

# POLICY SERVICES ADVISORY

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August 2019

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

Policy Advisory No. 664 ..... Policy IKF— Graduation Requirements

Policy Advisory No. 665 ..... Policy JICA — Student Dress  
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Policy Advisory No. 669 ..... Policy JLF — Reporting Child Abuse/Child Protection

**POLICY MANUAL UPDATES**

Add cross reference “IHAMD — Instruction and Training in Suicide Prevention,” to Policy GCH, Professional/Support Staff Orientation and Training and Policy GCI, Professional Staff Development.

Add cross reference “GBEFA — Staff Use of Digital Wireless Communications or Electronic Devices While Operating a Motor Vehicle,” to Policy EEAE, Bus Safety Program; EEAEA, Bus Driver Requirements, Training and Responsibilities; EEAG, Student Transportation in Private Vehicles; and EEB, Business and Personnel Transportation Services.

Add legal reference A.R.S. 15-153 to Policy GCH, Professional/Support Staff Orientation and Training; GCMF, Professional Staff Duties and Responsibilities; GCQF, Discipline, Suspension, and Dismissal of Professional Staff Members; and GDQD, Discipline, Suspension, and Dismissal of Support Staff Members.

Delete the following note in Policy IHAMC, Instruction and Training in Cardiopulmonary Resuscitation: (~~Note: CPR instruction and training is required to be provided no later than July 1, 2019.~~)

Delete legal references A.R.S. 41-1347 and 41-1351 in Policy BEDG.

Policy CK, Administrative Consultants – delete the word “consultive.”

Policy JFB, add cross reference “JFABDA - Admission of Students in Foster Care.”

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## **POLICY ADVISORY DISCUSSION**

The following policy advisories are primarily the result of actions taken by the 54th Legislature, First Regular Session which convened in January 2019 and adjourned sine die on May 28, 2019. The General Effective Date of these bills, unless passed as emergency legislation, is August 27, 2019.

### **Policy Advisory No 651**

### **Policy BEDH — Public Participation at Board Meetings**

Policy BEDH, Public Participation at Board Meetings, has been revised to delete unnecessary language which may be misconstrued to allow content restrictions on speech during public participation.

*Delete the following language:* Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation.

### **Policy Advisory No 652**

### **Policy DJE — Bidding/Purchasing Procedures**

The Arizona Auditor General's office and the Arizona Department of Education have updated the Uniform System of Financial Records (USFR) manual as follows:

*Revised the Audit Requirements and Expenditures sections to remove the requirement for districts to obtain 3 oral quotes. Instead, districts should obtain written price quotes from at least 3 vendors for purchases costing at least \$10,000 and less than \$100,000. Districts may need to revise their purchasing policies to adjust for this change. When evaluating your district policies, consider what level of documentation your district would require to support written quotes, such as district written quote form, vendor formal quote document, email from a vendor email address, vendor catalog pages, website screenshots, or website shopping cart printouts that include the date and the items to be purchased. Based on your district policy, the required documentation should be maintained in the procurement file or with the vendor invoice. This change is effective on July 1, 2019.*

Policy DJE has been updated to include the appropriate wording.

### **Policy Advisory No 653**

### **Policy GBEA — Staff Ethics**

Language has been altered in Policy GBEA to provide additional clarity pertaining to limitations on staff promoting beliefs/views in political, sectarian/religious, and personal areas of concern.

**Policy Advisory No 654**

**Policy GBEB — Staff Conduct  
Regulation GBEB-R**

HB2119 school safety; reporting has enacted a new law, ARS 15-153, Crime reporting; policies and procedures; notification; discipline, which is applicable to school districts and charter schools. This law affects employees in the requirements for reporting serious offenses as defined in this statute.

Each school district or charter school shall post the policies and procedures pertaining to the above on its website. If the school district or charter school maintains an online Manual/Handbook of policies and procedures, the school district or charter school may post a link to that manual with a reference to the appropriate policies and procedures.

Schools which are not in compliance by January 21, 2020, may be negatively impacted by not being eligible to apply for specific School Safety Program Grants, pursuant to A.R.S. 15-153.

**NEW Policy Advisory No 655**

**Policy GBEFA — Staff Use of Digital Wireless  
Communications or Electronic Devices  
While Operating a Motor Vehicle**

House Bill 2318 added statute A.R.S. 28-914, Use of portable wireless communication device while driving; prohibition; civil penalty; state preemption; definitions, which addresses the use of digital portable wireless communications devices and stand-alone electronic devices while operating a motor vehicle. This policy essentially replicates the salient portions of Arizona law and its limitations for school districts and charter schools.

**Policy Advisory No 656**

**Policy GBI — Staff Participation in  
Political Activities**

Language has been altered for clarity in Policy GBI to add a phrase of description and to eliminate this portion of paragraph A: Employees in their individual capacities may exercise their political liberties on property leased from the school for that purpose.

**Policy Advisory No 657**

**Policy GCF — Professional Staff Hiring**

House Bill 2119 has modified A.R.S. 15-512 pertaining to fingerprinting employees to provide that public entities, including school districts and charter schools may share the results of background investigations, including any records indicating that a current or former employee of a school or school district was disciplined for violating policies pursuant to A.R.S. 15-153, Crime reporting; policies and procedures; notification; discipline with other public entities.

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**Policy Advisory No 658**

**Policy GCFC — Professional Staff Certification  
and Credentialing Requirements  
(Fingerprinting Requirements)  
Exhibit GCFC-E**

Senate Bill 1180 has modified A.R.S. 15-512, pertaining to fingerprinting employees, to include additional information requiring employment candidates to certify on the prescribed notarized forms pertaining to fingerprint requirements whether they are awaiting trial on or have ever been convicted of or admitted in open court or pursuant to a plea agreement committing any of the listed criminal offenses in Arizona or similar offenses in any other jurisdiction, including a charge or conviction that has been vacated, set aside or expunged.

**Policy Advisory No 659**

**Policy GCO — Evaluation of Professional  
Staff Members**

SB1071 has altered the requirements of Policy GCO by adding A.R.S. 15-189.06, Charter schools; teacher performance evaluation systems; principal evaluation policies as a new statute pertaining to charter schools.

Additionally, SB 1071 has amended A.R.S. 15-203 dealing with powers and duties of the State Board of Education. Modifications have been added to both A.R.S. 15-341(A)(41)(a)(b)(c)(d)(i)(ii) with major changes to principal evaluations, and A.R.S. 15-537 pertaining to teacher evaluations.

**Policy Advisory No 660**

**Policy GDF — Support Staff Hiring**

Refer to the discussion under Policy GCF, Professional Staff Hiring.

**Policy Advisory No 661**

**Policy GDF A — Support Staff Qualifications and  
Requirements (Fingerprinting Requirements)  
Exhibit GDF A-E**

Refer to the discussion under Policy GCFC, Professional Staff Certification and Credentialing Requirements (Fingerprinting Requirements).

**Policy Advisory No 662**

**Policy IHA— Basic Instructional Program  
Exhibit IHA-E**

SB1318 addresses the requirement of the Department of Education to designate a dyslexia specialist for the Department to provide school districts and charter schools with support and resources necessary to assist students with dyslexia.

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The statute (A.R.S. 15-211, K-3 reading program; dyslexia specialist; dyslexia training; receipt and use of monies; additional funding; report; program termination) also requires school districts and charter schools to ensure that on or before July 1, 2021, at least one kindergarten through third grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219, Dyslexia and reading impairment screening, and A.R.S. 15-501.01, Requirements for teachers.

**NEW Policy Advisory No 663**

**Policy IHAMD— Instruction and Training in Suicide Prevention**

The Arizona Legislature adopted Senate Bill 1468, adding A.R.S 15-119, Suicide prevention training; approved materials; posting; immunity; spending classification, to address the necessity of suicide prevention training. This new policy replicates the major thrust of this new statute and must be implemented beginning in the 2020-2021 school year.

On or before July 1, 2020, the Arizona Health Care Cost Containment System administration shall make available suicide prevention training that complies with the statutory requirements and post this training information on the administration's website. This information shall include a list of approved materials that schools may use to provide the training prescribed above. These materials shall be annually updated.

**Policy Advisory No 664**

**Policy IKF — Graduation Requirements**

SB1184 has revised A.R.S. 15-701.01, High schools; graduation; requirements; community college or university courses; transfer from other schools; academic credit, which states that the State Board shall require at least one-half of a course credit in economics, which shall include financial literacy and personal financial management.

**Policy Advisory No 665**

**Policy JICA — Student Dress Regulation JICA-R**

This policy and regulation have been updated for clarity.

**Policy Advisory No 666**

**Policy JIH — Student Interrogations, Searches, Arrests**

House Bill 2119 requires in A.R.S. 15-153, Crime reporting; policies and procedures; notification; discipline, that the school district or charter school is to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described in the statute (potentially serious threat, injury, to employees, students, or others on school property) subject to the requirements of federal law.

**Policy Advisory No 667**

**Policy JLCD — Medicines/Administering Medicines to Students**

Senate Bill 1026 adds modified language to the emergency administration of medications which has been placed in the policy.

