

**CONSENT**  
**Item 8J.**

**IGA – YCESA**

**HUMBOLDT UNIFIED SCHOOL DISTRICT**

TO: Humboldt Unified School District Governing Board Item # 8J  
FROM: Patrick Keeling, Director of Information Services Reading  
DATE: July 9, 2013 Discuss  
SUBJECT: YCESA E-Rate Consulting - Intergovernmental Agreement (IGA) Action  
Consent X

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OBJECTIVE: Goal #2

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**SUPPORTING DATA:**

The Yavapai County Educational Services Agency (YCESA) provides E-Rate consulting services that assist the District in securing funds through the E-Rate program. These funds are used to offset the costs of telecommunications, internet and site-to-site network services used by the District. This IGA is a continuation of services used by HUSD during the 2012 – 2013 school year.

There are two differences between this IGA and the IGA signed last year.

1. This IGA is for a term of 3 years.
2. The monthly cost has been lowered, saving HUSD \$117.74 per month.

Note: The Yavapai County Attorney's office has reviewed the document and serves as legal counsel for both parties.

**SUMMARY & RECOMMENDATION:**

It is recommended that the HUSD Governing Board approve the attached IGA for E-Rate consulting services to be provided by the YCESA that will allow The District to continue to receive the benefits of an E-Rate consultant to support the E-Rate funding process.

***Sample Motion:***

I move to approve the YCESA E-Rate consulting IGA as presented to allow the District to continue to receive professional E-Rate consulting services July 1, 2013 through June 30, 2016.

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

Questions should be directed to: Patrick Keeling, Director of Information Services, 759-4000

## Intergovernmental Agreement

**Date:** July 1, 2013

**Parties:** Humboldt Unified School District No.22, an Arizona school district  
("District")

Yavapai County Education Service Agency ("YCESA"), the statutory educational service agency for Yavapai County Schools.

### **Statutory Authority:**

1. YCESA is the statutory educational service agency for Yavapai County Schools. *See* Ariz. Rev. Stat. § 15-301.

2. YCESA and the District may enter into an intergovernmental agreement to (a) procure goods or services, (b) jointly exercise powers common to YCESA and the District, and (c) take joint or cooperative action. *See* Ariz. Rev. Stat. § 11-952.

3. YCESA and the District join together and by this Intergovernmental Agreement procure and provide services and take joint, cooperative action as follows.

### **Agreements:**

YCESA and the District agree to jointly and cooperatively procure and provide services, exercise powers, and take concerted action in accordance with the terms and conditions of this Intergovernmental Agreement.

**1. Purpose.** The District retains YCESA to provide E-Rate Services consulting.

**1.1** Universal Service Administrative Company's Schools and Library Program, commonly known as "E-Rate," provides discounts of up to 90% to assist most schools and libraries in the United States to obtain affordable telecommunications and Internet access. YCESA assists school districts and individual schools to comply with applicable regulations and to obtain all available E-Rate Services at the lowest cost.

**1.2** YCESA is the successor in interest to Educational Technology Associates L.L.C., the firm that previously provided these services to the District. The E-Rate Services provided by YCESA are intended to support and enhance student achievement by assisting and guiding the District to plan, procure, and implement essential technology assets.

**2. YCESA's Scope of Services.** Under this Intergovernmental Agreement, YCESA shall provide the following specific services to the District.

**2.1** YCESA shall consult with and guide the District on the District's E-Rate application for FY 2013-14, 2014-15, and 2015-16.

**2.2** YCESA shall advise and train the District on the E-Rate process and share technical advice on related services and equipment.

**2.3** With respect to E-Rate Services procurement, YCESA shall: (1) prepare bid documents and contract documents necessary to procure and contract for E-Rate Services; (2) assist the District in publishing the call for bids; (3) advise the District on compliance with federal and state procurement regulations; and (4) assist the District in scoring and evaluating all bids received.

**2.4** YCESA shall assist the District in filing the following E-Rate forms: Form 470, 471, 472 (BEAR), 486, and any necessary extension letters, appeals, and/or other related forms.

**2.5** YCESA shall guide the District through any Program Integrity Assurance (PIA) review of FCC forms filed by or on the District's behalf.

**2.6** YCESA shall advise the District on reasonable means and methods to obtain the maximum E-rate discount allowed by governing rules and regulations.

**2.7** YCESA shall advise the District on reasonable means and methods to reduce and minimize costs for both E-Rate eligible and ineligible services.

**2.8** YCESA shall perform all other reasonable, customary, and lawful E-Rate tasks to assist the District during this Agreement's term.

**2.9** YCESA shall not accept any gratuity, gift, favor, service, or opportunity from any service provider.

**3. Services not provided by YCESA.** YCESA will not provide the following services:

**3.1** YCESA will not select the final E-Rate vendor or advise the District which vendor to select;

**3.2** YCESA will not sign, nor may the District authorize YCESA to sign, any E-Rate Forms.

**4. District Responsibilities.** The District shall provide all information reasonably requested by YCESA in a timely manner. The District shall designate a responsible, authorized person to: (1) serve as a point of contact for Universal Service Administrative Company's School and Libraries Division (SLD); (2) review and sign all E-Rate Forms; and (3) deal with YCESA on all matters relating to this Intergovernmental Agreement. The District shall fully comply with all E-Rate rules and regulations and all other applicable federal and state laws, including the obligation to certify the representations in and execute the Letter of Agency form attached and incorporated into this Agreement as **exhibit 1**. The District shall not accept any gratuity, gift, favor, service, or opportunity from any service provider.

**5. Duration.** This Intergovernmental Agreement's term is three years (FY 2013-16).

**6. Consideration.** Within 30 days after YCESA invoices the District, the District shall pay YCESA the amount of \$9,525.44 for all services provided under this Intergovernmental Agreement for FY 2013-14. YCESA will establish fees for subsequent years, which the District shall pay, if it accepts the amount of the fees, within 30 days after YCESA invoices the District.

**7. Termination.** The District may withdraw from this Intergovernmental Agreement on 30 days notice but no part of the consideration is refundable if YCESA has assisted the District to file the E-Rate Forms.

**8. Alternative Dispute Resolution.** YCESA and the District may submit any dispute among them arising out of or relating to this Intergovernmental Agreement to alternative dispute resolution if they mutually agree.

**9. Indemnification.** To the fullest extent permitted by law, YCESA and the District shall indemnify and hold harmless each other and their respective officers, directors, members, consultants, agents, and employees from and against all claims for bodily injury and property damage, including reasonable attorneys' fees, costs, and expenses that may arise from each party's performance of or failure to perform this Intergovernmental Agreement, but only to the extent caused by the negligent acts or omissions of the party, its agents, or employees.

**10. Insurance.** Throughout this Intergovernmental Agreement's term, the parties shall maintain insurance in the coverages and the limits of liability available to them through the Arizona School Risk Retention Trust.

**11. Waivers of Subrogation.**

**11.1** YCESA and the District waive all rights against each other and any of their agents and employees, each of the other, for damages caused by fire or other causes of

loss to the extent covered by property insurance obtained pursuant to this Intergovernmental Agreement or other applicable property insurance, except the rights they have to proceeds of the insurance held by the District as fiduciary. A waiver of subrogation is effective as to a person or entity even though that person or entity would otherwise have a duty of indemnification, contractual or otherwise, did not pay the insurance premium directly or indirectly, and whether or not the person or entity had an insurable interest in the property damaged.

**11.2** A loss insured under the District's property insurance must be adjusted by the District as fiduciary and made payable to the District as fiduciary for the insureds, as their interests may appear, subject to requirements of any applicable mortgagee clause.

## **12. Miscellaneous Provisions.**

**12.1 Governing Law.** This Intergovernmental Agreement's interpretation and performance are governed by Arizona law.

**12.2 No Waiver.** No action or failure to act by YCESA or the District constitutes a waiver of any right or duty under this Intergovernmental Agreement, nor does the action or failure to act constitute approval of or acquiescence in a breach of the Agreement, unless YCESA and the District memorialize the waiver or approval in writing and sign it.

**12.3 Entire Agreement.** This Intergovernmental Agreement represents the entire, integrated agreement between YCESA and the District. The Agreement supersedes all prior negotiations, representations, or agreements, whether written or oral. The Agreement may be amended only by written instrument signed by YCESA and the District.

**12.4 Third Parties.** Nothing contained in this Intergovernmental Agreement shall create a contractual relationship with or a cause of action in favor of a third party against YCESA or the District. This Agreement is not intended to benefit any third party.

**12.5 Binding Effect.** YCESA and the District each bind themselves and their respective successors, assigns, and legal representatives each to the other and to the other's successors, assigns, and legal representatives with respect to this Intergovernmental Agreement's covenants, terms, and conditions.

**12.6 Notices.** All notices under this Intergovernmental Agreement must be in writing and sent to the appropriate person. Notices will be deemed properly given if sent by (1) personal delivery, (2) facsimile transmission, (3) first-class United States mail, postage prepaid, or (4) certified U.S. mail, postage prepaid, return receipt requested, addressed as follows:

Humboldt Unified School District No.22  
8766 E. Hwy 69  
Prescott Valley, AZ 86314  
Attn: Cynthia Windham

Yavapai County Education Service Agency

By: \_\_\_\_\_

Name: Tim Carter

Title: Yavapai County School Superintendent

Each party may specify by notice to the others a different address for purposes of subsequent notices. Notice is effective on the date of actual receipt or three days after the date of mailing, whichever is earlier.

**12.7 Compliance with Law.** YCESA and the District shall comply with all applicable laws, statutes, ordinances, codes, rules and regulations, and lawful orders of public authorities in performing this Intergovernmental Agreement, including but not limited to environmental laws.

**12.8 Severability.** If any provision(s) of this Intergovernmental Agreement is/are invalid, illegal, or unenforceable for any reason, all other Agreement provisions shall nevertheless remain in full force and effect. If any provision(s) is/are inapplicable to any person or circumstance, the same provision(s) shall nevertheless remain applicable to all other persons and circumstances.

**12.9 Fingerprint and E-verify.** If required, and only to the extent required, the parties shall comply with the fingerprinting provisions in Ariz. Rev. Stat. § 15-512(H), the e-verify provisions in Ariz. Rev. Stat. § 41-4401, and the Federal Immigration and Nationality Act.

**12.10 Nondiscrimination.** The parties shall not discriminate against any employee or applicant for employment on the basis of race, color, religion, sex, national origin, disability, age, veteran's status, or political affiliation. They shall comply with all applicable federal and state employment laws, rules, regulations, and executive orders.

**12.11 Conflict of Interest.** In accordance with Ariz. Rev. Stat. § 38-511, either party may cancel this Agreement for a prohibited conflict of interest.

**12.12 Scrutinized Business Operations.** In accordance with Ariz. Rev. Stat. §§ 35-391.06, 35-393.06, the parties represent and warrant that they do not have, and their contractors do not have, scrutinized business operations in Sudan or Iran.

**12.13 Counsel's Review and Approval.** The District appoints the Yavapai County Attorney as its attorney for purposes of reviewing and approving this Intergovernmental Agreement. The District waives any and all conflicts of interest arising out of the Yavapai County Attorney's joint representation of the District and any other districts in reviewing and approving this Agreement.

This Intergovernmental Agreement is effective on the date approved by the District's governing board.

Dated \_\_\_\_\_, 2013

**District:**

Approved as to form:

Humboldt Unified School District  
District No.22

\_\_\_\_\_  
Yavapai County Attorney

By \_\_\_\_\_  
Its authorized agent

Dated \_\_\_\_\_, 2013

**YCESA:**

Approved as to form:

Yavapai County Education Service Agency

\_\_\_\_\_  
Counsel for YCESA

By: \_\_\_\_\_  
Name: Tim Carter  
Title: Yavapai County School Superintendent

# **Exhibit 1**

## Letter of Agency

This confirms our participation with and representation by Yavapai County Education Service Agency ("YCESA") for procurement of affordable telecommunications and/or Internet access. I hereby authorize YCESA to submit FCC Form 470, FCC Form 471, and other E-rate forms to the Schools and Libraries Division of the Universal Service Administrative Company on our behalf.

I understand that, in submitting these forms on our behalf, YCESA is making certifications for us. By signing this Letter of Agency, I make the following certifications:

- (a) I certify that our school and all schools in our district are all schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. §§ 7801(18) and (38), that do not operate as for-profit businesses and do not have endowments exceeding \$50 million.
- (b) I certify that our school and/or school district(s) has/have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that to the extent that the Billed Entity is passing through the non-discounted charges for the services requested under this Letter of Agency, that the entities I represent have secured access to all of the resources to pay the non-discounted charges for eligible services from funds to which access has been secured in the current funding year.
- (c) I certify that our school and/or school district(s) are covered by a technology plan(s) that is written, that covers all 12 months of the funding year, and that has been or will be approved by a state or other authorized body, or an SLD-certified technology plan approver, prior to the commencement of service. The plan(s) is written at the following level(s):
  - \_\_\_\_\_ an individual technology plan for using the services requested in this application; and/or
  - \_\_\_\_\_ higher-level technology plan(s) for using the services requested in this application; or
  - \_\_\_\_\_ no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
- (d) I certify that the services the school, library or district purchases at discounts provided by 47 U.S.C. § 254 will be used solely for educational purposes and will

not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the rules of the Federal Communications Commission (Commission or FCC) at 47 C.F.R. § 54.500 (et seq.).

- (e) I certify that our school and/or school district(s) have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. I acknowledge that failure to comply with program rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
- (f) I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- (g) I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to participation in the schools and libraries program.
- (h) I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) covered by this Letter of Agency. I certify that I am authorized to make this request on behalf of the eligible entity(ies) covered by this Letter of Agency, that I have examined this Letter, that all of the information on this Letter is true and correct to the best of my knowledge, that the entities that will be receiving discounted services under this Letter pursuant to this application have complied with the terms, conditions and purposes of the program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. §§ 502, 503(b), or fine or imprisonment under Title 18 of the United States Code, 18 U.S.C. § 1001 and civil violations of the False Claims Act.
- (i) I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed, and will notify USAC should I be informed or become aware that I or any of the entities, or any person associated in any way with my entity and/or the entities, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.

(j) I certify that, to the best of my knowledge, the non-discount portion of the costs for eligible services will not be paid by the service provider. I acknowledge that the provision, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

(k) I certify that I am authorized to sign this Letter of Agency and, to the best of my knowledge, information, and belief, all information provided to YCESA for E-rate submission is true.

Entity Name Humboldt Unified School District No.22 Signature \_\_\_\_\_

Date: \_\_\_\_\_ Name: \_\_\_\_\_

Title: \_\_\_\_\_

# CONSENT

## Item 8K.

# Gifts & Donations

## **Gifts & Donations**

Juanita Apolinar  
7001 E. Addis Avenue, Prescott Valley  
Donated Clorox wipes  
With the donor's value of \$106  
To be used at Glassford Hill Middle School

Delores Arnold  
7100 E. Manley, Prescott Valley  
Donated art supplies  
With the donor's value of \$50  
To be used at Granville Elementary School

# DISCUSSION

## Item 9A.

### IT Update

HUMBOLDT UNIFIED SCHOOL DISTRICT

TO: Humboldt Unified School District Governing Board Item # 9A  
FROM: Patrick Keeling, Director of Information Services Reading  
DATE: July 9, 2013 Discuss X  
SUBJECT: Information Services Update Action  
Consent

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**OBJECTIVE:**

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**SUPPORTING DATA:**

Patrick Keeling, The Director of Information Services, will share an update discussing the activities of the Information Services Department. Topics covered in this presentation include:

- Internet Bandwidth Upgrade
- Network Upgrades
- Preparation for Wireless Deployment
- Content Filter
- My Big Campus
- Projects slated for the 13 – 14 School Year


**SUMMARY & RECOMMENDATION:**

Discussion Item

***Sample Motion:***

Discussion Item

Approved for transmittal to the Governing Board:

  
\_\_\_\_\_  
Dr. Paul Stanton, Superintendent

Questions should be directed to: Patrick Keeling, Director of Information Services, 759-4000

# **DISCUSSION**

## **Item 9B.**

### **Policy CBI**

**HUMBOLDT UNIFIED SCHOOL DISTRICT**

TO:	Humboldt Unified School District Governing Board	Item #	98
FROM:	Dr. Paul H. Stanton, Superintendent	Reading	X
DATE:	July 9, 2013	Discuss	X
SUBJECT:	Recommended revision to Governing Board Policy CBI – Evaluation of Superintendent - First Reading	Action	
		Consent	

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OBJECTIVE: Goal # Board Governance

**SUPPORTING DATA:**

Currently, Policy CBI – Evaluation of Superintendent specifies:

The Superintendent shall provide each member of the Board a copy of the evaluation instrument not later than March 1. The Board President shall schedule a meeting not later than April 8, when the Board will devote an executive session to the evaluation of the Superintendent's performance .....

And

..... the first fully comprehensive evaluation will be that which occurs in March of the Superintendent's second year.

