

# POLICY SERVICES

## *ADVISORY*

Volume 37, Number 1

February 2025

Policy Advisory No. 809 .....	Policy A — District Mission and Belief Statement
Policy Advisory No. 810 .....	Policy AA — School District Legal Status
	<b>DELETED</b> Exhibit AA-E — School District Legal Status
Policy Advisory No. 811 .....	Policy ABA — Community Involvement in Education
Policy Advisory No. 812 .....	Policy ABAA — Parental Involvement
Policy Advisory No. 813 .....	Policy AC — Nondiscrimination / Equal Opportunity
	Regulation AC-R — Nondiscrimination / Equal Opportunity
	Exhibit AC-E — Nondiscrimination / Equal Opportunity
Policy Advisory No. 814 .....	Policy ACA — Sexual Harassment
	Regulation ACA-R — Sexual Harassment
	Exhibit ACA-E — Sexual Harassment
Policy Advisory No. 815.....	Policy ACAA — Title IX Sex Discrimination
	Regulation ACAA-R — Title IX Sex Discrimination
Policy Advisory No. 816 <b>DELETED</b> .....	Policy AD — Education Philosophy /
	School District Mission
Policy Advisory No. 817 .....	Policy GBK — Staff Grievances
Policy Advisory No. 818 .....	Policy JII — Student Concerns, Complaints,
	and Grievances

## POLICY ADVISORY DISCUSSION

### Summary

#### *Updated Section A and Title IX Revised Documents*

ASBA Policy Services' commitment of service to our subscribers includes listening to your feedback and improving our services to best support you. Thus, as we have shared at county meetings, via our *Pulse on Policy* newsletter, and at our annual conference, we are in the process of conducting a full review of our model manual and are rolling it out in sections for manageability. This manual update is a team effort of policy and legal experts, as well as district and educational leaders, who are vetting each document prior to sending each section to you.

Section A documents, along with the revisions to Policies GBK and JII, are provided below. Policy documents ACA, ACAA, ACAA-R, GBK, and JII include the Title IX updates from 20 U.S.C. 1681, Education Amendments of 1972, Title IX. The updated documents are available in PolicyBridge for adoption/approval as with any other Policy Advisory.

### Policy Advisory Discussion

#### Policy Advisory No. 809

#### Policy A — District Mission and Belief Statement

Policy language was updated and merged with Policy AD-Educational Philosophy.

#### Policy Advisory No. 810

#### Policy AA — School District Legal Status *DELETED* Exhibit AA-E — School District Legal Status

Policy language was updated to include information regarding how to access the District's legal boundaries; therefore, the accompanying exhibit (AA-E) was removed.

#### Policy Advisory No. 811

#### Policy ABA — Community Involvement in Education

Policy language was updated.

#### Policy Advisory No. 812

#### Policy ABAA — Parental Involvement

Policy language was updated.

#### Policy Advisory No. 813

#### Policy AC — Nondiscrimination / Equal Opportunity Regulation AC-R — Nondiscrimination / Equal Opportunity Exhibit AC-E — Nondiscrimination / Equal Opportunity

Policy language was expanded to include "or any other basis prohibited by law"; the Regulation includes minimal edits and new subheadings for clarity; the Exhibit remains unchanged.

**Policy Advisory No. 814**

**Policy ACA — Sexual Harassment  
Regulation ACA-R — Sexual Harassment  
Exhibit ACA-E — Sexual Harassment**

Policy language removed the Title IX references; the Regulation includes minimal edits and new subheadings for clarity; the Exhibit remains unchanged.

**Policy Advisory No. 815**

**Policy ACAA — Title IX Sex Discrimination  
Regulation ACAA-R — Title IX Sex Discrimination**

Language in the Policy and Regulation was updated to include Title IX revisions based on the rescinded 2024 Title IX Final Rule.

**Policy Advisory No. 816**

**Policy AD — Education Philosophy /  
School District Mission**

Policy AD was removed and relevant portions were placed in Policy A-District Mission and Belief Statement.

**Policy Advisory No. 817**

**Policy GBK — Staff Grievances**

Title IX information was removed.

**Policy Advisory No. 818**

**Policy JII — Student Concerns, Complaints,  
and Grievances**

Title IX information was revised to refer to 20 U.S.C. 1681, Education Amendments of 1972, Title IX.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Dr. Charlotte Patterson, Policy Analyst; Lynne Bondi, Policy Analyst; or Renae Watson, Policy Technician. Our e-mail addresses are, respectively, [cpatterson@azsba.org], [lbondi@azsba.org] and [rwatson@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.

## **ADVISORY 809**

A ©  
**DISTRICT MISSION AND  
BELIEF STATEMENT**

*(Provided as a placeholder.  
Actual statements should reflect District's mission and beliefs.)*

~~\_\_\_\_\_ "SCHOOLS ARE FOR CHILDREN"~~

~~\_\_\_\_\_ "SCHOOLS BELONG TO THE COMMUNITY"~~

~~\_\_\_\_\_ "SCHOOLS ARE PEOPLE DEVELOPERS"~~

~~\_\_\_\_\_ "SELF EFFORT EDUCATES"~~

The mission of the District is to provide comprehensive, success-oriented learning activities for ~~young people~~ students in our schools.

~~These opportunities must be designed to develop the person's potential in the areas of academic ability and vocational awareness, cultural appreciation, physical well-being, social development, and community contribution.~~

~~The beliefs~~ The goals of the District to accomplish this mission are outlined below:

**Students**

We believe:

- A. Every student will be educated academically and socially so as to be a productive citizen and achieve college and/or career success.
- ~~B. All students will have equal educational opportunities to achieve their individual potential.~~
- ~~C. We have something to offer every student.~~
- ~~D. Each student is unique.~~
- ~~E. Successful education depends on parental commitment to education.~~

**Teachers**

We believe:

- ~~A. Teachers are~~ Because a highly qualified staff is the foundation of a strong educational system.