**NEW Policy Advisory No 668**

**Policy JLDAC — Screening/Testing of Students (Vision Screening for Children)**

SB 1456 enacted a new statute, A.R.S. 36-899.10, Vision screening; administration; rules; notification; definitions, as an addition in Title 36, Public Health and Safety. A new policy has been developed, JLDAC, Screening/Testing of Students (Vision Screening for Children) to present the required information for districts and charter schools to consider for adoption.

The Department of Health Services may develop and provide vision screening training to screeners, provide schools with materials necessary for conducting vision screenings, compile school vision screening data, and develop and adopt rules applicable to the vision screening requirements.

**Policy Advisory No 669**

**Policy JLF — Reporting Child Abuse/Child Protection**

HB2008 has revised A.R.S. 13-3620 pertaining to the duty to report child abuse by a supervisor, stating that if the supervisor or administrator reasonably believes that the report has been made by a person who is required to report, then the supervisor or administrator is not required to report.

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

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**BEDH ©  
PUBLIC PARTICIPATION AT  
BOARD MEETINGS**

All regular and special meetings of the Board shall be open to the public.

The Board invites the viewpoints of citizens throughout the District and considers the responsible presentation of these viewpoints vital to the efficient operation of the District. The Board also recognizes its responsibility for the proper governance of the schools and therefore the need to conduct its business in an orderly and efficient manner. The Board therefore establishes the following procedures to receive input from citizens of the District:

A. Any individual desiring to address the Board shall complete a form (Request to Address Board) and give this form to the Superintendent prior to the start of the Board meeting.

B. The Board President shall be responsible for recognizing speakers, maintaining proper order, and adhering to any time limit set. Questions requiring investigation shall be referred to the Superintendent for later report to the Board. Questions or comments on matters that are currently under legal review will not receive a response.

C. If considered necessary, the President shall set a time limit on the length of the comment period. In order to ensure that each individual has an opportunity to address the Board, the President may also set a time limit for individual speakers.

D. Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are discouraged. ~~Presenters are cautioned that statements or representations concerning others that convey an unjustly unfavorable impression may subject the presenter to civil action for defamation.~~ Policies KE, KEB, KEC, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals. Upon conclusion of the open call to the public, individual members of the Board may respond to any criticism made by an individual who has addressed the Board.

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

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

38-431.01

CROSS REF.:

BDB - Board Officers

BHC - Board Communications with Staff Members

BHD - Board Communications with the Public

KEB - Public Concerns/Complaints about Personnel

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## **DJE © BIDDING / PURCHASING PROCEDURES**

The Superintendent shall be responsible for all purchasing, contracting, competitive bidding, and receiving and processing of all bid protests, in accordance with the Arizona school district procurement rules, including A.A.C. R7-2-1141 *et seq.* A contract shall not be awarded to an entity that does not verify employment eligibility of each employee through the E-verify program in compliance with A.R.S. 23-214 subsection A. Each contract shall contain the warranties required by A.R.S. 41-4401 relative to the E-verify requirements.

The Superintendent shall ensure that all aspects of bidding and purchasing procedures conform to federal and state laws, rules and regulations. Administrative regulations shall be established to assure the District is in full compliance, including contracting with small and minority businesses, women's business enterprises, and labor surplus area firms. (2 C.F.R. 200.321).

### **Purchases Not Requiring Bidding**

Purchases of less than ten thousand dollars (\$10,000) may be made at the discretion of the Superintendent. Such procurements are not subject to competitive purchasing requirements, however reasonable judgment should be used to ensure the purchases are advantageous to the District.

~~Verbal price quotations will be requested from at least three (3) vendors for transactions of at least ten thousand dollars (\$10,000) but less than fifty thousand dollars (\$50,000). The price quotations should be shown on, or attached to, the related requisition form. If three (3) verbal quotations cannot be obtained, documentation showing the vendors contacted that did not offer price quotations, or explaining why price quotations were not obtained, shall be maintained on file in the District office.~~

Written price quotations will be requested from at least three (3) vendors for transactions of at least ~~fifty ten~~ ten thousand dollars ~~(\$50,000) (\$10,000) but not more and less~~ than one hundred thousand dollars (\$100,000). If three (3) written price quotations cannot be obtained, documentation showing the vendors contacted that did not offer written price quotations, or explaining why written price quotations were not obtained, shall be maintained on file in the District office.

The District is not required to engage in competitive bidding in order to place a student in a private school that provides special education services if such placement is prescribed in the student's individualized education program and the private school has been approved by the Department of Education Division of Special Education pursuant to A.R.S. 15-765.

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The placement is not subject to rules adopted by the State Board of Education before November 24, 2009 pursuant to A.R.S. 15-213.

The District may, without competitive bidding, purchase or contract for any products, materials and services directly from Arizona Industries for the Blind, certified nonprofit agencies that serve individuals with disabilities and Arizona Correctional Industries if the delivery and quality of the goods, materials or services meet the District's reasonable requirements.

Intergovernmental agreements and contracts between school districts or between the District and other governing bodies as provided in A.R.S. 11-952 are exempt from competitive bidding under the procurement rules adopted by the State Board of Education pursuant to A.R.S. 15-213.

The District is not required to engage in competitive bidding to make a decision to participate in insurance programs authorized by A.R.S. 15-382.

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

Unless otherwise provided by law, contracts for materials or services and contracts for job-order-contracting construction services may be entered into if the duration of the contract and the conditions of renewal or extension, if any, are included in the invitation for bids or the request for proposals and if monies are available for the first fiscal period at the time the contract is executed. The duration of contracts for materials or services and contracts for job-order-contracting construction services shall be limited to no more than five (5) years unless the Board determines that a contract of longer duration would be advantageous to the District. Once determined, the decision should be memorialized in meeting minutes and in the contract/bid file. Payment and performance obligations for succeeding fiscal periods are subject to the availability and appropriation of monies. The maximum dollar amount of an individual job order for a job-order-contracting construction service shall be one million dollars (\$1,000,000) or as determined by the Board.

### **Online Bidding**

Until such time as the State Board of Education adopts rules for the procurement of goods and information services by school districts and charter schools using electronic, online bidding, the District may procure goods and information services pursuant to A.R.S. 41-2671 through 2673 using the rules adopted by the Department of Administration in implementing 41-2671 through 2673.

## **Purchases Requiring Bidding**

Sealed bids and proposals shall be requested for transactions to purchase construction, materials, or services costing more than one hundred thousand dollars (\$100,000). All transactions must comply with the requirements of the Arizona Administrative Code and the Uniform System of Financial Records.

## **Public Inspection and Rationale for Awarding a Contract**

The Governing Board shall make available, for public inspection, all information, all bids, proposals and qualifications submitted, and all findings and other information considered in determining whose bid conforms to the District's invitation for bids. Documentation provided will include information regarding the most advantageous, with respect to price, conformity to the specifications, and other factors, or whose proposal for qualifications are to be used to select and award the bid. Included in this information will be the rationale for awarding a contract for any specified professional services, construction, construction service or materials to an entity selected from a qualified select bidders list or through a school purchasing cooperative. The invitation for bids, request for proposals or request for qualifications shall include a notice that all information and bids, proposals and qualifications submitted will be made available for public inspection.

## **Registered Sex Offender Prohibition**

All purchase orders, agreements to purchase, and contracts for services to be provided by personnel other than District employees must include the following statement on the document:

***Registered Sex Offender Restriction.** Pursuant to this order, the named vendor agrees by acceptance of this order that no employee or subcontractor of the vendor, who is required to register as a sex offender, pursuant to A.R.S. 13-3821, will perform work on District premises or equipment at any time when District students are, or are reasonably expected to be, present. The vendor further agrees by acceptance of this order that a violation of this condition shall be considered a material breach and may result in a cancellation of the order at the District's discretion.*

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

11-952

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15-213  
15-213.01  
15-213.02  
15-239  
15-323  
15-342  
15-382  
15-765  
15-910.02  
23-214  
34-101 *et seq.*  
35-391 *et seq.*  
35-393 *et seq.*  
38-503  
38-511  
39-121  
41-2632  
41-2636  
41-4401  
A.A.C.  
R7-2-1001 *et seq.*  
A.G.O.  
I83-136  
I87-035  
I06-002  
USFR: VI-G-8 *et seq.*  
2 C.F.R. 200.321

CROSS REF.:

BCB - Board Member Conflict of Interest

DJ - Purchasing

DJG - Vendor/Contractor Relations

GBEAA - Staff Conflict of Interest

JLIF - Sex Offender Notification

**GBEA ©  
STAFF ETHICS**

**(Statement of Ethics for School Employees)**

All employees of the District are expected to maintain high standards in their school relationships. These standards must be idealistic and at the same time practical, so that they can apply reasonably to all staff members. The employees acknowledge that the schools belong to the public they serve for the purpose of providing educational opportunities to all. However, every employee assumes responsibility for providing leadership in the school and community. This responsibility requires the employee to maintain standards of exemplary conduct. It must be recognized that the employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards.

