance to the next administrative level.~~

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

At a minimum the complaint/ or grievance shall contain the identifying information on the complainant and such specificity of names, places and times as to permit an investigation to be carried out. The written complaint/ 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 ~~the~~ a school administrator ~~or,~~ a supervising administrator, or another person approved by the Superintendent. The student shall be contacted not later than the school day following the date the school administrator's or the administrator's immediate supervisor receives the information. The procedures to be followed are:

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

REGULATION**REGULATION**

- The investigator shall meet with the student who submitted the complaint/ or grievance at or before the end of the time period and shall discuss the conclusions and actions to be taken as a result of the investigation. Confidentiality of records and student information shall be observed in the process of making such a report.
- The investigator shall prepare a written report of the findings and a copy of the report shall be provided to the principal and/or the Superintendent as circumstances warrant.
- A confidential record of each ~~concern~~, complaint, and grievance made pursuant to Policy JII shall be maintained at the District office. The record shall include a copy of the ~~concern~~, complaint, or grievance filed by a student, findings of the investigation, and the disposition of the matter.
- Unless a determination has been made by the appropriate investigating ~~school~~ official that the reported incident actually occurred, the record shall not be used for the imposition of discipline.

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

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



STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

COMPLAINT FORM

(To be filed with the a school administrator or the administrator's immediate supervisor, or with a professional a school staff member who will forward it this form to the school administrator or the administrator's immediate supervisor) Additional pages may be attached if more space is needed.

Please print:

Name _____ Date _____

Address _____

Telephone _____ Another phone where you can be reached _____

During the hours of _____

E-mail address _____

I wish to complain against:

Name of person, school (department), program, or activity _____

Address _____

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 all relevant dates, times, and places.

Date of the action against which you are complaining _____

EXHIBIT**EXHIBIT**

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.
- ~~Harassment of the student by another person.~~
- ~~Intimidation by another student.~~
- ~~Bullying by another student.~~
- Concern for the student's personal safety.

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

Provided that:

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

The guidelines to be followed are:

- The accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint/grievance.
- The complaint/grievance shall be made only to a school administrator or ~~professional~~ 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.*
- 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.

EXHIBIT**EXHIBIT**

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

~~Complaints by middle or high school students may be made only by the students on their own behalf. A student or the student's parent or guardian may initiate the complaint process on behalf of an elementary school student under this policy. A parent or guardian who wishes to complain should do so by completing the forms following policy KE on Public Concerns and Complaints 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 ~~this~~ 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.

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: date of manual adoption

LEGAL REF.: A.R.S. 15-1121 through 1123

CROSS REF.: DIC – Financial Reports and Statements
JJF – Student Activities Funds

INTERSCHOLASTIC SPORTS

General

The purpose of interscholastic athletics is both educational and recreational. The school sports program should encourage participation by as many students as possible and should always be conducted with the best interests of the participants as the first consideration.

District participation in interscholastic athletics shall be subject to approval by the Board. This shall include approval of membership in any leagues, associations, or conferences, and of any new agreements with other schools for a series of games or events.

The following rules shall be observed for participation by individual students:

- For each type of sport in which the student engages, the parents or guardian must give written consent.
- The student must be determined by a physician to be physically fit for the sport.

The Superintendent shall set up other rules for participation, such as those governing academic standing, in accordance with policies of the District and pertinent regulations and recommendations of the state interscholastic athletic association.

Health and Safety of Participants

The health and safety of participants in interscholastic athletic activities must receive careful consideration.

The Board shall develop, in consultation with the Arizona Interscholastic Association (AIA) guidelines, information and forms to inform and educate coaches, pupils and parents of the dangers of concussions and head injuries and the risks of continued participation in athletic activity after a concussion.

Before a student participates in an athletic activity, the student, the student's parents, and the coaches shall participate in a District program to educate program participants of the danger of concussions, head injuries, and the risk of continued participation in athletic activity after a concussion. Students and parents shall sign the AIA form (Exhibit JJIB-E) at least once each school year stating awareness of the nature and risk of concussion. The District shall retain documentation of the participation of all affected coaching staff members in the program. For the purpose of this policy, athletic activity does not include:

- dance,
- rhythmic gymnastics,
- competition or exhibitions of academic skills or knowledge or other similar forms of physical noncontact activities,
- civic activities or academic activities, whether engaged in for the purpose of competition or recreation.

