

# POLICY SERVICES

## ADVISORY

**Volume 30, Number 3**

**August 2018**

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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.

## **Manual Updates**

### ***Legal References:***

Policy FEA, Educational Specifications for Construction - *add* A.R.S. 15-213.

Policy GBP, Prohibited Personnel Practices - *add* A.R.S. 15-213.

### ***Cross References:***

Policy BEDG, Minutes – *add* BEDF – Voting Method.

## **POLICY ADVISORY DISCUSSION**

PAs Number 625 through 643 in this Policy Advisories series, Volume 30, Number 3, reflect recently passed legislation of the Fifty-third Legislature, 2nd Regular Session 2018, and subsequent statutory requirements for Arizona School Districts.

### **Policy Advisory No 625      Policy BCB — Board Member Conflict of Interest Exhibit BCB-E**

Language has been added to this policy and exhibit to clarify conflict of interest and to more closely reflect the language applicable to employees which was released in Policy Advisory No. 621.

In February 2018 Policy Advisory No. 603 added language to GBEAA-E, Staff Conflict of Interest, updating this exhibit to more closely follow the Conflict of Interest Disclosure Memorandum in Appendix 8.1 of the Attorney General Arizona Agency Handbook. Given the changes in House Bill 2663 on procurement and the focus on conflicts of interest in purchasing, Policy Services strongly recommends adoption of PA 625 with the additional language provided for BCB and BCB-E.

### **Policy Advisory No 626                                      Policy BE — School Board Meetings**

Chapter 229, House Bill 2065, amending sections 38-431, 38-431.01 and 38-431.07, Arizona Revised Statutes; relating to public meetings and proceedings. Policies BE, BEDF, and Regulation BEDG-R are affected by these changes.

### **Policy Advisory No. 627                                      Policy BEDF — Voting Method**

It is now clear in law that each individual governing body member must vote and each individual member’s vote recorded in the minutes. ASBA recommends instituting a roll-call vote to ensure this is accomplished.

### **Policy Advisory No 628                                      Regulation BEDG- R— Minutes**

*See above:* Summary No. 626.

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**Policy Advisory No 629**

**Policy DICA — Budget Format**

House Bill 2663 in A.R.S. 41-1279.03 added a requirement for school districts to place on its website a copy of its profile pages that display the percentage of every dollar spent in the classroom by that school district from the most recent auditor general status report.

School districts may want to include the additional categories of Instructional Support and Student Support alongside the dollars in the classroom number as the intent of the report is to give a more accurate picture of the percentage of district dollars spent that directly impact teaching and student learning.

**Policy Advisory No 630**

**Policy DIE — Audits/Financial Monitoring**

House Bill 2663 added language in A.R.S. 15-213 related to the number of consecutive years for which a district may hire an auditor/auditing firm and the prohibition of the same auditor/auditing firm receiving consulting fees from that school district.

**Policy Advisory No 631**

**Policy DJ — Purchasing**

In response to isolated issues relating to purchasing and conflict of interest, the Legislature passed House Bill 2663 which inserted substantial language additions in A.R.S. 15-213 related to procedures, limitations on personal gain, and penalties related to violations of the statute. These are replicated in this policy which should be read in conjunction with other cross-referenced policies.

The school district attorney should be consulted in complicated financial transactions where there is the possibility of a conflict of interest in the areas of purchasing, contracts, and construction.

**Policy Advisory No 632**

**Policy DN — School Properties Disposition**

In House Bill 2460, the legislature has modified ARS 15-189 pertaining to a school district selling or leasing property to charter schools or private schools in the same manner as utilized in selling or leasing property to any buyers or lessees. Policy DN includes a reference to the specifics in Policy FCB.

**Policy Advisory No 633**

**Policy FCB — Retirement of Facilities**

In House Bill 2460, the legislature has modified ARS 15-189 to ensure that whenever a school district decides to sell or lease a vacant and unused building or a vacant and unused portion of a building, the school district may not prohibit a charter school or private school from negotiating to buy or lease the property in the same manner as other potential buyers or lessees. Other limitations are included in the policy.

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**Policy Advisory No. 634                      Policy GCO — Evaluation of Professional Staff Members**

Policy GCO is revised to include legislative changes in Senate Bill 1255 to A.R.S. 15—537, pertaining to an alternative performance evaluation cycle for professional staff members.

**Policy Advisory No 635                      Regulation IKE-RB — Promotion and Retention of Students**

House Bill 2520 has modified various statutes relating to Regulation IKE-RB, including annual reporting to the department of education on or before October 1 that includes information on the total number of students promoted pursuant to the policy, the total number of pupils retained in grade three and the interventions administered.

**Policy Advisory No 636                      Policy IL — Evaluation of Instructional Programs**

A.R.S. 15-708 is a new statute, created by the legislature in House Bill 2477 to address requirements if the statewide assessment results in mathematics are available to school districts and charter schools before the start of each school year. These requirements are included in Policy IL.

**Policy Advisory No 637                      Policy IMD — School Ceremonies and Observances**

The legislature directs in Senate Bill 1289 that A.R.S. 15-717 includes the National Motto and the State Motto in the listing of copies or excerpts of materials which may be read or posted in any school in the state by a teacher or administrator.

The list of approved materials is included in this optional addition to Policy IMD.

**Policy Advisory No 638                      Policy JEB — Entrance Age Requirements**

Senate Bill 1082 the specifics required of a district in A.R.S. 15-901.02 if a parent chooses voluntary full-day kindergarten instruction are included in this policy advisory.

**Policy Advisory No 639                      Policy JICK — Student Bullying/Harassment/Intimidation ~~Violence/Harassment/Intimidation/Bullying~~ Regulation JICK-R Exhibit JICK-EB**

This policy has been modified in response to House Bill 2088 amending A.R.S. 15-341 pertaining to required parental notification if a pupil is subjected to bullying, harassing, or intimidating conduct by another person.

The title of the policy, regulation, and exhibits have been changed slightly to more closely replicate the language referenced in statute.

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**Policy Advisory No 640**

**Policy JJIB — Interscholastic Sports**

This policy contains language added by the legislature in House Bill 2657 and House Bill 2088 to A.R.S 15-341, regarding dangers of heat-related illnesses, sudden cardiac death and prescription opioid use.

**Policy Advisory No 641**

**Policy JL — Student Wellness  
Regulation JL-RB**

SENATE BILL 1083 included a statutory definition of “recess” in A.R.S. 15-118 which is included in the policy and regulation for clarification.

**Policy Advisory No 642**

**Exhibit JLCB-E — Immunization of Students**

Updated language pertaining to immunizations of students is included in this exhibit which is the most recent document available.

**Policy Advisory No 643**

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

House Bill 2085 altered A.R.S. 15-157 and 15-203, allowing a school district or charter school to accept monetary donations for or apply for grants for the purchase of epinephrine auto-injectors. District and charters may also participate in third-party programs to obtain epinephrine auto-injectors at fair market, free or reduced prices.

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. Our e-mail addresses are, respectively, [cthomas@azsba.org], [trowles@azsba.org], [shighlen@azsba.org] and [ddcabooter@azsba.org]. You may also fax information to (602) 254-1177.

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

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**BCB ©  
BOARD MEMBER CONFLICT  
OF INTEREST**

**Voting Restrictions**

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

**Employment Limitation**

No dependent, as defined in Section 43-1001, of a Governing Board member may be employed in the District, except by consent of the Board. [LEGAL REF.: A.R.S. 15-502]

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

**Conflict of Interest**

Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase. [LEGAL REF.: A.R.S. 38-503]

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

“Refrain from participating in any manner” means more than just refraining from making a final decision. It means participating in any way in the process leading up to a decision. An employee with a conflict of interest must not make recommendations, give advice, or otherwise communicate in any manner with anyone involved in the decision-making process.

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

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

- A. Purchases for supplies, materials, and equipment are limited to three hundred dollars (\$300) per transaction;
- B. Total purchases within any twelve (12) month period are limited to one thousand dollars (\$1,000);
- C. The purchases comply with the Uniform System of Financial Records (USFR) guidelines for oral and written quotations.
- D. The Board has, by majority vote, adopted or reconfirmed a policy authorizing such purchases within the preceding twelve (12) month period.