*The school employee:*

- A. Makes the well-being of students the fundamental value of all decision making and actions.
- B. Maintains just, courteous, and proper relationships with students, parents, staff members, and others.
- C. Strives for the maintenance of efficiency and knowledge of developments in the employee's field of work.
- D. Fulfills job responsibilities with honesty and integrity.
- E. Directs any criticism of other staff members or of any department of the school system toward improving the District. Such constructive criticism is to be made directly to the school administrator who has the responsibility for improving the situation.
- F. Supports the principle of due process and protects the civil and human rights of all individuals.
- G. Obeys local, state, and national laws and does not knowingly join or support organizations that advocate, directly or indirectly, the overthrow of the government.
- H. Implements the Governing Board's policies and administrative rules and regulations.
- I. Refrains from using school contacts and privileges to promote ~~partisan politics~~ political or sectarian religious views or ~~selfish propaganda~~ personal agenda of any kind.

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J. Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.

K. Avoids using position for personal gain through political, social, religious, economic, or other influence.

L. Maintains the standards and seeks to improve the effectiveness of the profession through research and continuing professional development.

M. Stresses the proper use and protection of all school properties, equipment, and materials.

N. Honors all contracts until fulfillment or release.

In the performance of duties, employees shall keep in confidence such information as they may secure unless disclosure serves District purposes or is required by law.

Adopted: date of Manual adoption

LEGAL REF.:

A.A.C.

R7-2-205

## **GBEB © STAFF CONDUCT**

All employees of the District are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with or disrupt any District activity or encourage any such disruption. No employee, other than one who has obtained authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds. All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Superintendent.

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

- A. Removal from school grounds.
- B. Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
- C. Warning.
- D. Reprimand.
- E. Suspension.
- F. Dismissal.
- G. Having consideration given to any such violations in the determination of or establishment of any pay or salary in later contracts or employment, if any.

### **Reporting Suspected Crimes or Incidents**

Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property. All such reports shall be documented and communicated to the Superintendent who shall be responsible for reporting to local law enforcement. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy JICK as required in A.R.S. 15-341(A)(36).

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

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On or before January 1, 2020, the District shall post the policies and procedures pertaining to “Reporting Suspected Crimes or Incidents” on its website as the department of education shall develop a process to verify that each school district has adopted the required policies and procedures by this date.

If the District maintains an online Manual of policies and procedures, the District may post a link to that manual with a reference to the appropriate policies and procedures.

A person who violates the reporting requirements may be disciplined for violating the policies of the School District Governing Board pursuant to A.R.S. 15-341 and notwithstanding A.R.S. 15-341, may be subject to dismissal. Each school district governing board shall prescribe and enforce policies and procedures that require the School District to maintain a record on any person who is disciplined pursuant to this policy and, on request, shall make that record available to any public school, school district governing board or charter school governing body that is considering hiring that person.

A person who is employed by the School District or is an applicant for employment with the School District, who is arrested for or charged with any nonappealable offense listed in section 41-1758.03, subsection B and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of unprofessional conduct and the person shall be immediately dismissed from employment with the School District or immediately excluded from potential employment with the School District. A person dismissed from employment for failure to report being arrested for or charged with a nonappealable offense has no right to appeal under the provisions of A.R.S. 15-539, subsection F. Prior to an action to terminate for failure to report, an employee will be given the opportunity to provide a written explanation of circumstances or events which they believe mitigate the failure to report.

### **Use of Physical Force by Supervisory Personnel**

Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order. Similar physical force will be appropriate in self-defense, in the defense of other students and school personnel, and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

The threat or use of physical force is not justified as a response to verbal provocation alone, nor when the degree of physical force used is disproportionate to the circumstances or exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

Adopted: date of Manual adoption



LEGAL REF.:

A.R.S.

13-2911

13-3102

13-3111

13-3411

15-153

15-341

15-342

15-507

15-509

15-511

15-512

15-514

15-539

15-550

38-531

38-532

41-770

41-1758.03

A.A.C.

R7-2-205

CROSS REF.:

GCF - Professional Staff Hiring

GCMF - Professional Staff Duties and Responsibilities

GCO - Evaluation of Professional Staff Members

JIC - Student Conduct

JK - Student Discipline

KFA - Public Conduct on School Property

## **GBEB-R ©**

### **REGULATION**

#### **STAFF CONDUCT**

No employee, while on or using school property, otherwise acting as an agent, or working in an official capacity for the District shall engage in:

- A. Physical or verbal abuse of, or threat of harm to, anyone.
- B. Causing damage, or threat of damage, to property of the District or property of a member of the community or a visitor to the school when the property is located on premises controlled by the District.
- C. Forceful or unauthorized entry to or occupation of District facilities, including buildings and grounds.
- D. Use, possession, distribution, or sale of alcohol or of drugs or other illegal substances.
- E. Use of profane or abusive language, symbols, or conduct.
- F. Failure to comply with lawful direction of District officials, security officers, or any other law-enforcement officer, or failure to identify oneself to such officials or officers when lawfully requested to do so.
- G. The carrying or possession of a weapon on school grounds without authorization from the appropriate school administrator.
- H. A violation of District policies and regulations.
- I. Any conduct violating federal, state, or applicable municipal law or regulation.
- J. Any other conduct that may obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions of the District, or any other activity sponsored or approved by the Board.
- K. The use of District resources, as defined in A.R.S. 15-511 and District Policy GBI, Staff Participation in Political Activities, to influence the outcome of an election.

In addition to the foregoing, all staff members are expected to:

- A. Thoroughly acquaint themselves with the rules, regulations, and other information applicable to them contained within the policies of the Board.
- B. Conduct themselves in a manner consistent with effective and orderly education and to protect the students and the District property.
- C. Maintain order in a manner consistent with District policies and regulations.
- D. Comply promptly with all orders of the Superintendent and the administrator who is their immediate supervisor.
- E. Dress and maintain a general appearance that reflects their position and does not detract from the educational program of the school.
- F. Comply with the requirement of A.R.S. 15-153 and 15-515 by immediately reporting to the Superintendent or the administrator who is their immediate supervisor:
  - 1. A violation of A.R.S. 13-3102 [possession of a deadly weapon on school grounds].
  - 2. A violation of A.R.S. 13-3111 [possession of a firearm by a minor without authorization (in Maricopa and Pima Counties and where otherwise adopted by local ordinance)].
  - 3. A violation of A.R.S. 13-3411 [possession, use, or intent to sell marijuana, peyote, or dangerous or narcotic drugs, or intent to sell prescription-only drugs in a drug-free school zone (i.e., school grounds and the area within three hundred [300] feet and public property within one thousand [1,000] feet of school grounds, the area at a school bus stop, and a school bus)].

Any administrator receiving a report of a violation of A.R.S. 13-3102, 13-3111, or 13-3411 shall immediately report such violation to a peace officer in compliance with A.R.S. 15-153 and 15-515.

Employees of the District who violate these rules are subject to disciplinary action.

**GBEFA ©**

**STAFF USE OF DIGITAL WIRELESS  
COMMUNICATIONS OR ELECTRONIC  
DEVICES WHILE OPERATING  
A MOTOR VEHICLE**

Arizona law (A.R.S. 28-914, effective January 1, 2021), states that a person may not operate a motor vehicle on a street or highway if the person does either of the following:

A. physically holds or supports with any part of the person's body either of the following:

1. portable wireless communication device, except that a person may use a portable wireless communication device with an earpiece, headphone device or device worn on a wrist to conduct a voice-based communication.
2. a stand-alone electronic device.

B. writes, sends or reads any text-based communication, including a text message, instant message, e-mail or Internet data, on a portable wireless communication device or stand-alone electronic device.

This does not apply to either of the following:

A. the use of voice-based communications, including through the use of a portable wireless communication device or stand-alone electronic device, to direct the writing, sending, reading or other communicating of any text-based communication.

B. the use of a portable wireless communication device or stand-alone device when used in a hands-free manner for:

1. navigation of the motor vehicle.
2. use of a global positioning system.
3. obtaining motor vehicle information or information related to driving a motor vehicle.

This also does not prohibit the operation of a motor vehicle while using a device, including a device that is accessible through an interface that is embedded in a motor vehicle, that allows communication without the use of either of the driver's hands, except to activate or deactivate a function of the device.

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

An operator may use a portable wireless communication device:

A. to report illegal activity or summon emergency help.

B. that was permanently or temporarily affixed to the motor vehicle to relay information in the course of the operator's occupational duties between the operator and either: i) a dispatcher, ii) a digital network or software application service.

"Portable wireless communication device:"

A. means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver or a substantially similar portable wireless device that is used to initiate or receive communication, information or data.

B. does not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription-based emergency communication device, prescribed medical device, amateur or ham radio device or in-vehicle security, navigation or remote diagnostics system.

"Stand-alone electronic device" means a portable device other than a portable wireless communication device that stores audio or video data files to be retrieved on demand by a user.

The Superintendent will develop training to implement this policy prior to the effective date.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-341

15-514

28-914

28-963

28-3164

CROSS REF.:

EEAE – Bus Safety Program

EEAEA – Bus Driver Requirements, Training and Responsibilities

EEAG – Student Transportation in Private Vehicles

EEB – Business and Personnel Transportation Services

GBEA - Staff Ethics

GBEB - Staff Conduct

GBEBB - Staff Conduct With Students

GCQF - Discipline, Suspension, and Dismissal of Professional Staff Members

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

IJNDB - Use of Technology Resources in Instruction

JIC - Student Conduct

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

## GBI © STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Board recognizes the right of its employees, as citizens, to engage in political activity. However, school time, personnel, equipment, supplies, materials, buildings, or other resources may not be used to influence the outcomes of elections.