A student who is suspected of sustaining a concussion in a practice session, a game, or other interscholastic athletic activity shall be immediately removed from the athletic event. A coach from the student's team or an official or licensed health care provider may remove a student from play. A team parent may also remove his or her own child from play. A student may return to play on the same day if a health care provider rules out a suspected concussion at the time the student is removed from play. On a subsequent day, the student may return to play if the student has been evaluated by and receives written clearance to resume participation in athletic activity from a health care provider who has been trained in the evaluation and management of concussions and head injuries as prescribed by A.R.S. 15-341.

A group or organization that uses property or facilities owned or operated by the District for athletic activities shall comply with the policies of the Board related to concussions and head injury. This requirement does not apply to teams based in another state participating in athletic events in Arizona.

A District employee, team coach, official, team volunteer or a parent or guardian of a team member is not subject to civil liability for any act, omission or policy undertaken in good faith to comply with the requirements of this policy or for decisions made or actions taken by a health care provider. Further, the District and its employees and volunteers are not subject to civil liability for any other person's or organization's failure or alleged failure to comply with the requirements of this policy.

Participants must be provided access to water at all times during practice sessions, games, or other interscholastic athletic activities.

The Superintendent shall require that regulations for health and safety of participants in interscholastic athletics be developed, implemented, and enforced. Such regulations may, at the discretion of the Superintendent, be incorporated into this policy as an administrative regulation.

Adopted: date of manual adoption

ARIZONA SCHOOL BOARDS ASSOCIATION

Page 2 of 3

LEGAL REF.: A.R.S. 15-341
 15-802.01
 A.G.O. I86-095
 A.A.C. R7-2-808

CROSS REF.: JJJ - Extracurricular Activity Eligibility
 KF - Community Use of School Facilities
 JJJ - Extracurricular Activity Eligibility

REGULATION**REGULATION****INTERSCHOLASTIC SPORTS****District Students**

The Superintendent shall establish a program that will be presented prior to the start of any athletic activity each year and as needed throughout the school year to educate students, parents/guardians of students, and coaches who participate or coach athletic activities of the danger of concussions, head injuries, and the risk of continued participation in athletic activity after a concussion. The program shall comply with the guidelines, information and forms developed in consultation with the Arizona Interscholastic Association.

Information related to attending a District-established program and the requirements to attend a District-established program prior to participation in an athletic event will be made available by the principal to students, parents/guardians of students, and coaches prior to the start of athletic activities each school year and throughout the school year.

School principals shall be responsible for the implementation of the program at the school site and shall ensure that no student participates in an athletic activity prior to the student and the student's parents/guardians having annually attended the District's established program as verified by their signatures. Further, the principals shall be responsible for the participation and documentation of all coaches in the program prior to beginning a coaching assignment.

Signature verification of all program participants shall be provided on the District-approved form (JJIB-E), submitted to the school principal, and filed in the school office.

The principals shall advise all staff members assigned to the school of the requirements of Policy JJIB and this regulation.

Groups or Organizations

The principals shall ensure that all groups or organizations using property or facilities owned or operated by the District for athletic activities shall comply with Governing Board Policy JJIB related to concussions and head injury.

All groups or organizations who request use of District-owned or -operated property or facilities shall submit to the principal a written document describing the group's or organization's program and verifying that the program is and shall continue to be compliant with A.R.S. 15-341 and Board Policy JJIB. The submitted document must be signed by an official authorized by the group or organization, dated and submitted with the District's Community Use of School Facilities form to the principal a minimum of two (2) weeks prior to the requested first use date.

REGULATION**REGULATION**Records Compliance

All documentation related to Board Policy JJIB will be maintained pursuant to management standards adopted by the Arizona State Library, Archives and Public Records and Board Policy EHB, Data/Records Retention.

EXHIBIT

INTERSCHOLASTIC SPORTS

(Mild Traumatic Brain Injury (MTBI) / Concussion)

STATEMENT AND ACKNOWLEDGEMENT FORM

I _____ (student), acknowledge that I have to be an active participant in my own health and have the direct responsibility for reporting all of my injuries and illnesses to the school staff (e.g., coaches, team physicians, athletic training staff). I further recognize that my physical condition is dependent upon providing an accurate medical history and a full disclosure of any symptoms, complaints, prior injuries and/or disabilities experienced before, during or after athletic activities.