[LEGAL REF.: A.R.S. 38-503; 15-323; A.G.O. I84-012; I06-002]

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

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

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

[LEGAL REF.: A.R.S. 15-323; A.G.O. I06-002]

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## **Filing of Disclosures**

The District shall maintain for public inspection in a special file all documents necessary to memorialize all disclosures of substantial interest made known pursuant to the statutory conflict-of-interest provisions. [LEGAL REF.: A.R.S. 38-509]

Adopted: date of Manual adoption

### **LEGAL REF.:**

A.R.S.

15-213

15-323

15-421

15-502

38-481

38-503

38-509

43-1001

A.G.O.

I84-012

I87-035

I88-013

I06-002

### **CROSS REF.:**

BBBA - Board Member Qualifications

DJE - Bidding/Purchasing Procedures

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



**BCB-E ©**

**EXHIBIT**

**BOARD MEMBER CONFLICT  
OF INTEREST**

I, \_\_\_\_\_, do hereby indicate:

1. That I am presently an officer/employee of the \_\_\_\_\_ School District;
2. That I (or my relative[s]: \_\_\_\_\_) have a substantial interest in the contract, sale, purchase, ~~or service to~~ or decision, investigation, or other matter by the \_\_\_\_\_ Governing Board as described below.

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

Describe the "substantial interest" referred to above. (Use as much space as necessary.)

- ~~3. That I shall refrain from participating in any manner in my capacity as an employee or officer of \_\_\_\_\_ School District in such contract, sale, purchase, service to, or decision by the Governing Board unless specifically permitted to do so by law.~~

\_\_\_\_\_  
Date Signature

Description of Conflict:

**STATEMENT OF DISQUALIFICATION**  
***To be completed if you have a conflict as identified above.***

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

\_\_\_\_\_  
Date Signature

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**STATEMENT OF NO CONFLICT**

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

I, \_\_\_\_\_, do hereby indicate that I do not have, and none  
of my relatives has, a substantial interest in any contract, sale, purchase, service,  
decision, investigation, or other matter of the \_\_\_\_\_ School  
District;

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

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

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advice. You may wish to consult an attorney for further explanation.

## BE © SCHOOL BOARD MEETINGS

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

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

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

A meeting includes a one-way electronic communication by one member of a public body that is sent to a quorum of the members of a public body and that proposes legal action.

A meeting also includes an exchange of electronic communications among a quorum of the members of a public body that involves a discussion, deliberation or the taking of legal action by the public body concerning a matter likely to come before the public body for action.

Notice of all Governing Board meetings, regular and special, shall be posted in compliance with the requirements prescribed by A.R.S. [38-431.02](#) and described in Board Policy BEDA.

### **Regular Board Meetings**

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

#### ***Choose this:***

The \_\_\_\_\_ and \_\_\_\_\_ of each month during the regular school year are designated as the regular Board meeting dates. The Board may hold other meetings as often as called.

#### ***Or choose this:***

The \_\_\_\_\_ of each month during the regular school year is designated as the regular Board meeting date. The Board may hold other meetings as often as called.

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A regular meeting may be rescheduled or canceled:

- A. By majority vote of the Board when noticed as a meeting agenda item.
- B. By declaration of the Board President, or if the President is unavailable another member of the Board, in consultation with the Superintendent, when a significant event beyond the Board's control renders attendance at the meeting unsafe or unreasonable in light of the circumstance, such as:
  - 1. Significantly inclement weather conditions, or
  - 2. A local, state, or national emergency of a magnitude it intervenes to the extent that convening of the meeting is inadvisable.
- C. When the absence of a quorum of the Board will render the meeting impermissible.

Every regular meeting of the Board shall be open to the public, and the Board shall meet at the most convenient public facility in the District. If a public facility is not available within the District, the Board may meet at any available public facility convenient to all Board members, regardless of the county or school district in which the facility is located.

### **Special Board Meetings**

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

Adopted: date of Manual adoption

A.R.S.  
15-321  
15-843  
38-431 *et seq.*  
38-431.01  
A.G.O.  
I79-45

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

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**BEDF ©  
VOTING METHOD**

Votes on all motions and resolutions shall be by *ayes, nays or abstentions*.

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

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

Adopted: date of Manual adoption

**LEGAL REF.:**

A.R.S.

1-216

15-321

38-431

A.G.O.

I78-237

**CROSS REF.:**

BEDC - Quorum

BEDD - Rules of Order

BEDG - Minutes

**BEDG-R ©**

REGULATION

**MINUTES**

**(Minutes of Open Session Governing Board Meetings,  
Board Subcommittees and Advisory Committees)**

For meetings other than executive sessions, minutes are to contain at *least* the following information:

- A. Date, time, and place of meeting.
- B. Members of the Governing Board recorded as either present or absent.
- C. General description of the matter considered.
- D. A record of how each member voted.
- ~~DE.~~ An accurate description of all legal actions proposed, discussed or taken, and the name of the Board member who proposed each motion.
- ~~EF.~~ Names of the persons, as given, making statements or presenting material to the Governing Board and a reference to the legal action about which they made statements or presented material.

A *meeting*, for the purposes of the open meeting statutes, is the gathering of a quorum of Governing Board members at which they discuss, propose or take legal action, including any deliberations by a quorum with respect to such action. [38-431]

It is therefore necessary to remember that:

- A. the coming together of a quorum of Governing Board members:
  - 1. in person or by technological devices such as speakerphone, Internet, or other device,
  - 2. including study sessions, work sessions, and retreats,
  - 3. regardless of whether or not any voting is scheduled to occur,
- B. or of a subcommittee or advisory committee appointed by or at the direction of the Board, or which is to report to the Board,
  - 1. is a "meeting" and, therefore,
  - 2. minutes must be taken and processed as required by statute and specified above.

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## **DICA © BUDGET FORMAT**

The District shall utilize the budget format prepared and prescribed by the Superintendent of Public Instruction in conjunction with the auditor general. The budget format is designed to allow school districts to plan and provide in detail for the use of available funds.

The District shall prominently post on its website home page a copy of its profile pages that displays the percentage of every dollar spent in the classroom by that school district from the most recent status report issued by the auditor general.

The District may want to include the additional categories of Instructional Support and Student Support alongside the dollars in the classroom number as the intention of the report is to give a more accurate picture of the percentage of district dollars spent that directly impact teaching and student learning.

The budget format, in addition to other requirements specified in statute, shall also contain the following information. The School District shall prominently post on its website home page, separately from its budget, Items A through F below:

- A. A statement identifying proposed pupil-teacher ratios and pupil-staff ratios relating to the provision of special education services for the budget year.
- B. A statement identifying the number of full-time equivalent certificated employees.
- C. The prominent display of the average salary of all teachers employed by the School District for the current year.
- D. The prominent display of the average salary of all teachers employed by the School District for the previous year.
- E. The prominent display of the dollar increase in the average salary of all teachers employed by the School District for the current year.
- F. The prominent display of the percentage increase in the average salary of all teachers employed by the School District for the current year.

Adopted: date of Manual adoption

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LEGAL REF.:

A.R.S.

15-271

15-302

15-903

15-977

15-991

41-1279.03

CROSS REF.:

CM - School District Annual Report

DBC-R - Budget Planning, Preparation and Schedules

DIC - Financial Reports and Statements

DIE – Audits/Financial Monitoring

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**DIE ©  
AUDITS / FINANCIAL MONITORING**

The Governing Board directs the Superintendent to implement procedures that assure District compliance with all state and federal requirements for financial monitoring and audits. Contingent upon prescribed qualifying criteria, such requirements may include, but are not limited to, procedural reviews by the Office of the Auditor General and the federal Single Audit Act Amendments and Office of Management and Budget (OMB) Compliance Supplement June 2016.

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

The following statutory limitations regarding the auditor or auditing firm shall be followed:

A. The District may not hire the same auditor or auditing firm for more than three (3) consecutive years.

B. An auditor or auditing firm hired by a school district may not also receive consulting fees from that school district.