A staff member, a person acting on behalf of the District or a person who aids another person acting on behalf of the District shall be guided by the following:

- A. No employee while on duty shall engage in political activities upon property under the jurisdiction of the Board. ~~Employees in their individual capacities may exercise their political liberties on property leased from the school for that purpose.~~
- B. The prohibition on the use of public resources to influence the outcome of bond, budget override and other tax-related elections includes the use of School District-focused promotional expenditures that occur after an election is called and through election day. This prohibition does not include routine School District communications which are messages or advertisements that are germane to the functions of the School District and that maintain frequency, scope and distribution consistent with past practices or are necessary for public safety.
- C. Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity or representing the District, and without the participation of District employees or students acting in the capacity of District or school representatives.
- D. Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be permitted only when such invitations are to all candidates for the office. The rental use of District property by a private person or entity that may lawfully attempt to influence the outcome of an election is permitted if it does not occur at the same time and place as a related District-sponsored forum or debate.
- E. Political circulars or petitions may not be posted or distributed in school.
- F. The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property.
- G. Students may not be given written materials to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.
- H. Students may not be involved in writing, addressing or distribution of material intended to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.

Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, are not precluded under the provisions of this policy.

District employees shall be permitted time as provided in statute, if required, to vote in the primary or general election.

The District may distribute informational reports on a proposed budget override election as provided in A.R.S. 15-481 and on a proposed bond election as provided in A.R.S. 15-491 if those informational reports present factual information in a neutral manner, except for those arguments allowed under A.R.S. 15-481.

Nothing in this policy shall preclude the District from producing and distributing impartial information on elections other than District budget override elections or reporting on official actions of the Governing Board.

The District shall not make expenditures for literature associated with a campaign conducted by or for a District official.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-481

15-491

15-511

15-903

16-402

A.G.O.

I15-002

## GCF © PROFESSIONAL STAFF HIRING

It shall be the policy of the District to employ and retain the best qualified personnel. This will be accomplished ~~by giving careful consideration to~~ considering qualifications and by providing competitive salary schedules within the financial capability of the District, adequate facilities, and good working conditions.

The Board has the legal responsibility of approving the employment of all employees. While this responsibility cannot be waived, the Board assigns to the Superintendent the process of recruiting staff members. In carrying out this responsibility, the Superintendent may involve other staff members as needed. All personnel selected for employment must be recommended by the Superintendent and approved by the Board. The Board adopts the following general criteria, which shall be utilized in the selection process for initial employment:

- A. There will be no discrimination in the hiring process due to race, color, religion, sex, age, national origin, or disability of an otherwise qualified individual.
- B. Candidates for professional positions shall be qualified for and have the training necessary to perform the instructional duties or functions for which they have applied.
- C. Each candidate shall provide evidence of meeting state requirements for certification.
- D. Each candidate shall be requested to complete a consent-and-release form regarding conduct of a background investigation.
- E. A "background investigation" - consisting of communication with the applicant's (or employee's) former employer that concerns education, training, experience, qualifications, and job performance for the purpose of evaluation for employment - shall be conducted on each individual to be considered for a recommendation of employment. Forms developed for this purpose are to be used.

Information obtained about an employee or applicant for employment by the District in the performance of a background investigation, including any records indicating that a current or former employee of a school or school district was disciplined for violating policies of the School District Governing Board pursuant to A.R.S. 15-153, may be retained by that district and may be provided to any school district or other public school that is performing a background investigation.

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



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

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

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

Upon recommendation for employment the District shall confirm employment authorization and employment eligibility verification by participating in the E-Verify program of the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services Bureau (USCIS) and the Social Security Administration (SSA). The District will then complete the Form I-9 as required and maintain the form with copies of the necessary documents and documentation of the authorization and verification pending any inquiry.

The Superintendent of Public Instruction may also impose any additional conditions or restrictions deemed necessary.

Any person who permits unauthorized access to criminal history record information, releases criminal history record information, or procures the release or uses criminal history record information other than in accord with A.R.S. 41-1750 is guilty of a class 6 felony.

A professional candidate's acceptance of a contract offer must be indicated within \_\_\_\_\_ (\_\_\_\_) **days** from the date of the written contract or the offer is revoked. Written notice of the deadline date for acceptance shall be included in the contract offer or an attachment to the contract offer. The candidate 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 candidate fails to accept the contract.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-3716

15-153

15-502

15-503

15-512

15-536

15-538.01

15-539

15-550

23-211

23-212

23-1361

38-201

38-231

38-232

38-766.01

41-1750

41-1756

CROSS REF.:

GCB - Professional Staff Contracts and Compensation

GCFC - Professional Staff Certification and Credentialing Requirements  
(fingerprinting requirements)

GCO - Evaluation of Professional Staff Members

**GCFC ©  
PROFESSIONAL STAFF CERTIFICATION  
AND CREDENTIALING REQUIREMENTS**

**(Fingerprinting Requirements)**

**New Hires**

All certificated personnel to be hired by the District shall be fingerprinted as a condition of employment, except for personnel who, as a condition of certification are required to have a valid fingerprint clearance card.

The candidate's fingerprints shall be submitted, along with the form presented as an exhibit to this policy, immediately upon being notified of possible employment. The form shall be considered a part of the application for employment.

An expired fingerprint clearance card may be used to satisfy the fingerprint requirements of section 15-183, 15-503, 15-512, 15-534, 15-782.02, 15-1330 or 15-1881 if the person signs an affidavit stating both of the following:

- A. The person submitted a completed application to the Finger Printing Division of the Department of Public Safety for a new fingerprint clearance card within ninety (90) days before the expiration date on the person's current fingerprint clearance card.
- B. The person is not awaiting trial on and has not been convicted of a criminal offense that would make the person ineligible for a fingerprint clearance card.

This does not apply to a fingerprint clearance card that has been denied, suspended or revoked or to a person who has requested a good cause exception hearing.

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

- A. Sexual abuse of a minor.
- B. Incest.
- C. First- or second-degree murder.
- D. Kidnapping.
- E. Arson.
- F. Sexual assault.

<p><i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.</p>
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- G. Sexual exploitation of a minor.
- H. Felony offenses involving contributing to the delinquency of a minor.
- I. Commercial sexual exploitation of a minor.
- J. Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs.
- K. Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs.
- L. Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.
- M. Burglary in the first degree.
- N. Burglary in the second or third degree.
- O. Aggravated or armed robbery.
- P. Robbery.
- Q. A dangerous crime against children as defined in A.R.S. 13-705.
- R. Child abuse.
- S. Sexual conduct with a minor.
- T. Molestation of a child.
- U. Manslaughter.
- V. Aggravated assault.
- W. Assault.
- X. Exploitation of minors involving drug offenses.

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

The District may refuse to hire or may review or terminate personnel who have been convicted of or admitted committing any of the criminal offenses above or a similar offense in another jurisdiction. In conducting a review, the Governing Board shall utilize the guidelines, including the list of offenses that are not subject to review, as prescribed by the State Board of Education pursuant to A.R.S. 15-534. In considering whether to hire or terminate the employment of a person, the Governing Board shall take into account the factors listed in A.R.S. 15-512.

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When considering termination of an employee pursuant to A.R.S. 15-512, a hearing shall be held to determine whether a person already employed shall be terminated.

The Superintendent shall develop and implement procedures that include the following in the employment process:

- A. Provide for fingerprinting of employees covered under this policy and A.R.S. [15-512](#).
- B. Provide for fingerprint checks pursuant to A.R.S. [41-1750](#).

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[13-705](#)

[15-183](#)

[15-503](#)

15-512

15-534

[15-782.02](#)

[15-1330](#)

[15-1881](#)

23-1361

41-1750

41-1758.07

CROSS REF.:

GCF - Professional Staff Hiring

GCG - Part-Time and Substitute Professional Staff Employment

IJOC - School Volunteers

**GCFC-E ©**

**EXHIBIT**

**PROFESSIONAL STAFF CERTIFICATION  
AND CREDENTIALING REQUIREMENTS**

\_\_\_\_\_  
Name (typed or printed) \_\_\_\_\_  
Position

I, \_\_\_\_\_, being duly sworn, do hereby certify that I have never been convicted of or admitted in open court or pursuant to a plea agreement committing, and am not now awaiting trial for committing, any of the following criminal offenses in the state of Arizona or similar offenses in any other jurisdiction, including a charge or conviction that has been vacated, set aside or expunged:

Sexual abuse of a minor	Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs
Incest	Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs
First- or second-degree murder	Burglary in the first degree
Kidnapping	Burglary in the second or third degree
Arson	Aggravated or armed robbery
Sexual assault	Robbery
Sexual exploitation of a minor	A dangerous crime against children as defined in A.R.S. 13-705
Felony offenses involving contributing to the delinquency of a minor	Child abuse
Commercial sexual exploitation of a minor	Sexual conduct with a minor
Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs	Molestation of a child
	Manslaughter
	Assault or Aggravated assault
	Exploitation of minors involving drug offenses

\_\_\_\_\_  
Employee signature \_\_\_\_\_  
Date signed

Subscribed, sworn to, and acknowledged before me by \_\_\_\_\_  
\_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

in \_\_\_\_\_ County, Arizona.