By signing below, I acknowledge:

- My institution has provided me with specific educational materials including the CDC Concussion fact sheet (<http://www.cdc.gov/concussion/HeadsUp/youth.html>) on what a concussion is and has given me an opportunity to ask questions.
- I have fully disclosed to the staff any prior medical conditions and will also disclose any future conditions.
- There is a possibility that participation in my sport may result in a head injury and/or concussion. In rare cases, these concussions can cause permanent brain damage, and even death.
- A concussion is a brain injury, which I am responsible for reporting to the team physician or athletic trainer.
- A concussion can affect my ability to perform everyday activities, and affect my reaction time, balance,
- sleep, and classroom performance.
- Some of the symptoms of concussion may be noticed right away while other symptoms can show up hours or days after the injury.
- If I suspect a teammate has a concussion, I am responsible for reporting the injury to the school staff.
- I will not return to play in a game or practice if I have received a blow to the head or body that results in concussion related symptoms.
- I will not return to play in a game or practice until my symptoms have resolved AND I have written clearance to do so by a qualified health care professional.
- Following concussion the brain needs time to heal and you are much more likely to have a repeat concussion or further damage if you return to play before your symptoms resolve.

Based on the incidence of concussion as published by the CDC the following sports have been identified as high risk for concussion: baseball, basketball, diving, football, pole vaulting, soccer, softball, spiritline and wrestling.

I represent and certify that I and my parent/guardian have read the entirety of this document and fully understand the contents, consequences and implications of signing this document and that I agree to be bound by this document.

Student Athlete:

Print Name: _____ Signature: _____

Date: _____

Parent or legal guardian must print and sign name below and indicate date signed.

Print Name: _____ Signature: _____

Date: _____

Reproduction of AIA FORM 15.7-C 02/11 which may be used in lieu of this document.

EXHIBIT **EXHIBIT**

IMMUNIZATION OF STUDENTS

2010-2011 ARIZONA SCHOOL IMMUNIZATION REQUIREMENTS

Age	Under Age Seven (7)	Seven (7) through ten (10) years	Eleven (11) years and older	Eleven (11) years and older
Grade	Kindergarten (K) and above	Kindergarten (K) through fifth (5th) grades	Sixth (6th) through ninth (9th) grades only	Tenth (10th) through twelfth (12th) grades
Vaccines				
DTaP / DTP / DT (Diphtheria, tetanus, acellular pertussis)	Four (4) to five (5) doses.* At least one (1) dose at four (4) years of age or older is required. *A sixth (6th) dose is needed if five (5) doses have been given before four (4) years of age.	History of four (4) DTaP or a total of three (3) tetanus and diphtheria doses given after twelve (12) months of age.	One (1) Tdap dose is required when five (5) years have passed since the last DTaP, DTP, DT, or Td. Students starting or finishing the first three (3) tetanus and diphtheria doses must receive one (1) Tdap as part of the three (3) dose series.	Students who have not already received Tdap are required to receive one (1) Tdap dose when ten (10) years have passed since the last DTaP, DTP, DT, or Td. Students starting or finishing the first three (3) tetanus and diphtheria doses must receive one (1) Tdap as part of the three (3) dose series.
Td				
Tdap		Not required for eleven (11) plus year olds in these grades		

EXHIBIT **EXHIBIT**

<p>Meningococcal</p>			<p>One (1) dose</p>	<p>One (1) dose recommended, but not required for tenth (10th) through twelfth (12) graders in the 2011-2012 school year.</p>
<p>Polio</p>	<p>Three (3) to Four (4) doses Three (3) doses meet the requirement if the third (3rd) dose was given at four (4) years of age or older. Four (4) doses meet the requirement even if all four (4) doses were given during the first (1st) year of life.</p>			
<p>MMR (measles, mumps, rubella)</p>	<p>Two (2) doses A third (3rd) dose will be required if the first (1st) dose was given before twelve (12) months of age.</p>			
<p>Hepatitis B</p>	<p>Three (3) doses A fourth (4th) dose will be required if the third (3rd) dose was given before twenty-four (24) weeks of age.</p>			
<p>Varicella* (Chickenpox)</p>	<p>One (1) dose if given before thirteen (13) years of age. Two (2) doses if first (1st) dose was given at thirteen (13) years of age or later. Varicella vaccination, or history of chickenpox disease, is required for kindergarten (K) and grades one (1) through twelve (12). Students attending school prior to 9/1/2011 with parental recall of chicken pox disease are allowed to continue with parental recall of disease. As of 9/1/2011, students enrolling in school for the first time are required to present proof of varicella immunization, or valid exemption due to laboratory evidence of immunity, medical reasons personal beliefs.</p>			