**SUMMARY & RECOMMENDATION:**

To align with the model policy (CBI) of Arizona School Boards Association, the following revisions are recommended:

The Superintendent shall provide each member of the Board a copy of the evaluation instrument not later than ~~March 1~~ November 10. The Board President shall schedule a meeting not later than ~~April 8~~ December 18, when the Board will devote an executive session to the evaluation of the Superintendent's performance .....

And


..... the first fully comprehensive evaluation will be that which occurs in ~~March~~ November of the Superintendent's second year.

A second reading will be held at a future meeting at which time the board may adopt the suggested revised policy.

***Sample Motion:***

n/a

Approved for transmittal to the Governing Board:




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Dr. Paul Stanton, Superintendent

Questions should be directed to: Superintendent Stanton, 759-4000

## EVALUATION OF SUPERINTENDENT

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

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

The Superintendent shall provide each member of the Board a copy of the evaluation instrument not later than March 1. The Board President shall schedule a meeting not later than April 8, when the Board will devote an executive session to the evaluation of the Superintendent's performance, to discuss working relationships between the Superintendent and the Board, and to review the Superintendent's contract (with the Superintendent present). If the Superintendent's contract is in its first year, this initial evaluation will not be a comprehensive evaluation, but will be used to allow the Board to communicate its perspective on the Superintendent's performance to date and to allow the Board and the Superintendent to communicate on performance matters. Additional first-year evaluations may be completed by the Board at the Board's discretion or upon invitation by the Superintendent; however, the first fully comprehensive evaluation will be that which occurs in March of the Superintendent's second year.

Nov. 10  
Dec. 18

November

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

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

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

If the Superintendent's contract with the School District is for multiple years, the School District shall not offer to extend or renegotiate the contract until May of the year preceding the final year of the contract.

If the Superintendent's contract with the School District is for more than one (1) year, but not exceeding three (3) years, on or before May 15 of the last year of the contract, the Board shall offer a contract for the next school year to the Superintendent unless on or before April 15 the Board gives notice to the Superintendent of the Board's intention not to offer a new administrative contract.

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

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

*Adopted:* date of Manual adoption

LEGAL REF.: A.R.S. 15-503

CROSS REF.: CBA - Qualifications and Duties of Superintendent

**DISCUSSION**  
**Item 9C.**

**Policy Advisories**  
**462-475**

**HUMBOLDT UNIFIED SCHOOL DISTRICT**

TO:	Humboldt Unified School District Governing Board	Item #	90
FROM:	Paul Stanton, Superintendent	Reading	X
DATE:	July 9, 2013	Discuss	X
SUBJECT:	Policy Review—First Reading of Policy Advisories: # 462 - 475 (various sections)	Action	

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OBJECTIVE: Board Governance

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**SUPPORTING DATA:**

To insure compliance with State Statutes the attached Policy Advisories (462-475) have been submitted by the Arizona School Boards Association (ASBA) relating to Section D – Finance, Section E – Support Services, Section G – Personnel, Section I – Instruction, Section K – School & Community Relations, and Section J – Students, for Board review.

**-E = Exhibit, -R = Regulation**

*Governing Board adoption is not required for exhibits and regulations but is provided in the packet for information purposes.*

462	GCO	Evaluation of Professional Staff Members
	GCO-RA	√
463	IKF	Graduation Requirements
	IKF-RB	√
	IKF-EB	√
464	JFABC	Admission of Transfer Students
465	JJIB	Interscholastic Sports
	JJIB-EB	√
466	JLCCA	Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus Infections
467	KHC	Distribution/Posting of Promotional Materials
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468	DKB	Salary Deductions
469	EBC	Emergencies
	EBC-RA	√
	EBC-RB	√ (Emergency Drills)
	EBC-RC	√ (First Aid)
	EBC-RD	√ (Bomb Threats)
	EBC-RE	√ (Procedures for Aftermath of Suicide, Suicide Attempt, or Other Tragedy)
	EBC-E	√
470	GCQE	Retirement of Professional Staff Members
471	IKF-EB	Graduation Requirements (Augmentation Points Calculations)
472	JK	Student Discipline
	JK-RA	√
	JK-RB	√
	JK-EA	√
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473	GCJ	Professional Staff Probationary and Continuing Status
474	GCK	Professional Staff Assignments and Transfers
475	GCO	Evaluation of Professional Staff Members
	GCO-RA	√

**SUMMARY & RECOMMENDATION:**

This is the First Reading of changes to policies, exhibits and/or regulations.

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

HUSD director's summaries and recommendations will be included with the Second Reading. The Second Reading will be included on a future meeting agenda.

Upon approval these policies/regulations/exhibits will become effective immediately and will be added to the current Policy Manual.

Approved for transmittal to the Governing Board:



Dr. Paul H. Stanton, Superintendent

*Questions should be directed to:*

Please call Mary Diaz @ 759-4000. Mrs. Diaz will refer the call to the appropriate director.

# POLICY SERVICES ADVISORY

Volume 25, Number 1

January 2013

- Policy Advisory No. 462.....GCO — Evaluation of Professional Staff Members  
GCO-RA — Evaluation of Professional Staff Members
- Policy Advisory No. 463..... IKF— Graduation Requirements  
IKF—RB-Graduation Requirements  
IKF—EB-Graduation Requirements
- Policy Advisory No. 464.....JFABC — Admission of Transfer Students
- Policy Advisory No. 465..... JJIB — Interscholastic Sports  
JJIB-EB — Interscholastic Sports
- Policy Advisory No. 466.....JLCCA — Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus Infections
- Policy Advisory No. 467..... KHC—Distribution/Posting of Promotional Materials

## Policy Advisory Discussion

**Policy Advisory No. 462. Policy GCO — Evaluation of Professional Staff Members.** The purpose of this policy advisory is to change the definition of inadequacy of classroom performance in Policy GCO by providing a placeholder for the district to insert its definition. A.R.S. 15-539(D) adds to the governing board's responsibility the requirement to develop a definition of inadequacy of classroom performance to ensure that the definition aligns with the performance classifications adopted by the State Board of Education pursuant to A.R.S. 15-203(A)(38). Therefore, the definition provided in Policy Advisory No. 448 is altered and provided in more general language as a placeholder for the district's final adopted definition which will be aligned with the performance classifications provided by the State Board of Education and the specific requirements and language contained within the district's evaluation instrument.

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

Page 1 of 42

The text of A.R.S. 15-539 (D) is as follows:

*15-539. Dismissal of certificated teacher; due process; written charges; notice; hearing on request*

*D. The governing board shall develop a definition of inadequacy of classroom performance that aligns with the performance classifications adopted by the state board of education pursuant to section 15-203, subsection A, paragraph 38. This definition of inadequacy of classroom performance applies to notices issued pursuant to section 15-536, section 15-538 and this section. The governing board shall develop its definition of inadequacy of classroom performance in consultation with its certificated teachers. The consultation may be accomplished by holding a public hearing, forming an advisory committee, providing teachers the opportunity to respond to a proposed definition or obtaining teacher approval of a career ladder program that defines inadequacy of classroom performance.*

**Note:** The Governing Board should indicate in the policy the title(s) of the official(s), who is (are) authorized to issue notices of inadequacy of classroom performance, subject to approval by the Superintendent.

**GCO-RA** is amended as the following italicized language in statute ARS 15-537(C) was eliminated:

*A regular evaluation of the performance of each certificated teacher as provided in this section shall be performed at least twice each year for a teacher who has not been employed by the school district for more than the major portion of three consecutive school years and at least once each year for a teacher who has been employed by the school district for more than the major portion of three consecutive school years. The governing board may provide for additional teacher performance evaluations as it deems necessary.*

The Governing Board may provide for more than the mandatory minimum number of evaluations (and observations) indicated in GCO and GCO-RA; however, this is a local district determination which should be developed, distributed, and implemented with guidance from legal counsel whenever necessary.

**Policy Advisory No. 463. Policy IKF, IKF-RB, IKF-EB — Graduation Requirements.** The units of credit required for graduation is unchanged in the table of required courses but is now referenced in the text of the document to the minimum number of units of credit required by the State Board of Education for graduation. Language in the table of required courses has been adjusted as the earlier outdated requirements have been eliminated. For additional information review the legal references listed in the document. Additionally, the IKF-RB regulation and IKF-EB exhibit have been updated.

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

Page 2 of 42

**Policy Advisory No. 464. Policy JFABC — Admission of Transfer Students.** Policy IKF has included the progression of increased minimum graduation requirements for several years and has been updated as indicated above by removing older language; therefore it is necessary to make an adjustment in policy JFABC. Language related to core credit is adjusted to “units of credit specifically named as required for graduation by the State Board of Education.”

**Policy Advisory No. 465. Policy JJIB and JJIB-EB — Interscholastic Sports.** This is an optional addition to policy and a new optional exhibit which are intended to provide added focus and attention to an important aspect of student safety. District practices pertaining to student health and safety management plans are improved by periodic review, updating, and on-going training. Thus, districts should be aware of the fact that the Arizona Interscholastic Association Executive Board on May 22, 2012 approved the Heat Acclimatization and Exertional Heat Illness Management Policy which has been referenced in Policy JJIB and included in the new exhibit JJIB-EB, Interscholastic Sports. The document may be accessed at the AIA website as Bylaw 14.17 which became effective on July 1, 2012.

**Policy Advisory No. 466. Policy JLCCA — Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus Infections.** An ADE Memorandum, HIV in School Settings Policy Guidance, released in February 2012, provides some updated language and references regarding HIV policies and has generated a few questions pertaining to application. ASBA Policy JLCCA, Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus Infections, includes the word "III" as the second word in the first sentence. This word has been removed from the model document and will be updated in Policy Manuals at the next scheduled Policy Review or at such time as the Governing Board adopts a revised policy.

Additionally, several Manual cross references pertaining to privacy (FERPA), special instructional programs, school attendance, students' rights, student records, staff health and safety, exposure control, bloodborne pathogen training, and parental involvement and have been added to Policy JLCCA. The cross referenced policies are not new but are included as cross references in order to provide quick access should questions or concerns arise as to the content and applicability of the policies.

*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 No. 467. Policy KHC — Distribution/Posting of Promotional Materials.** This advisory provides a *sample option* for those districts that wish to create a more open forum for the distribution/posting of promotional materials than the current model provides. The district should develop or modify procedures to monitor and document staff implementation to ensure compliance. Due to the numerous opportunities for such monitoring to occur, Policy Services is not recommending specific means to address implementation.

This policy option delineates a more open forum for the distribution/posting of promotional materials which fall within the parameters determined by the governing board. School personnel shall not use the viewpoint expressed in the promotional materials, by the requestor, or by the organization represented as justification for disallowing the authorization for distribution and posting. The authorization decision will be viewpoint neutral at each level of review. School personnel should not deny religious groups from distributing/posting their material if it is consistent with material allowed to be distributed/posted by other outside non-religious groups of a similar nature (where only the viewpoint is different, i.e., religious vs. non-religious). *Based on binding legal precedent, schools must treat all groups wishing to distribute outside material equally. The recommended policy model is a less restrictive approach to allowing outside material. If the district desires an approach that is more restrictive, use the current ASBA model document or consult with an attorney to develop a more customized option.*

Any challenge to a denial to distribute/post promotional materials shall utilize a simplified Alternative Dispute Resolution process as referenced in A.R.S. 15-110(G) which stipulates that a student or a student's parent shall not initiate legal action to enforce this section unless the student or the student's parent has done the following:

- The student or the student's parent shall submit a complaint in writing with the specific facts of the alleged violation to the principal of the school. The principal shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within fifteen days of receiving the written complaint.
- If the complaint is not resolved, the written complaint specifying the facts of the alleged violation may be submitted by the parent or student to the Superintendent or designated administrator, who shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within twenty-five days of receiving the written complaint.

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

School district legal counsel should be consulted at any time there is a substantive question or dilemma resulting from a request related to the above policy. Challenges originating from a source alleging viewpoint-based denial of authorization should be referred immediately.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Chris Thomas, Director of Legal/Policy Services; Dr. Terry Rowles, Assistant Director; or Steve Highlen, Senior Policy Consultant. Our E-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org] and [shighlen@azsba.org]. You may also fax information to (602) 254-1177.

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

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## EVALUATION OF PROFESSIONAL STAFF MEMBERS

The process of evaluation for certificated professional staff members shall lead to improvement of the quality of instruction and the strengthening of the abilities of the professional staff.

Certain elements in an effective evaluation process shall be emphasized:

- Evaluation shall be a cooperative endeavor between evaluator and evaluatee.
- Open communication shall be considered essential.
- The agreed-upon purpose of evaluation shall be to work toward common goals for the improvement of education. This shall include attention to student and staff success, which shall include all certificated staff members.
- Evaluation shall be continuous, flexible, and sensitive to need for revision.
- The result of evaluation(s) shall be courses of action for the improvement of instruction. These courses of action shall be set in motion by specific recommendations mutually reviewed by the evaluator and the evaluatee.
- Evaluation shall be considered one aspect of effective management, rather than a discrete entity.
- Effective evaluation depends on accurate information; therefore, input from all appropriate sources shall be used.
- Evaluation(s) shall be based on, but not limited to:
  - Student learning is the primary focus of the teacher's professional time.
  - Job expectations within the District.
  - Instruments for assessment.
  - Personal observation.

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## **Evaluation of Classroom Teachers and Other Certificated Non- administrative Staff Members**

The District evaluation instrument will utilize the required elements of the model framework for a teacher and principal evaluation instrument adopted by the State Board of Education on or before December 31, 2012, that includes quantitative data on student academic progress that accounts for between thirty-three percent (33%) and fifty percent (50%) of the evaluation outcomes. The model framework shall include four (4) performance classifications, designated as highly effective, effective, developing, and ineffective adopted by the State Board of Education pursuant to A.R.S. 15-203. The model framework includes guidelines for school districts and charter schools to use in their evaluation instruments.

Definitions for the above performance classifications adopted by the State Board of Education shall be adopted by the School District in a public meeting by school year 2013-2014. The performance classifications are to be applied to the evaluation instruments in a manner designed to improve principal and teacher performance. At least annually, the School District Governing Board shall discuss at a public meeting its aggregate performance classifications of principals and teachers.

In accordance with state law, the District shall involve its certificated teachers in the development and periodic evaluation of the teacher performance evaluation system. The following elements will be a part of the evaluation system:

- A copy of the evaluation system shall be given to each teacher in the District.
- The Board shall receive from the Superintendent recommendations for qualified evaluators prior to naming evaluators.
- The best practices for professional development and evaluator training adopted by the State Board of Education.
- The Board will designate qualified evaluators by name or position at a Board meeting each year.

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## Inadequacy of Classroom Performance

*(The paragraph immediately below is provided as a placeholder. Actual statements should reflect District's definition and the responsibility of the Governing Board to ensure that the definition of inadequacy aligns with the performance classifications adopted by the State Board of Education pursuant to A.R.S. 15-203(A)(38). This definition of inadequacy of classroom performance applies to notices issued pursuant to section 15-536, 15-538 and 15-539.)*

A teacher's classroom performance is inadequate if the teacher is designated in the lowest performance classification rating of *ineffective* pursuant to A.R.S. 15-203 in one (1) or more of the components/indicator statements set forth in the District's teacher evaluation system. A teacher's classroom performance is also inadequate if the teacher is designated in the second lowest performance classification rating of *developing* pursuant to A.R.S. 15-203 in three (3) or more of the components/indicator statements set forth in the District's teacher evaluation system.

~~A teacher's classroom performance is inadequate if the teacher receives a rating of ineffective in one (1) or more of performance classifications pursuant to A.R.S. 15-203 and set forth in the District's teacher evaluation system. A teacher's classroom performance is also inadequate if the teacher receives a rating of developing in three (3) or more of the performance classifications pursuant to A.R.S. 15-203 and set forth in the District's teacher evaluation system.~~

If the District receives approval to budget for a career ladder program, more than one (1) evaluation system may be developed as authorized in A.R.S. 15-539. If more than one (1) level is established, the same level of performance for minimum adequacy shall be required of all teachers who have completed the same number of years of teaching in the District.

Prior approval by the Board is not required for each notice of inadequacy. The (title(s) of authorized officials) is (are) authorized to issue notices of inadequacy of classroom performance, subject to approval by the Superintendent. When a notice is issued without prior Board approval, the Board shall be notified within five (5) days of such issuance.

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## **Evaluation of Administrators and Psychologists**

The District shall establish a system for the evaluation of the performance of principals, other school administrators, and psychologists. The District will seek advice from District administrators and psychologists in the development of this performance evaluation system.