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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## GCO © 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:

- A. ***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~~ at least fifty percent (50%) of ~~his~~ the person's time to classroom teaching.
- B. ***Inadequacy of classroom performance*** means the definition of inadequacy of classroom performance adopted by the Governing Board.
- C. ***Performance classifications*** means the four (4) performance classifications for teachers and principals ~~under the law and defined by the State Board of Education~~ adopted by the Governing Board.
- D. ***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~~ teacher performance evaluation system ~~will~~ shall do the following:

- A. ~~Utilize the required elements of the model framework for a teacher and principal evaluation instrument adopted by the State Board of Education;~~ Be designed to improve teacher performance and improve student achievement;
- B. ~~Include quantitative data on student academic progress that accounts for between thirty three percent (33%) and fifty percent (50%) of the evaluation outcomes;~~ the academic progress for all students, which shall account for between twenty percent (20%) and thirty-three percent (33%) of the evaluation outcomes;
- C. Include four (4) performance classifications, designated as highly effective, effective, developing, and ineffective;

~~D. 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 (4) 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:

A. 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 or as provided in Section I.

B. A copy of the evaluation system shall be given to each teacher in the District.

C. 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.

D. The Superintendent will recommend qualified evaluators to the Board prior to naming evaluators.

E. The Board will designate qualified evaluators.

F. Best practices for professional development and evaluator training adopted by the State Board of Education will be considered.

G. The system will include incentives for teachers in the highest performance classification.

H. 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.

I. The District may use an alternative performance evaluation cycle subject to the following:

1. The Governing Board shall adopt policies for an expedited performance review during the years in which a teacher is not undergoing a formal performance evaluation. The expedited performance review policies may classify teacher performance in categories that include teamwork and support for lower-performing teachers.



2. The Governing Board shall allow only teachers who have been evaluated and designated in the highest performance classification for at least three (3) consecutive years by the same school to participate in the alternative performance evaluation cycle.

3. If an expedited performance review under this subsection determines that the teacher is not in the highest performance classification, the teacher shall be removed from the alternative performance evaluation cycle and be reviewed on the established evaluation system.

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.

=====

**The District teacher evaluation will address the following items *(to be inserted in this location BEFORE 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 Governing Board shall adopt policies that:

- A. are designed to improve principal performance and improve student achievement.
- B. include the use of quantitative data on the academic progress for all students, which shall account for between twenty percent (20%) and thirty-three percent (33%) of the evaluation outcomes.
- C. include four (4) performance classifications, designated as highly effective, effective, developing and ineffective.
- D. describe both of the following:
  - 1. the methods used to evaluate the performance of principals, including the data used to measure student performance and job effectiveness.
  - 2. the formula used to determine evaluation outcomes.

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:~~

- ~~A. Alignment of professional development opportunities to the principal evaluations.~~
- ~~B. 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."~~
- ~~C. 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:

- A. Recommendations as to areas of improvement in the performance of the certificated school psychologist if the performance warrants improvement.
- B. 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.
- C. 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.

D. 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.

### **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.

15-153

15-203

15-502

15-503

15-512

15-536

15-537

15-537.01

15-538

15-538.01

15-539 *et seq.*

15-544

15-549

15-918.02

15-977

A.A.C.

R7-2-605

#### **CROSS REF.:**

GBEB – Staff Conduct

GCB - Professional Staff Contracts and Compensation

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

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

## **GDF © SUPPORT STAFF HIRING**

It shall be the policy of the District to employ and retain the best qualified personnel. This will be accomplished by ~~giving careful consideration to~~ considering qualifications and by providing competitive wages within the financial capabilities of the District, adequate facilities, and good working conditions.

Recruitment of support staff personnel is the responsibility of the Superintendent. Other members of the administration and supervisory staff will assist as responsibilities are delegated by the Superintendent.

The Board adopts the following general criteria and procedures, which shall be utilized in the selection process for initial employment:

- A. There will be no discrimination in the hiring process due to race, color, religion, sex, age, national origin, or disability of an otherwise qualified individual.
- B. Candidates for all positions shall be physically and mentally able to perform the duties of the position job descriptions for which they have applied.
- C. Each candidate shall be requested to complete a consent-and-release form regarding conduct of a background investigation.
- D. A "background investigation" - consisting of communication with the applicant's (or employee's) former employer that concerns education, training, experience, qualifications, and job performance for the purpose of evaluation for employment - shall be conducted on each individual to be considered for a recommendation of employment. Forms developed for this purpose are to be used.

Information obtained about an employee or applicant for employment by the District in the performance of a background investigation, including any records indicating that a current or former employee of a school or school district was disciplined for violating policies of the School District Governing Board pursuant to A.R.S. 15-153, may be retained by that District and may be provided to any school district or other public school that is performing a background investigation.

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

A district may hire and place a noncertificated employee into service before receiving the results of the mandatory fingerprint check or a fingerprint clearance card has been issued or denied. However, until fingerprint clearance has been received, an applicant who is required or allowed to have unsupervised contact with pupils cannot be hired and placed into service until:

- A. The District documents in the applicant's file the necessity for hiring and placing the applicant into service before a fingerprint check can be completed or a fingerprint clearance card is issued or denied.
- B. The District obtains from the Department of Public Safety a statewide criminal records information check on the applicant. Subsequent criminal records checks are also required every one hundred twenty (120) days until the date that the fingerprint check is completed, or the fingerprint clearance card is issued or denied.
- C. The District obtains references from the applicant's current employer and two (2) most recent previous employers, except that for applicants who have been employed for at least five (5) years by the most recent employer, only references from that employer are required.
- D. The District provides general supervision of the applicant until the date the fingerprint check is completed, or the fingerprint clearance card is issued or denied.

Upon recommendation for employment the District shall confirm employment authorization and employment eligibility verification by participating in the E-Verify program of the Department of Homeland Security's (DHS) U.S. Citizenship and Immigration Services Bureau (USCIS) and the Social Security Administration (SSA). The District will then complete the Form I-9 as required and maintain the form with copies of the necessary documents and documentation of the authorization and verification pending any inquiry.

The District reports to the Superintendent of Public Instruction on June 30 and December 31 the number of applicants hired prior to the completion of a fingerprint check or the issuance of a fingerprint clearance card and the number of applicants for whom fingerprint checks or fingerprint clearance cards have not been received after one hundred twenty (120) days and after one hundred seventy-five (175) days of hire.

The District may provide information received as a result of a fingerprint check required by section 15-512 to any other school district if requested to do so by the person who was the subject of the fingerprint check or communicate to any school district if requested to do so by the person who applied for a fingerprint clearance card whether the person has been issued or denied a fingerprint clearance card. A copy of any written communication regarding employment must be sent by the employer providing the information to the former employee's last known address.

Any person who permits unauthorized access to criminal history record information, releases criminal history record information, or procures the release or uses criminal history record information other than in accord with A.R.S. 41-1750 is guilty of a class 6 felony.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-3716

15-153

15-502

15-512

23-211

23-212

23-1361

38-201

38-481

41-1750

41-1756

CROSS REF.:

G DFA - Support Staff Qualifications and Requirements  
(fingerprinting requirements)

**G DFA ©**  
**SUPPORT STAFF QUALIFICATIONS**  
**AND REQUIREMENTS**

**(Fingerprinting Requirements)**

All newly hired noncertificated District personnel - and personnel who are not paid employees of the District and who are not either the parents or the guardians of students who attend school in the District but who are required or allowed to provide services directly to students without the supervision of a certificated employee - shall be fingerprinted as a condition of employment, except for the following:

- A. Personnel who are required as a condition of licensing to be fingerprinted if the license is required for employment.
- B. Personnel who were previously employed by the District and who reestablished employment with the District within one (1) year after the date that the employee terminated employment with the District.

The School District may require noncertificated personnel and personnel who are not paid employees of the School District and who are not either the parent or the guardian of a pupil who attends school in the School District but who are required or allowed to provide services directly to pupils without the supervision of a certificated employee to obtain a fingerprint clearance card as a condition of employment.

For the purposes of this policy, *supervision* means under the direction of and, except for brief periods of time during a school day or a school activity, within sight of a certificated employee when providing direct services to students.

If the School District does not require a fingerprint clearance card as a condition of employment, noncertificated personnel and personnel who are not paid employees of the School District and who are not either the parent or the guardian of a pupil who attends school in the School District but who are required or allowed to provide services directly to pupils without the supervision of a certificated employee may apply for a fingerprint clearance card. A school district may release the results of a background check or communicate whether the person has been issued or denied a fingerprint clearance card to another school district for employment purposes.

The District may fingerprint or require any other employee of the District to obtain a fingerprint clearance card, whether paid or not, or any other applicant for employment with the School District not otherwise required by law. The District may not charge the costs of the fingerprint check or fingerprint clearance card to the fingerprinted applicant or nonpaid employee.