~~B. Teachers, the District will maintain staff who have high expectations for themselves and their students -~~

~~C. Teachers should serve as and who are positive role models for students.~~

~~D. Teachers will actively seek parent support and involvement.~~

### **Principals**

We believe:

~~A. A principal is the instructional leader of the school.~~

~~B. A principal is the facilitator for a positive learning environment.~~

~~C. A principal actively seeks parent support and involvement.~~

~~D. A principal serves as a liaison between school and community.~~

~~E. A principal maintains high expectations for students and staff members.~~

### **Governing Board**

We believe:

~~A. Students are the number one priority.~~

~~B. The Board conveys the educational needs and desires of the community to the District and establishes policies accordingly.~~

~~C. The Board maintains high expectations for the District and themselves in working toward excellence.~~

### **Superintendent**

We believe:

~~A. The Superintendent is the leader, implementer, and facilitator of a successful School District.~~

~~B. The Superintendent promotes and upholds the positive educational climate of the School District.~~

## **Management Principles**

We believe:

- ~~A. In human beings as the single most important element in all transactions.~~
  - ~~B. In behaving with uncompromising honesty and integrity.~~
  - ~~C. In challenging people to experience their full potential so each individual contributes to educational excellence.~~
  - ~~D. In reaching quality decisions through the involvement of people.~~
  - ~~E. In establishing priorities that respond to the needs of our students, staff members, and community, and serve as the driving force behind all of our actions.~~
  - ~~F. In focusing on excellence in everything we do~~
- C. The District recognizes the importance of all educational community stakeholders, including staff, parents, students, and community members, in achieving its primary function of providing a high-quality education to its students.
  - D. The District will promote and uphold a positive educational climate and will provide a safe and secure environment for all stakeholders.
  - E. The District will provide necessary resources for student success.

Adopted: \_\_\_\_\_

## ADVISORY 810



AA ©  
**SCHOOL DISTRICT LEGAL STATUS**

The legally designated name of the District is School District No. \_\_\_\_ of \_\_\_\_\_ County. The official name shall be \_\_\_\_\_ School District No. \_\_\_\_.

The District's legal boundaries can be found in the transcript that the County School Superintendent annually files with the Board of Supervisors and County Assessor.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

15-101

15-441

15-442

~~Arizona Constitution, Art. XI, Sections 1-4~~

~~Arizona Constitution, Art. XX, Paragraph 7~~

~~AA-E ©~~

~~EXHIBIT~~

~~SCHOOL DISTRICT LEGAL STATUS~~

~~(Legal Description)~~

~~\_\_\_\_\_ SCHOOL DISTRICT NO. \_\_\_\_\_~~

~~\_\_\_\_\_, \_\_\_\_\_ COUNTY, ARIZONA~~

# ADVISORY 811

ABA ©  
COMMUNITY INVOLVEMENT  
IN EDUCATION

The Board recognizes that the public has substantial resources of, training, and experiences that could be useful to schools. ~~The strength of the local District is in large measure determined by the manner and degree to which these resources are utilized in an advisory capacity and to the degree that these resources are involved in supporting the improvement of the local educational program, and it encourages active involvement in District activities.~~ The advice of the public will be given careful consideration. ~~In the evaluation of such contributions, the first concern will be for the educational program as it affects the students. The final decision may depart from this advice when in the judgment of the staff and the Board such advice is not consistent with goals adopted by the Board, consistent with current educational practice, or within the reach of the financial resources available~~ is appropriate.

Adopted: \_\_\_\_\_

~~LEGAL REF.:~~

~~A.R.S.~~

~~15-321~~

~~15-327~~

CROSS REF.:

~~IJ - Instructional Resources and Materials~~

KB - Parental Involvement in Education

## ADVISORY 812

**ABAA ©  
PARENTAL INVOLVEMENT**

The District supports the active involvement of parents and guardians as partners in their students' educational activities.

~~Based on the philosophy of the District, it is the intent of the Board that parental involvement in the District, at both the District and site levels, be defined in the broadest possible terms.~~

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

~~active involvement of,~~

~~active support to,~~

~~effective interaction with, and~~

~~development of~~

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

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

15-102

~~15-341~~

~~15-342~~

CROSS REF.:

IHBD - Compensatory Education

KB - Parental Involvement in Education

## ADVISORY 813

**AC ©  
NONDISCRIMINATION / EQUAL OPPORTUNITY**

The Board is committed to a policy of nondiscrimination in relation to race, color, religion, sex, age, national origin, ~~and disability, or any other basis prohibited by law~~. This policy will prevail in all matters concerning staff members, students, the public, educational programs and services, and individuals with whom the Board does business.

Adopted: \_\_\_\_\_

**LEGAL REF.:**

A.R.S.

23-341

41-1463

Arizona Constitution, Ordinance Art. XX, Par. Seventh

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

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

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

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504)

42 U.S.C. 2000, Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 *et seq.*, Americans with Disabilities Act

**CROSS REF.:**

ACA - Sexual Harassment

ACAA - Title IX Sexual Harassment

GBA - Equal Employment Opportunity

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

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

IHBA - Special Instructional Programs and Accommodations for  
Disabled Students

JB - Equal Educational Opportunities

JII - Student Concerns, Complaints and Grievances

JK - Student Discipline

JKD - Student Suspension

KED - Public Concerns/Complaints about Facilities or Services



AC-R ©

REGULATION

NONDISCRIMINATION / EQUAL OPPORTUNITY

**Compliance Officer**

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or ~~to have~~ who has been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

**Complaint ~~Procedure~~ Process**

**Investigation**

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

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

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

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

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

### **Dismissal of Complaint**

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

### **Timelines**

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

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

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

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

AC-E ©

EXHIBIT

NONDISCRIMINATION / EQUAL OPPORTUNITY

COMPLAINT FORM

*(To be filed with the compliance officer as provided in AC-R)*

**Please print:**

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

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If there is anyone who could provide more information regarding this complaint, please list name(s), address(es), and telephone number(s).

Name	Address	Telephone Number
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**The projected solution**

Indicate what you think can and should be done to solve the problem. Be as specific as possible.

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

\_\_\_\_\_  
Signature of Complainant

*The compliance officer, as designated in AC-R, shall give one (1) copy to the complainant and shall retain one (1) copy for the file.*

## ADVISORY 814

## ACA © SEXUAL HARASSMENT

All individuals associated with this District, including, but not necessarily limited to, the Governing Board, the administration, the staff, and students, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment.