The Board shall make available the evaluation and performance classification pursuant to A.R.S. 15-203 of each principal in the School District to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

*Adopted:* date of Manual adoption

LEGAL REF.: A.R.S. 15-203	15-538.01
15-502	15-539 <i>et seq.</i>
15-503	15-544
15-536	15-549
15-537	15-918.02
15-537.01	15-977
15-538	
A.A.C. R7-2-605	

CROSS REF: GCF - Professional Staff Hiring  
GCJ - Professional Staff Noncontinuing and Continuing Status  
GCK - Professional Staff Assignments and Transfers  
GCMF - Professional Staff Duties and Responsibilities  
GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members  
GDO - Evaluation of Support Staff Members

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**REGULATION****REGULATION****EVALUATION OF PROFESSIONAL  
STAFF MEMBERS****Purpose**

A formal process of evaluating all certificated personnel will be implemented. The purpose of evaluation shall be the improvement of the quality of instruction. Such a process, to achieve the greater measure of success, shall be predicated on the assumption that the evaluation will be a cooperative procedure, with the evaluator and the evaluatee having full knowledge of the criteria, process, and results.

The following statements give more specific purposes for evaluation:

- Evaluations document the extent to which the teacher makes student learning the primary focus of the teacher's professional time.
- Evaluations determine how well the objectives held by the school are being carried out. The success of the educational program is dependent upon the quality of classroom instruction, supervision, and administration.
- Evaluations provide the basis for motivation and for self-improvement, permitting personnel to be aware of their strengths and weaknesses in order to improve.
- Evaluations provide a basis for planning in-service training and supervisory activities. Such activities can be most effective when they are based upon clear evidence of need as shown by evaluation studies.
- Evaluations provide the basis for administrative decisions. Such decisions may include the employment of personnel, their assignment, the granting of continuing status, promotion, demotion, or termination.
- Evaluations aid in determining the adequacy or inadequacy of classroom performance.

**Definitions**

When used in this regulation:

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- *Instructional day* will mean a day in which pupils are scheduled to attend school for instructional time.
- *Performance classifications* means the four (4) performance classifications, designated as highly effective, effective, developing, and ineffective, included in the model framework for a teacher and principal evaluation instrument adopted by the State Board of Education pursuant to A.R.S. 15-203. The performance classifications are to be applied to the evaluation instruments in a manner designed to improve principal and teacher performance. At least annually, the School District Governing Board shall discuss at a public meeting its aggregate performance classifications of principals and teachers.

### **Teacher Evaluation**

Teacher evaluation shall include all classroom teachers and other certificated nonadministrative staff members. Such evaluation shall be based on Policy GCO and the procedures outlined in the following.

***Evaluators.*** Qualified evaluators shall be designated by the Board. The evaluator shall be responsible for the final written and official statement of evaluation, which shall be in writing, and a copy shall be transmitted to the certificated teacher within five (5) days after completion of the evaluation. [A.R.S. 15-537]

The administration is responsible for an in-service training program for evaluators. This program shall incorporate a philosophy, procedure, and techniques that ensure effective implementation of the evaluation plan.

The best practices for professional development and evaluator training adopted by the State Board of Education should be referenced as the State Board has the authority to periodically make adjustments to align with the model framework for teacher and principal evaluations with assessment data changes at the state level.

### ***Classroom Observations by Evaluator***

The Governing Board prescribes that the teacher performance evaluation system pursuant to A.R.S. 15-203(A)(38) and A.R.S. 15-537(E) shall include at least two (2) actual classroom observations of the certificated teacher demonstrating teaching skills in a complete and uninterrupted lesson by the person observing the teacher. There shall be at least sixty (60) calendar days between the first and last observations.

Informal observations may be made at the discretion of the administrator.

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***Procedural steps in the process of evaluation:***

- At the beginning of the school year, the principal shall meet with the school's faculty for the purpose of orienting the teachers to the total evaluation plan. This shall include whether the evaluation is used as a criterion for establishing a teacher's compensation.
- Self-evaluation for the teacher shall be urged.
- As described above an observation(s) in the classroom shall be completed.
- An opportunity for a conference shall follow each formal observation-visitiation.
- A written record shall be made of each formal observation, with a copy to the observed.
- Within ten (10) business days after each observation, the person observing the teacher shall provide written feedback to the teacher and a copy shall be retained for the principal's file. A third copy shall be placed in the teacher's personnel file and made available to authorized District officers and employees.
- The official evaluation shall be reduced to writing and signed by both the teacher and the evaluator. The teacher's signature shall not mean concurrence. The teacher shall be allowed ten (10) days to write and submit any comments, which shall be attached to the evaluation.
- Copies of the evaluation report and performance classification of a certificated teacher retained by the Governing Board and the Department of Education are confidential, do not constitute a public record and shall not be released to any person except to those stipulated in the statute which allows release to school districts and charter schools that inquire about the performance of the teacher for employment purposes.

***Evaluation program.*** The specific format for the teacher evaluation system will be developed in compliance with Policy GCO and this regulation under the leadership of the Superintendent.

***Inadequate classroom performance.*** All teachers whose classroom performance is inadequate will be notified in accordance with the law and the contents of Policy GCO.

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***Frequency of written evaluations.*** An evaluation Evaluations shall be made at least two (2) times per year for noncontinuing teachers, and at least once per year. for continuing teachers. Additional evaluations may be completed as deemed necessary.

***Evaluation schedule (also see Policy GCJ):***

- *Noncontinuing teachers (employed by the School District for less than the major portion of three [3] consecutive school years):*

**~~[FOR NONCONTINUING TEACHERS - OPTION 1]~~**

- ~~▪ During the week of orientation, evaluation procedures shall be reviewed at each school. Any teacher who is hired after orientation week shall be individually oriented by the evaluator.~~
- ~~▪ The first evaluation, including observations, written report, and conference shall be completed sufficiently early in the instructional year to schedule a second (2nd) evaluation and give written preliminary notice of inadequacy of classroom performance no later than January 15.~~
- ~~▪ A second evaluation shall be completed sufficiently early in the instructional year to give written preliminary notice of inadequacy of classroom performance no later than January 15.~~
- ~~▪ Not later than January 15, a noncontinuing teacher whose classroom performance is inadequate shall be given a written preliminary notice of inadequacy of classroom performance. This notice will provide the noncontinuing teacher at least ninety (90) days in which to overcome the inadequacy(ies). The notice shall specify the nature of the inadequacy(ies) with such particularity as to furnish the teacher an opportunity to correct the inadequacy(ies) and overcome the grounds for the charge. If the notice is issued without prior Board approval, the Board shall be notified within five (5) days of such issuance.~~
- ~~▪ Prior to the intended date to provide notice of nonreemployment, and subsequent to the ninety (90) day period during which a teacher was provided the opportunity to overcome any noticed inadequacies of classroom performance, a third evaluation shall be made.~~
- ~~▪ The Board shall authorize, as necessary, and send notice to noncontinuing teachers who will not be reemployed for the ensuing school year.~~

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- ~~▪ Subject to sections 15-539, 15-540, 15-541, 15-544 and 15-549, the Governing Board shall offer a teaching contract for the next ensuing school year to each certificated noncontinuing teacher who is under a contract of employment with the School District for the current school year, unless the Governing Board, a member of the Board acting on behalf of the Board, or the Superintendent gives notice to the teacher of the Board's intention not to offer a teaching contract or unless such teacher has been dismissed pursuant to A.R.S. 15-538, 15-539, 15-541, or 15-544. Notice of the Board's intention not to reemploy the teacher shall be by delivering it personally to the teacher or by sending it by registered or certified mail to the teacher at the teacher's place of residence, as recorded in the District's records. The notice shall incorporate a statement of reasons for not reemploying the teacher. If the reasons are charges of inadequacy of classroom performance as defined by the Governing Board pursuant to section 15-539, subsection D, the Board or its authorized representative, at least ninety (90) days prior to such notice, shall give the teacher written preliminary notice of inadequacy, specifying the nature of the inadequacy with such particularity as to furnish the teacher an opportunity to correct the inadequacies and overcome the grounds for such charge. The written notice of intention not to reemploy shall include a copy of any evaluation pertinent to the charges made and filed with the Board.~~
- ~~▪ A.R.S. 15-536 is applicable to each teacher who is beginning the teacher's fourth year of employment and who has been designated in one (1) of the two (2) lowest performance classifications pursuant to A.R.S. 15-203(A)(38) and who is under a contract of employment with the School District for the current school year. Teachers covered under this statute shall not have the right to a hearing pursuant to A.R.S. 15-539(G).~~
- ~~▪ None of the above statements shall be construed to give the noncontinuing teacher the right to a hearing pursuant to 15-536 and 15-539.~~

**[FOR NONCONTINUING TEACHERS - OPTION 2]**

- During the week of orientation, evaluation procedures shall be reviewed at each school. Any teacher who is hired after orientation week shall be individually oriented by the evaluator, given a review of evaluation procedures.

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- Prior to ~~January 10~~, District Insert Date an evaluation, including observations, written report, and conference shall be completed.
- Not later than January 15, a teacher whose classroom performance has been evaluated as being inadequate shall be given a preliminary notice of inadequacy of classroom performance. The notice will provide the noncontinuing teacher at least ninety (90) days in which to overcome the inadequacies and shall specify the nature of the inadequacy with such particularity as to furnish the teacher an opportunity to correct the inadequacies and overcome the grounds for the charge. If the notice is issued without prior Board approval, the Board shall be notified within five (5) days of such issuance.
- Prior to the *intended date* to provide notice of nonreemployment, and subsequent to the ninety (90) day period during which a teacher was provided the opportunity to overcome any noticed inadequacy(ies) of classroom performance, a second evaluation may be made-completed.
- Additional evaluations may be completed as deemed necessary.
- The Board shall authorize, as necessary, and send notice to noncontinuing teachers who will not be reemployed for the ensuing school year.
- Subject to sections 15-539, 15-540, 15-541, 15-544 and 15-549, the Governing Board shall offer a teaching contract for the next ensuing school year to each certificated noncontinuing teacher who is under a contract of employment with the School District for the current school year, unless the Governing Board, a member of the Board acting on behalf of the Board or the Superintendent gives notice to the teacher of the Board's intention not to offer a teaching contract or unless such teacher has been dismissed pursuant to section 15-538, 15-539, 15-541, or 15-544. Notice of the Board's intention not to reemploy the teacher shall be by delivering it personally to the teacher or by sending it by registered or certified mail to the teacher at the teacher's place of residence, as recorded in the District's records. The notice shall incorporate a statement of reasons for not reemploying the teacher. If the reasons are charges of inadequacy of classroom performance as defined by the Governing Board pursuant to section 15-539, subsection D, the Board or its authorized representative, at least ninety (90) days prior to such notice, shall give the teacher written preliminary notice of inadequacy,

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specifying the nature of the inadequacy with such particularity as to furnish the teacher an opportunity to correct the inadequacies and overcome the grounds for such charge. The written notice of intention not to reemploy shall include a copy of any evaluation pertinent to the charges made and filed with the Board.

- A.R.S. 15-536 is applicable to each teacher who is beginning the teacher's fourth year of employment and who has been designated in one (1) of the two (2) lowest performance classifications pursuant to A.R.S. 15-203(A)(38) and who is under a contract of employment with the School District for the current school year. Teachers covered under this statute shall not have the right to a hearing pursuant to A.R.S. 15-539(G).
- None of the above statements shall be construed to give the noncontinuing teacher the right to a hearing pursuant to 15-536 and 15-539.
- *Continuing teachers (employed by the School District for more than the major portion of three [3] consecutive school years):*
  - Continuing teachers shall be evaluated at least once each year. Additional evaluations may be completed as deemed necessary. If the evaluation is used as the basis of a preliminary notice of inadequacy of classroom performance, the evaluation:
    - ▲ May not be conducted within two (2) instructional days of any school break of one (1) week or more.
    - ▲ Must be conducted in accord with District procedure.
    - ▲ Must be completed in time to be included in the written preliminary notice of inadequacy of classroom performance, which may be issued by the Governing Board or its authorized representative or delegated employee at least ten (10) instructional days before the start of the statutory period of time the teacher is to be given to correct the inadequacy and overcome the grounds for the charge. In all cases in which an employee of the Governing Board issues a notice of inadequacy of classroom performance without prior approval by the Board, the employee shall report such issuance to the Governing Board within five (5) school days.

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^ The written preliminary notice of inadequacy of classroom performance shall specify the nature of the inadequacy of classroom performance with such particularity as to furnish the teacher an opportunity to correct the teacher's inadequacies and overcome the grounds for the charge. The written preliminary notice of inadequacy of classroom performance shall be based on a valid evaluation according to District procedure, shall include a copy of any evaluation pertinent to the charges made and shall state the date, not less than sixty (60) instructional days, by which the teacher has to correct the inadequacy and overcome the grounds for the charge. If the teacher does not demonstrate adequate classroom performance within the allotted time the Board shall dismiss the teacher either within ten (10) days of service of a subsequent notice of intention to dismiss or by the end of the contract year in which the notice is served unless the teacher requests a hearing as provided by A.R.S. 15-539.

- All provisions of A.R.S. 15-538.01, A.R.S. 15-539, and other applicable Arizona Revised Statutes shall be complied with in the dismissal of continuing teachers.
- Pursuant to A.R.S. 15-538.01, the Governing Board shall offer to each certificated teacher who has been employed more than the major portion of three (3) consecutive years and who is under contract of employment with the School District for the current year a contract renewal for the next ensuing school year unless the teacher has been given notice of the Board's intent not to offer a contract and to dismiss the teacher as provided in section A.R.S. 15-539. The Governing Board shall offer a contract to each certificated teacher who is not designated in the lowest performance classification pursuant to A.R.S. 15-203(A)(38) and was offered a contract in the prior year pursuant to A.R.S. 15-536 unless the teacher has been given notice of the Board's intent not to offer a contract and to dismiss the teacher as provided in section A.R.S. 15-539.
- A.R.S. 15-539 references the exception provided in A.R.S. 15-536 for a certificated teacher who is beginning the teacher's fourth year of employment and who has been designated in one (1) of the two (2) lowest performance classifications pursuant to A.R.S. 15-203(A)(38) and who is under a contract of employment with the School District for the current school year.

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- Subject to A.R.S. 15-538.01, 15-539, 15-540, 15-541, 15-544, and 15-549, the Governing Board shall offer to each continuing teacher under contract of employment with the District for the current year a contract renewal for the next ensuing school year unless the Governing Board, a member of the Board acting on behalf of the Board, or the Superintendent gives notice to the continuing teacher of the Board's intent not to offer a contract and to dismiss the teacher as provided in A.R.S. 15-539.

***Teacher Acceptance of Contract.*** The teacher's acceptance of the contract must be indicated within fifteen (15) business days from the date of the teacher's receipt of the written contract or the offer of a contract is revoked.

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

- personally delivered,
- placed in the teacher's school-provided mailbox, including electronic mail, or
- two (2) days after being placed in a United States Postal Service mail box.

The teacher accepts the contract by signing the contract and returning it to the Governing Board or by making a written instrument which accepts the terms of the contract and delivering it to the Governing Board. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the teacher fails to accept the contract.

### **Administrators and Psychologists**

The systems developed for the evaluation of the performance of principals shall meet the requirements prescribed in A.R.S. 15-203(A)(38) and in Policy GCO.

The Board shall make available the evaluation and performance classification pursuant to A.R.S. 15-203(A)(38) of each principal in the School District to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

Continuous evaluation of all aspects of the total educational program, including student progress, personnel, curriculum, and facilities, will include a formal process of evaluating all certificated administrators and psychologists. The purpose of this evaluation shall be the improvement of the quality of the educational program in the District. The evaluation will be a cooperative procedure, with the evaluator and the evaluatee having full knowledge of the criteria, process, and results.

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The following statements give more specific purposes for evaluation:

- Evaluations determine how well the objectives held by the school and District are being carried out. The success of the educational program is dependent upon many factors, which include the quality of classroom instruction, student evaluation, supervision, and administration.
- Evaluations provide the basis for motivation and for self-improvement, permitting administrative personnel to be aware of strengths and weaknesses in order to improve the operation of the District's programs.

The specific format for the evaluation system for certificated administrators and psychologists will be developed under the leadership of the Superintendent.

**Administrator/Psychologist  
Contract Renewal**

If the administrator's contract with the School District is for more than one (1) year, but not exceeding three (3) years, on or before May 15 of the last year of the contract, the Board shall offer a contract for the next school year to the administrator unless on or before April 15 the Board gives notice to the administrator of the Board's intention not to offer a new administrative contract.

If the administrator's or psychologist's contract with the School District is for a single year, on or before May 15 of each year the Board shall offer a contract for the next school year to the administrator or psychologist unless on or before April 15 the Board gives notice to the administrator or psychologist of the Board's intention not to offer a new administrative contract or psychologist's contract.

LEGAL REF.: A.R.S. 15-503	15-539
15-536	15-540
15-537	15-541
15-538	15-544
15-538.01	15-549

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## GRADUATION REQUIREMENTS

### Regular Education

A minimum number of ~~twenty (20)~~ units of credit are required for graduation by the Arizona State Board of Education. Listed below are the units that must be completed before a student may receive a high school diploma. Each student shall demonstrate accomplishment of the standards in reading, writing, science, social studies, and mathematics adopted by the State Board of Education and pass each of the sections of the required competency test. A student not successfully passing the competency test shall graduate with a recognized diploma if the student meets the alternative graduation requirements established by A.R.S. 15-701.02. The Superintendent shall prepare regulations to implement the alternative graduation requirements and appoint a hearing officer for appeals.