<p><i>Note:</i> This material is written for informational purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.</p>
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The candidate's fingerprints shall be submitted, along with the form prescribed in GDFEA-E, within twenty (20) days after being selected. The form shall be considered a part of the application for employment. The District may terminate an employee if the information on the affidavit required by A.R.S. 15-512 is inconsistent with information received from the fingerprint check or the information received in connection with a fingerprint clearance card application.

***School Bus Drivers*** – An applicant shall submit an Identity Verified Fingerprint Card as described in A.R.S. 15-106 that the Department of Public Safety shall use to process the fingerprint clearance card as outlined in A.R.S. 15-106. A person who is issued a school bus driver certificate shall maintain a valid Identity Verified Fingerprint Clearance Card for the duration of any school bus driver certification period.

The District will assume the cost of fingerprint checks or fingerprint clearance card applications but will assess the employee for charges incurred. Personnel who are not paid employees will not be charged for fingerprint costs.

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

- A. Sexual abuse of a minor.
- B. Incest.
- C. First- or second-degree murder.
- D. Kidnapping.
- E. Arson.
- F. Sexual assault.
- G. Sexual exploitation of a minor.
- H. Felony offenses involving contributing to the delinquency of a minor.
- I. Commercial sexual exploitation of a minor.
- J. Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs.

- K. Felony offenses involving the possession or use of marijuana, dangerous drugs, or narcotic drugs.
- L. Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs.
- M. Burglary in the first degree.
- N. Burglary in the second or third degree.
- O. Aggravated or armed robbery.
- P. Robbery.
- Q. A dangerous crime against children as defined in A.R.S. 13-705.
- R. Child abuse.
- S. Sexual conduct with a minor.
- T. Molestation of a child.
- U. Manslaughter.
- V. Aggravated assault.
- W. Assault.
- X. Exploitation of minors involving drug offenses.

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

The District may refuse to hire or may review or terminate personnel who have been convicted of or admitted committing any of the criminal offenses above or a similar offense in another jurisdiction. In conducting a review, the Governing Board shall utilize the guidelines, including the list of offenses that are not subject to review, as prescribed by the State Board of Education pursuant to A.R.S. 15-534. In considering whether to hire or terminate the employment of a person, the Governing Board shall take into account the factors listed in A.R.S. 15-512.

When considering termination of an employee pursuant to A.R.S. 15-512, a hearing shall be held to determine whether a person already employed shall be terminated.

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

The Superintendent shall develop and implement procedures that include the following in the employment process:

- A. Provide for fingerprinting of employees covered under this policy and A.R.S. 15-512.
- B. Provide for fingerprint checks pursuant to A.R.S. 41-1750
- C. Provide for properly assessing employees for fingerprint checks and depositing said funds with the county treasurer.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-705

15-106

15-512

15-534

23-1361

41-1750

CROSS REF.:

EEAEA - Bus Driver Requirements, Training, and Responsibilities

GDF - Support Staff Hiring

GDG - Part-Time and Substitute Support Staff Employment

JLIA - Supervision of Students

**G DFA-E ©**

**EXHIBIT**

**SUPPORT STAFF QUALIFICATIONS  
AND REQUIREMENTS**

\_\_\_\_\_  
Name (typed or printed) \_\_\_\_\_ Position

I, \_\_\_\_\_, being duly sworn, do hereby certify that I have never been convicted of or admitted in open court or pursuant to a plea agreement committing, and am not now awaiting trial for committing, any of the following criminal offenses in the state of Arizona or similar offenses in any other jurisdiction, including a charge or conviction that has been vacated, set aside or expunged:

Sexual abuse of a minor	Felony offenses involving the possession or use of marijuana, dangerous drugs or narcotic drugs
Incest	Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs
First- or second-degree murder	Burglary in the first degree
Kidnapping	Burglary in the second or third degree
Arson	Aggravated or armed robbery
Sexual assault	Robbery
Sexual exploitation of a minor	A dangerous crime against children as defined in A.R.S. 13-705
Felony offenses involving contributing to the delinquency of a minor	Child abuse
Commercial sexual exploitation of a minor	Sexual conduct with a minor
Felony offenses involving sale, distribution, or transportation of, offer to sell, transport, or distribute, or conspiracy to sell, transport, or distribute marijuana or dangerous or narcotic drugs	Molestation of a child
	Manslaughter
	Assault or Aggravated assault
	Exploitation of minors involving drug offenses

\_\_\_\_\_  
Employee signature \_\_\_\_\_ Date signed

Subscribed, sworn to, and acknowledged before me by \_\_\_\_\_  
\_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

in \_\_\_\_\_ County, Arizona.

My Commission Expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

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## IHA © BASIC INSTRUCTIONAL PROGRAM

The various instructional programs will be developed to maintain a balanced, integrated, and sequential curriculum that will serve the educational needs of all school-aged children in the District. The curriculum will be broad in scope and provide for a wide range in rate, readiness, and potential for learning.

The instructional program shall reflect the importance of language acquisition/reading-skill development as the basic element in each student's education. The first priority of the instructional program will be language acquisition through a planned sequence of reading skills and language experiences beginning in the kindergarten program. The improvement of specific reading skills of students should be continuous throughout their education. Each school educating students in kindergarten and grades one (1) through three (3) shall have a reading program as required by A.R.S. 15-704 and applicable State Board of Education rules.

The second priority of the instructional program will be mastery of the fundamentals of mathematics, beginning in the kindergarten program.

The instructional program will ensure that on or before July 1, 2021, at least one (1) kindergarten through third (K-3) grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219 and A.R.S. 15-501.01 which includes enabling teachers to understand and recognize dyslexia and to implement structured literacy instruction that is systematic, explicit, multisensory and evidence-based to meet the educational needs of students with dyslexia.

Attention to the above-listed priorities shall not result in neglect of other areas of the curriculum.

The instructional program will include planned sequences in:

- A. Language arts - reading, spelling, handwriting, English grammar, composition, literature, and study skills.
- B. Mathematics experiences.
- C. Social studies - history including Native American history, geography, civics, economics, world cultures, political science, and other social science disciplines.
- D. Science experiences.
- E. Fine and practical arts experience - art education, vocal and instrumental music, and vocational/business education.
- F. Technology skills.

G. Health and safety education.

H. Physical education.

I. Foreign or Native American language.

The planned program for all students shall also include library instruction, individual study, guidance, other appropriate instructional activities, and all instruction required under state law and State Board of Education regulations.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-203

15-211

15-219

15-341

15-501.01

15-701

15-701.01

15-704

15-710

15-741.01

15-802

A.A.C.

R7-2-301 *et seq.*

CROSS REF.:

IJNDB - Use of Technology Resources in Instruction

## IHA-E ©

### EXHIBIT

## BASIC INSTRUCTIONAL PROGRAM

### Reading

For students in kindergarten (K) and grades one (1) through three (3), the District shall:

- A. select and administer screening, ongoing diagnostic and classroom based instructional reading assessments, including motivational assessments, as defined by the State Board of Education;
- B. conduct a curriculum evaluation;
- C. adopt a scientifically based reading curriculum including the essentials of reading instruction;
- D. provide ongoing teacher training based on scientifically based reading research;
- E. devote reasonable amounts of time to explicit instruction and independent reading;
- F. provide intensive reading instruction as defined by the State Board of Education to each student who does not meet or exceed the Arizona standards; ~~and~~
- G. review its reading program and take corrective action as specified by the State Board of Education whenever more than twenty percent (20%) of the third (3rd) grade students do not meet the Arizona standards;
- H. ensure that on or before July 1, 2021, at least one (1) kindergarten through third (K-3) grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219 and A.R.S. 15-501.01 which includes enabling teachers to understand and recognize dyslexia and to implement structured literacy instruction that is systematic, explicit, multisensory and evidence-based to meet the educational needs of students with dyslexia.
- I. ensure that, within forty-five (45) calendar days after the beginning of each school year or within forty-five (45) calendar days after a student enrollment occurs after the first (1st) day of school, every student who is enrolled in a kindergarten program or grade one in a public school in this state is screened for indicators of dyslexia, using the Department of Education (D.O.E.) dyslexia screening plan (the screening for indicators of dyslexia may be integrated with reading proficiency screenings as prescribed by the D.O.E.);
- J. provide notifications to parents of students who are identified as having indicators of dyslexia based on a screening for indicators; and
- K. ensure that screening for indicators of dyslexia includes phonological and phonemic awareness, rapid naming skills, correspondence between sounds and letters, nonsense word repetition, and sound symbol recognition.

**IHAMD ©**  
**INSTRUCTION AND TRAINING IN**  
**SUICIDE PREVENTION**

School districts shall provide training in suicide awareness and prevention for school guidance counselors, teachers, principals and other school personnel who work with pupils in grades six through twelve (6-12). Each person who is required to obtain training shall complete that training at least once every three (3) years. The training must include the following:

- A. Training in suicide prevention.
- B. Training to identify the warning signs of suicidal behavior in adolescents and teens.
- C. Appropriate intervention and referral techniques.

The training prescribed above must use evidence-based training materials and may be provided within the framework of existing in-service training programs offered by the School District or as part of professional development activities.