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964 ~~and Title IX of the Education Amendments of 1972.~~

The Equal Employment Opportunity Commission defines “sexual harassment” as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

- A. Submission to such conduct is either explicitly or implicitly made a term or condition of an individual's employment; or
- B. Submission to or rejection of such conduct is used as a basis for employment decisions affecting such individual; or
- C. Such conduct has the purpose or effect of substantially interfering with an individual's work performance, or creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include, but is not limited to:

- A. Suggestive or obscene letters, notes, invitations, derogatory comments, slurs, jokes, epithets, assault, touching, impeding or blocking movement, leering, gestures, or display of sexually suggestive objects, pictures, or cartoons.
- B. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
- C. Implying or withholding support for an appointment, promotion, or change of assignment; suggesting that a poor performance report will be prepared; suggesting that probation will be failed.
- D. Coercive sexual behavior used to control, influence, or affect the career, salary, and/or work environment of another employee.
- E. Offering or granting favors or employment benefits, such as promotions, favorable performance evaluations, favorable assignments, favorable duties or shifts, recommendations, reclassifications, et cetera, in exchange for sexual favors.

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

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

All matters involving sexual harassment complaints will remain confidential to the extent practicable and allowable by law.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

41-1461 *et seq.*

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

~~as amended in 2024, Title IX~~

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

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

CROSS REF.:

AC - Nondiscrimination/Equal Opportunity

GBA - Equal Employment Opportunity

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

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

KED - Public Concerns/Complaints about Facilities or Services

KFA - Public Conduct on School Property

## ACA-R ©

### REGULATION

### SEXUAL HARASSMENT

#### Compliance Officer

The Superintendent shall be the compliance officer. Any person who feels unlawfully discriminated against or who has been the victim of unlawful discrimination by an agent or employee of the District or who knows of such discrimination against another person should file a complaint with the Superintendent. If the Superintendent is the one alleged to have unlawfully discriminated, the complaint shall be filed with the President of the Board.

#### Complaint ~~Procedure~~ Process

##### Investigation

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

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

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

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



### **Dismissal of Complaint**

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

### **Timelines**

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

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

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

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

ACA-E ©

EXHIBIT

SEXUAL HARASSMENT

COMPLAINT FORM

*(To be filed with the compliance officer as provided in ACA-R)*

**Please print:**

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

Address \_\_\_\_\_

Telephone \_\_\_\_\_ Another phone where you can be reached \_\_\_\_\_

During the hours of \_\_\_\_\_

E-mail address \_\_\_\_\_

**I wish to complain against:**

Name of person, school (department), program, or activity \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address \_\_\_\_\_

Specify your complaint by stating the problem as you see it. Describe the incident, the participants, the background to the incident, and any attempts you have made to solve the problem. Be sure to note relevant dates, times, and places.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If there is anyone who could provide more information regarding this complaint, please list name(s), address(es), and telephone number(s).

Name	Address	Telephone Number
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**The projected solution**

Indicate what you think can and should be done to solve the problem. Be as specific as possible.


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

\_\_\_\_\_  
Signature of Complainant

*The compliance officer, as designated in ACA-R, shall give one (1) copy to the complainant and shall retain one (1) copy for the file.*

## **ADVISORY 815**

ACAA ©  
TITLE IX SEX DISCRIMINATION

**Purpose**

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

**Definitions**

**Sexual Harassment**

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

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

~~D. Hostile Environment Harassment.~~

**Complainant**

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

**Respondent**

A respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

## **Title IX Coordinator**

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

## **Reporting**

Any person may report sex discrimination, including sexual harassment, regardless of whether the person reporting is the person alleged to be the victim of the reported conduct or not. A report may be made in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours) by using the telephone number or electronic mail address, or by mail to the office address listed for the Title IX Coordinator.

The District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator.

## **District Response Process**

The District will respond promptly when any school employee has notice of sex discrimination, including of sexual harassment. Upon receipt of notice of sexual harassment, the District shall notify students, parents or legal guardians of students, employees, applicants for employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District, of the District's grievance procedures and grievance process, including how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, and how the District shall respond. The District is committed to investigating each formal complaint submitted and to taking appropriate action on all confirmed violations of policy. The District shall follow grievance procedures that provide for the prompt and equitable resolution of complaints from students and employees alleging sexual harassment.

## **Confidentiality**

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

### **Mandatory Reporting**

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

### **Retaliation Prohibited**

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

Adopted: \_\_\_\_\_

#### **LEGAL REF.:**

A.R.S.

13-3620

20 U.S.C. 1092

20 U.S.C. 1681, Education Amendments of 1972, Title IX,  
~~as amended in 2024, Title IX~~

34 U.S.C. 12291

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

AC - Nondiscrimination/Equal Opportunity

JB - Equal Educational Opportunities

ACAA-R ©

REGULATION

TITLE IX SEX DISCRIMINATION

**Title IX Coordinator**

The Superintendent shall appoint an employee as the "Title IX Coordinator." If the Title IX Coordinator is the respondent, the complaint shall be filed with the Superintendent.

***Title IX Coordinator:***

Name/Title: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: \_\_\_\_\_

**Response to Sex Discrimination Complaint Process**

~~A recipient with knowledge of conduct that reasonably may constitute sex discrimination in its~~ When the District has actual knowledge of sexual harassment in an education program or activity must respond promptly and effectively of the District against a person in the United States, it shall respond promptly in a manner that is not deliberately indifferent.

A. "Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to a District's Title IX Coordinator or to any employee.

B. An "education program or activity" includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sex discrimination sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by the District.

C. A District is "deliberately indifferent" only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.



## **Supportive Measures**

The District's initial response to any report of sex discrimination must treat complainants and respondents equally by offering supportive measures to both and must follow the established grievance process before disciplining a respondent.

~~The Title IX Coordinator shall promptly:~~

- ~~A. Contact the complainant to discuss the availability of supportive measures;~~
- ~~B. Consider the complainant's wishes with respect to supportive measures;~~
- ~~C. Inform the complainant of the availability of supportive measures; and~~
- ~~D. Explain to the complainant the process for filing a complaint.~~

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the District's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the District's educational environment, or deter ~~sex discrimination~~ sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, and other similar measures. ~~The District shall maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would~~ Supportive measures provided shall remain confidential, if possible. This confidentiality must not impair the District's ability of the District to provide the supportive measures support, limit its ability to carry out the complaint process, including as otherwise may be permitted by law.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

Even if no formal complaint has been filed, the Title IX Coordinator shall promptly:

- A. Contact the complainant to discuss the availability of supportive measures;
- B. Consider the complainant's wishes with respect to supportive measures;
- C. Inform the complainant of the availability of supportive measures; with or without the filing of a formal complaint; and
- D. Explain to the complainant the process for filing a complaint.