Graduation requirements may be met as follows:

- By successful completion of subject area course requirements.
- By mastery of the standards adopted by the State Board of Education and other competency requirements for the subject as determined by the Governing Board in accord with A.A.C. R7-2-302.04 and rules established by the Superintendent.
- By earning credits through correspondence courses (limited to one [1] in each of the four [4] major subject areas) and/or by passing appropriate courses at the college or university level if the courses are determined to meet standards and criteria established by the Board and in accord with A.R.S. 15-701.01.
- An out-of-state transfer student is not required to pass the competency test to graduate if the student has successfully passed a statewide assessment test on state adopted standards that are substantially equivalent to the State Board Adopted Academic Standards.

~~Graduation requirements by year of graduation are:~~

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*2008-2009 through 2010-2011:*

English .....	4.0 units
Math .....	2.0 units
Science .....	2.0 units
<del>United States and Arizona Constitutions and</del>	
<del>— United States and Arizona History .....</del>	<del>1.5 units</del>
World History and Geography .....	1.0 unit
Free Enterprise .....	0.5 unit
Fine Arts or Vocational Education .....	1.0 unit
Electives .....	8.0 units
<b>Total .....</b>	<b>20.0 units</b>

*2011-2012:*

English .....	4.0 units
Math .....	3.0 units
Science .....	2.0 units
American Government and Arizona Government.....	0.5 unit
American History including Arizona History .....	1.0 unit
World History and Geography .....	1.0 unit
Economics .....	0.5 unit
Fine Arts or Vocational Education .....	1.0 unit
Electives .....	7.0 units
<b>Total .....</b>	<b>20.0 units</b>

Beginning with the graduation class of 2012-2013, graduation requirements as determined by the Arizona State Board of Education (R7-2-302.02) and the District Governing Board are as follows:

English .....	4.0 units
Math .....	4.0 units*
Science .....	3.0 units**
<u>Social Studies .....</u>	<u>3.0 units</u>
American Government and Arizona Government	0.5 unit
American History including Arizona History	1.0 unit
World History and Geography	1.0 unit
Economics	0.5 unit
Fine Arts or Career, Technical and	
Vocational Education .....	1.0 unit
Electives .....	7.0 units
<b>Total .....</b>	<b>22.0 units</b>

\* In lieu of one (1) credit of Algebra II or its equivalent course content a student may request a personal curriculum in mathematics following R7-2-302.03.

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\* Math courses shall consist of Algebra I, Geometry, Algebra II, (or its equivalent) and an additional course with significant math content as determined by the Governing Board (Governing Body).

\*\* Three (3) credits of science in preparation for proficiency at the high school level on the Arizona Instrument to Measure Standards (AIMS) test.

## Special Education

Listed above, under "Regular Education," are the requirements that must be completed before a student may receive a high school diploma. Completion of graduation requirements for special education students who do not meet the required units of credit shall be determined on a case-by-case basis in accordance with the special education course of study and the individualized education program of the student. Graduation requirements established by the Governing Board may be met by a student as defined in A.R.S. 15-701.01 and A.A.C. R7-2-302.

**Competency requirements.** Any student who is placed in special education classes, grades nine (9) through twelve (12), is eligible to receive a high school diploma without meeting state competency requirements, but reference to special education placement may be placed on the student's transcript or permanent file.

*Adopted:* date of manual adoption

LEGAL REF.: A.R.S. 15-203  
15-341  
15-701.01  
15-701.02  
A.A.C. R7-2-302.01  
R7-2-302.02  
R7-2-302.03  
R7-2-302.04  
R7-2-302.06  
R7-2-302.07  
R7-2-302.09

CROSS REF.: IGD - Curriculum Adoption  
IGE - Curriculum Guides and Course Outlines  
IIE - Student Schedules and Course Loads  
IKA - Grading/Assessment Systems

*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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## GRADUATION REQUIREMENTS

### (Alternative Graduation Requirement)

Pursuant to A.R.S. 15-701.02, A.A.C. R7-2-302.06 and R7-2-302.079, a pupil who fails to achieve a passing score on the State Board required competency test in reading, writing, and mathematics assessment for high school graduation ~~during the 2007-2008 through the 2010-2011 school years and thereafter~~ may graduate if the student meets the alternative graduation requirements. Using the state approved formula, this process allows a pupil to augment their State Board required competency test scores with additional points derived from classroom performance. The pupil must meet the eligibility requirements described below to be eligible to receive augmentation points. Points are calculated using grades of C or better in the state specified credits of required coursework.

- *Threshold determination:*

- If a student's augmented assessment scores would not meet or exceed the "Meets the Standard" threshold if augmented by ~~twenty five percent (25%) for school years 2007-2008 and 2008-2009, by fifteen percent (15%) for school year 2009-2010, or by five percent (5%) for school year 2010-2011 and thereafter~~, no additional credit shall be calculated per A.R.S. 15-701.02(c).

- *Eligibility requirements for augmentation:*

- The student must have completed with a passing grade all coursework and credits prescribed for the graduation of pupils from high school by the governing board of the student's school district or charter school.
- The student must have taken the State Board standards assessment at every administration when the pupil was eligible to take the test after August 12, 2005.
- The student must have participated in any academic remediation program available in the student's school in those subject areas where the student failed to achieve a passing score on the State Board competency test.

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• *Failure to meet eligibility requirements - Appeal:*

- If a student is not eligible for the standards assessment score augmentation due to failure to:

- ▲ Have taken the State Board competency test at every administration when the pupil was eligible to take the test ~~after August 12, 2005~~. An appeal, following the procedures indicated below, may be requested in which the student or parent shall have the burden of demonstrating what circumstances prevented compliance with this requirement. An appeal should be granted only upon presentation of credible evidence that extreme circumstances made the student ineligible for each State Board competency test administration the student did not attend.

- ▲ Have participated in any academic remediation program available in the student's school in those subject areas where the student failed to achieve a passing score on the State Board competency test. An appeal, following the procedures indicated below, may be requested in which the student or parent shall have the burden of demonstrating what circumstances prevented compliance with this requirement. An appeal should be granted only upon presentation of credible evidence that the student participated in at least one state or school sanctioned remediation program in those subject areas where that student failed to achieve a passing score on the State Board competency test.

• *Appeal procedure:*

- If a senior student fails a subject matter competency test, that student may request an appeal by submitting a petition form prepared by the District to the high school principal within ten (10) days of being notified of failure to achieve "Meets the Standard" on any section of the State Board competency test. The principal shall be the hearing authority for all appeals.
- School officials shall provide adequate notice to the pupil and the pupil's parents or guardians regarding the date, time, and place of the appeal. A pupil or a pupil's representative may participate in the appeal either personally, by telephone, or by providing written documentation.

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- The student or parent shall have the burden of demonstrating what circumstances prevented compliance with the requirements.
- An appeal shall be granted only (see Suggested Basis for Appeal below):
  - ▲ Upon presentation of credible evidence that extreme circumstances made the student ineligible for each State Board competency test administration the student did not attend.
  - ▲ Upon presentation of credible evidence that the student participated in at least one (1) state or school sanctioned remediation program in those subject areas where that student failed to achieve a passing score on the State Board competency test.
- The response to the appeal shall be in writing within five (5) days of the appeal hearing.
- The decision of the principal is final.

### **Suggested Basis for Appeal**

A student who has not satisfied the requisites of A.A.C R7-2-602.6 (C)(2) and/or (3) to qualify for the alternative graduation requirement may appeal the determination to the Governing Board when one (1) or more of the conditions listed below exist:

- The student was precluded from taking all available administrations of the AIMS assessment, or has not fully participated in the school's academic remediation program, due to a bona fide emergency. For the purpose of this policy a bona fide emergency is defined as a circumstance beyond the student's or the student's family's control. Examples of a bona fide emergency may include, but are not limited to the following:
  - The student's sudden serious illness or injury simultaneously with the assessment or remediation program offering as attested as affirmed by a licensed medical practitioner.
  - The sudden serious illness, injury, or death of an immediate member of the student's family, as defined in Board Policy GCCA, when such circumstance prevented the student's attendance for an assessment or a remediation program offering, and when affirmed by a licensed medical practitioner.

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- Weather or road conditions that interfered with the student's attendance at the assessment or remediation program offering when the condition was declared by or has been verified with appropriate public authorities.
- A religious event of the student's and/or the student's family's faith when the student and/or the student's family have historically and consistently participated in the religious event in lieu of any other event occurring at the same time.

The school principal must have received from the student's parent(s) written, dated, and signed notification within twenty-four (24) hours, or as soon thereafter as is practicable, of any event that prevented the student from participating in the assessment or the remediation program offering. Notification by telephone or other means may temporarily suffice, but must be validated by a written, dated, and signed notification not less than fourteen (14) calendar days from the date of the event.

Other extreme and extraordinary circumstances may be considered for appeal by the Board when credible evidence is provided affirming actual occurrence of the extreme and extraordinary circumstance.

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**EXHIBIT**

**EXHIBIT**

**GRADUATION REQUIREMENTS  
AUGMENTATION POINTS CALCULATIONS**

**Threshold Determination**

Multiply "Meets the Standard" for each section of the State Board competency test by the factor listed below by year of graduation .95 to determine the score that must be met at a minimum before the augmentation procedure may be completed.

Graduation year _____	Factor
2007-2008 and 2008-2009 _____	.75
2009-2010 _____	.85
2010-2011 and thereafter _____	.95

*Example:* In the graduation year 2008-2009 if the "Meets the Standard" score for reading were to be 674. Then, multiplying 674 times .75 produces 505.5, rounded to 506, would produce the test score below which no augmentation scores will be calculated and for which no appeal would be allowed for the year 2008-2009. The "Meets the Standards Scores" will be determined the State.

**Calculation of Augmentation points to be used for each competency test section failed when the threshold is met.**

Only classes that satisfy the specifically required subject matter credits by the State Board for graduation shall be included in the calculation of the augmentation score. Use the highest grades earned or if advanced placement/honors courses the grade credited with the most points per R7-2-302.07(E)(b & c).

**Credits**

	Course Name	Grades <sup>(1)(2)</sup>	Additional Points
1)	_____ English or ESL	_____	_____
1)	_____ English or ESL	_____	_____
1)	_____ English or ESL	_____	_____
1)	_____ English or ESL	_____	_____

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1)	_____	_____	_____
	AZ and US History and Constitution		
.5)	_____	_____	_____
	AZ and US History and Constitution		
1)	_____	_____	_____
	World History/Geography		
1)	_____	_____	_____
	Mathematics		
1)	_____	_____	_____
	Mathematics		
1)	_____	_____	_____
	Science		
1)	_____	_____	_____
	Science		
1)	_____	_____	_____
	Fine Arts or Vocational Education		

TOTAL of 11.5 \* credits Total added points ( \_\_\_\_\_ )  
for 2009 through 2011

Total added points *divided by 11.5 \* equals*  
Average Additional Points per Credit \_\_\_\_\_

Average Additional	(Pupil's Original	Augmentation
Points per Credit	Score, by Section)	Points
100	<i>times equals</i>	

Augmentation points may be added to the highest score on each section of the State Board competency test that the student may have taken.

If the augmented score of the student exceeds the passing score on the competency test, the student shall be considered to have passed the competency test in that area for graduation purposes.

<sup>(1)</sup> Advanced Placement or Honors

*A equals twenty-five (25) times credits equals points*  
*B equals twenty (20) times credits equals points*  
*C equals fifteen (15) times credits equals points*  
*D or F equals zero (0)*

<sup>(2)</sup> Other eligible grades

*A equals twenty (20) times credits equals points*  
*B equals fifteen (15) times credits equals points*  
*C equals twelve (12) times credits equals points*  
*D or F = zero (0)*

\* See R7-2-302.09(E)(b and c)

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## ADMISSION OF TRANSFER STUDENTS

### (Academic Credit Transfer)

Academic credit for students who transfer from private or public schools shall be determined on a uniform and consistent basis.

#### Elementary

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

#### Credit for Graduation Requirements

Core credit for purposes of this policy shall be the ~~eleven and one half (11 1/2)~~ units of credit specifically named as required for graduation by the State Board of Education in R7-2-302.02.

Each student who enrolls and requests the transfer of academic credits to fulfill graduation requirements shall be provided with a list specifying the courses for which credit has been accepted as core credit and those for which credit has been accepted as elective by the District. Transferred credit that satisfies any of the following criteria will be acceptable for fulfilling District core credit requirements and other specified courses required for graduation:

- The credit meets descriptors of core credit or other requirements and was from a course taught by a teacher certificated by the Arizona Department of Education in the subject or area of the credit.
- Awarding of the credit was based upon an assessment that included the standards adopted by the State Board of Education and evidence of the student having achieved the standards is provided.
- The credit meets descriptors of core credit or other requirements and was awarded by a school accredited by one (1) of the following accrediting agencies of colleges and schools; North Central Association, Southern Association, Middle States Association, New England Association, Northwestern Association, Western Association.

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When transfer credit is not accepted as a core credit, within ten (10) school days the student may request to take an examination on the course subject matter designed and evaluated by a teacher in the receiving school who is certificated in and teaches the subject matter of the course for which the credit was requested. Upon receiving a satisfactory score as determined by the teacher, course credit will be awarded as core credit. All core credit courses must meet the standards adopted by the State Board of Education where such standards exist. Where standards have not been adopted by the State Board of Education, core credit courses must meet the standards established for the school to which the student has requested a transfer of credit.

*Adopted:* date of manual adoption

LEGAL REF.: A.R.S. 15-189.03  
15-701.01  
15-745

CROSS REF.: JG - Assignment of Students to Classes

*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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## 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 may develop, in response to relevant athletic association directives and medical advisories, appropriate guidelines, information and forms to inform and educate coaches, pupils and parents of Heat Acclimatization and Exertional Heat Illness and the risks of continued participation in athletic activity after a related episode. District and school health and safety management plans may include Heat Acclimatization Protocol, Hydration Strategies, Return to Play standards, and follow-up/clearance requirements released by the Arizona Interscholastic Association (AIA) as Bylaw 14.17 and duplicated in JJIB-EB.

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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.

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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

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

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**EXHIBIT****EXHIBIT**

## INTERSCHOLASTIC SPORTS

### HEAT ACCLIMATIZATION AND EXERTIONAL HEAT ILLNESS

#### Bylaw 14.17 - Heat Acclimatization and Exertional Heat Illness Management Policy

14.17.1. It is the position of the Arizona Interscholastic Association (AIA) that prevention is the best way to avoid exertional heat stroke. Prevention includes educating athletes and coaches about:

1. Recognition and management of exertional heat illnesses;
2. The risks associated with exercising in hot, humid environmental conditions;
3. The need for gradual acclimatization over a fourteen (14) day period;
4. Guidelines for proper hydration;
5. Implementing practice/competition modifications according to local temperature and relative humidity readings.

#### 14.17.2 - Definitions

Exertional heat illness includes the following conditions, ordered from the least to the most dangerous:

1. *Exercise associated muscle cramps*: an acute, painful, involuntary muscle contraction usually occurring during or after intense exercise, often in the heat, lasting approximately one to three (1-3) minutes.
2. *Heat syncope*: also known as orthostatic dizziness, it refers to a fainting episode that can occur in high environmental temperatures, usually during the initial days of heat exposure.
3. *Exercise (heat) exhaustion*: the inability to continue exercise due to cardiovascular insufficiency and energy depletion that may or may not be associated with physical collapse.

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4. Exertional heat stroke: a severe condition characterized by core body temperature greater than forty degrees Celsius (> 40°C); one hundred four degrees Fahrenheit (104°F), central nervous system (CNS) dysfunction, and multiple organ system failure induced by strenuous exercise, often occurring in the hot environments.

### **Heat Acclimatization Protocol**

#### **Days One through Five:**

- Days one through five (1-5) of the heat-acclimatization period consist of the first five (5) days of formal practice. During this time, athletes may not participate in more than one (1) practice per day.
- If a practice is interrupted by inclement weather or heat restrictions, the practice should recommence once conditions are deemed safe. Total practice time should not exceed three (3) hours in any one (1) day. In addition to practice, a one (1)-hour maximum walk-through is permitted during days one through five (1-5) of the heat-acclimatization period. However, a three (3)-hour recovery period should be inserted between the practice and walk-through (or vice versa). (Note: A walk-through is defined as no contact with other individuals, dummies, sleds or shields).
- During days one through three (1-3) of the heat-acclimatization period, in sports requiring helmets or shoulder pads, a helmet is the only protective equipment permitted. The use of shields and dummies during this time is permissible as a noncontact teaching tool.
- During days four through six (4-6), only helmets and shoulder pads may be worn.
- Football only: On days four through six (4-6), contact with blocking sleds and tackling dummies may be initiated.