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

The District shall prominently post on its website home page a copy of its profile pages that displays the percentage of every dollar spent in the classroom by that school district from the most recent status report issued by the Auditor General.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-213

15-239

15-914

15-2111

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41-1279.03

41-1279.04

41-1279.05

41-1279.07

41-1279.21

41-1279.22

A.A.C.

R7-2-902

USFR - Audit Requirements

2 CFR Part 200 Appendix XI, Compliance Supplement

CROSS REF.:

DICA – Budget Format

## DJ © PURCHASING

### (Purchasing Ethics Policy)

The District's Governing Board members and employees shall not use their offices or positions to receive any valuable things or benefits that would not ordinarily accrue to them in the performance of duties if the things or benefits are of such value or character as to manifest a substantial and improper influence upon the performance of their duties.

~~A District employee who supervises or participates in contracts, purchases, payments, claims or other financial transactions, or a person who supervises or participates in the planning, recommending, selecting or contracting for materials, services, goods, construction, or construction services for the District, shall not accept or agree to accept any personal gift or benefit from a person or vendor that has secured or has taken steps to secure a contract, purchase, payment, claim or financial transaction with the District.~~

~~A District employee that has secured or has taken steps to secure a contract, purchase, payment, claim or financial transaction with the District shall not offer, confer or agree to confer any personal gift or benefit to a person who supervises or participates in contract, purchases, payments, claims or other financial transactions, or on construction services of the District.~~

A person who supervises or participates in contracts, purchases, payments, claims or other financial transactions, or a person who supervises or participates in the planning, recommending, selecting or contracting for materials, services, goods, construction, or construction services of a school district or school purchasing cooperative is guilty of a Class 6 felony if the person solicits, accepts or agrees to accept any personal gift or benefit with a value of three hundred dollars (\$300) or more from a person or vendor that has secured or has taken steps to secure a contract, purchase, payment, claim or financial transaction with the school district or school purchasing cooperative. Soliciting, accepting or agreeing to accept any personal gift or benefit with a value of less than three hundred dollars (\$300) is a Class 1 misdemeanor.

Any person or vendor that has secured or has taken steps to secure a contract, purchase, payment, claim or financial transaction with a school district or school purchasing cooperative that offers, confers or agrees to confer any personal gift or benefit with a value of three hundred dollars (\$300) or more on a person who supervises or participates in contracts, purchases, payments, claims or other financial transactions, or on a person who supervises or participates in planning, recommending, selecting or contracting for materials, services, goods, construction or construction services of a school district or school purchasing cooperative, is guilty of a Class 6 felony. Offering, conferring or agreeing to confer any personal gift or benefit with a value of less than three hundred dollars (\$300) is a Class 1 misdemeanor.

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For the purpose of this policy a *gift or benefit* means a payment, distribution, expenditure, advance, deposit or monies, any intangible personal property, or any kind of tangible personal or real property. A *gift or benefit* does not include food or beverage, expenses or sponsorships related to a special event or function related to individuals identified in this policy, nor does this include an item of nominal value such as a greeting card, T-shirt, mug or pen.

A District employee who has control over personnel actions may not take reprisal against a District employee or that employee's disclosure of information that is a matter of public concern, including a violation of District policy or laws/regulations governing the District.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-213

15-323

38-503

38-504

CROSS REF.:

DJE – Bidding/Purchasing Procedures

GBEAA - Staff Conflict of Interest

## DN © SCHOOL PROPERTIES DISPOSITION

### **Sale or Lease of Property**

The Board may sell or lease to the state, a county, a city, another school district or a tribal government agency any school property required for public purpose provided the sale or lease of the property will not affect the normal operation of a school within the District and the District is in compliance with Policy FCB, Retirement of Facilities, and A.R.S. 15-189.

### **Disposition of Surplus Materials**

The School District shall determine the fair market value of excess and surplus property. Except as provided in A.R.S. 15-342, surplus materials, regardless of value, shall be offered through competitive sealed bids, public auction, established markets, trade-in, posted prices, or state surplus property. If unusual circumstances render the above methods impractical, the District may employ other disposition methods, including appraisal or barter, provided the District makes a determination that such procedure is advantageous to the District. Only United States Postal Money Orders, certified checks, cashier's checks, or cash shall be accepted for sales of surplus property unless otherwise approved by the District or for sales of less than one hundred dollars (\$100).

### **Exceptions for Disposition of Learning Materials and Equipment**

The Board authorizes the Superintendent to establish regulations for the disposal of surplus or outdated learning materials to nonprofit community organizations when it has been determined that the cost of selling such materials equals or exceeds estimated market value of the learning materials.

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

### **Competitive Sealed Bidding**

Notice of the sale bids shall be publicly available from the District at least ten (10) days before the date set for opening bids. Notice of the sale bids shall be mailed to prospective bidders, including those on lists maintained by the District pursuant to A.A.C. R7-2-1023. The notice of the sale bids shall list the materials offered for sale; their location; availability for inspection; the terms and conditions of sale; and instructions to bidders, including the place, date, and time set for bid opening. Bids shall be opened publicly pursuant to the requirements of A.A.C. R7-2-1029.

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| <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 award shall be made, in accordance with the provisions of the notice of the sale bids, to the highest responsive and responsible bidder, provided that the price offered by such bidder is acceptable to the District. If the District determines that the bid is not advantageous to the District, the District may reject the bids in whole or in part and may resolicit bids, or the District may negotiate the sale, provided that the negotiated sale price is higher than the highest responsive and responsible bidder's price.

Auctions shall be advertised at least two (2) times prior to the auction date in a newspaper of the county as defined in A.R.S. 11-255. Advertisements must be at least seven (7) days apart. All of the terms and conditions of any sale shall be available to the public at least twenty-four (24) hours prior to the auction date.

Before surplus materials are disposed of by trade-in to a vendor for credit on an acquisition, the District shall approve such disposal. The District shall base this determination on whether the trade-in value is expected to exceed the value realized through the sale or other disposition of such materials.

An employee of the District or a Governing Board member shall not directly or indirectly purchase or agree with another person to purchase surplus property if said employee or Board member is, or has been, directly or indirectly involved in the purchase, disposal, maintenance, or preparation for sale of the surplus material.

### **State Surplus Property Manager**

Except as provided in A.R.S. 15-342, the District may enter into an agreement with the State Surplus Property Manager for the disposition of property pursuant to Article 8 of the Arizona Procurement Code [A.R.S. 41-2601 *et seq.*] and the rules promulgated thereunder.

### **Donation of Surplus**

The Board may donate surplus or outdated learning materials, educational equipment and furnishings to nonprofit community organizations where the Board determines the anticipated cost of selling the learning materials, educational equipment or furnishings equals or exceeds the estimated market value of the materials.

### **Offer to Sell**

The Board may offer to sell outdated learning materials, educational equipment or furnishings at a posted price commensurate with the value of the item to pupils who are currently enrolled in the District before those materials are offered for public sale.

Adopted: date of Manual adoption

*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.

15-189

15-341

15-342

A.A.C.

R7-2-1131

A.G.O.

I80-036

I80-189

U.S.F.R. Sec. III-J-5(10); App. B(6)

CROSS REF.:

BCB - Board Member Conflict of Interest

FCB – Retirement of Facilities

GBEAA - Staff Conflict of Interest

IJJ - Textbook/Supplementary Materials Selection and 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.

**FCB ©**  
**RETIREMENT OF FACILITIES**  
**(Closing a School Facility)**

If it is determined the Board needs to consider closing a school facility the Board may consult with the Arizona School Facilities Board (SFB) for technical assistance and for information on the impact of closing a school. The information provided from the SFB shall not require the Board to take or not take any action.

The Board recognizes the impact closing a school has on the community, the students who attend the school being considered, the projected impact on other schools in the District, and the District. In response the Board shall discuss and consider a proposed school closing at a scheduled Board meeting. The Superintendent shall present at a Board meeting demographic data related to present and future school facility needs along with information related to a school closing.