## **Removal of Respondent**

The District may remove a respondent from the District's education program or activity on an emergency basis, provided that the District undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of ~~sex discrimination~~ sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal. This provision may not be construed to modify any rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act.

## **Response to a Notification of Conduct**

~~The Title IX Coordinator must take the following actions upon being notified of conduct that reasonably may constitute sex discrimination:~~

~~A. Treat the complainant and respondent equitably. (§ 106.44(f)(1)(i)).~~

~~B. Offer and coordinate supportive measures, as appropriate, for the complainant. If the recipient has initiated grievance procedures or offered an informal resolution process to the respondent, offer and coordinate supportive measures as appropriate, for the respondent. (§ 106.44(f)(1)(ii)).~~

~~C. Notify the complainant, or if the complainant is unknown, the individual who reported the conduct, of the grievance procedures and the informal resolution process, if available and appropriate. (§ 106.44(f)(1)(iii)(A)).~~

~~D. If a complaint is made, notify the respondent of the grievance procedures and the informal resolution process, if available and appropriate. (§ 106.44(f)(1)(iii)(B)).~~

~~E. In response to a complaint, initiate the recipient's grievance procedures or informal resolution process, if available and appropriate. (§ 106.44(f)(1)(iv)).~~

~~F. In the absence of a complaint or the withdrawal of any or all of the allegations in a complaint, and in the absence or termination of an informal resolution process, make a fact specific determination by considering, at a minimum, eight (8) listed factors, and determining whether the conduct as alleged presents an imminent and serious threat to the health or safety of a complainant or other person or prevents the recipient from ensuring equal access based on sex to its education program or activity such that the Title IX Coordinator may initiate a complaint. (§ 106.44(f)(1)(v)).~~

~~G. If the Title IX Coordinator initiates a complaint, notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others. (§ 106.44(f)(1)(vi)).~~

~~H. Regardless of whether a complaint is initiated, take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the recipient's education program or activity, in addition to providing remedies to an individual complainant. (§ 106.44(f)(1)(vii)).~~

~~If the conduct alleged does not meet the Title IX definition of sex discrimination as established in Governing Board policy, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District shall dismiss the allegations for purposes of Title IX but may still address the allegations in any manner the District deems appropriate under other District policies.~~

~~The District may dismiss a complaint or any allegations therein, if at any time:~~

~~A. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the complaint or any allegations therein;~~

~~B. The respondent is no longer enrolled or employed by the District; or~~

~~C. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the complaint or allegations therein.~~

~~Upon dismissal of a complaint or any allegations therein, the District shall promptly send written notice of the dismissal, including the reasons for the dismissal, simultaneously to the parties.~~

~~When investigating a complaint and throughout the grievance process, the District shall:~~

### **Response to a Formal Complaint**

"Formal complaint" means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the District investigate the allegation of sexual harassment. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the District with which the formal complaint is filed. A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed above, and by any additional method designated by the District that results in the Title IX Coordinator receiving the complaint.

The District may place a non-student employee respondent on administrative leave during the pendency of a grievance process in response to a formal complaint. This provision may not be construed to modify any rights under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

For the purpose of addressing formal complaints of sexual harassment, this grievance process shall comply with the following basic elements:

A. Provide written notice to all parties upon receipt of complaint, which must include:

1. Notice of the District's formal grievance process, including any informal resolution process;

2. Notice of the allegations, including sufficient details to allow respondent to prepare a response (such as the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident);

3. A statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;

4. Notice that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence; and

5. Notice of any provision in the District's code of conduct that prohibits knowingly making false statements or providing false information in the grievance process.

B. Treat complainants and respondents equitably;

C. Require an objective evaluation of all relevant evidence;

D. Require that the Title IX Coordinator, investigator, decision-maker, or any person designated by the District to facilitate an informal resolution process, be properly trained and not have a conflict of interest against complainants and respondents generally or against the particular complainant and respondent;

E. Include a presumption that the respondent is not responsible for the alleged conduct until a determination has been made at the conclusion of the grievance process;

F. Include reasonably prompt timeframes for the conclusion of the grievance process;

G. Describe or list the possible disciplinary sanctions and remedies that may be implemented following a determination of responsibility;

H. State that the District uses a preponderance of the evidence standard or the clear and convincing evidence standard to determine responsibility;

I. Include the procedures and permissible reasons for appeal by a respondent or a complainant;

J. Describe the range of supportive measures available to complainants and respondents; and

K. Not require, allow, or use evidence or questions that constitute or seek legally privileged information, unless the privilege is waived.

### **Investigation**

When investigating a formal complaint and throughout the complaint process, the District shall:

A. Ensure that the burden of proof and the burden of gathering evidence rests on the District and not on the parties, except that certain treatment records cannot be obtained without voluntary, written consent of a party;

B. Provide an equal opportunity for the parties to present witnesses and evidence;

C. Not restrict the ability of either party to discuss the allegations or to gather and present evidence;

D. Provide the parties with the same opportunities to have others present during any meeting or grievance proceeding;

E. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of any meeting or grievance proceeding, with sufficient time for the party to prepare to participate;

F. Provide both parties an equal opportunity to inspect and review any evidence so that each party can meaningfully respond to the evidence prior to the conclusion of the investigation (prior to completion of the investigative report, the investigator will send to each party and the party's advisor, if any, a copy of all evidence gathered during the investigation and will allow the parties at least ten (10) days to submit a written response to any of the evidence); and

G. Create an investigative report that fairly summarizes relevant evidence and, at least ten (10) days prior to a determination of responsibility, send to each party and the party's advisor, if any, the investigative report in an electronic format or hard copy, for their review and written response.

### **Informal Resolution Process**

At any time prior to reaching a determination regarding responsibility during a formal complaint process, the District may facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:

A. Provides to the parties a written notice disclosing:

1. The allegations;

2. The requirements of the informal resolution process, including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and

3. Any consequences resulting from participating in the informal resolution process, including the records that shall be maintained or could be shared;

B. Obtains the parties' voluntary, written consent to the informal resolution process; and

C. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### **Dismissal of Complaint**

If the conduct alleged in a formal complaint does not meet the Title IX definition of sex discrimination as established in Governing Board policy, did not occur in the District's education program or activity, or did not occur against a person in the United States, then the District shall dismiss the allegations for purposes of Title IX but may still address the allegations in any manner the District deems appropriate under other District policies.