#### **Days Six through Fourteen:**

- Beginning no earlier than day six (6) and continuing through day fourteen (14), double-practice days must be followed by a single-practice day.
- On single-practice days, one (1) walk-through is permitted, separated from the practice by at least three (3) hours of continuous rest. When a double-practice day is followed by a rest day, another double-practice day is permitted after the rest day.

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- On a double-practice day, neither practice should exceed three (3) hours in duration, nor should student-athletes participate in more than five (5) total hours of practice. Warm-up, stretching, cool-down, walk-through, conditioning, and weightroom activities are included as part of the practice time. The two (2) practices should be separated by at least three (3) continuous hours in a cool environment.
- Beginning on day seven (7), all protective equipment may be worn and full contact may begin.
- Full-contact sports may begin one hundred percent (100%) live contact drills no earlier than day seven (7).
- Because the risk of exertional heat illnesses during the preseason heat-acclimatization period is high, we strongly recommend that an athletic trainer be on site before, during, and after all practices.

**14.17.3 - Hydration Strategies:**

- Sufficient, sanitary, and appropriate fluid should be readily accessible and consumed at regular intervals before, during, and after all sports participation and other physical activities to offset sweat loss and maintain adequate hydration while avoiding overdrinking.
- Generally, one hundred to two hundred fifty milliliters (100 to 250 ml; approximately three [3] to eight [8] oz.) every twenty (20) minutes for nine to twelve (9-12) year olds and up to one to one and one-half liters (1.0 to 1.5 L; approximately thirty-four to fifty ounces [34 -50] oz.) per hour for adolescent boys and girls is enough to sufficiently minimize sweating-induced body-water deficits during exercise and other physical activity as long as their pre-activity hydration status is good.
- Pre-activity to post-activity body-weight changes can provide more specific insight to a person's hydration status and rehydration needs. Athletes should be well-hydrated before commencing all activities (see guideline box format).
- The following guidelines are suggested:

<u>Condition</u>	<u>% Body Weight Change</u>
<u>Well hydrated</u>	<u>+1 to -1</u>
<u>Minimal dehydration</u>	<u>- 1 to - 3</u>
<u>Significant dehydration</u>	<u>- 3 to - 5</u>
<u>Serious dehydration</u>	<u>&gt; - 5</u>

$\% \text{ Body weight change} = [(pre\text{-}exercise \text{ body weight} - postexercise \text{ body weight}) / pre\text{-}exercise \text{ body weight}] \times 100$

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**14.17.3 - Return to Play Following  
Exertional Heat Stroke**

The following is the protocol for return to play following heat stroke:

1. Refrain from exercise for at least seven (7) days following the acute event.
2. Follow up in about one (1) week for physical exam by a licensed physician (MD, DO).
3. When cleared for activity by a licensed physician, begin exercise in a cool environment and gradually increase the duration, intensity, and heat exposure for two (2) weeks to acclimatize and demonstrate heat tolerance under the direction of a licensed healthcare professional.
4. If return to activity is difficult, consider a laboratory exercise-heat tolerance test about one (1) month post-incident.
5. Athlete may be cleared for full competition if heat tolerance exists after two to four (2-4) weeks of training.

The AIA also recommends that any athlete suspected of having suffered exertional heat exhaustion be referred to a licensed physician for follow-up medical examination and clearance.

14.17 will be effective July 1, 2012 for 2102-2013. This proposed bylaw had input from the AIA Football Sports Advisory Committee via participation in the May 22, 2012 AIA Executive Board meeting and the May 24, 2012 AIA SMAC meeting. 14.17 will carry possible violations as they relate to football but will be recommendations, at this point, related to all other sports as reflected in each sport specific bylaw.

Questions regarding this bylaw can be directed to the AIA office via the athletic administrator and/or site administrator.

*Reproduction of AIA Bylaw 14.17.*

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**ACQUIRED IMMUNE DEFICIENCY SYNDROME  
AND HUMAN IMMUNODEFICIENCY  
VIRUS INFECTIONS**

Students with HIV virus or acquired immune deficiency syndrome (AIDS) have a right to receive a public education. The Board has a responsibility to assure that the school provides a safe environment for all of its students and employees.

The Board directs that:

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

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

*Adopted:* date of manual adoption

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LEGAL REF.: A.R.S. 15-871  
                  15-872  
                  A.A.C. R9-6-331  
                  R9-6-701 *et seq.*

CROSS REF.: GBGCB - Staff Health and Safety  
GBGC - Employee Assistance  
IHAMB - Family Life Education  
IHB - Special Instructional Programs  
JHD - Exclusions and Exemptions from School Attendance  
JI - Student Rights and Responsibilities  
JII - Student Concern, Complaints, and Grievances  
JR - Student Records  
KB - Parental Involvement in Education

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## DISTRIBUTION / POSTING OF PROMOTIONAL MATERIALS

Non-school promotional material is that material not under the control of the school which may be in a variety of mediums. Without exhaustion this may include but is not limited to pictures, flyers, items with a visual or printed message, electronic representations, and other visual and auditory representations.

~~Non-school promotional material other than that which provides financial benefit to the educational program as determined by the Board will not be allowed on school property during school sessions.~~

Nonprofit organizations providing activities and instruction for school age students shall be permitted limited display or posting of promotional material for those activities at an individual school site within the guidelines indicated. Authorization shall be premised upon a written assurance and confirming material received by the distributing/posting school at least two (2) weeks prior to the instruction/ activity that the organization will:

- Agree that any charges for the instruction/activities will be based on and not exceed the cost of providing the instruction/activities;
- Not use fighting words, obscenities, defamatory speech or encourage disruption of the educational environment;
- Not provide representations or visuals that are inappropriate as described in The Children's Internet Protection Act;
- Label all material with the name of the organization;
- Display the name, address and telephone number of the local representative for the organization prominently on the promotional material; and
- Have an authorized representative of the organization sign the written assurances.

The promotional material shall be provided to the school office at the same time as the assurance form to evidence compliance. School personnel shall not use the viewpoint expressed in the material as justification for disallowing the authorization.

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### ***Manner of Display/Posting or Stacking***

The manner of communication elected by each school shall be either:

- display of a representative item (posting on a bulletin board like structure); or
- stacking flyers or representative materials on a flat surface;

The material shall be located in an area on the school campus generally accessible to students. Display/posting or stacking will be on a space-available basis.

From a list of signed and dated assurance forms maintained in the school office, the school administrator shall determine the items to be granted permission for posting/displaying or stacking during a prescribed time period, limited to the available space designated for such purposes.

Materials permitted for display/posting or stacking must be delivered to the approving school office by a person properly authorized to represent the entity providing the materials. The material shall not be larger than a standard eight and one-half by eleven inch (8 1/2" x 11") sheet of paper. Where stacking of materials for pick up is permitted, the quantity of materials stacked at the designated location shall not exceed one hundred (100) copies at any given time.

***Times and places for display/posting or stacking.*** Display/posting or stacking of non-school promotional materials is prohibited in any school location except the designated area or surface for such materials. Materials shall be removed on a date certain not more than one (1) month after it has been posted/stacked or five (5) days after the activity begins, whichever is earlier.

The display/posting and/or stacking location shall be available every day without regard to weather, to students who are in attendance. A description and a map of this location will be posted at the administrative office of each school and made available in the District administrative offices.

Any challenge to a denial to distribute/post promotional materials shall utilize a simplified Alternative Dispute Resolution process as referenced in A.R.S. 15-110(G), Rights of students at public educational institutions; limitations; definition, which stipulates that a student or a student's parent shall not initiate legal action to enforce this section unless the student or the student's parent has done the following:

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- The student or the student's parent shall submit a complaint in writing with the specific facts of the alleged violation to the principal of the school. The principal shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within fifteen (15) days of receiving the written complaint.
- If the complaint is not resolved, the written complaint specifying the facts of the alleged violation may be submitted by the parent or student to the Superintendent or designated administrator, who shall investigate the complaint and respond in writing, including a description of any action taken to resolve the complaint, within twenty-five (25) days of receiving the written complaint.

School District legal counsel shall be consulted at any time there is a substantive question or dilemma resulting from a request related to this policy. Challenges originating from a source alleging viewpoint-based denial of authorization shall be referred immediately.

*Adopted:* date of Manual adoption

LEGAL REF.: A.R.S. 15-110  
20 U.S.C. 9134, The Children's Internet Protection Act  
47 U.S.C. 254, Communications Act of 1934 (The Children's  
Internet Protection Act)

CROSS REF.: KD - Public Information and Communications

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# POLICY SERVICES ADVISORY

Volume 25, Number 2

May 2013

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Policy Advisory No. 469..... EBC — Emergencies

EBC-RA — Emergencies

EBC-RB — Emergencies (Emergency Drills)

EBC-RC — Emergencies (First Aid)

EBC-RD — Emergencies (Bomb Threats)

EBC-RE — Emergencies (Procedures for Aftermath of  
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EBC-E — Emergencies (Procedures for Aftermath of  
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Policy Advisory No. 470..... GCQE — Retirement of Professional  
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(Augmentation Points Calculations)

Policy Advisory No. 472..... JK — Student Discipline

JK-RA — Student Discipline

JK-RB — Student Discipline

JK-EA — Student Discipline

**Policy Alert**..... GCCC — Professional/Support Staff Leaves of Absence  
Without Pay (Fewer than fifty employees)

## Policy Advisory Discussion

**Policy Advisory No. 468. Policy DKB — Salary Deductions.** In 2011, Senate Bill 1365 established guidelines for employers deducting payments from an employee's paycheck for political purposes. In response ASBA Policy Services published Policy Advisory (PA) 411 addressing Policy DKB. The new law was challenged under the Equal Protection provisions of the 14th Amendment to the U.S. Constitution in federal court by the Arizona Education Association. The result was a preliminary injunction against enforcement of the payroll deduction law.

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Since the preliminary injunction, ASBA has advised districts to not enforce DKB as revised by PA 411, but we did not recommend the removal of the provisions since the court injunction was temporary. **The injunction has now been made permanent;** accordingly, ASBA is recommending removal of the language in policy DKB that was established by PA 411.

**Policy Advisory No. 469. Policy EBC — Emergencies.** An addition to this policy is necessary due to the provision in A.R.S. 15-341 that "the Governing Board shall in conjunction with local law enforcement agencies and local medical facilities, develop an emergency response plan for each school in the school district in accordance with minimum standards developed jointly by the department of education and the division of emergency management within the department of emergency and military affairs."

Each district's emergency response plan information is uniquely developed, maintained, modified, and evaluated. In recognition of the importance of using caution in the dissemination of the specifics of the emergency response plan information, the regulations and exhibit are hereby removed as EBC Manual documents.

The dissemination of any of the documents which include the specifics of the plan is to be on a need-to-know basis with the determining factor being the safety and security of the students, staff, and facilities. Release is limited to policy EBC and any documents with general information as determined by the district. Documents containing the specifics of the plan will be released upon evaluation and approval by the Superintendent and legal counsel as appropriate.

Staff training on the implementation of the district emergency response plan should be documented by the administration and reported to the governing board as required.

**Policy Advisory No. 470. Policy GCQE — Retirement of Professional Staff Members.** The purpose of this advisory is to recommend the removal of language found in policy GCQE that may be seen as a form of age discrimination. The Equal Employment Opportunity Commission (EEOC) has been actively targeting early retirement policies for violations of the Age Discrimination in Employment Act (ADEA). Fewer than ten percent of member districts have adopted the current ASBA model; however some districts have developed and adopted unique local language.

**Policy Services recommends that districts with the current ASBA policy adopt the language adjustments found in the PA. Policy Services further recommends that districts with locally developed and adopted language initiate a review of the policy by either district personnel or by the district's legal counsel in order to ensure compliance with the law.**

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Districts that have completed the contract offer and signing process for the up-coming school year should seek legal advice regarding implementation of the specifics of the "Retirement Incentive Program" and the "Sick Leave Payment Upon Retirement" sections for current employees who seek to avail themselves of the current policy.

**Districts that do not have Policy GCQE in the Manual do not need to take action on this PA.**

**Policy Advisory No. 471. Policy IKF-EB — Graduation Requirements.** In January 2013 ASBA issued PA No. 463 addressing Graduation Requirements. Exhibit IKF-EB was included in the PA noting language adjustments beginning with the graduating class of 2013. At that time Policy Services adjusted the language in the document but not the chart of required credits. This PA addresses the chart of required credits in R7-2-302.09.

**Policy Advisory No. 472. Policy JK — Student Discipline.** The Fifty-first Legislature, First Regular Session, passed House Bill 2476 which amended section 15-843, Arizona Revised Statutes, relating to pupil discipline. **The bill is applicable to all students** and mandates that beginning in school year 2013-2014, disciplinary policies for the confinement of pupils left alone in an enclosed space shall include specific requirements including the following:

- A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the pupil's enrollment packet or admission form.
- A process for written parental consent before confinement is allowed for any pupil in the school district.
- An exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others.
- The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.

**This bill included an emergency provision in section 2 and is operative immediately as provided by law.**

**Please Note:** Corporal punishment is noted in documents JK-RB and JK-EA. All districts should maintain language related to corporal punishment found in JK-RB. Districts that disallow corporal punishment should strike the related language in JK-EA.

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**POLICY ALERT. Policy GCCC — Professional/Support Staff Leaves of Absence Without Pay.** An optional policy under GCCC adopted by a few small districts states "As the District has fewer than fifty (50) employees within a seventy-five (75) mile radius, District personnel are not eligible for provisions of the Family and Medical Leave Act (FMLA)."

*The following policy should be reviewed by small district which have adopted this version of GCCC to determine its continuing applicability. If a district reaches the "fifty (50) employees within a seventy-five mile radius" minimum, then it should adopt the standard Policy GCCC which includes the required FMLA provisions.*

G-2900

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GCCC

**PROFESSIONAL / SUPPORT STAFF  
LEAVES OF ABSENCE WITHOUT PAY**

**[FMLA POLICY WHEN FEWER THAN 50 EMPLOYEES -  
REVIEW ANNUALLY FOR APPLICABILITY]**

The District recognizes that on occasion extenuating circumstances arise that may necessitate absence from duty that is not covered by other specific leave provisions of the District. To address such situations, a leave of absence, without pay, may be granted a member of the certificated or support staff for not longer than one (1) year.

Leave of absence may be requested for, but not limited to, the following purposes:

- For additional education that relates to the employee's primary assignment. A plan of contemplated course work must be presented.
- To provide for an unpaid leave in a situation where the employee will be absent from work because of 1) a reason that conforms to a policy currently in effect but the maximum number of days provided for in that policy will be exceeded, or 2) failure to report to work without prior notification to the Superintendent.
- For a leave of absence that benefits or is in the best interest of the District, as determined by the Board upon review of the application.

A leave of absence requested pursuant to this policy may be:

- Approved by the Superintendent if the leave period does not exceed twelve (12) weeks; or
- Recommended by the Superintendent and approved by the Governing Board if the leave period exceeds twelve (12) weeks.

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All applications for leave of absence may be granted or denied by the District, in its sole discretion.

Each request for such a leave of absence shall be in a written application stating the purpose, starting date, and duration of the leave of absence, the reasons for its necessity or desirability, and any other information the applicant deems relevant to the request.

The leave of absence shall be only for the purpose and duration approved and may not be extended without written approval by the District.

All rights of continuing status (certificated teachers only), retirement, salary increments, and other benefits shall be restored at the level earned when the leave was granted. All accrued sick, vacation, personal, and other paid leave shall be applied to the leave period unless otherwise agreed to by the District.

### **Family and Medical Leave Act (FMLA)**

As the District has fewer than fifty (50) employees within a seventy-five (75) mile radius, District personnel are not eligible for provisions of the Family and Medical Leave Act (FMLA).

*Adopted:* date of Manual adoption

LEGAL REF.: A.R.S. 15-510  
Family and Medical Leave Act of 1993  
29 C.F.R. Part 825

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Chris Thomas, Director of Legal/Policy Services; Dr. Terry Rowles, Assistant Director; Steve Highlen, Senior Policy Consultant; or Nick Buzan, Policy Consultant. Our E-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org], [shighlen@azsba.org] and [nbuzan@azsba.org]. You may also fax information to (602) 254-1177.

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

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

## 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.~~

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~~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 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	<del>35-146</del>
	15-135	<del>35-147</del>
	23-352	42-2001
	<del>23-361.02</del>	43-401

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## EMERGENCIES

The Superintendent will develop and maintain District emergency plans for each school, department, and other facilities in the District ~~fire and other threats~~ and will coordinate such plans with the local ~~police~~ law enforcement, fire, medical and hospital authorities as necessary. Training components for staff and students shall be included in the Superintendent's emergency plans.

The plans will ~~specify conditions under which evacuation of school buildings will occur~~ be in accordance with minimum standards developed jointly by the Department of Education and the Division of Emergency Management within the Department of Emergency and Military Affairs. The plans will also designate specific emergency drills to be conducted. ~~The fire department~~ Local responders shall periodically be invited to review the plan(s).