School personnel, entities or any other persons are not civilly liable for any actions taken in good faith pursuant to this requirement except in cases of gross negligence, willful misconduct or intentional wrongdoing.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-119

15-341

15-701.01



## IKF © GRADUATION REQUIREMENTS

### Regular Education

A minimum number of 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.

Graduation requirements may be met as follows:

- A. By successful completion of subject area course requirements.
- B. 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. R7-2-302.02 and rules established by the Superintendent.
- C. 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.
- D. By the transfer of credits as described in Policy JFABC.
- E. 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 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**
Social Studies		3.0 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 Career, Technical and Vocational Education		1.0 unit
Electives		<u>7.0</u> units
Total		<u>22.0</u> units

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

\* 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.

\* 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).

Pursuant to the prescribed graduation requirements adopted by the State Board of Education, the Governing Board may approve a rigorous computer science course that would fulfill a mathematics course required for graduation from high school. The Governing Board may only approve a rigorous computer science course if the rigorous computer science course includes significant mathematics content and the Governing Board determines the high school where the rigorous computer science course is offered has sufficient capacity, infrastructure and qualified staff, including competent teachers of computer science.

\*\* Three (3) credits of science in preparation for proficiency at the high school level on a state required test.

\*\*\* Beginning in the 2016-2017 school year, the competency requirements for social studies shall include a requirement that, in order to graduate from high school or obtain a high school equivalency diploma, a pupil must correctly answer at least sixty (60) of the one hundred (100) questions listed on a test that is identical to the civics portion of the naturalization test used by the United States Citizenship And Immigration Services. The District school shall document on the pupil's transcript that the pupil has passed a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services.

\*\*\*\* The State Board requirement for economics is at least one-half (.5) of a course credit, which shall include financial literacy and personal financial management.

The Governing Board may determine the method and manner in which to administer a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. A pupil who does not obtain a passing score on the test that is identical to the civics portion of the naturalization test may retake the test until the pupil obtains a passing score.

### **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.

Pupils who receive special education shall not be required to achieve passing scores on the test that is identical to the civics portion of the naturalization test under section 15-701.01 in order to graduate from high school unless the pupil is learning at a level appropriate for the pupil's grade level in a specific academic area and unless a passing score on the test that is identical to the civics portion of the naturalization test under section 15-701.01 is specifically required in a specific academic area by the pupil's individualized education program as mutually agreed on by the pupil's parents and the pupil's individualized education program team or the pupil, if the pupil is at least eighteen (18) years of age.

**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.

**State Seal of Biliteracy.** The School District may voluntarily participate in the state seal of biliteracy program by notifying the Superintendent of Public Instruction of such intention. Schools will then identify the students who have met the requirements to be awarded the state seal of biliteracy, which shall be affixed to the diploma and noted on the transcript of each student who has met the requirements.

**CPR Instruction and Training.** School districts and charter schools shall provide public school pupils with one (1) or more training sessions in cardiopulmonary resuscitation, through the use of psychomotor skills in an age-appropriate manner, during high school.

~~(Note: CPR instruction and training is required to be provided no later than July 1, 2019.)~~

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-203

15-341

15-701.01

15-763

A.A.C.

R7-2-302.02

R7-2-302.03

CROSS REF.:

IGD - Curriculum Adoption

IGE - Curriculum Guides and Course Outlines

IHAMC - Instruction and Training in Cardiopulmonary Resuscitation

IHAMD – Instruction and Training in Suicide Prevention

IIE - Student Schedules and Course Loads

IKA - Grading/Assessment Systems

JFABC - Admission of Transfer 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.

## JICA © STUDENT DRESS

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

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

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

Discriminatory or O-~~o~~bscene language or symbols, or symbols of sex, drugs, or alcohol on clothing are expressly prohibited.

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

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-105

15-110

15-341

CROSS REF.:

JICEC - Freedom of Expression

JICF - Secret Societies/Gang Activity

JJJ - Extracurricular Activity Eligibility

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

## JICA-R ©

### REGULATION

### STUDENT DRESS

The District encourages students to take pride in their attire as it relates to the school setting. Students should dress in a manner that, in addition to the following guidelines, takes into consideration the educational environment, safety, health, and welfare of self and others.

~~A. Only tailored shorts and skirts that are hemmed may be worn in grades kindergarten (K) through twelve (12). Students must wear a shirt with pants or skirt or the equivalent (dress, leggings, or shorts).~~

~~B. Bare midriffs, halter tops, and spaghetti straps are not acceptable past the third grade. Clothing must not be see-through and must cover a student's undergarments, chest and torso, when standing or sitting.~~

~~C. Bare feet are never acceptable. In the interests of student safety, Shoes must be worn at all times. Closed shoes are to be worn for any type of physical activity, such as physical education, et cetera.~~

~~D. Jewelry shall not be worn if it presents a safety hazard. to self and/or others.~~

~~E. Profane or defamatory writing on clothing or jewelry is not acceptable. Clothing, accessories and/or jewelry may not state, imply, or depict hate speech/imagery targeting groups based on race, ethnicity, gender, sexual orientation, gender identity, religious affiliation, or any other protected classification.~~

~~F. No bandannas of any color, size, or shape may be carried or displayed in any classroom or at any school activity. This also includes simulations of anything representing "colors." Students may wear clothing, accessories and jewelry that display religious messages or religious symbols in the same manner and to the same extent that other types of clothing, accessories and jewelry that display messages or symbols are permitted.~~

~~G. Subject to the above, No hats, bandannas, other head coverings, or sunglasses may be worn in a classroom or school building, except for properly approved occupational safety headgear required for special classes or if authorized by a school administrator or authorized/prescribed by a medical professional.~~

~~H. Gang-related personalization is not permitted on hats, on items of clothing, or on one's person.~~

HI. Obscene language or symbols, or symbols of drugs, sex, ~~or~~ alcohol, or weapons on clothing are ~~expressly~~ prohibited.

I. Students may not wear clothing, accessories and/or jewelry with images, symbols, slogans, words or phrases that are profane, discriminatory or defamatory or that is worn with the intent to convey affiliation with a criminal street gang as defined in A.R.S. 13-105.

J. Hats and sunglasses may be worn outside.

Exceptions for special activities or health considerations may be preapproved by the administrator.

Students who volunteer for extracurricular activities, such as athletics, band, chorus, et cetera, are subject to the standards of dress as defined by the sponsors of such activities.

**JIH ©**  
**STUDENT INTERROGATIONS,**  
**SEARCHES, AND ARRESTS**

**Interviews**

School officials may question students regarding matters incident to school without limitation. The parent will be contacted if a student interviewed is then subject to discipline for a serious offense. A student may decline at any time to be interviewed by the School Resource Officer (SRO) or another peace officer.

*When child abuse or abandonment of a student is alleged.*

If a child protective services worker or peace officer enters the campus requesting to interview a student attending the school, the school administrator shall be notified. Access to interview shall be granted when the child to be interviewed is the subject of or is the sibling of or is living with the child who is the subject of an abuse or abandonment investigation. The personnel of the District shall cooperate with the investigating child protective services worker or peace officer. If a student is taken into temporary custody in accordance with A.R.S. 8-821, the child protective services worker or peace officer may be reminded to notify the student's parent of the custody, pursuant to A.R.S. 8-823. The child protective services worker or peace officer shall be requested to establish proper identification and complete and sign a "Form for Signature of Interviewing Officer." Six (6) hours following the relinquishment of custody by the school, school personnel may respond to inquiries about the temporary custody of the child and may, if considered necessary, call the parent.

*Abuse or abandonment is **not** alleged.*

*No issue of student population safety is presented.* If a peace officer enters the campus requesting to interview a student attending the school on an issue other than upon request of the school or for abuse or abandonment, the school administrator shall be notified. If the officer directs that parents are not to be contacted because the interview is related to criminal activity of the parent(s)/guardian, the school official shall comply with the request. Unless these circumstances exist, the parent will be contacted and will be asked if they wish the student to be interviewed. If the parent consents the parent will be requested to be present or to authorize the interview in their absence within the school day of the request. Where an attempt was made, and the parent(s) could not be reached or did not consent within the school day of the request, the peace officer will then be requested to contact the parent(s) and make arrangements to question the student at another time and place.

*Safety of the student population is of concern.* When a peace officer is present on the campus to interview students at the request of school authorities due to concerns for the safety of the students in the school population, parent contact shall only be made if a student is taken into custody or following the determination that the student may be subject to discipline for a serious offense. The SRO, present at the request of the school for the continued maintenance of safety and order, may interview students as necessary regarding school related issues as determined by school officials and parents will be contacted if the student is to be taken into custody or if the student is subject to discipline for a serious offense.

Staff members are to report any suspected crime against a person or property that is a serious offense, involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury and any conduct that poses a threat of death or serious physical injury to employees, students or others on school property. All such reports shall be documented and communicated to the Superintendent who shall be responsible for reporting to local law enforcement. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to Policy JICK as required in A.R.S. 15-341(A)(36).