The District may dismiss a formal complaint or any allegations therein, if at any time:

A. The complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the formal complaint or any allegations therein.

B. The respondent is no longer enrolled or employed by the District; or

C. Specific circumstances prevent the District from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint or any allegations therein, the District shall promptly send written notice of the dismissal, including the reasons for the dismissal, simultaneously to the parties.

### **Decision-Maker**

After the District has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision-maker(s) shall afford each party the opportunity to submit written, relevant questions that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence are offered to prove consent.

~~Decision~~ The decision-maker(s) must not have bias or conflict of interest. A decision-maker may be the , who cannot be the same person(s) as the Title IX Coordinator or investigator as long as there is no bias or conflict or interest. ~~The decision-maker the investigator(s), shall apply the District's established standard of evidence and shall issue a written determination regarding responsibility that includes:~~

- A. Identification of the allegations potentially constituting ~~sex discrimination~~ sexual harassment;
- B. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- C. Findings of fact supporting the determination;
- D. Conclusions regarding the application of the District's code of conduct to the facts;
- E. A statement of and rationale for the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the District imposes on the respondent, and whether remedies designed to restore or preserve equal access to the District's education program or activity shall be provided by the District to the complainant; and
- F. The District's procedures and permissible bases for the complainant and respondent to appeal.

### **Determination and Appeal Process**

The District shall provide the written determination to the parties simultaneously. The Title IX Coordinator is responsible for effective implementation of any remedies.

The District shall offer both parties the right to appeal from a determination regarding responsibility and from a dismissal of a formal complaint or any allegations therein, on the following bases:

- A. Procedural irregularity that affected the outcome of the matter;
- B. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- C. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affect the outcome of the matter.

As to all appeals, the District shall:

- A. Notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties;
- B. Ensure that the decision-maker(s) for the appeal is not the same person as the decision-maker(s) that reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
- C. Ensure that the decision-maker(s) for the appeal does not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent;
- D. Give both parties a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome;
- E. Issue a written decision describing the result of the appeal and the rationale for the result; and
- F. Provide the written decision simultaneously to both parties.

The District may not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, waiver of the right to an investigation and adjudication of formal complaints of ~~sex discrimination—sexual harassment~~. ~~However, at any time prior to reaching a determination regarding responsibility during a complaint process, Similarly, the District may not require the parties to participate in an informal resolution process and may not offer an informal resolution process unless a formal complaint is filed. facilitate an informal resolution process, such as mediation, that does not involve a full investigation and adjudication, provided that the District:~~



~~A. Provides to the parties a written notice disclosing:~~

~~1. The allegations;~~

~~2. The requirements of the informal resolution process, provided that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process; and~~

~~3. Any consequences resulting from participating in the informal resolution process, including the records that shall be maintained or could be shared;~~

~~B. Obtains the parties' voluntary, written consent to the informal resolution process; and~~

~~C. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.~~

### **Records**

The District shall maintain for a period of seven (7) years records of:

A. Each sex discrimination investigation including:

1. Any determination regarding responsibility;

2. Any disciplinary sanctions imposed on the respondent; and

3. Any remedies provided to the complainant designed to restore or preserve equal access to the District's education program or activity.

B. Any appeal and the result therefrom;

C. Any informal resolution and the result therefrom; and

D. All materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process. The District shall make these training materials publicly available on its website, or if the District does not maintain a website the District shall make these materials available upon request for inspection by members of the public.

The District shall create and maintain for a period of seven (7) years, records of any actions, including supportive measures taken or not taken in response to a report or formal complaint of sex discrimination. In each instance, the District shall document the basis for its conclusion that its response was not deliberately indifferent, and document that it has taken measures designed to restore or preserve equal access to the District's education program or activity. If a District recipient does not provide a complainant with supportive measures, then the District shall recipient must document the reasons why such a response was not clearly unreasonable in light of the known circumstances. The documentation of certain bases or measures does not limit the District in the future from providing additional explanations or detailing additional measures taken.

## ADVISORY 816

~~AD-©~~  
**EDUCATIONAL PHILOSOPHY/  
SCHOOL DISTRICT MISSION**

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

**Staff**

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

**Parents**

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

**Community**

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

## **Students**

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

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

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

Adopted: \_\_\_\_\_

LEGAL REF.:

~~Arizona State Constitution, Article XI, Section 1~~

# ADVISORY 817

**GBK ©  
STAFF GRIEVANCES**

Effective communication between District employees, the administrative staff, and the Board is essential for proper operation of the schools. The Governing Board, therefore, authorizes the Superintendent to establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level. ~~In cases of alleged sex discrimination, this grievance procedure should provide supportive measures to complainants and respondents affected by the alleged sex discrimination conduct, must require adequate notice, must provide an equal opportunity to present and access evidence, and provide a reasonable opportunity for response by each party.~~

Such procedure shall provide for ~~an appeal to the~~ Board ~~for~~ review of any grievance that cannot be resolved at the administrative level. In such instances, the affected individual may request that the Governing Board review the situation. Such request shall be in writing and shall contain the basis for the appeal, including the act or acts out of which the grievance arose, identification of the Board policies and/or administrative regulations involved, and the remedy sought. Within five (5) working days following notification of the Superintendent's decision, any written request for appeal shall be submitted to the Superintendent for transmittal to the Board. The Governing Board, at a time of its choosing, shall review the grievance and issue a response within fifteen (15) working days following such review.

The decision of the Governing Board is final.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

38-532

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

~~—as amended in 2024, Title IX~~

## **ADVISORY 818**

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

**JII ©  
STUDENT CONCERNS, COMPLAINTS,  
AND GRIEVANCES**

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

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

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

- A. Violation of the student's constitutional rights.
- B. Denial of an equal opportunity to participate in any program or activity for which the student qualifies, not related to the student's individual capabilities.
- C. Discriminatory treatment on the basis of race, color, religion, sex, age, national origin, or disability, or any other basis considered by law.