Source: Arizona Immunization Program Office

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: date of manual adoption

LEGAL REF.: A.R.S. 8-303
8-304
8-802
13-1302
36-2813

CROSS REF.: JIH - Student Interrogations, Searches, and Arrests

REGULATION**REGULATION****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 principal 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 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. 300.9]. The notice shall inform the parents of:

- 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 or eligible student or under certain limited circumstances as permitted by the 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 parent or eligible student to file a complaint with the U.S. Department of Education if they believe the District has violated the FERPA.

Parents and eligible students have the following rights under the Family Educational Rights and Privacy Act (FERPA) and this procedure [34 C.F.R. 99.7 and 300.613]. The notice shall also include:

- The procedure for exercising the right to inspect and review education records.
- The procedure for requesting amendments of education records that the parent or 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: date of Manual adoption

LEGAL REF.: A.R.S. 15-141

15-142

15-828

15-829

41-1346 *et seq.*

41-1354

44-1373

10 U.S.C. 503

20 U.S.C. 1232

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

20 U.S.C. 7908

CROSS REF.: IHB - Special Instructional Programs

JF - Student Admissions

JFAB - Admission of Nonresident Students

JLH - Missing Students

JRCA - Request for Transfer of Records

REGULATION**REGULATION****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:

- *Student* - Any person who attends or has attended a program of instruction sponsored by the District and for whom the District maintains education records.
- *Eligible student* - A student who has reached age eighteen (18) or is attending a postsecondary school.
- *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.
- *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:
 - Personal records kept by an employee of the District that meets the following tests:

REGULATION**REGULATION**

- ^ It is used only as a personal memory aid.
- ^ It is kept in the personal possession of the individual who made it.
- ^ It is not accessible and has never been revealed to any other person except the employee's temporary substitute.
- ▣ Medical treatment records maintained for "eligible students."
- ▣ Records collected and maintained by a law enforcement unit of the school.
- ▣ Records containing only information about a person after that individual is no longer a student in the District.
- ▣ 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.)
- ▣ 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.
- *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.
- *Signed and dated written consent* - May include a record and signature in electronic form that:
 - ▣ Identifies and authenticates a particular person as the source of the electronic consent.
 - ▣ 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.

REGULATION**REGULATION****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 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].

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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 (35¢) 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].

The District will provide copies of records:

- When the refusal to provide copies effectively denies access to the records by the parent or eligible student [34 C.F.R. 300.617].
- 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.
- 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)]:

- The student's name.
- The student's address.

REGULATION**REGULATION**

- The student's telephone listing.
- The student's date and place of birth.
- The student's electronic mail address.
- The student's photograph.
- The student's grade level.
- The student's major field of study.
- The student's dates of attendance.
- The student's enrollment status (e.g., part time or full time).
- The student's participation in officially recognized activities and sports.
- The student's weight and height if a member of an athletic team.
- The student's honors and awards received.
- 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 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.

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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 person duly elected to the Board (under limited circumstances).
- A person certificated by the state and appointed by the Board to an administrative or supervisory position.
- A person certificated by the state and under contract to the Board as an instructor.
- A person employed by the Board as a temporary substitute for administrative, supervisory, or instructional personnel for the period of such performance as a substitute.
- 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.

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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:

- Perform an administrative task required in the school employee's position description approved by the Board.
- Perform a supervisory or instructional task directly related to the student's education.
- 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. 300.624]. 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]:

REGULATION**REGULATION**

- 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.
- 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.
- To parties who provide or may provide financial aid to a student to:
 - Establish the student's eligibility for the aid.
 - Determine the amount of financial aid.
 - Establish the conditions for the receipt of the financial aid.
 - Enforce the agreement between the provider and the receiver of financial aid.
- 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.
- 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.
- 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.
- To accrediting organizations to carry out their accrediting functions.
- To parents of an eligible student if the parents claim the student as a dependent as defined by the Internal Revenue Code of 1954.
- 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.