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

### **Searches**

School officials have the right to search and seize property, including school property temporarily assigned to students, when there is reason to believe that some material or matter detrimental to health, safety, and welfare of the student(s) exists. Disrobing of a student is overly intrusive for purposes of most student searches and is improper without express concurrence from School District counsel.

Items provided by the District for storage (e.g., lockers, desks) or personal items are provided as a convenience to the student but remain the property of the school and are subject to its control and supervision. Students have no reasonable expectancy of privacy, and lockers, desks, storage areas, et cetera, may be inspected at any time with or without reason, or with or without notice, by school personnel.

### **Arrest**

When a peace officer enters a campus providing a warrant or subpoena or expressing an intent to take a student into custody, the office staff shall request the peace officer establish proper identification, complete, and sign a form for signature of an arresting officer or interviewing officer. The school staff shall cooperate with the officer in locating the child within the school. School officials may respond to parental inquiries about the arrest or may, if necessary, explain the relinquishment of custody by the school and the location of the student, if known, upon contact by the parent.

Adopted: date of Manual adoption

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



LEGAL REF.:

A.R.S.

1-215

8-303

8-304

8-802

8-821

8-823

13-3881

13-3883

15-153

15-341

15-342

A.G.O.

I04-003

I77-211

I82-094

I88-062

I91-035

**JLCD ©  
MEDICINES / ADMINISTERING  
MEDICINES TO STUDENTS**

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

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

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

School district, charter schools and employees of school districts and charter schools are immune from civil liability for the consequences of the good faith adoption and implementation of policies and procedures pursuant to the statute.

The Governing Board directs the Superintendent to prescribe and enforce regulations and procedures for the emergency administration of auto-injectable epinephrine by a trained employee of the School District pursuant to section A.R.S. 15-157 and subsequent to the adoption of rules by the State Board of Education ~~on or before January 1, 2014~~ pertaining to annual training in the administration of auto-injectable epinephrine, recognition of anaphylactic shock symptoms and the procedures to follow when anaphylactic shock occurs and the requirements of A.R.S. 15-203(A)(40).

The Governing Board recognizes that the prescribed annual training is optional during any fiscal year in which a school does not stock epinephrine auto-injectors at the school during that fiscal year.

A school district or charter school may accept monetary donations for or apply for grants for the purchase of epinephrine auto-injectors or may participate in third-party programs to obtain epinephrine auto-injectors at fair market, free or reduced prices.

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***Exceptions:***

A. Students who have been diagnosed with anaphylaxis may carry and self-administer emergency medications including auto-injectable epinephrine provided the pupil's name is on the prescription label, on the medication container or device and annual written documentation from the pupil's parent or guardian is provided that authorizes possession and self-administration. The student shall notify the school office secretary as soon as practicable following the use of the medication;

B. For breathing disorders, handheld inhaler devices may be carried for self-administration provided the pupil's name is on the prescription label, on the medication container, or on the handheld inhaler device and annual written documentation from the pupil's parent or guardian is provided that authorizes possession and self-administration.

C. Students with diabetes who have a diabetes medical management plan provided by the student's parent or guardian, signed by a licensed health professional or nurse practitioner as specified by A.R.S. 15-344.01, may carry appropriate medications and monitoring equipment and self-administer the medication.

District employees may volunteer to be a student's diabetes care assistant, subject to approval by the student's parent or guardian, in an emergency situation as described in 15-344.01. The Superintendent may develop regulations for implementing this provision.

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

The Governing Board directs the Superintendent to prescribe and enforce regulations and procedures for the emergency administration of naloxone hydrochloride or any other opioid antagonist approved by the United States Food and Drug Administration by an employee of a school district pursuant to Section 36-2267, Administration of opioid antagonist; exemption from civil liability; definition, which, in part states the following:

A. A person may administer an opioid antagonist that is prescribed or dispensed pursuant to section 32-1979 or 36-2266 in accordance with the protocol specified by the physician, nurse practitioner, pharmacist or other health professional to a person who is experiencing an opioid-related overdose.

B. A person who in good faith and without compensation administers an opioid antagonist to a person who is experiencing an opioid-related overdose is not liable for any civil or other damages as the result of any act or omission by the person rendering the care or as the result of any act or failure to act to arrange for further medical treatment or care for the person experiencing the overdose, unless the person while rendering the care acts with gross negligence, willful misconduct or intentional wrongdoing.

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C. "Person" includes an employee of a school district or charter school who is acting in the person's official capacity.

This policy and any related policies or amendments to such policies shall be forwarded to the District liability insurance carrier for review.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-157

15-158

15-203

15-341

15-344

15-344.01

32-1601

32-1901

**JLDAC ©**  
**SCREENING / TESTING**  
**OF STUDENTS**

**(Vision Screening of Children)**

It is statutorily required that each school shall provide vision screening services as follows:

- A. To students upon initial entry to school and not more than two (2) additional grade levels as prescribed by the Department of Health Services by rule.
- B. At the school's discretion, the school may provide vision screening services to students who are in grade levels that are not prescribed by rule.
- C. To students who are being considered for special education services and have not been screened in the last year.
- D. To students for whom a teacher has requested a screening and who have not been screened in the last year.
- E. To students who are not reading at grade level by the third (3rd) grade pursuant to the state assessment required in A.R.S. 15-741.

Screening guidelines include the following:

- A. A school nurse, a volunteer or other school personnel who have undergone training developed or approved by the department shall administer the vision screenings except that those individuals who are trained to administer vision screenings before the effective date are not required to retrain.
- B. A vision screening conducted pursuant to this statute does not satisfy a requirement for a medical professional to complete a vision screening of a child according to established guidelines for pediatric care.
- C. The School District Governing Board shall provide the vision screening results to the parent or guardian of each student who did not pass the vision screening within forty-five (45) days after the vision screening and shall comply with all applicable privacy laws. The results shall identify that the student did not pass the vision screening and the need for a comprehensive eye and vision examination.
- D. The results shall state that a vision screening is not equivalent to a comprehensive eye and vision examination.

Other requirements:

- A. A school district governing board providing vision screening services shall provide to the department annual data submissions in a department-approved format that complies with student privacy laws.

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

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

36-899.10

CROSS REF.:

JL - Student Wellness

**JLF ©**  
**REPORTING CHILD ABUSE /**  
**CHILD PROTECTION**

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

The Arizona Department of Economic Security, Division of Children, Youth and Families, has determined that all mandated reporters may now electronically submit non-emergency reports via a secure online reporting website. Non-emergency reports are those in which a child is not at immediate risk of abuse or neglect that could result in serious harm. Mandated reporters will be able to submit non-emergency reports twenty-four (24) hours a day without wait times.

All reports made via the online website will *require the person making the report (reporting source) to provide contact information*. A representative from the Child Abuse Hotline may contact the source for additional information, if necessary. This process will make it more convenient to meet the mandated reporting requirements and help ensure child safety.

All *emergency situations* where a child faces an immediate risk of abuse or neglect that could result in serious harm *must* still be reported by calling 911 or 1-888-SOS-CHILD (1-888-767-2445). If a reporting source is unsure as to whether or not the report is an emergency situation, the reporting source should call the Child Abuse Hotline to make a report.

Any concerns for the safety of a child due to abuse, neglect or abandonment, *must be reported*, by:

Calling 1-888-SOS-CHILD (1-888-767-2445),

TDD: 602-530-1831 (1-800-530-1831), or

Submitting *non-emergency* concerns via the Online Reporting Service for Mandated Reporters at [https://www.azdes.gov/dcyf/cps/mandated\\_reporters/](https://www.azdes.gov/dcyf/cps/mandated_reporters/) (effective November 2013).

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Pursuant to A.R.S. 13-3620, such reports shall contain, if known:

- A. The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- B. The minor's age and the nature and extent of the minor's abuse, child abuse, or physical injuries or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
- C. Any other information that such person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

A person who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person who participates in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes is immune from any civil or criminal liability by reason of that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

A report is not required under A.R.S. 13-3620 for conduct prescribed by A.R.S. 13-1404 and 13-1405 if the conduct involves only minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and there is nothing to indicate that the conduct is other than consensual.

A report is not required if a minor is of elementary school age, the physical injury occurs accidentally in the course of typical playground activity during a school day, occurs on the premises of the school that the minor attends and is reported to the legal parent or guardian of the minor and the school maintains a written record of the incident. The school will maintain a written record of the physical injury as part of the student's health file as required by Arizona State Library, Archives and Public Records (ASLAPR).

A person who fails to report abuse as provided in A.R.S. 13-3620 is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class 6 felony.

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

Any person who is employed as the immediate or next higher-level supervisor to or administrator of a person who is statutorily required to report is not required to report if the supervisor or administrator reasonably believes that the report has been made by the person who is required to report.

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Any school employee who has orally reported to DCS or a peace officer a reasonable belief of an offense to a minor must provide written notification to the principal of the oral report not later than the next workday following the making of the report.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

8-201

13-1404 *et seq.*

13-1410

13-3019

13-3212

13-3506

13-3506.01

13-3552

13-3553

13-3608

13-3619

13-3620

13-3623

15-514

46-451

46-454

CROSS REF.:

GBEB - Staff Conduct

GBEBB - Staff Conduct With Students

JKA - Corporal Punishment