~~In cases of alleged sex discrimination, this grievance procedure should provide supportive measures to complainants and respondents affected by the alleged sex discrimination conduct, must require adequate notice, must provide an equal opportunity to present and access evidence, and provide a reasonable opportunity for response by each party.~~

- D. Concern for the student's personal safety.

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

The complaint or grievance accusation must be made within thirty (30) calendar days of the time the student knew or should have known that there were grounds for the complaint or grievance. The initial complaint or grievance should be made using form JII-EA; however, a verbal complaint or grievance may be made to any school staff member. The receiving staff member shall immediately inform an administrator of the complaint or grievance.



When the initial complaint or grievance is submitted in a manner other than on the prescribed form, the administrator shall obtain from the student the particulars of the accusation and complete form JII-EA immediately thereafter. The administrator shall especially note all student-provided particulars determined by the Superintendent to be necessary for the complaint or grievance to be investigated. Any question concerning whether a complaint or grievance falls within this policy shall be determined by the Superintendent.

If the receiving school administrator is included in the allegation, the complaint or grievance shall be transmitted to the next higher administrative supervisor. Failure by the staff member to timely inform a school administrator or next higher administrative supervisor of a student's allegation may subject the staff member to disciplinary action. The staff member shall preserve the confidentiality of the subject, disclosing it only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

A student or student's parent or guardian may initiate the complaint process by completing Exhibit JII-EA.

A complaint or grievance may be withdrawn at any time. Once withdrawn, the process cannot be reopened if the resubmission is longer than thirty (30) calendar days from the date of the occurrence of the alleged incident.

Retaliatory or intimidating acts against any student who has made a complaint under this policy and its corresponding regulations, or against a student who has testified, assisted or participated in any manner in an investigation relating to a complaint or grievance, are specifically prohibited and constitute grounds for a separate complaint.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students, staff and parents or guardians in the school offices.

Disposition of all complaints or grievances shall be reported to the Superintendent and the compliance officer for discrimination if other than the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

The Superintendent shall develop procedures for the maintenance and confidentiality of documentation related to the receipt of a student's complaint or grievance, findings of the investigation, and disposition of the matter. The documentation shall not be used to impose disciplinary action unless the appropriate school official has investigated and determined there was an actual occurrence of the alleged incident.

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

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

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-341

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

~~—as amended in 2024, Title IX~~

CROSS REF.:

AC - Nondiscrimination/Equal Opportunity

ACA - Sexual Harassment

GBEB - Staff Conduct

JB - Equal Educational Opportunities

JIC - Student Conduct

JICFA - Hazing

JICK - Student Bullying/Harassment/Intimidation

JK - Student Discipline

JKD - Student Suspension

JKE - Expulsion of Students

KE - Public Concerns and Complaints

# POLICY SERVICES

## ADVISORY

Volume 35, Number 1

January 2023

Policy Advisory No. 739 ... (**NEW**) Exhibit — IHAMB-EA — Family Life Education  
(**NEW**) Exhibit — IHAMB-EB — Family Life Education

Policy Advisory No. 740 ..... (**NEW**) Exhibit — IJL-E — Library Materials  
Selection and Adoption

Policy Advisory No. 741 ..... Policy — JFABDA— Admission of  
Students in Foster Care  
Regulation — JFABDA — Admission of Students in Foster Care

Policy Advisory No. 742 ..... Exhibit — JHD-EB — Exclusions and Exemptions  
from School Attendance

Policy Advisory No. 743 ..... (**NEW**) Exhibit — KB-EC — Parental Involvement  
in Education

### Summary

Policy Advisory No. 741 updates JFABDA – Admission of Students in Foster Care – to align with Federal Non-Regulatory Guidance issued in 2016. The Policy is amended to conform with school district required actions in educating children in foster care as interpreted by the U.S. Dept. of Education and ADE. The policy advisories attached were created by ASBA policy services to assist districts in complying with Arizona legislation, to wit: HB2439, HB2495, and HB2161. Policy Advisory No. 742 updates JHD-EB to address requests for HIPAA protected information.

***Governing Boards may review and adopt policy advisory No. 741 consistent with the Policy Adoption process in Policy BGB—First Meeting – the proposal shall be presented for review; Second Meeting – the proposal shall be presented for discussion and action.*** Regulations and exhibits are optional; the Governing Board should be aware of these regulations and exhibits, but board action is not necessary to utilize them.

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

## Policy Advisory Discussion

### **Policy Advisory No. 739**      **Exhibit IHAMB-EA — Family Life Education** **Exhibit IHAMB-EB — Family Life Education**

ASBA created exhibits subscribers may utilize to obtain mandatory parental consent if offering a sex education curriculum and/or referring students to sexually explicit materials. *The Policy was updated in August. The exhibits conform with the policy.*

### **Policy Advisory No. 740**      **Exhibit IJL-E — Library Materials Selection and Adoption**

ASBA created an exhibit subscribers may utilize to inform parents that new materials will be purchased for use in the library. The exhibit includes statutory required timelines. Finally, ASBA created a checklist to guide administrators in determining whether they are required to go through the public review period. *The Policy was updated in August. The exhibit conforms with the policy.*

### **Policy Advisory No. 741**      **Policy JFABDA — Admission of Students in Foster Care** **Regulation JFABDA— Admission of Students in Foster Care**

This policy and regulation were updated to conform with the law: that educating students in foster care is a collaboration between schools, child welfare agencies and ADE. Mandated collaboration includes assigning a district point of contact for children in foster care *and notifying ADE of the district's point of contact assignee*. Definitions of “children in foster care” “school of origin” and “best interest determination” were amended, or added, to reflect U.S. Department of Education Non-Regulatory Guidance regarding students in foster care.

### **Policy Advisory No. 742**      **Exhibit JHD-EB — Exclusions and Exemptions from School Attendance**

This exhibit is being updated to avoid the potential that a HIPAA violation may occur. A health care practitioner notified ASBA that the previous exhibit required health care practitioners to disclose protected information. The exhibit now indicates that the disclosure to a parent/guardian is a permitted disclosure under HIPAA because it is being requested by the protected party.