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- 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.
- 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.
- 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.
- To comply with the request of authorized law enforcement officials conducting an investigation of acts of terrorism.
- 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:
 - The official deems the disclosure is warranted by the seriousness of the threat to the health or safety of the student or other persons.
 - The information is necessary and needed to address the emergency.
 - The persons to whom the information is to be disclosed are qualified and in a position to deal with the emergency.
- 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:

REGULATION**REGULATION**

- providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.
 - providing appropriate programs and services designed to deter at-risk juveniles from dropping out of school or other delinquent behavior.
 - increasing the safety and security of the community and its children by reducing juvenile crime.
- 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 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 specification of the records to be released.
- The reasons for the disclosure.
- The person or the organization or the class of persons or organizations to whom the disclosure is to be made.
- The signature of the parent or eligible student.
- 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.

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The record will include at least:

- The name of the person, organization or agency that made the request.
- The interest the person, organization or agency had in the information.
- The date the person, organization or agency made the request.
- 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:

- the parent or eligible student,
- authorized law enforcement officials conducting an investigation of acts of terrorism,
- school officials who have a legitimate educational interest in the student,
- 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
- 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.

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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:

- Provide the requester a copy of the questioned record at no cost.
- Ask the requester to initiate a written request for the change.
- 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:

- Is inaccurate and why,
- Is misleading and why, or
- 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 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.

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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 99.20]:

- The District's decision that the record is correct and the basis for the decision.
- 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.
- 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.)
- 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 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].

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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:

- 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].
- 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]:
 - The District's decision that the record is correct and will not be changed.
 - 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].

REGULATION**REGULATION****Annual Notification to Parents Regarding
Confidentiality of Student Education
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].

REGULATION**REGULATION**

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 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.

REGULATION**REGULATION**

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**

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 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 the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs, and activities that have been approved by the school.
- 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.
 - 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 non-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 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.
-

Optional language: The following bulleted items setting out the manner in which parents may be made aware of the District's Parental Involvement Policy are optional in whole or in part as determined by the local Governing Board.

The District plan under this policy may also include:

- 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.
- Efforts to encourage the development of parenting skills.

- 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.
- Efforts to support, with appropriate training, parents as shared decision makers and to encourage membership on school councils.
- 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 preparation programs and specialized courses for certificated employees and administrators that promote parental involvement.
- 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.

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

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

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

- The Superintendent or principal 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 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: date of Manual adoption

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

REGULATION**REGULATION**

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.

REGULATION**REGULATION****Availability of Instructional
Employee Resumés**

The administration shall inform parents of the availability of each teaching employee's resumé 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.

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: date of manual adoption

LEGAL REF.: A.R.S. 15-511
 15-1105
 15-1141 to 15-1143
 16-411
36-2801 et seq., Arizona Medical Marijuana Act

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

EXHIBIT**EXHIBIT**

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, All groups must provide the District with documentary evidence of liability insurance with a limit of at least ten thousand dollars (\$10,000) for property damage and one million dollars (\$1,000,000) for bodily injury. 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.

EXHIBIT**EXHIBIT**

- 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 principal'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 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 the principal or the principal's authorized representative. 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.

Adopted: date of Manual adoption

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
Professional 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

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: date of Manual adoption

LEGAL REF.:	A.R.S. 13-3622	<u>36-2802</u>
	15-341	36-798.03
	15-712	<u>36-2802</u>
	20 U.S.C. 6083	
	<u>20 U.S.C. 7181</u>	
	<u>20 U.S.C. 7183</u>	

CROSS REF.: GBED - Smoking by Staff Members
 JICG - Tobacco Use by Students
KFA - Public Conduct on School Property

PERSONNEL

Item 11A.

Classified Termination

(James Richmond)

HUMBOLDT UNIFIED SCHOOL DISTRICT

TO: Humboldt Unified School District Governing Board Item # **11A**
FROM: Dr. Paul H. Stanton, Superintendent, and Phil Young, Reading
Director of Human Resources
DATE: December 13, 2011 Discuss X
SUBJECT: Approval to Terminate Classified At-Will Work Action X
Notice for Mod/Sev/Prof Aide James Richmond

OBJECTIVE: Goal # Personnel

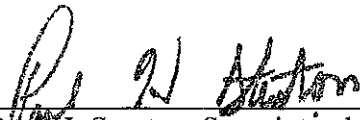
SUPPORTING DATA:

SUMMARY & RECOMMENDATION:

It is recommended that the Governing Board:

Move to approve the termination of classified at-will Moderate/Severe/Profound Aide James Richmond effective December 13, 2011.

Approved for transmittal to the Governing Board:



Dr. Paul H. Stanton, Superintendent

Questions should be directed to: Phil Young @ 759-4006