Following a decision to sell or lease a vacant and unused building or a vacant and unused portion of a building, the District may not prohibit a charter school or private school from negotiating to buy or lease the property in the same manner as other potential buyers or lessees. The District shall attempt to obtain the highest possible value under current market conditions for the sale or lease of the vacant and unused building or the vacant and unused portion of a building and may not accept an offer from a potential buyer or lessee that is less than an offer from a charter school or private school. This does not require the owner of a building to sell or lease the building or a portion of the building to a charter school, to any other school or to any other prospective buyer or tenant, except that the owner of a building may not withdraw the property from sale or lease solely because a charter school or private school is the highest bidder.

Community members shall be provided an opportunity to address the consideration at the Board meeting.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-189

15-341

38-431.01

CROSS REF.:

DN – School Properties Disposition

JC - School Attendance Areas

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| <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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**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 fifty percent (50%) of his 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.

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 will:

A. Utilize the required elements of the model framework for a teacher and principal evaluation instrument adopted by the State Board of Education;

B. Include quantitative data on student academic progress that accounts for between thirty-three percent (33%) and fifty percent (50%) 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.

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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.

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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.

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

The District teacher evaluation will address the following items (to be inserted in this location after adoption by the Board):

**Item 1**

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

**Item 2**

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

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## **Inadequacy of Classroom Performance**

A teacher's classroom performance is inadequate if:

***INSERT DISTRICT LANGUAGE HERE.***

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

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

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

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

### **Evaluation of Principals**

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

The evaluation system for principals may include the following:

- 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.

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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

*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.

15-203

15-502

15-503

15-536

15-537

15-537.01

15-538

15-538.01

15-539 *et seq.*

15-544

15-549

15-918.02

15-977

A.A.C.

R7-2-605

CROSS REF:

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.

## IKE-RB ©

### REGULATION

### PROMOTION AND RETENTION OF STUDENTS

#### Competency Requirements for Promotion of Students from Third Grade

The District shall identify each student who is at risk of reading below grade level in kindergarten and grades one (1), two (2), and three (3). The District shall provide an annual specific written notification to parents or guardians of students in kindergarten programs and first (1st), second (2nd) and third (3rd) grades that a student who obtains a score on the reading portion of ~~a state required~~ the state-wide assessment that demonstrates the student is reading far below the third (3rd) grade level or the equivalent does not demonstrate sufficient reading skills as established by the Board will not be promoted from the third (3rd) grade.

If the student's school has determined that the student is substantially deficient in reading before the end of grade three (3), the District shall provide to the parent or guardian of that student a specific written notification of the reading deficiency that includes the following information:

- A. A Description of the student's specific individual needs.
- B. A description of the current reading services provided to the student.
- C. A description of the available supplemental instructional services and supporting programs that are designed to remediate reading deficiencies. The District shall offer more than one (1) evidence-based intervention strategy and more than one (1) remedial strategy developed by the State Board of Education for pupils with reading deficiencies. The notification shall list the intervention and remedial strategies offered and shall instruct the parent or guardian to choose, in consultation with the student's teacher, the most appropriate strategies that will be implemented for the student.
- D. Parental/guardian strategies to assist the student to attain reading proficiency.
- E. A statement that the pupil will not be promoted from the third grade if the pupil obtains a score on the reading portion of the state-wide assessment that demonstrates the pupil is reading far below the third-grade level does not demonstrate sufficient reading skills, unless the pupil is exempt from mandatory retention in grade three or the pupil qualifies for an exemption.
- F. A description of the District policies on midyear promotion to a higher grade.

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Competency requirements for the promotion of a student from the third (3rd) grade shall include the following:

A. The student shall not be promoted from the third (3rd) grade if the pupil obtains a score on the reading portion of ~~a state required~~ the state-wide assessment required test that demonstrates the student is reading far below the third (3rd) grade level or the equivalent ~~does not demonstrate sufficient reading skills~~ as established by the Board, unless the student is exempt from mandated retention or the pupil qualifies for an exemption as determined by the Governing Board.

B. The Governing Board may promote ~~a student~~ from the third (3rd) grade if ~~the student obtains a score on the reading portion of a state required test that demonstrates the student's reading skills fall far below the third (3rd) grade level for any of the following:~~ a pupil who does not demonstrate sufficient reading skills if the pupil:

1. ~~A good cause exemption if the student is an English learner or a limited proficient student as defined in section 15-751 and has had fewer than two (2) years of English language instruction.~~

2. ~~A pupil who is in the process of a special education referral or evaluation for placement in special education or a pupil who has been diagnosed as having a significant reading impairment, including dyslexia or a pupil who is a child with a disability as defined in section 15-761 if the pupil's individualized education program team and the pupil's parent or guardian agree that promotion is appropriate based on the pupil's individualized education program. "Dyslexia" as defined in section 15-701 means a brain-based learning difference that impairs a person's ability to read and spell, that is independent of intelligence and that typically causes a person to read at levels lower than expected.~~

3. The pupil has demonstrated or subsequently demonstrates sufficient reading skills or adequate progress towards sufficient reading skills of the third-grade reading standards as evidenced through a collection of reading assessments approved by the State Board of education, which includes an alternative standardized reading assessment approved by the State Board.

4. ~~A pupil who receives intervention and remedial services during the summer or subsequent school year pursuant to those indicated below under "Intervention and Remedial Strategies Developed by the State Board of Education" and demonstrates sufficient progress may be promoted from the third grade based on guidelines issued pursuant to the description of the school district or charter school policies on midyear promotion to a higher grade.~~

C. The student has demonstrated reading proficiency on an alternate assessment approved by the State Board of Education (SBE).

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A pupil may not be retained if data regarding the pupil's performance on the ~~state required test~~ state-wide assessment is not available before the ~~start~~ end of the ~~following~~ current academic year. A pupil who is not retained due to the unavailability of test data must receive evidence-based intervention and remedial strategies as in the section immediately below if the third-grade assessment data subsequently ~~demonstrates that the pupil's reading ability falls far below the third grade level or the equivalent~~ does not demonstrate sufficient reading skills.

***Intervention and Remedial Strategies Developed by  
the State Board of Education (SBE) for Students  
Who Are Not Promoted from the Third Grade***

The Governing Board shall offer more than one (1) of the intervention and remedial strategies developed by the SBE. The parent or guardian of a student not promoted from the third (3rd) grade and the student's teacher(s) and principal may choose the most appropriate intervention and remedial strategies that will be provided to that student. The intervention and remedial strategies developed by the SBE shall include:

- A. ~~A requirement the student be assigned to a different teacher, who was designated in that teacher's most recent performance evaluation in one (1) of the top two (2) performance classifications pursuant to section 15-203, for reading instruction.~~ for evidence-based reading instruction by a different teacher who was designated in that teacher's most recent performance evaluation in one (1) of the top two (2) performance classifications pursuant to section 15-203.
- B. Summer school reading instruction.
- C. Intensive reading instruction in the next academic year that occurs before, during, or after the regular school day, or any combination of before, during and after the regular school day.
- D. Small group and teacher-led evidence-based reading instruction, which may include computer-based or Online reading instruction.
- E. A requirement that a school district governing board or charter school governing body that promotes a pupil pursuant to the above provide annual reporting to the Department of Education on or before October 1 that includes information on the total number of pupils subject to the retention provisions of this policy, the total number of students promoted pursuant to this policy, the total number of pupils retained in grade three and the interventions administered.

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The intervention and remedial strategies developed by the SBE shall also:

A. Provide for universal screening of pupils in preschool programs, kindergarten programs and grades one (1) through three (3) that is designed to identify students who have reading deficiencies in accordance with A.R.S. 15-704.

B. Develop interventions and remedial strategies for pupils in kindergarten programs and grades one (1) through three (3) who are identified as having reading deficiencies pursuant to section 15-704.

**IL ©  
EVALUATION OF INSTRUCTIONAL  
PROGRAMS**

**(Testing Programs)**

The use of tests is one indication of the success and quality of the educational program. In the case of an individual student, tests, in combination with other criteria, can provide an indication of student achievement.