Emergency plans developed by the Superintendent will be presented annually to the Board.

*Adopted:* date of Manual adoption

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

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**REGULATION****REGULATION****EMERGENCIES**

~~Each principal or other appropriate unit administrator will develop emergency plans for fire or other threats. Such plans will be submitted to the Superintendent prior to the first instructional day of each school year. These plans will provide for:~~

- ~~• Inside emergencies, such as a fire, actual or potential explosion, propane leak, or collapsing structure.~~
- ~~• Outside emergencies, such as a fallen electrical wire, plane crash on campus or nearby, sniper, or earthquake.~~

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

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**REGULATION****REGULATION****EMERGENCIES****(Emergency Drills)**

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

~~The following rules and procedures will be complied with in all schools:~~

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

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**REGULATION****REGULATION****EMERGENCIES****(First Aid)**

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

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

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

~~CROSS REF.: JLCD - Administering Medicines to Students~~

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

**REGULATION****REGULATION****EMERGENCIES****(Bomb Threats)**

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

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

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

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**REGULATION****REGULATION****EMERGENCIES****(Procedures for Aftermath of Suicide,  
Suicide Attempt, or Other Tragedy)****Notification****Administration:**

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

**Teachers:**

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

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

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

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

### **Services**

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

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

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

### **Follow-up**

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

### **Recognition of the tragedy:**

- ~~• It is vitally important that school personnel not glamorize the suicide death of a student. The school should not conduct a special memorial service or dedication to the memory of an individual who has committed suicide.~~
- ~~• A memorial should be considered in the event of a death other than suicide.~~
- ~~• Students who have parental permission to do so may be excused from school to attend the funeral or memorial service.~~
- ~~• As much as possible, the school policy should be "business as usual." Counseling services should be available to all students, but classroom teachers should continue to use class time for schoolwork.~~

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## **Guidelines for Administrators**

### ***The school administrator:***

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

### ***The coordinator of emergency programs:***

- ~~Should be notified of the tragedy by the school administrator.~~
- ~~Together with the school administrator(s), should conduct an emergency meeting of the teachers to review general strategy.~~
- ~~At such emergency meeting, should distribute to teachers and administrators copies of applicable procedures and guidelines.~~
- ~~Should arrange and conduct an emergency meeting of the school crisis team to discuss specifics of the plan.~~
- ~~Should organize drop-in services for students.~~
- ~~Should note the names of students who are believed to be especially vulnerable in the aftermath of a suicide or other tragedy.~~
- ~~Should meet with high risk students and make appropriate referrals.~~
- ~~May conduct an after-school discussion group for interested faculty and/or staff personnel to help them work through their feelings.~~
- ~~Should be a resource person for students, parents, administrators, teachers, and members of the support staff.~~

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### ***The District media spokesperson:***

- ~~Should be designated by the District to answer press and community questions.~~
- ~~Must take care that confidential information is not released. A release such as the following may be used:~~
  - ~~"A tragedy has happened. \_\_\_\_\_, a \_\_\_\_\_th grade student, has died. To protect family privacy, details of \_\_\_\_\_'s death will not be released. The School District is providing counseling and referral services to help our students work through this tragedy."~~
  - ~~Note: The death should not be referred to as a suicide unless it has been verified by authorities. If the cause of death is unclear, media representatives should be referred to the proper authorities.~~

### ***Guidelines for Teachers***

#### ***Teachers:***

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

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**EXHIBIT****EXHIBIT****EMERGENCIES****PROCEDURES FOR AFTERMATH OF SUICIDE,  
SUICIDE ATTEMPT, OR OTHER TRAGEDY**

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

~~The following questions should receive attention during the planning phase:~~

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

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

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## RETIREMENT OF PROFESSIONAL STAFF MEMBERS

### Retirement Incentive Program

The retirement incentive program is intended to provide a school employee with the opportunity to receive an incremental increase in salary during the final year of employment in exchange for the voluntary release, by the employee, of tenure rights or employee benefit rights accrued during such employment. Such payment must be offered and accepted in the employment contract prior to the beginning of the particular school year in which the retirement incentive pay is to be received.

The employee must apply to the Governing Board, in writing, for the retirement incentive during or before the year prior to the year in which retirement will occur. This application for the retirement incentive may be withdrawn on or before February 1 of the year of retirement.

An employee choosing the retirement incentive shall receive an increase over the regular contractual or scheduled salary in the year before retirement. All legally required deductions, including the employee's contribution to the state retirement fund, will be withheld. The payment shall be calculated as set forth below.

The payment will be based upon the number of years of service to the District, ~~increasing from ten (10) years of service to twenty (20) years and decreasing from twenty (20) to twenty-five (25) years.~~

Number of years of service to the school district	Percent of annual salary	Number of years of service to the school district	Percent of annual salary
10	2%	18	10%
11	3%	19	11%
12	4%	20 and above	12%
13	5%	<del>21</del>	<del>11%</del>
14	6%	<del>22</del>	<del>10%</del>
15	7%	<del>23</del>	<del>9%</del>
16	8%	<del>24</del>	<del>8%</del>
17	9%	<del>25</del>	<del>7%</del>

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**Sick Leave Payment  
upon Retirement**

Upon proper and timely application for the retirement incentive program, the District will pay for accumulated sick leave on a graduated scale up to the maximum accumulated amount indicated by the District. Certificated employees will be paid based upon a daily rate established for payment of a day-to-day substitute teacher in the District, and support staff members will be paid based upon a daily rate calculated by multiplying the minimum wage times eight (8) hours. The payment will be made on the following scale:

Number of years of service to the school district	Percent of daily rate	Number of years of service to the school district	Percent of daily rate
10	0%	18	40%
11	5%	19	45%
12	10%	20 and above	50%
13	15%	<del>21</del>	<del>45%</del>
14	20%	<del>22</del>	<del>40%</del>
15	25%	<del>23</del>	<del>35%</del>
16	30%	<del>24</del>	<del>30%</del>
17	35%	<del>25</del>	<del>25%</del>

No continuing rights are established by this policy. In compliance with established procedure, the Governing Board reserves the right to modify or rescind any policy in accord with its own guidelines.

Adopted: date of Manual adoption

LEGAL REF.: A.R.S. 38-711 et seq.  
38-741 et seq.

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**EXHIBIT** **EXHIBIT**

**GRADUATION REQUIREMENTS**

**AUGMENTATION POINTS CALCULATIONS**

**Threshold Determination**

Multiply "Meets the Standard" for each section of the State Board competency test by the factor .95 to determine the score that must be met at a minimum before the augmentation procedure may be completed.

**Calculation of Augmentation points to be used for each competency test section failed when the threshold is met.**

Only classes that satisfy the specifically required subject matter credits by the State Board for graduation shall be included in the calculation of the augmentation score. Use the highest grades earned or if advanced placement/honors courses the grade credited with the most points per R7-2-302.09(E)(b & c).

**Credits**

	Course	Name Grades <sup>(1)(2)</sup>	Additional Points
1)	English or ESL		
1)	English or ESL		
1)	English or ESL		
1)	English or ESL		
1)	US and AZ History and Constitution		
.5)	US and AZ <u>Government</u> History and Constitution		
.5)	Economics		
1)	World History/Geography		

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1)	_____	_____	_____
	Mathematics		
1)	_____	_____	_____
	Mathematics		
1)	_____	_____	_____
	<u>Mathematics</u>		
1)	_____	_____	_____
	<u>Mathematics</u>		
1)	_____	_____	_____
	Science		
1)	_____	_____	_____
	Science		
1)	_____	_____	_____
	<u>Science</u>		
1)	_____	_____	_____
	Fine Arts or Vocational Education		
TOTAL of ____* credits		Total added points	(            )

Total added points divided by \_\_\_\_\* equals  
Average Additional Points per Credit \_\_\_\_\_

Average Additional Points per Credit	<i>times</i>	(Pupil's Original Score, by Section)	<i>equals</i>	Augmentation Points
100				

Augmentation points may be added to the highest score on each section of the State Board competency test that the student may have taken.

If the augmented score of the student exceeds the passing score on the competency test, the student shall be considered to have passed the competency test in that area for graduation purposes.

(1) Advanced Placement or Honors

- A equals twenty-five (25) times credits equals points
- B equals twenty (20) times credits equals points
- C equals fifteen (15) times credits equals points
- D or F equals zero (0)

(2) Other eligible grades

- A equals twenty (20) times credits equals points
- B equals fifteen (15) times credits equals points
- C equals twelve (12) times credits equals points
- D or F equals zero (0)

\* See R7-2-302.09(E)(b and c).

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## STUDENT DISCIPLINE

The Superintendent shall recommend policies and develop procedures for the discipline of students that comply with A.R.S. 15-843. These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity and may be imposed if the student's behavior affects the school order. When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

The discipline, suspension and expulsion of pupils shall not be based on race, color, religion, sex, national origin or ancestry. A substantial or deliberate failure to comply with the prohibition against race, color, religion, sex, national origin or ancestry may subject the District to the loss of funds imposed by A.R.S. 15-843.

The principal of each District school shall ensure that a copy of all rules pertaining to discipline, suspension, and expulsion and the above provisions pertaining to confinement of pupils are distributed to each student's parents at the time the student enrolls in school each year.

### **Behavior Management and Discipline of Students with Special Needs**

The Superintendent shall oversee a collaborative process for the identification, description, and monitoring of best practices for behavioral management and discipline of special needs students. The practices shall include, but not be limited to:

- authorized and prohibited disciplinary methods,
- recommended and required training for special education program teachers and aides, and
- requirements for conveying notice of disciplinary measures taken.

The Superintendent shall, by administrative regulation, prescribe procedures for implementation of the best practices, subject to Governing Board approval.

### **Temporary Removal**

Teachers are authorized to temporarily remove a student from a class. A teacher may temporarily remove a student to the principal, or to a person designated by the school administrator, in accord with:

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- Rules established for the referral of students.
- The conditions of A.R.S. 15-841, when applicable.

The Superintendent shall establish such rules as are necessary to implement the temporary removal procedure.

### **Confinement**

Under A.R.S. 15-843, the Superintendent shall ensure that disciplinary policies involving the confinement of pupils left alone in an enclosed space shall include the following:

- A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the pupil's enrollment packet or admission form.
- A process for written parental consent before confinement is allowed for any pupil in the School District. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.

### **Threatened an Educational Institution**

*Threatened an educational institution* means to interfere with or disrupt an educational institution as found in A.R.S. 15-841 and 13-2911. A student who is determined to have threatened an educational institution shall be expelled from school for at least one (1) year except that the District may modify this expulsion requirement for a pupil on a case-by-case basis and may reassign a pupil subject to expulsion to an alternative education program if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat. The District may require the student's parent(s) to participate in mediation, community service, restitution or other programs with the student as a condition to the reassignment of the pupil to an alternative education program.

Information concerning a student's disciplinary record will be held in the strictest confidence.

Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.

*Adopted:* date of Manual adoption

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LEGAL REF.: A.R.S. 13-403 *et seq.*  
13-2911  
15-341  
15-342  
15-841  
15-842  
15-843  
15-844

CROSS REF.: GBEB - Staff Conduct  
JIC - Student Conduct  
JKA - Corporal Punishment  
JKD - Student Suspension  
JKE - Expulsion of Students

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**REGULATION****REGULATION****STUDENT DISCIPLINE**

A student may be subject to disciplinary action when the student:

- Engages in conduct that is disorderly, i.e., intentionally causing public inconvenience, annoyance, or alarm, or recklessly creating a risk thereof, by:
  - Fighting or engaging in violent behavior.
  - Making unreasonable noise.
  - Using abusive or obscene language or gestures.
  - Obstructing vehicular or pedestrian traffic.
  - Creating a hazardous or physically offensive condition by any act that serves no legitimate purpose.
- Engages in conduct that is insubordinate, i.e., failing to comply with the lawful directions of a teacher, school administrator, or other school employee in charge of the student.
- Endangers the safety, morals, health, or welfare of others by any act, including but not limited to:
  - Selling, using, or possessing alcohol, drugs, or other controlled substances or drug paraphernalia.
  - Selling, using, or possessing weapons, fireworks, or other dangerous instruments or contraband.
  - Selling, using, or possessing obscene materials.
  - Using profane, vulgar, or abusive language (including ethnic slurs).
  - Gambling.
  - Hazing.
  - Engaging in lewd behavior.
- Engages in any of the following forms of academic misconduct:
  - Lateness for, missing, or leaving school or class without permission or excuse.

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- Cheating (including but not limited to copying, using unauthorized help sheets and the like, illegally obtaining tests in advance, substituting for a test-taker, and other forms of unauthorized collusion).
  - Plagiarism.
- Engages in conduct violative of the Board's rules and regulations for the maintenance of public order on school property.
  - Uses personal portable electronic instruments, communication, and entertainment devices, including but not limited to cell phones, still and video cameras and equipment, recording/playback apparatus, and other electronic equipment which may be used for similar purposes, during the school day or during directed student study time unless such use has been specifically authorized by the school administrator.
  - Has a record of excessive absenteeism.
  - Is believed to have or actually has committed a crime.

Reasonableness of use of physical force in self-defense, defense of others, and defense of property will be considered as a mitigating factor in determining penalties for misconduct. The threat or use of physical force by a student is not reasonable (i) when made in response to verbal provocation alone, (ii) when assistance from a school staff member is a reasonable alternative, or (iii) when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

### **Permissible Penalties**

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- Verbal warning.
- Written warning.
- Written notification to parents.
- Probation.
- Detention.
- Suspension from transportation.
- Suspension from athletic participation.

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- Suspension from social or extracurricular activities.
- Suspension of other privileges.
- Exclusion from a particular class.
- Confinement with implementation of mandatory provisions.
- In-school suspension.
- Involuntary transfer.
- Community service.
- Suspension.
- Alternative to Suspension Program.
- Expulsion.
- Alternative to Expulsion Program.

Depending upon the nature of the violation, student discipline may be progressive, i.e., generally, a student's first violation should merit a lighter penalty than subsequent violations. A District employee or agent should take into account all other relevant factors in determining an appropriate penalty. The above penalties may be imposed either alone or in combination.

### **Student Disciplinary Proceeding**

Each school will establish a procedure that at a minimum will provide the principal, or the designee of the school administrator, with documentation of the teacher's reason(s) for the temporary removal of a student from class.

#### ***Refusal to readmit per A.R.S. 15-841:***

- Upon discussion, by the administrator with the teacher, of disciplinary action implemented in conjunction with a temporary removal in accord with the rules established by the Board, the teacher will be required to state an intent to readmit or refuse to readmit the removed student. If the teacher refuses to readmit the student, the reason shall be written by the teacher, explaining the conditions used to determine the removal, and shall be provided to the administrator by the next business day following the temporary removal.

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- Either of the following conditions must exist for a temporary removal per A.R.S. 15-841:
  - The teacher has documented that the pupil has repeatedly interfered with the teacher's ability to communicate effectively with the other pupils in the class or with the ability of the other pupils to learn.
  - The teacher has determined that the pupil's behavior is so unruly, disruptive, or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.
- The matter will be referred to the school placement review committee (SPRC) constituted in accord with statute if the conditions are consistent with those stated in A.R.S. 15-841. Within three (3) business days following the date of temporary removal, the SPRC shall determine to either place the student in a new class or return the student to the existing class if that is the best or only practicable alternative.
- If the student is qualified for educational services under the Individuals with Disabilities Education Act (IDEA), any change in the student's individualized education program (IEP) shall be determined by the individualized education program (IEP) team in accord with federal regulations.

Any teacher, administrator, Board member, parent, or other person may report a violation of student disciplinary rules to an administrator. The administrator will then make an investigation of the charges as deemed appropriate and will institute appropriate proceedings.

This information for the maintenance of public order on school property will be publicized and explained to all students and provided in writing to parents as requested. In order to promote effectiveness of student discipline, the assistance of parents in enforcing rules for student discipline shall be invited and encouraged.

### **Involving Staff Members**

The principal is responsible for involving staff members of the school in the development of a positive plan for student discipline. All staff members are responsible for implementing the plan of student discipline for the school.

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**REGULATION****REGULATION****STUDENT DISCIPLINE****(Behavior Management and Discipline  
of Students With Disabilities)**

Practices and procedures for the behavior management and discipline of special needs students shall be determined and applied in accord with the following standards:

**Behavior Management and Discipline  
of Special Needs Students**

Each school shall implement positive, evidence-based, safe, and timely plans and procedures for all special needs students including those who exhibit behaviors that interfere with learning or who place themselves or others in danger. Administration, staff, parents and students are to be engaged in the development of the plans. The purpose of the plan is to identify practices that are agreed upon and complied with and reinforced by members of the school community, including the Governing Board. An objective of the plan is to provide consistency in the manner in which deviations from appropriate behavior are addressed. The plans are to be submitted to the Superintendent.