### **Policy Advisory No. 743**      **Exhibit KB-EC — Parental Involvement in Education**

State law requires schools to provide parents a way to request information that pertains to the parental involvement procedures required by A.R.S. §15-102, implemented in Policy KB. This exhibit enables parents to request the relevant KB related information and provides the school administration a mechanism to process and track requests for this information. *The Policy was updated in August. The exhibit conforms with the 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.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Nick Buzan, Director of Legal and Policy Services; Dr. Charlotte Patterson, Policy Analyst; Lynne Bondi, Policy Analyst; or Renae Watson, Policy Services Technician/Editor/Publisher. Our e-mail addresses are, respectively, [nbuzan@azsba.org], [cpatterson@azsba.org], [lbondi@azsba.org], and [rwatson@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.**

**IHAMB-EA ©**

EXHIBIT

**FAMILY LIFE EDUCATION  
PARENTAL CONSENT FORM FOR  
SEX EDUCATION CURRICULA**

Student Name \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

My signature below indicates that I give permission for my child to participate in the Sex Education curricula program approved by our District in conformity with the requirements of Arizona law. I acknowledge that the materials can be found online as required by Arizona law.

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

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

**IHAMB-EB ©**

EXHIBIT

**FAMILY LIFE EDUCATION**

**PARENTAL CONSENT FORM FOR  
INSTRUCTIONAL MATERIALS**

Student Name \_\_\_\_\_

Parent/Guardian Name \_\_\_\_\_

The following materials have been determined by the District to possess serious educational value for minors or possess serious literary, artistic, political or scientific value but may contain some material deemed sexually explicit material under A.R.S. §15-120.03(C):

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My signature below indicates that I am aware of and consent to the instructional use of the materials listed above.

\_\_\_\_\_  
Parent/Guardian signature

\_\_\_\_\_  
Date

If you have concerns regarding any of the materials listed above, please indicate which item(s) you would prefer an alternative assignment be provided for your student.

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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.

**IJL-E ©**

**EXHIBIT**

**LIBRARY MATERIALS  
SELECTION AND ADOPTION**

**NOTIFICATION LETTER TO PARENTS FOR PUBLIC  
REVIEW PERIOD OF PURCHASED LIBRARY BOOKS/MATERIALS**

Dear Parents:

This letter is to inform you that we will be purchasing new books/materials for our library on \_\_\_\_\_. State law requires schools to post a list of all library books and materials purchased after January 1, 2023, on the district's website and the school's website for at least sixty (60) days after the purchase of the items (this does not include replacement books/materials). In addition, state law mandates that schools notify parents of the opening and closing public review period within seven (7) school days prior to the opening date. Therefore, this notice dated \_\_\_\_\_ provides the opening date of the public review period for newly purchased library books/materials as \_\_\_\_\_ and the closing date as \_\_\_\_\_. (A.R.S. §§ [15-721/15-722](#)).

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**For school administration only below this line**

**Checklist for Schools:**

1. Does our school have a full-time library media specialist or an equivalent position? \_\_\_\_\_

If **no**, this **requirement does not apply**. If **yes**, move to question 3.

2. Does our school have an agreement with a county free library district, municipal library, nonprofit or public library, tribal library, private or tribal schools in the county where the school district is located?

If **yes**, this **requirement does not apply**; if no, the requirement applies (if the school is not exempted by question 1) and move to question 3. \_\_\_\_\_

3. Did we send out a notification to all parents regarding the opening and closing dates of the public review period within seven (7) school days prior to posting the newly purchased library materials on our website (this list must also be posted on the district's website)? Reminder, these newly purchased library materials must remain on the website for at least sixty (60) days post-purchase. \_\_\_\_\_

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



How did we send the notification? Notification sent to parents via \_\_\_\_\_ on \_\_\_\_\_ (seven [7] school days prior to opening public review period date).

4. Does this purchase replace old or damaged item(s)? \_\_\_\_\_

If **yes**, this requirement does not apply.

If no, include item(s) on website for at least 60 days using the process above.

**JFABDA ©**

**ADMISSION OF STUDENTS  
IN FOSTER CARE**

This policy is intended to direct compliance with Arizona State Laws, Arizona Administrative Code, and the Every Student Succeeds Act (ESSA) Foster Care provisions.

**Purpose Statement**

The implementation of this policy shall assure that:

~~A. Children in foster care are not stigmatized or segregated on the basis of their status as foster children;~~

~~A. B.~~ Children in foster care remain ~~are immediately~~ enrolled in their school of origin for the duration of their time in care, unless a determination is made that it is not in such child's best interest to ~~attend~~ remain in their school of origin, which decision shall be based on all factors relating to the child's best interest, including consideration of the appropriateness of the current educational setting and the proximity to the school in which the child is enrolled at the time of placement, among other factors listed in law (see list in JFABD-R);

~~B.C. When~~ If a determination is made that it is not in such child's best interest to remain in the school of origin, the child is immediately enrolled in a new school, even if the child is unable to produce records normally required for enrollment; however, the student may be required to provide their Notice to Providers document;

~~C.D.~~ The enrolling school shall immediately contact the school last attended by any such child to obtain relevant academic and other records;

~~D. E.~~ In collaboration with the State or local Child Welfare Agency, transportation is provided to and from the school of origin or school of placement for the foster child as applicable and found in the law and Policy JFAA; and

~~E. F.~~ The District will work with the Department of Child Safety (or tribal agency) to ensure that the provisions of ESSA relating to foster children are implemented, including assigning a District employee to serve as a Point of Contact (POC) to work in collaboration with the applicable child welfare agency and notify the Arizona Department of Education of the assigned POC.

## Definitions

The term "children in foster care" means children who are under twenty-four (24) hour substitute care while placed away from their parents or guardians and for whom the Child Welfare Agency (Department of Child Safety [DCS] or tribal) has placement and care responsibility. This includes, but is not limited to, placements in foster family homes, foster homes of relatives, group homes, emergency shelters, residential facilities, childcare institutions, and pre-adoptive homes. A child is in foster care in accordance with this definition regardless of whether the foster care facility is licensed, and payments are made by the state, tribal or local agency for the care of the child, whether adoption subsidy payments are being made prior to the finalization of an adoption, or whether there is federal matching of any payments that are made. (45 C.F.R. § 1355.20(a)) In Arizona, if DCS has received placement care and responsibility, then the child is in "foster care" even if the parent or guardian is permitted to live in the home of placement, such as a kinship home.

The term "school of origin" means the school in which a child is enrolled at the time of placement in foster care, including preschool. If a child's foster care placement changes, the school of origin would then be considered the school in which the child is enrolled at the time of the placement change. the school that the student attended when permanently housed or the school in which the student was last enrolled, including preschool.