The Board authorizes:

- A. A testing program as outlined in A.R.S. 15-741 and 15-755.
- B. A District testing program that will be subject to regular review and evaluation.
- C. In-service education of teachers and other staff members in the use of tests and interpretation of test results.

**Test Participation**

All Arizona students in grades two (2) through twelve (12) shall be administered, at least once each year, a standardized, nationally-normed written test of academic subject matter given in English except that students with disabilities will be included with appropriate accommodations and alternate assessments where necessary in accord with their respective Individual Education Program.

If the state-wide assessment results are available before the start of each school year, each school district and charter school shall provide notification no later than the first half of the second quarter of the school year to parents of pupils in grades six (6) through eight (8) who have not demonstrated proficiency in grade-level mathematics based on available local or statewide assessments. The notification shall include the following information:

- A. A description of the pupil's mathematics deficiencies as demonstrated by the statewide assessment.
- B. A description of the current mathematics services provided by the school district or charter school, including supplemental instructional services and supporting programs that are designed to remediate mathematics deficiencies.

Adopted: date of Manual adoption

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**LEGAL REF.:**

**A.R.S.**

**15-741**

**15-743**

**15-744**

**15-745**

**15-755**

**CROSS REF.:**

**IKF - Graduation Requirements**

**ILB - Test/Assessment Administration (State Mandated Testing)**

**JR - Student Records**

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

**IMD ©  
SCHOOL CEREMONIES  
AND OBSERVANCES**

The following shall be adhered to regarding required opening exercises and school programs as they pertain to customs and holidays:

A. Each student shall be provided with an opportunity to participate in the Pledge of Allegiance or other patriotic observance each day.

B. Each student in grades four (4) through six (6) shall recite the following passage from the Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed..."

C. Each teacher in charge of a classroom for the first class of each day shall conduct a period of meditation, not to exceed one (1) minute in duration. No other activities will be allowed in the classroom at that time.

D. Students whose parents have informed the school that they are not to take part in the meditation period or patriotic observances will be expected to observe the courtesy of not disturbing others.

E. When special days or significant events are recognized, it is recommended that appropriate classroom and assembly programs be presented in keeping with the traditional and historical significance of the event or season.

A teacher or administrator in any school in this District may read or post in any school copies or excerpts of the following materials:

A. The national motto "In God We Trust."

B. The National Anthem.

C. The Pledge of Allegiance.

D. The Preamble to the Constitution of this state.

E. The Declaration of Independence.

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F. The Mayflower Compact.

G. Writings, speeches, documents and proclamations of the founding fathers and the presidents of the United States.

H. Published decisions of the United States Supreme Court.

I. Acts of the United States Congress.

J. The state motto "Ditat Deus," which means "God Enriches."

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-203

15-342

15-506

15-717

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

## **JEB © ENTRANCE AGE REQUIREMENTS**

### **Special Preschool**

A child evaluated and recommended for special services for a disability in accord with statute, and who has reached the third (3rd) birthday, may be admitted to preschool. If otherwise eligible, the District may admit a child who is within ninety (90) days of reaching age three (3) years if it is determined to be in the best interest of the individual. The Superintendent shall make such determination based upon one (1) or more consultations with parent(s), guardian(s), the child, and the multidisciplinary placement team.

### **Kindergarten and First Grade**

For admission to kindergarten, children must be five (5) years of age prior to September 1 of the current school year. If a full-day kindergarten is provided, the parent of a student eligible for full-day kindergarten shall be offered the opportunity to choose either a half-day or a full-day kindergarten program. The District shall provide an academically meaningful half-day kindergarten program in each District school where the half-day student enrollment is sufficient to fill a class with approximately the same number of students as the District-wide kindergarten classroom average.

If the school district or charter school offers more than two and one-half (2 1/2) hours of voluntary tuition-free kindergarten instruction during a school day to pupils who are under six (6) years of age, the instruction shall meet all of the following requirements:

- A. Meet or exceed the academic standards for kindergarten instruction prescribed by the State Board of Education and incorporate play as an instructional strategy.
- B. Be academically meaningful.
- C. Provide active learning enrichment.

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

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

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The Board may admit children who have not reached the required age as prescribed above if it is determined to be in the best interest of the children, and such children must reach the required age of five (5) for kindergarten and six (6) for first grade by January 1 of the current school year.

For a child who has not reached six (6) years of age (five [5] for kindergarten) before September, the determination of whether to admit shall be based upon one (1) or more consultations with the parent(s) or guardian(s), the child, the teacher, the school principal, and/or professional consultants.

When a child who has not reached age five (5) prior to September 1 was admitted for early enrollment in kindergarten, and the child then repeats kindergarten in the following year, the District is not eligible to receive basic state aid for the child's second year. When a child who has not reached age five (5) prior to September 1 was admitted for early enrollment in kindergarten but does not remain enrolled the District may receive a portion of basic state aid on behalf of that child in the subsequent year. The District may charge tuition for any child who is ineligible for basic state aid pursuant to A.R.S. 15-821.

### **High School**

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

Students between the ages of sixteen (16) and twenty-one (21) years shall be admitted to high school. A student under sixteen (16) years of age who does not hold an eighth-grade certificate of promotion may be admitted to high school under the following conditions:

The student must meet competency requirements in the adopted standards for promotion of students from the eighth (8th) grade as determined by the State Board of Education in the areas of reading, writing, mathematics, science, and social studies.

The Superintendent will develop procedures for the student to demonstrate competency in the standards adopted by the State Board of Education.

### **Residency Verification**

In accordance with guidelines and forms adopted by the Arizona Department of Education the District shall require and maintain verifiable documentation of residency in the State of Arizona for pupils who enroll in the District.

Adopted: 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.

15-701

15-701.01

15-703

15-766

15-767

15-771

15-821

15-901

15-901.02

A.A.C.

R7-2-301

Section 78, Arizona Laws 2009, House Bill 2011

CROSS REF.:

JF - Student Admissions

JHD - Exclusions and Exemptions from School Attendance

JLC - Student Health Services and Requirements

**JICK ©**  
**STUDENT BULLYING / HARASSMENT /**  
**INTIMIDATION**

**~~VIOLENCE / HARASSMENT /~~**  
**~~INTIMIDATION / BULLYING~~**

The Governing Board believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Board further believes a school environment inclusive of these traits maximizes student achievement, fosters student personal growth, and helps students build a sense of community that promotes positive participation as members of society.

The District, in partnership with parents, guardians, and students, shall establish and maintain a school environment based on these beliefs. The District shall identify and implement age-appropriate programs designed to instill in students the values of positive interpersonal relationships, mutual respect, and appropriate conflict resolution.

To assist in achieving a school environment based on the beliefs of the Governing Board, bullying, harassment or intimidation as defined by this policy will not be tolerated.

**Definitions**

*Bullying:* Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that

- A. has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property,
- B. is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment in the form of physical or emotional harm,
- C. occurs when there is a real or perceived imbalance of power or strength, or
- D. may constitute a violation of law.

Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms including, but not limited to

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| <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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- A. verbal, written/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly through another person or group or through cyberbullying,
- B. exposure to social exclusion or ostracism,
- C. physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting, and
- D. damage to or theft of personal property.

*Cyberbullying:* Cyberbullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other Internet communications, on school computers, networks, forums and mailing lists, or other District-owned property, and by means of an individual's personal electronic media and equipment.

*Harassment:* Harassment is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual orientation, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

*Intimidation:* Intimidation is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

## **Prohibitions and Discipline**

Students are prohibited from bullying, harassment, or intimidation on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists.

Disciplinary action may result for bullying, harassment, or intimidation which occurs outside of the school and the school day when such bullying, harassment, or intimidation results in a substantial physical, mental, or emotional negative effect on the victim while on school grounds, school property, school buses, at school bus stops, or at school sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. All suspected violations of law will be reported to local law enforcement.

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## **Reporting Incidents of Bullying/ Harassment/Intimidation**

A student who is experiencing bullying, harassment, intimidation or believes another student is experiencing bullying, harassment, or intimidation is to report the situation to the principal or another school employee. A school employee who becomes aware of or suspects a student is being bullied, harassed or intimidated shall immediately notify the school administrator. School personnel shall maintain confidentiality of the reported information.