- Plans are to be:
  - *Proactive*: Students are to be taught the critical social skills needed for success. Positive behavioral interventions and supports enable the school to set clear expectations for behavior, to acknowledge and reward appropriate behavior, and to implement a consistent continuum of consequences for challenging behavior.
  - *Comprehensive*: Positive behavioral interventions and supports are to be employed uniformly throughout the school, including non-instructional areas such as the cafeteria, hallways, and buses. School personnel are to be trained in positive behavioral interventions and supports, in data reporting, and receive support in implementation of the practices. School personnel are to be trained in areas of crisis intervention such as use of restraints and seclusion.

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- *Data driven:* The school is to rely on data for the development and modification of its positive behavioral interventions and supports approach. The data is to be tracked through office referrals as well as from classroom reports, school-based intervention teams, and crisis intervention documentation. Positive behavioral interventions and support teams are to use the data to design specific interventions to prevent challenging behaviors before they occur and to confirm the effectiveness of interventions.
- Plans are to ensure that parents of students enrolled in the school have comprehensive information regarding behavioral expectations within the school and the planned responses should the expectations not be met. Parents are to:
  - have ready access to the school plan, and
  - be informed how to provide input into the plan.

### **Response to Intervention**

The plans are to provide for and the school is to have in place a multi-level approach to teaching students appropriate behaviors that provide progressively intense support for students according to need.

- Interventions shall be consistent with plans for creating and maintaining a positive school climate.
- Provide for small group direct instruction on a regular basis to those students who are experiencing difficulty understanding or abiding by the established standards of behavior. Supports should include such strategies as increased and targeted social skills training, increased monitoring and reinforcement systems, self-management techniques, and family mentoring and involvement programs.
- Provide a range of individualized interventions designed to address the specific behaviors continuing to cause the student difficulty. These may include counseling, more intense direct instruction, behavioral contracts, specific behavioral consequences, alternative educational programming, consideration for a referral for an evaluation for special education, and other strategies agreed upon with the parents. A functional behavioral assessment (FBA) and a behavior intervention plan (BIP) may be included and shall be required for students with disabilities when a manifestation determination is necessary.

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- The FBA must identify the triggers for the challenging behavior and what subsequent responses by staff or other students reinforce the continuation of the challenging behavior.
- The BIP should be developed from a functional behavioral assessment and prescribe methods the staff will use to prevent, manage, replace, and monitor changes to the behavior. The BIP must be based on evidence-based practices and support the goal of making the challenging behavior irrelevant, ineffective and inefficient. The BIP must be implemented with integrity by staff trained to do so.

## Crisis Management

*Crisis management* in the context of behavior management is defined as the methods used by school personnel to respond to imminent danger to the student, other students or staff. The two (2) most commonly used methods of crisis management are restraint (either physical or mechanical) or seclusion of the student.

- **Confinement.** Disciplinary policies involving the confinement of pupils left alone in an enclosed space shall include the following:
  - A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the pupil's enrollment packet or admission form.
  - A process for written parental consent before confinement is allowed for any pupil in the School District. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.
- ***Use of seclusion.*** *Seclusion* for the purpose of the plan is the confinement of a student alone in any space from which the student is physically prevented from leaving.

Seclusion does not mean (a) time out when it is used for a limited or specified time, as a behavior management technique during which the student is placed in an environment where access to positive reinforcement is unavailable and the student's movement is not physically restricted, and (b) student self-imposed voluntary isolation or time out for the purpose of calming him/herself and the student is monitored by a staff member.

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- The use of seclusion is to be used only in an emergency to protect persons from imminent, serious physical harm.
- Any area used for seclusion must be free of objects that could cause harm, must provide for adequate visual and audio supervision of the student, must provide adequate lighting and ventilation, and must not be locked.
- Any area used for seclusion must comply with the State Fire Code.
- School personnel must observe the student at all times during the seclusion period and reassess the child every thirty (30) minutes. When seclusion continues beyond the second assessment, an administrator or the administrator's designee must review and approve continued seclusion.
- The student must be released from seclusion as soon as the student regains self-control.
- If seclusion is necessary, parents and administrators must be notified within the same school day and a written notice that includes the circumstances that preceded the behavior, the behavior, the length of time the student was secluded, the location of the seclusion, and the person who observed the student during the seclusion must follow. When a student has been in seclusion for longer than one (1) hour, parent contact must be initiated immediately.
- A debriefing with affected staff, parents, and, if appropriate, the student shall be conducted within forty-eight (48) hours. During the debriefing, a determination must be made regarding the need for a functional behavior assessment (FBA).
- Each incident must be recorded in the student management system.
- A student who has required crisis management by the school staff more than three (3) times in a semester must have a functional behavior assessment (FBA) and, if appropriate, a behavior intervention plan (BIP) within a reasonable time following the third (3rd) incident.
- The District and the school must have a strategy in place to support teams in modifying a FBA and BIP when the existing plan is ineffective (e.g., continued instances of the need for crisis intervention).

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• ***Prohibited uses of seclusion:***

- Seclusion is not to be used as punishment for violations of school rules, for repetitive behaviors, or because of teacher anger toward the student.
- Seclusion is not to be harsh, severe, or out of proportion with the offense committed and the age and physical condition of the student.
- Seclusion is not to be used to prohibit reasonable access for the care of the student's bodily needs.
- Seclusion must not deny a free, appropriate public education to students with disabilities through excessive or extensive use.
- The use of seclusion is not to be limited, by policy or practice, to students with disabilities.

- ***Use of physical and mechanical restraints:*** For the purposes of this regulation *physical restraint* is defined as the application of physical force by one (1) or more individuals that prevents or significantly restricts a student's movement. Restraint is a last resort emergency safety intervention.

For the purposes of this regulation *mechanical restraint* is defined as the restriction of movement by devices such as straps, duct tape, cords, or garments. Not to be included in this definition are:

Restraints used in schools for the purpose of providing support to students' orthopedic and assistive technology needs in order to permit them to learn and participate in school activities as identified in an individualized education program (IEP).

Restraints, such as weighted vests or blankets, identified by an IEP team as appropriate for a student to enhance participation in learning activities.

Vehicle safety restraints used in accordance with state and federal regulations.

Restraints employed by law enforcement officers in school settings that are used in accord with their policies and appropriate professional standards. *These instances are subject to the same reporting requirements by the school as restraints used by school personnel.*

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- Physical restraint is to be a last resort emergency safety measure used only in an emergency situation when a student is imminently dangerous to him/herself or others. Instances where reasonable and appropriate restraint may be used include, but are not limited to:
  - ▲ Breaking up a fight;
  - ▲ Taking a weapon away from a student;
  - ▲ Briefly holding a student to calm and comfort the student;
  - ▲ Applying minimum contact necessary to physically escort a student from one area to another;
  - ▲ Assisting a student in completing a task or response if the student does not resist or resistance is minimal in intensity or duration;
  - ▲ Momentarily holding a student in order to prevent an impulsive behavior that threatens the student's safety, the safety of others, or the destruction of property.
- Personnel using the restraint must take extreme care to provide for the safety and comfort of the student during the restraint procedure.
- Personnel authorized to use restraints must have been extensively and repeatedly trained by personnel who have maintained approval by a training program to provide training in:
  - ▲ Alternatives to restraint (e.g., de-escalation strategies, and problem- solving techniques);
  - ▲ The proper use of the restraint; and
  - ▲ Safety precautions and procedures for continuous monitoring of a student by a third party during restraint.
- The student must be released from the restraint as soon as the student regains self- control.
- Parents and administrators must be notified as soon as possible within the same school day, followed by a written notice stating the circumstances that preceded the behavior, the behavior, the length of time the student was restrained, the location of the restraint and the person(s) who observed the student during the restraint.

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- Transfer to another school (for disciplinary reasons).
- Confinement with implementation of mandatory provisions.
- Referrals of cases to police and juvenile authorities.
- Others as required.

The school principal shall have the responsibility of maintaining the necessary discipline records to include:

- Discipline record card (each reported incident). Student discipline list (cumulative).
- Log of corporal punishments (each incident).
- Summary of corporal punishments: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of suspensions (cumulative).
- Summary of suspensions: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of confinement with implementation of mandatory provisions.
- Summary of confinement with implementation of mandatory provisions: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of expulsions and referrals to courts (cumulative).
- Log of Governing Board expulsions (each incident).
- Summary of expulsions: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of student withdrawals (cumulative).
- Summary of withdrawals: monthly report, retained by the principal; yearly summary, copy to the District office.
- Log of dropouts (cumulative): use only W5's as dropouts; use of this form is optional.

All monthly summary forms shall be completed at the close of each attendance month.

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# POLICY SERVICES ADVISORY

Volume 25, Number 3

June 2013

Policy Advisory No. 473..... GCJ — Professional Staff Probationary  
and Continuing Status

Policy Advisory No. 474..... GCK — Professional Staff Assignments and Transfers

Policy Advisory No. 475..... GCO — Evaluation of Professional  
Staff Members  
GCO-RA — Evaluation of Professional  
Staff Members

## Policy Advisory Discussion

In the last two years there have been substantial changes made in the way that teachers are evaluated. Recently, the Fifty-first Legislature, First Regular Session, 2013, passed House Bill 2500 (Laws 2013, Chapter 149). The new law builds on changes made in the 2012 legislative session (HB2823: Laws 2012, Chapter 259) and clarifies many of that earlier bill's provisions. Arizona Revised Statutes sections affected include 15-501, 15-536, 15-537, 15-538, 15-538.01, 15-539, and 15-550.

**Most importantly, HB2500 applies retroactively from and after June 30, 2013. Because of this, in order to adopt the statutory changes and subsequent modifications to the policy in a timely manner, the Governing Board may choose to utilize the provision of Policy BGB which provides in the last sentence that "Policies may be adopted or amended at a single meeting of the Board in a Board-declared emergency."**

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Finally, because the changes brought by HB2500 are so substantial, and because the model policies have not only incorporated these changes but also have been substantially re-written to provide greater clarity, we are providing these changes as new policies which need to be adopted anew in their entirety. This is the reason there are no line-outs and inserted language like you would see in other policy advisories. Simply put, these model policies are designed to be replacements for the existing model policies.

**Policy Advisory No. 473. Policy GCJ — Professional Staff Probationary and Continuing Status.** Policy GCJ is updated to reflect statutory changes in how a certificated teacher is classified. A “Non-continuing” teacher is now referred to as a “probationary” teacher. The definition for a continuing teacher has changed. In order to be a “continuing teacher” you must have:

- 1) Been employed by the district for a major portion of three consecutive school years (current law).

*PLUS*

- 2) Not been designated in the lowest performance classification for the previous school year.

A continuing teacher whose performance has slipped into the lowest performance classification, will revert to probationary status. This teacher can regain continuing status if the teacher subsequently is designated in one of the top two performance classifications.

**Policy Advisory No. 474. Policy GCK — Professional Staff Assignments and Transfers.** Policy GCK is amended to reflect clarifying changes needed following other more substantive changes in statute (which are reflected in other policies). These changes can be seen in HB2500 (A.R.S. 15-537, subsection D).

**Policy Advisory No. 475. Policy GCO — Evaluation of Professional Staff Members and GCO-RA — Evaluation of Professional Staff Members.** Policy GCO contains several substantial revisions. In addition to adopting changes to policy to come into compliance with the law, the Governing Board must take the following actions:

- 1) In consultation with teachers, develop a definition of inadequate classroom performance that aligns with the performance classifications recognized in statute and adopted by the State Board of Education; and

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- 2) Designate "qualified evaluators," who are trained to evaluate teachers (and the adoption of training requirements for qualified evaluators);
- 3) A plan for the appropriate use of quantitative data of student academic progress in evaluations of all certificated teachers.

For the adoption of the definition of inadequate classroom performance, Policy GCO does not contain a recommended definition since each district must consider a definition that 1) meets the statutory guidelines, 2) is made after consultation with Certificated district teachers and, 3) reflects the unique desires of the district, which may include a more rigorous standard than statute requires. **However, to start the conversation, we offer this SAMPLE definition of inadequate classroom performance:**

### **"Inadequacy of Classroom Performance"**

A teacher's classroom performance is inadequate if:

- 1) During any school year, the certificated teacher receives either:
  - (a) a performance rating of "ineffective" with respect to the performance component of the District's evaluation instrument; or
  - (b) a rating of "ineffective" with respect to the District's evaluation instrument as a whole; or
- 2) During each year of two consecutive school years, the certificated teacher receives either:
  - (a) a performance rating of "ineffective" or "developing" with respect to the performance component of the District's evaluation instrument or
  - (b) a rating of "ineffective" or "developing" rating with respect to the evaluation instrument as a whole."

**"Consultation with certificated teachers" can be accomplished under the law by holding a public hearing (a Board meeting with the opportunity for public comment would suffice), forming an advisory committee or providing teachers the opportunity to respond to a proposed definition.**

### **Governing Board Reminders**

The Governing Board may provide for more than the mandatory minimum number of evaluations and observations indicated in GCO and GCO-RA; however, this is a local district determination which should be developed, distributed, and implemented with guidance from legal counsel whenever necessary.

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The Governing Board shall require that the administration compile an updated listing of those who have successfully completed district required evaluator training and submit the list to the Board prior to the first scheduled staff observation by an evaluator. The required training for evaluators may be developed and implemented by the district or services may be obtained from local, regional, or national educator training organizations.

As the policy is considered for adoption, the Governing Board shall provide for the required public notification and discussion of the various policy components, including the prior requirement that "the School District Governing Board adopt in a public meeting and implement by **school year 2013-2014** policies for principal evaluations." Prior to adoption, the Governing Board shall provide opportunities for public discussion on the proposed policies. This opportunity may be provided in a Call to the Public in a regularly scheduled Governing Board meeting where the evaluation policies are being adopted.

By law, the evaluation policies must describe:

- 1) Incentives for teachers in the highest performance classification, **which may include multiyear contracts not to exceed three years (because the offering of multiyear contracts is a district option not mandated by law, it is not included in the model GCO – the Governing Board may choose to include this at their local option)**
- 2) Incentives for teachers in the highest performance classifications to work at schools that are assigned letter grades of *D* or *F*.
- 3) Protections for teachers who are transferred to schools that are assigned letter grades of *D* or *F*.
- 4) Protections for teachers if the principal of the school is designated in the lowest performance classification.
- 5) The principal evaluation instrument, including the four performance classifications and the alignment of professional development opportunities aligned with the results of the principal evaluations.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Chris Thomas, Director of Legal/Policy Services; Dr. Terry Rowles, Assistant Director; Steve Highlen, Senior Policy Consultant; or Nick Buzan, Policy Consultant. Our E-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org], [shighlen@azsba.org] and [nbuzan@azsba.org]. You may also fax information to (602) 254-1177.

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## PROFESSIONAL STAFF PROBATIONARY AND CONTINUING STATUS

Probationary teacher means a certificated teacher who is not a continuing teacher.

Continuing teacher means:

- a certificated teacher who has been and is currently employed by the District for the major portion of three (3) consecutive school years, and;
- who has not been designated in the lowest performance classification for the previous school year or who has not regained continuing status after being designated as a probationary teacher.

A continuing teacher becomes a probationary teacher in the school year following having been designated in the lowest performance classification and shall remain a probationary teacher until that teacher's performance classification is designated in either of the two (2) highest performance classifications.

Administrators are not covered under the terms of the teacher appointment and evaluation statutes and do not gain credit toward continuing status.

*Adopted:* date of Manual adoption

LEGAL REF.: A.R.S. 15-501  
 15-502  
 15-536  
 15-538.01  
 15-539  
 15-544  
 15-546  
 15-547  
 A.G.O. I78-150  
 I78-286  
 I80-113  
 I83-131  
 I84-048

CROSS REF.: GCO - Evaluation of Professional Staff Members

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## PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The Superintendent shall have the responsibility for the assignment of all personnel throughout the District. The procedure for assignment and transfer of professional staff members will be based on the needs of the instructional program. In addition, no right to school, grade, or subject assignment shall be inferred from the teacher's contract.

A teacher who has been employed by the District for the major portion of three (3) or more consecutive school years and who is currently designated in the lowest performance classification for two (2) consecutive school years shall not be transferred as a teacher to another school in the District unless the District has issued a preliminary notice of inadequacy of classroom performance and approved a performance improvement plan for the teacher and the Governing Board has approved the new placement as in the best interests of the pupils in the school. Following a transfer under this provision, a teacher who continues to be designated in one of the two lowest performance classifications shall not be permitted to transfer to another school. A teacher shall not be transferred more than once under the provisions of this paragraph.

The transfer of teachers from one school to another school within the District shall take into consideration the needs of the pupils in the District and the current distribution of teachers across all of the four (4) performance classifications adopted by the State Board of Education.

Professional staff members may apply for transfer or reassignment, whether or not a vacancy exists. Transfers will not be approved during the school year unless the needs of the District dictate such approval.

In the case of vacancies in new or existing positions, first consideration will be given to qualified applicants among current employees.

The resolution of any conflicts over the need for a transfer shall be based on what is best for the instructional program, the needs of the students, and the overall needs of the District as defined by the Superintendent.