The initial notification of an alleged incident may be provided verbally. A detailed written description of the incident and any other relevant information must be provided on form(s) made available by the school and submitted to the principal within one (1) school day of the verbal report. Should the principal be the employee who observes, is informed of, or suspects a student is experiencing bullying the principal shall document the incident or concern in writing. Failure by an employee to report a suspected case of bullying may result in disciplinary action up to suspension without pay or dismissal pursuant to Board Policies GCQF and GDQD.

Reprisal by any student or staff member directed toward a student or employee related to the reporting of a case of bullying or a suspected case of bullying shall not be tolerated, and the individual(s) will be subject to the disciplines set out in applicable District policies and administrative regulations.

At the time a student reports alleged bullying, harassment, or intimidation the principal shall provide to the student who has allegedly been bullied, harassed, or intimidated a written copy of student rights, protections and support services available to the student and shall notify the student's parent(s)/guardian(s) of the report suspected incident of harassment, intimidation or bullying.

The principal shall investigate *all* reports of bullying, harassment, or intimidation. If the principal determines that bullying, harassment, or intimidation has occurred, discipline will be administered pursuant to Board Policies JK, JKD, and JKE. Regardless of the outcome of the investigation the principal will meet with the involved students to review the findings of the investigation. Subject to the restrictions of the Family Educational Rights and Privacy Act (FERPA) set out in Policy JR, the parent(s) or guardian(s) of the involved students shall also be informed of the findings of the investigation.

Documentation related to reported bullying, harassment, or intimidation and subsequent investigation shall be maintained by the District for not less than six (6) years. In the event the District reports incidents to persons other than school officials or law enforcement all individually identifiable information shall be

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redacted. Restrictions established by FERPA on disclosure of personally identifiable student information must be observed at all times.

The Superintendent shall establish procedures for the dissemination of information to students, parents and guardians. The information will include, but not be limited to, Governing Board policies, incident reporting, support services (proactive and reactive) and student's rights. The dissemination of this information shall

- A. occur during the first (1st) week of each school year,
- B. be provided to each incoming student during the school year at the time of the student's registration,
- C. be posted in each classroom and in common areas of the school, and
- D. be summarized in the student handbook and on the District website, and

The Superintendent shall establish procedures for the dissemination of information to District employees including, but not limited to

- A. Governing Board policy,
- B. preventive measures,
- C. incident reporting procedures,
- D. available support services for students (both proactive and reactive), and
- E. student rights.

Information will be provided to staff members at the beginning of each instructional year and on the first day of employment for new employees.

The Superintendent shall establish procedures designed to protect the health and safety of students who are physically harmed as the result of bullying, harassment, or intimidation. These will include, when appropriate, procedures for contacting emergency medical services, law enforcement agencies, or both.

Knowingly submitting a false report under this policy shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of this policy, relevant District policies shall be followed.

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying is a violation of the law.

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

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

13-1202

13-1203

13-1204

13-2321

13-2916

13-2921

13-3506.01

15-341

A.A.C.

R7-2-1308

CROSS REF.:

IJNDB - Use of Technology Resources in Instruction

JI - Student Rights and Responsibilities

JIC - Student Conduct

JII - Student Concerns, Complaints and Grievances

JK - Student Discipline

JKD - Student Suspension

JKDA - Removal of Students from School-Sponsored Activities

JKE - Expulsion of Students

JR - Student Records

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

## JICK-R ©

### REGULATION

#### **STUDENT BULLYING / HARASSMENT / INTIMIDATION**

#### **~~VIOLENCE / HARASSMENT / INTIMIDATION / BULLYING~~**

The District does not tolerate bullying, harassment, or intimidation in any form. Further, the District shall investigate each complaint of bullying, harassment, or intimidation and will take appropriate, timely, and responsive action.

*Bullying:* Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that

- A. has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property,
- B. is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment in the form of physical or emotional harm,
- C. occurs when there is a real or perceived imbalance of power or strength, or
- D. may constitute a violation of law.

Any student who feels he or she has been the victim of bullying, harassment, or intimidation or suspects other students of being bullied, harassed, or intimidated should file a complaint with the principal or the principal's designee or other school employee. The student's report may be provided verbally or in writing. A student's verbal report will be documented in writing by the employee receiving the report.

Any staff member who becomes aware of or suspects that a student is experiencing bullying, harassment, or intimidation shall immediately notify the principal or the principal's designee. Employees may initially give verbal notice to the principal or the principal's designee but shall submit a written report to the principal or the principal's designee within one (1) school day of the verbal report.

Reprisal directed toward a student or employee for the reporting of a case of bullying or a suspected case of bullying, harassment, or intimidation will not be tolerated. Students involved directly or indirectly in reprisal will be disciplined pursuant to Board Policies JK, JKD, and JKE. Any suspected violation of the law will be reported to law enforcement authorities.

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Investigation of submitted complaints shall be initiated by the principal or the principal's designee as soon as is feasible, but not later than two (2) school days after the initial report. Each investigation will be comprehensive to the extent determined appropriate by the principal or the principal's designee. In investigating the complaint, the principal or the principal's designee will maintain confidentiality to the extent reasonably possible, subject to the restrictions pertaining to disclosure of personally identifiable student information established in the Family Educational Rights and Privacy Act (FERPA).

Each investigation will be documented by the principal or the principal's designee. Documentation will be maintained by the District for at least six (6) years. In the event the District must report incidents to persons other than school officials or law enforcement, all individually identifiable information shall be redacted.

Should the principal or the principal's designee determine that bullying, harassment, or intimidation has occurred discipline will be administered pursuant to Board Policies JK, JKD, and JKE. Regardless of the outcome of the investigation the principal or the principal's designee will meet with the student who reported or was reported as being bullied, harassed, or intimidated to review the findings of the investigation. Additionally, the parent(s) or guardian(s) of the involved students will be informed of the findings of the investigation.

The Superintendent is responsible for determining the methods of information delivery to employees and students. The Superintendent shall provide to the school principals, supervisors and all other District employees the information necessary to comply with Governing Board Policy JICK. The information related to bullying, harassment, or intimidation is to include but not be limited to preventive measures, incident reporting, related support services available (proactive and reactive), student rights, employee responsibilities, and the ramifications of not reporting a bullying incident or suspicion of bullying, harassment, or intimidation. The information shall be disseminated to District personnel at the beginning of each year and as the Superintendent otherwise determines to be appropriate.

The principal or the principal's designee is responsible to ensure information related to bullying, harassment, or intimidation is disseminated to students, and parents and guardians. The information shall include but not be limited to Governing Board policy, incident reporting, support services (proactive and reactive) and student's rights. The dissemination of this information will

- A. occur during the first (1st) week of each school year,
- B. be posted in each classroom and in common areas of the school,
- C. be summarized in the student handbook and on the District website, and
- D. be provided to each incoming student during the school year at the time of registration.

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The principal or the principal's designee is also responsible to ensure information is disseminated to all students who report bullying, harassment, or intimidation, including, at the time the incident is reported, a written copy of student rights, protections and support services available to the student; a copy of the report shall also be given to the student's parent(s)/guardian(s).

The principal or the principal's designee is responsible for the maintenance of documentation related to bullying, harassment, or intimidation.

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**JICK-EB ©**

**EXHIBIT**

**STUDENT BULLYING / HARASSMENT / INTIMIDATION**

**~~VIOLENCE / HARASSMENT /  
INTIMIDATION / BULLYING~~**

**(To be displayed in school buildings  
and in student handbooks)**

The Governing Board of the \_\_\_\_\_ School District believes it is the right of every student to be educated in a positive, safe, caring, and respectful learning environment. The Governing Board further believes a school environment that is inclusive of these traits maximizes student achievement, fosters student personal growth, and helps a student build a sense of community that promotes positive participation as citizens in society.

To assist in achieving a school environment based on the beliefs of the Governing Board, bullying, harassment, or intimidation in any form will not be tolerated.

*Bullying:* Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as intimidation and/or harassment that

- A. has the effect of physically harming a student, damaging a student's property, or placing a student in reasonable fear of harm or damage to property,
- B. is sufficiently severe, persistent or pervasive that the action, behavior, or threat creates an intimidating, threatening, or abusive environment in the form of physical or emotional harm,
- C. occurs when there is a real or perceived imbalance of power or strength, or
- D. may constitute a violation of law.

Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms including, but not limited to

- A. verbal, written/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly through another person or group or through cyberbullying,

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

- B. exposure to social exclusion or ostracism,
- C. physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting, and
- D. damage to or theft of personal property.

*Cyberbullying:* Cyberbullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other Internet communications, on school computers, networks, forums and mailing lists, or other District-owned property, and by means of an individual's personal electronic media and equipment.

*Harassment:* Harassment is intentional behavior by a student or group of students that is disturbing or threatening to another student or group of students. Intentional behaviors that characterize harassment include, but are not limited to, stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs and graphics. Harassment may be related, but not limited to, race, religious orientation, sexual orientation, cultural background, economic status, size or personal appearance. Harassing behaviors can be direct or indirect and by use of social media.

*Intimidation:* Intimidation is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

Students are prohibited from bullying on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists.

Disciplinary action may result for bullying which occurs outside of the school and the school day when such acts result in a substantial physical, mental, or emotional negative effect on the victim, while on school grounds, school property, school buses, at school bus stops, or at school sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. All suspected violations of law will be reported to local law enforcement.

Students who believe they are experiencing being bullied, harassed, or intimidated or suspect another student is bullied, harassed, or intimidated should report their concern to any staff member of the School District. School personnel are to maintain appropriate confidentiality of the reported information.

Reprisal by any student directed toward a student or employee related to the reporting of a case or a suspected case of bullying, harassment, or intimidation shall not be tolerated, and the individual(s) will be subject to the disciplines set out in applicable District policies and administrative regulations.

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Students found to be bullying, harassing, or intimidating others will be disciplined up to and including suspension or expulsion from school.

Knowingly submitting a false report under Policy JICK or this exhibit shall subject the student to discipline up to and including suspension or expulsion. Where disciplinary action is necessary pursuant to any part of Policy JICK or this exhibit, relevant District policies shall be followed.

Law enforcement authorities shall be notified any time District officials have a reasonable belief that an incidence of bullying, harassment, or intimidation is a violation of the law.

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## **JJIB © INTERSCHOLASTIC SPORTS**

### **General**

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

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

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

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

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

### **Health and Safety of Participants**

The health and safety of participants in interscholastic athletic activities must receive careful consideration. The District shall prescribe and enforce policies and procedures relating to the health and safety of all pupils participating in District-sponsored practice sessions or games or other interscholastic athletic activities.

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

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

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

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

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

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

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

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

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

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

The Board shall develop, in consultation with the Arizona Interscholastic Association (AIA) guidelines, information and forms to inform and educate coaches, pupils and parents of the dangers of heat-related illnesses, sudden cardiac death and prescription opioid use. Before a pupil participates in any District-sponsored practice session, game or other interscholastic athletic activity, the pupil and the pupil's parent must be provided with information at least once each school year on the risks of heat-related illnesses, sudden cardiac death and prescription opioid addiction.

District and school health and safety management plans may include Heat Acclimatization Protocol, Hydration Strategies, Return to Play standards, and follow-up/clearance requirements released by the Arizona Interscholastic Association (AIA) as Bylaw 14.17 and duplicated in JJIB-EB.

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

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

15-341

15-802.01

A.A.C.

R7-2-808

A.G.O.

I86-095

CROSS REF.:

JJJ - Extracurricular Activity Eligibility

KF - Community Use of School Facilities

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

## JL © STUDENT WELLNESS

The School District strives to make a significant contribution to the general well-being, mental and physical capacity, and learning ability of each student while affording them the opportunity to fully participate in the educational process.

The District is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Healthy eating is demonstrably linked to reduced risk for mortality and development of many chronic diseases as adults.

To ensure the health and well-being of all students, the Board shall promote and monitor student wellness in a manner that the Board determines is appropriate in the following areas:

A. *Nutrition Guidelines*: All foods available in each school during the day will have as a primary goal the promotion of student health and the reduction of childhood obesity. All guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture, as those regulations and guidance apply to schools.

B. *Nutrition Education*: The goal is to influence students' eating behaviors by providing nutrition education that is appropriate for students' ages; reflects students' cultures; is integrated into health education or core curricula; and provides opportunities for students to practice skills and have fun.

C. *Physical Activity/Recess*: The goals for physical activity are to provide opportunities for every student to develop the knowledge and skills for specific physical activities, to maintain students' physical fitness, to ensure students' regular participation in physical activity, and to teach students the short- and long-term benefits of a physically active and healthful lifestyle.

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

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

2. A school that offers a half-day kindergarten program is required to provide at least one (1) recess period during the school day for pupils in that kindergarten program.

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3. The school District may count a pupil's participation in a physical education course during a school day as one (1) of that day's recess periods.
4. The District is not required to extend the school day to meet this recess requirement.
5. This recess requirement does not apply to middle schools, junior high schools, high schools, Arizona online instruction or schools in which the lowest grade of instruction offered is grade five (5).

D. *Sunscreen*: The goal is to emphasize skin health and promote the application of sunscreen products and to inform students that a student who attends school in this District may possess and use a topical sunscreen product while on school property or at a school-sponsored event without a note or prescription from a licensed health care professional.

E. *Other School-Based Activities*: The goal is to create a total school environment that is conducive to healthy eating and physical activity.

F. *Evaluation/Implementation*: A primary goal will be to regularly (at least annually) evaluate the effectiveness of this policy in promoting healthy eating and changing the program as appropriate to increase its effectiveness. Such evaluation will be measurable. The results of each evaluation, including the extent to which schools are in compliance with District policy, the extent to which the District policy complies with federal regulations, and a description/summary of the progress made in attaining the goals of the District, shall be made available to the public. Physical education teachers and school health professionals shall have an opportunity to participate in the evaluation and implementation of this policy.

G. *Parent, Community and Staff Involvement*: A primary goal will be to engage family members, students, and representatives of the school food authority, the Governing Board, school administrators, and the public in development and regular review of this school policy.

The Superintendent is directed to develop administrative regulations to implement this policy, including such provisions as may be necessary to address all food and beverages sold and/or served to students at school (i.e., competitive foods, snacks and beverages sold from vending machines, school stores, after-school programs, and funding-raising activities and refreshments that are made available at school parties, celebrations and meetings), including provisions for staff development, family and community involvement and program evaluation. The Superintendent shall institute and clearly communicate a meal charge policy to all District households and District staff responsible for policy enforcement that is consistent with aspects of the Healthy Hunger-Free Kids Act of 2010 applicable to the District. Regulations and exhibits created for the purpose of implementing this policy shall be considered, in effect, to be an extension of this policy subject to Governing Board review.

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.

15-158

15-242

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

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

CROSS REF.:

ABA - Community Involvement in Education

ABAA - Parental Involvement

BBA - Board Powers and Responsibilities

EF - Food Services

EFDA - Collection of Money/Food Tickets

EFE - Competitive Food Sales/Vending Machines

IA - Instructional Goals and Objectives

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

**JL-RB ©**

REGULATION

**STUDENT WELLNESS**

**Physical Activity Goals**

The primary goal for the District's physical activity component is to provide opportunities for every student to develop the knowledge and skills for specific physical activities, maintain physical fitness, regularly participate in physical activity, and understand the short- and long-term benefits of a physically active and healthy lifestyle.

A comprehensive physical activity program encompasses a variety of opportunities for students to be physically active, including physical education, recess, walk-to-school programs, after-school physical activity programs, health education that includes physical activity as a main component, and physical activity breaks within regular classrooms.

***Physical education (high school graduation requirements):*** Students must, at the least, satisfy the state and District's physical education credit requirement.