*Adopted:* date of Manual adoption

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## EVALUATION OF PROFESSIONAL STAFF MEMBERS

The process and purpose of evaluation for certificated professional staff members is to result in improvement of the quality of instruction and the strengthening of the abilities of the professional staff.

### Definition of Terms

In this policy:

- ***Certificated teacher*** means a person who holds a certificate from the State Board of Education to work in the schools of this state and who is employed under contract in a position that requires certification, except a psychologist or an administrator devoting less than fifty percent (50%) of his time to classroom teaching.
- ***Inadequacy of classroom performance*** means the definition of inadequacy classroom performance adopted by the Governing Board.
- ***Performance classifications*** means the four (4) performance classifications for teachers and principals under the law and defined by the State Board of Education.
- ***Qualified evaluator*** means a school principal or other person who is trained to evaluate teachers and who is designated by the Governing Board to evaluate certificated teachers.

### Evaluation of Classroom Teachers and Other Certificated Non- administrative Staff Members

The District evaluation instrument will:

- Utilize the required elements of the model framework for a teacher and principal evaluation instrument adopted by the State Board of Education;
- Include quantitative data on student academic progress that accounts for between thirty-three percent (33%) and fifty percent (50%) of the evaluation outcomes;

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- Include four (4) performance classifications, designated as highly effective, effective, developing, and ineffective;
- Meet the data requirements established by the State Board of Education to annually evaluate individual teachers and principals.

Performance classifications for teachers shall be the same four performance classifications adopted by the State Board of Education. The performance classifications are to be applied to the evaluation instruments in a manner designed to improve principal and teacher performance. At least annually, the Governing Board will discuss at a public meeting its aggregate performance classifications of principals and teachers.

The District will involve its certificated teachers in the development and periodic evaluation of the teacher performance evaluation system. The following elements will be a part of the evaluation system:

- It will meet the requirements prescribed in statute and provide at least one (1) evaluation of each certificated teacher by a qualified evaluator each school year.
- A copy of the evaluation system shall be given to each teacher in the District.
- Specific training requirements for qualified evaluators, approved by the Board, will be included which may involve local or national educator training resources recommended by the Superintendent.
- The Superintendent will recommend qualified evaluators to the Board prior to naming evaluators.
- The Board will designate qualified evaluators.
- Best practices for professional development and evaluator training adopted by the State Board of Education will be considered.
- The system will include incentives for teachers in the highest performance classification.
- The system will include a plan for the appropriate use of quantitative data of student academic progress in evaluations of all certificated teachers. The plan may make distinctions between certificated teachers who provide direct instruction to students and certificated teachers who do not provide direct instruction to students. The plan may include data for multiple school years and may limit the use of data for certificated teachers who have taught for less than two (2) complete school years.

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The Governing Board may waive the requirement of a second classroom observation for a continuing teacher whose teaching performance based on the first classroom observation places the teacher in one (1) of the two (2) highest performance classifications for the current school year, unless the teacher requests a second observation.

Either the qualified evaluator or another Board designee shall confer with the teacher to make specific recommendations as to the areas of improvement in the teacher's performance and to provide professional development opportunities for the certificated teacher to improve performance and follow up with the teacher after a reasonable period of time for the purpose of ascertaining that the teacher is demonstrating adequate performance.

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**By school year 2015-2016, the District teacher evaluation will address the following items to be inserted in this location after adoption by the Board.**

*Item 1*

**The Board shall describe performance improvement plans for teachers designated in the lowest performance classification and dismissal or nonrenewal procedures pursuant to section 15-536 or 15-539 for teachers who continue to be designated in the lowest performance classification.**

*Item 2*

**The Board's dismissal or nonrenewal procedures shall require that the District issue the preliminary notice of inadequacy of classroom performance no later than the second consecutive year that the teacher is designated in one (1) of the two (2) lowest performance classifications unless the teacher is in the first or second year of employment with the District or has been reassigned to teach a new subject or grade level for the preceding or current school year.**

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## **Inadequacy of Classroom Performance**

A teacher's classroom performance is inadequate if:

### **INSERT DISTRICT LANGUAGE HERE.**

The Superintendent is authorized to issue preliminary notices of inadequacy of classroom performance prior to Governing Board approval. The Superintendent, in consultation with the principal or supervisor of the classroom teacher, will consider any mitigating circumstances before issuing such notices to a classroom teacher who is new to the profession or who was recently reassigned to a new grade level or content area. The Board will be notified within ten (10) school days of such issuance.

A teacher whose evaluation is used as a criterion for establishing compensation and who disagrees with the evaluation may make a written appeal. The teacher shall have the burden of proof in the appeal. The appeal shall go to the Superintendent.

## **Evaluation of Principals, other Administrators and Psychologists**

The Board authorizes the Superintendent to establish a system for the evaluation of principals, other administrators, and certificated school psychologists. Advice will be sought from those to be evaluated in the development of the performance evaluation system for each of these employee classifications.

## **Evaluation of Principals**

The evaluation system for the evaluation of the performance of principals may include the over-all instructional program, student progress, personnel, curriculum, and facilities. Principals will be given a review of evaluation procedures prior to beginning the process.

The evaluation system for principals may include the following:

- Alignment of professional development opportunities to the principal evaluations.

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- Incentives for principals in one (1) of the two (2) highest performance classifications, which may include multiyear contracts and incentives to work at schools assigned a letter grade of "D" or "F."
- Transfer and contract processes for principals designated in the lowest performance classification.

Subject to statutory limitations, the Board shall make available the evaluation and performance classification pursuant to A.R.S. 15-203 of each principal in the District to school districts and charter schools that are inquiring about the performance of the principal for hiring purposes.

### **Evaluation of Other Administrators**

The format for the evaluation system for other administrators (other than the Superintendent) will be developed under the leadership of the Superintendent, focusing on the responsibilities and outcomes which support the over-all instructional program and needs of the District. Evaluation procedures, timelines, and methods to be used for the communication of evaluation results will be reviewed with each employee prior to beginning the process.

### **Evaluation of Certificated School Psychologists**

The evaluation system for certificated school psychologists shall include the following:

- Recommendations as to areas of improvement in the performance of the certificated school psychologist if the performance warrants improvement.
- After transmittal of an assessment, a Board designee shall confer with the certificated school psychologist to make specific recommendations as to areas of improvement in performance.
- The Board designee shall provide assistance and opportunities for the certificated school psychologist to improve his performance and shall follow up after a reasonable period of time for the purpose of ascertaining that adequate performance is being demonstrated.
- Appeal procedures for certificated school psychologists who disagree with the evaluation of their performance, if the evaluation is for use as criteria for establishing compensation or dismissal.

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## Contracts of Certificated Employees

The Governing Board may transmit and receive contracts of certificated employees in an electronic format and may accept electronic signatures on those contracts. The Superintendent will develop procedures for the implementation of this discretionary process.

The Governing Board may adopt requirements that require electronic signatures to be followed by original signatures within a specified time period.

*Adopted:* date of Manual adoption

LEGAL REF.: A.R.S. 15-203	15-538.01
15-502	15-539 <i>et seq.</i>
15-503	15-544
15-536	15-549
15-537	15-918.02
15-537.01	15-977
15-538	
A.A.C. R7-2-605	

CROSS REF: GCF - Professional Staff Hiring  
GCJ - Professional Staff Noncontinuing and Continuing Status  
GCK - Professional Staff Assignments and Transfers  
GCMF - Professional Staff Duties and Responsibilities  
GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members  
GDO - Evaluation of Support Staff Members

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	15-537	15-918.02
	15-537.01	15-977
	15-538	
	A.A.C. R7-2-605	

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**REGULATION****REGULATION****EVALUATION OF PROFESSIONAL  
STAFF MEMBERS****Evaluators**

The Superintendent will compile an updated listing of those who have successfully completed the District required evaluator training and submit this list of newly trained evaluators prior to the first scheduled staff observation by an evaluator to the Governing Board for designation as qualified evaluators. The evaluator shall be responsible for the final written and official statement of evaluation, which shall be in writing, and a copy shall be transmitted to the certificated teacher within five (5) days after completion of the evaluation. [A.R.S. 15-537]

The Superintendent shall implement the specific training requirements for qualified evaluators prescribed by the Governing Board.

Best practices for professional development and evaluator training adopted by the State Board of Education should be referenced by the Superintendent periodically as the State Board has the authority to periodically make adjustments to align with the model framework for teacher and principal evaluations with assessment data changes at the state level.

***Classroom Observations by Evaluator:***

- The teacher performance evaluation system shall include at least two (2) actual classroom observations of the certificated teacher demonstrating teaching skills in a complete and uninterrupted lesson by the qualified evaluator. However, the Governing Board may waive the requirement of a second classroom observation for a continuing teacher whose teaching performance based on the first classroom observation places the teacher in one (1) of the two (2) highest performance classifications for the current school year, unless the teacher requests a second observation.
- There shall be at least sixty (60) calendar days between the first and last observations.
- Preliminary notice of inadequacy may follow the first observation.
- The last observation may follow the issuance of a preliminary notice of inadequacy of classroom performance, the completion of any performance improvement plan and be used to determine whether the teacher has corrected inadequacies and has demonstrated adequate classroom performance.

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**REGULATION****REGULATION****EVALUATION OF PROFESSIONAL  
STAFF MEMBERS****Evaluators**

The Superintendent will compile an updated listing of those who have successfully completed the District required evaluator training and submit this list of newly trained evaluators prior to the first scheduled staff observation by an evaluator to the Governing Board for designation as qualified evaluators. The evaluator shall be responsible for the final written and official statement of evaluation, which shall be in writing, and a copy shall be transmitted to the certificated teacher within five (5) days after completion of the evaluation. [A.R.S. 15-537]

The Superintendent shall implement the specific training requirements for qualified evaluators prescribed by the Governing Board.

Best practices for professional development and evaluator training adopted by the State Board of Education should be referenced by the Superintendent periodically as the State Board has the authority to periodically make adjustments to align with the model framework for teacher and principal evaluations with assessment data changes at the state level.

***Classroom Observations by Evaluator:***

- The teacher performance evaluation system shall include at least two (2) actual classroom observations of the certificated teacher demonstrating teaching skills in a complete and uninterrupted lesson by the qualified evaluator. However, the Governing Board may waive the requirement of a second classroom observation for a continuing teacher whose teaching performance based on the first classroom observation places the teacher in one (1) of the two (2) highest performance classifications for the current school year, unless the teacher requests a second observation.
- There shall be at least sixty (60) calendar days between the first and last observations.
- Preliminary notice of inadequacy may follow the first observation.
- The last observation may follow the issuance of a preliminary notice of inadequacy of classroom performance, the completion of any performance improvement plan and be used to determine whether the teacher has corrected inadequacies and has demonstrated adequate classroom performance.

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- An observation shall not be conducted within two (2) instructional days of any scheduled period in which school is not in session for one (1) week or more.
- Informal or additional formal observations may be made at the discretion of the administrator. Observations that do not constitute a complete and uninterrupted lesson shall not be considered in determining performance ratings and may only be used to provide feedback to improve instructional performance.

***Procedural Steps in the Process of Evaluation:***

- The evaluation procedures shall be reviewed at each school. At the beginning of the school year, the principal shall meet with the school's faculty for the purpose of orienting the teachers to the total evaluation plan. Any teacher that is hired after the school year begins must also be given a review of evaluation procedures prior to the teacher's evaluation.
- Within ten (10) business days after each observation, the qualified evaluator observing the teacher shall provide written feedback to the teacher and a copy shall be retained for the principal's file. A third copy shall be placed in the teacher's personnel file and made available to authorized District officers and employees and as otherwise provided by law.
- The results of an annual evaluation shall be in writing, or provided in electronic format to the certificated teacher and a copy shall be transmitted or provided in an electronic format to the certificated teacher within five (5) business days after completion of the evaluation.
- Either the qualified evaluator or another Board designee shall confer with the teacher to make specific recommendations as to the areas of improvement in the teacher's performance and to provide professional development opportunities for the certificated teacher to improve performance and follow up with the teacher after a reasonable period of time for the purpose of ascertaining that the teacher is demonstrating adequate performance.
- The certificated teacher may initiate a written reaction or response to the evaluation. The official evaluation shall be reduced to writing and signed by both the teacher and the evaluator. The teacher's signature shall not mean concurrence. The teacher shall be allowed ten (10) calendar days to write and submit any comments, which shall be attached to the evaluation.
- Copies of the evaluation report and performance classification of a certificated teacher retained by the Governing Board and the Department of Education are confidential, do not constitute a public record and shall not be released to any person except to those stipulated in A.R.S. 15-537 which allows release to certain prescribed parties, including school districts and charter schools that inquire about the performance of the teacher for prospective employment purposes.

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- A school district or charter school that receives information about a certificated teacher from the evaluation report and performance classification shall use this information solely for employment purposes and shall not release to or allow access to this information by any other person, entity, school district or charter school for employment purposes.

***Preliminary Notice of Inadequacy of Classroom Performance:***

- A teacher whose classroom performance has been evaluated as being inadequate shall be given a preliminary notice of inadequacy of classroom performance if the teacher may be dismissed or nonrenewed because of this notice. The notice will provide the teacher at least forty-five (45) instructional days in which to overcome the inadequacies and shall specify the nature of the inadequacy with such particularity as to furnish the teacher an opportunity to correct the inadequacies and maintain adequate classroom performance as defined by the Governing Board.
- The Superintendent is authorized to issue preliminary notice of inadequacy of classroom performance without prior Board approval. The Superintendent will notify the Board of such issuance within ten (10) days of such issuance.
- The preliminary notice of inadequacy of classroom performance shall be accompanied by a performance improvement plan designed to help the teacher correct inadequacies and demonstrate adequate classroom performance.

***Nonrenewal/Dismissal of Certificated Employees:***

- The Board shall authorize, as necessary, and send notice to teachers who will not be reemployed for the ensuing school year.
- The written notice of intention to dismiss or not to reemploy shall include a copy of any valid evaluation pertinent to the charges made.
- Notice of the Board's intention not to reemploy the teacher shall be made by delivering it personally to the teacher or by sending it by registered or certified mail to the teacher at the teacher's place of residence, as recorded in the District's records. The notice shall incorporate a statement of reasons for not reemploying the teacher.
- If a teacher does not correct inadequacies and demonstrate adequate classroom performance following the preliminary notice of inadequacy of classroom performance accompanied by a performance plan and the statutory time allocated for such improvement has elapsed, a written notice of intention to dismiss or not to reemploy may be issued.

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- The Governing Board shall give any certificated teacher notice of intention to dismiss or not to reemploy if such intention is based on charges of inadequacy of classroom performance. The Governing Board or its authorized representative at least forty five (45) instructional days before such notice, shall give the teacher written preliminary notice of inadequacy of classroom performance, specifying the nature thereof with such particularity as to furnish the teacher an opportunity to correct inadequacies and maintain adequate classroom performance. A notice of the Governing Board's intention to dismiss or not to reemploy for inadequacy of classroom performance shall not be issued until the District has completed an observation at the conclusion of a performance improvement plan.
- In the case of a continuing teacher, if the teacher does not demonstrate adequate classroom performance within the allotted time the Board shall dismiss the teacher as provided by statute.

### **Contracts of Certificated Employees**

The Governing Board shall offer a teaching contract for the next ensuing school year to each certificated probationary teacher who is under a contract of employment with the District for the current school year, unless the Governing Board, a member of the Board acting on behalf of the Board or the Superintendent gives notice to the teacher of the Board's intention not to offer a teaching contract or unless such teacher has been dismissed.

The Governing Board shall offer to each certificated continuing teacher who has been employed more than the major portion of three (3) consecutive years and who is under contract of employment with the District for the current year a contract renewal for the next ensuing school year unless the teacher has been given notice of the Board's intent not to offer a contract and to dismiss the teacher as provided by statute.

The Governing Board shall offer a contract to each certificated teacher who is not designated in the lowest performance classification and was offered a contract in the prior year unless the teacher has been given notice of the Board's intent not to offer a contract and to dismiss the teacher.

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

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

- personally delivered,
- placed in the teacher's school-provided mailbox, including electronic mail, or
- two (2) days after being placed in a United States Postal Service mail box.

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**REGULATION****REGULATION****EVALUATION OF PROFESSIONAL  
STAFF MEMBERS****(Procedures for Appeal of Evaluation)**

When an evaluation is used as the criterion for establishing a teacher's compensation, the teacher will be so informed at the conference where the evaluation is discussed.

A teacher whose evaluation is used as a criterion for establishing compensation and who disagrees with the evaluation may make a written appeal to the Superintendent no later than ten (10) days after the conference where the disputed evaluation is discussed.

The appeal to the Superintendent shall be limited to the sole issue of how the evaluation procedure used is at variance from the Board-adopted procedure. The burden of proof is on the teacher and the appeal may consist of a paper review. The decision of the Superintendent shall be final and not subject to further appeal or review.

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