***Physical activity (time, frequency, and/or intensity):*** Schools will ensure that students are moderately to vigorously active at least fifty percent (50%) of the time while participating in physical education classes.

***Physical activity outside of physical education/Recess:*** Schools may offer after-school intramural programs and/or physical activity clubs that meet the needs and interests of all students, including those who are not athletically involved or those with special health care needs.

Recess shall be required and provided as follows:

- A. Two (2) recess periods during the school day for pupils in kindergarten (K) and grades one (1) through three (3).
- B. On August 1, 2019, this recess requirement of two (2) recess periods during the school day is extended to grades four (4) and five (5).
- C. Half-day kindergarten pupils are to receive one (1) recess period during the school day.
- D. Participation in a physical education course during a school day may count as one of the day's recess periods.

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E. Extension of the school day is not required to meet the recess requirement.

F. This recess requirement does not apply to middle schools, junior high schools, high schools, Arizona online instruction or schools in which the lowest grade of instruction offered is grade five (5).

G. For the purposes of this section, "recess" means a period of time during the regular school day, including time during a scheduled lunch period, during which a pupil is able to engage in physical activity or social interaction with other pupils.

***Walking or biking to school to promote physical activity:*** The District shall annually review safe routes for students who walk or bike to school.

***Prohibition of use of punishment:*** The District will discourage the use of physical activity as punishment, the withholding of participation in physical education class as punishment, or the use of physical education class time to complete assignments from other classes.

***After-school programs:*** The District shall encourage after-school programs to provide developmentally appropriate physical activity for participating children and reduce or eliminate the time spent in sedentary activities such as watching television or videos.

***Community use:*** The District shall encourage community access to, and student and community use of, the school's physical activity facilities outside the normal school day.

**JLCB-E ©**

EXHIBIT

**IMMUNIZATION OF STUDENTS**

20167-20178 ARIZONA SCHOOL  
IMMUNIZATION REQUIREMENTS

| Age  | Under Age Seven (7)  | Seven (7) through ten (10) years  | Eleven (11) years and older  |
|--|--|---|--|
| Grade  | Kindergarten (K)/<br><del>and above</del> <u>First and second grade</u>  | <del>Kindergarten (K)</del><br><u>Second (2<sup>nd</sup>) through fifth (5th) grades</u>  | Sixth (6th) through twelfth (12th) grades  |
| <b>Vaccines</b>  |  |   |  |
| <p><b>DTaP /DTP /DT</b><br/><br/>(Diphtheria, tetanus, acellular pertussis<br/><u>Proof of DTP or DT counts toward DTaP requirement</u>)</p> | <p>Four (4) to five (5)* doses.<br/><br/>At least one (1) dose at four (4) years of age or older is required.<br/><br/>*A sixth (6th) dose is required if five (5) doses have been given before four (4) years of age.</p> | <p>Three (3) <b>DTaP</b>, <b>DTP</b>, <b>DT</b>, and/or <b>Td</b> doses are required if all doses were given after twelve (12) months of age.<br/><br/>Or<br/><br/>Four (4) <b>DTaP</b>, <b>DTP</b>, <b>DT</b>, and/or <b>Td</b> doses are required if <u>any of the doses number one (1) was given were received before twelve (12) months of age.</u></p> | <p><i>One (1) <b>Tdap</b> dose is required for students eleven (11) and older.</i><br/><br/><del>Exception: students who have completed the primary series of at least three to four (3-4) doses of DTaP/DTP/DT/Td are not required to receive Tdap when until five (5) years have passed since their last does of DTaP, DTP, DT, or Td.</del></p> |
| <p><b>Td</b></p>   |  | <p><b>Tdap</b> may be counted to meet the requirements above. <b>Tdap</b> is not required for eleven (11) year olds until they enter sixth (6th) grade.</p>   | <p><u>Students who completed the primary series of tetanus/diphtheria doses must receive a <b>DTaP</b> when five (5) years have passed since the student's last tetanus/diphtheria dose.</u></p>   |
| <p><b>Tdap</b></p>   |  |   | <p><u>Students who did not complete the</u></p>  |

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|   |  |   |  |
|---|--|---|--|
|   |  |   | <p><u>primary series of tetanus/diphtheria doses before age eleven (11) are required to receive a total of three (3) doses, including one (1) <b>Tdap</b> and two (2) <b>Td</b> doses.</u></p> <p><b>Tdap</b> doses given prior to age eleven (11) meet this requirement. A <b>Td</b> booster is required ten (10) years after the <b>Tdap</b> dose.</p> |
| <b>Meningococcal</b>                    |  | <p><i>Not required</i><br/> <del>Doses given at age ten (10) meet the requirement for eleven (11) year olds</del><br/> <u>but may be counted as valid when given at this age.</u></p> | <p>One (1) dose is required <del>for students eleven (11) years and older.</del></p>   |
| <b>Polio</b>                            | <p>Three (3) to Four (4) doses</p> <p><del>Three (3) doses meet the requirement if the third (3rd) dose was given at age four plus (4+) years of age.</del></p> <p><del>Four (4) doses meet the requirement even if all four (4) doses were given in the first (1st) year of life.</del><br/>         (Not required for age eighteen [18] and older.)</p> <p><u>Four (4) doses meet the requirement.</u><br/> <u>Three (3) doses meet the requirements if dose #3 was given at four plus (4+) years of age.</u></p> <p><u>(Not required for students eighteen plus [18+] years of age)</u></p> |   |  |
| <b>MMR</b><br>(Measles, mumps, rubella) | <p>Two (2) doses</p> <p>A third (3rd) dose will be required if dose number one (1) was given before more than four (4) days before the child's first (1st) birthday.</p>   |   |  |
| <b>Hepatitis B</b>                      | <p>Three (3) doses</p> <p>A fourth (4th) dose will be required if the third (3rd) dose was given before twenty-four (24) weeks of age.</p>   |   |  |

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|  |   |
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| <p><b>Varicella</b><br/>(Chickenpox)</p> | <p>One (1) dose is required if the first (1st) dose was given before thirteen (13) years of age.</p> <p>Two (2) doses are required if the first (1st) dose was given at thirteen (13) years of age or later.</p> <p>Students attending school or preschool in Arizona prior to 9/1/2011 with parental recall of chicken pox disease are allowed to continue attendance with parental recall of disease. <i>Students enrolling <del>in an Arizona preschool or school</del> for the first time after 9/1/11 are required to present proof of varicella immunization or a valid exemption for medical reasons, laboratory evidence of immunity or personal beliefs. <u>Parental recall of disease will not be accepted.</u></i></p> |
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**Exceptions and Additions to the Rules**

Parents whose religious beliefs do not allow immunization must sign a *Religious Beliefs Exemption Form*. A *medical exemption* form must be signed by the child's doctor if there is lab evidence of immunity or a medical reason why the child cannot receive shots. A copy of the lab results must be kept on file to prove the child's immunity.

1. Students must have proof of *all* required immunizations, or valid exemption, in order to attend school. Arizona law allows exemptions for medical reasons, lab evidence of immunity and personal beliefs. Exemption forms are available from schools and at <http://azdhs.gov/phs/immunization/school-childcare/requirements.htm>.
2. Homeless students are allowed a five (5)-day grace period to submit proof of immunization records.
3. The immunization record for each vaccine dose must include the complete date and ~~name of the~~ doctor or clinic name.
4. The statutes and rules governing school immunization requirements are: Arizona Revised Statutes 15-871 - 15-874; Arizona Administrative Code, R9-6-701 – 708.

*Note:* Arizona Department of Health Services (ADHS) observes a four (4)-day grace period for vaccine ages and intervals, except for the space between two (2) live vaccines such as Varicella and MMR, which must be given at least twenty-eight (28) days apart if they are not administered on the same day.

Source: Arizona Immunization Program Office

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**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.

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 ~~sufficient monies are not appropriated by the legislature during that fiscal year to provide for the purchase of two (2) juvenile doses and two (2) adult doses of auto-injectable epinephrine at each public school in this state and if the~~ a school does not stock ~~two (2) juvenile doses and two (2) adult doses of auto-injectable 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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| <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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***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.

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| <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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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.

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