## **Liaison or Point of Contact (POC) for Children in Foster Care - Responsibilities**

The Superintendent will designate an appropriate staff person of authority as ~~Liaison or~~ Point of Contact (POC) for children in foster care who will carry out duties as assigned and notify ADE's Statewide Foster Care Education Coordinator of the designated POC. Among those duties will be the responsibility to coordinate activities and programs to work in collaboration with the respective child welfare agency (either DCS or tribal), in the best interest of foster children that will include, ~~but not be limited to, establishment of~~ procedures to:

- A. Continue the student's education in the school of origin or placement;
- B. Collaborate with the Child Welfare Agency to implement the educational stability plan to maintain school stability;
- C. Ensure the best interest is determined regarding school enrollment selection;
- D. Ensure necessary transportation is provided, funded, and arranged in collaboration with the Child Welfare Agency;
- E. Ensure immediate enrollment and transfer of records occurs when the student moves schools; and

F. Ensure school staff are trained on the provisions and educational needs of children in foster care.

### **Other Relevant Policies and Procedures**

Implementation of the Every Student Succeeds Act (ESSA) Foster Care provisions requires the coordination with a number of policies and procedures. These policies and procedures are listed below as cross references and are incorporated in this policy and these procedures by such reference.

Enrollment preference may be given to children who are in foster care.

Adopted: \_\_\_\_\_

#### **LEGAL REF.:**

A.R.S.

15-816 through 15-816.07

15-821

15-823 through 15-825

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015  
(Foster Care Provisions)

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

EEAA - Walkers and Riders

IKEB - Acceleration

JF - Student Admissions

JFAA - Admission of Resident Students

JFAB - Admission of Nonresident Students

JFABD - Admission of Homeless Students

JFB - Open Enrollment

JG - Assignment of Students to Classes and Grade Levels

JLCB - Immunizations of Students

JLH - Missing Students

JR - Student Records

JRCA - Request for Transfer of Records

**JFABDA-R ©**

**REGULATION**

**ADMISSION OF STUDENTS  
IN FOSTER CARE**

**Admission**

The school selected by the child in foster care shall immediately admit the child, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation; but the school may require the student to provide their Notice to Provider's document.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the Child Welfare Agency Point of Contact to the District ~~Liaison~~/Point of Contact (POC) for children in foster care, who shall assist in obtaining necessary immunizations, or immunization or medical records.

**Admission Disputes**

If a dispute arises over school selection or enrollment in a school:

A. The student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;

B. the Child Welfare Agency Point of Contact shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of appeal;

C. the Child Welfare Agency Point of Contact and student shall be referred to the school's Point of Contact ~~liaison for children in foster care~~, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute.

**Enrollment Decision**

The decision regarding enrollment shall be made regardless of whether the student lives with the foster parents or has been temporarily placed elsewhere.

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## **Best Interest Determination – Children in Custody of DCS**

School District POCs should seek a Best Interest Determination (“BID”) form from DCS. The BID process includes the following:

To determine whether the student should remain in their school of origin and in collaboration with the appropriate child welfare agency, the School District must take into consideration all factors relating to a child’s best interest.

These factors include the appropriateness of the current educational setting and proximity of placement.

The SEA, District and child welfare agencies have flexibility in determining which factors should be considered as part of evaluating the appropriateness of the current educational setting, as well as any additional factors that pertain to a child’s best interest.

Though the specific factors may vary depending on context, in order to make a holistic and well-informed determination, a variety of student-centered factors should be considered.

These factors may include:

- A. Preferences of the child;
- B. Preferences of the child’s parent(s) or education decision maker(s);
- C. The child’s attachment to the school, including meaningful relationships with staff and peers;
- D. Placement of the child’s sibling(s);
- E. Influence of the school climate on the child, including safety;
- F. The availability and quality of the services in the school to meet the child’s educational and socioemotional needs;
- G. History of school transfers and how they have impacted the child;
- H. How the length of the commute would impact the child, based on the child’s developmental stage;
- I. Whether the child is a student with a disability under the Individuals with Disabilities Education Act (IDEA) who is receiving special education and related services or a student with a disability under Section 504 who is receiving special education or related aids and services and, if so, the availability of those required services in a school other than the school of origin; and

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J. Whether the child is an EL and is receiving language services, and, if so, the availability of those required services in a school other than the school of origin, consistent with Title VI and the Equal Educational Opportunities Act (EEOA).

Transportation costs should not be considered when determining a child's best interest, which is consistent with the program instruction released by the U.S. Department of Health & Human Services (HHS) subsequent to the passage of the Fostering Connections Act.

### **Best Interest Determination – Children in Custody of Tribal Social Services**

The Arizona Department of Education, Office of Indian Education, has issued guidance on best interest determinations for children in the custody of Tribal Social Services. The BID form provided by DCS may differ with tribal agencies. School District Points of Contact are urged to determine best interests for students in collaboration with tribal agencies. See link for guidance; <https://docs.google.com/document/d/1l62BqAF5LhAm8RJ61uoTvqkzCD7bSVaBOxIaBXyjI4/edit?usp=sharing>.

**JHD-EB ©**

**EXHIBIT**

**EXCLUSIONS AND EXEMPTIONS  
FROM SCHOOL ATTENDANCE**

**CERTIFICATION OF STUDENTS WITH  
CHRONIC HEALTH CONDITIONS**

**(Obtained from a certified health professional or nurse practitioner)**

**Acknowledgment of Disclosure of HIPAA protected information:**

The student, through their parent/guardian, is hereby requesting the below information for the benefit of the student's education. Disclosure is permitted by 45 C.F.R. §164.502(a).

Type or print Parent/Guardian Name

Date

Signature of Parent/Guardian

Student's name

Parent's name

Address

District

School

Grade level

Date of birth

Phone number

Date of initial consultation

Certified health professional or nurse practitioner diagnosis:

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Certified health professional or nurse practitioner prognosis:

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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.



Physical limitations affecting physical education activities:

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Anticipated absences due solely to illness, disease, pregnancy complications, an accident or severe health problems of an infant child of a student (include anticipated surgeries, treatments, or hospitalizations that may interfere with school attendance during the \_\_\_\_\_ year):

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Example 1: \_\_\_\_\_'s physical condition may result in frequent absences in the school year that may exceed ten (10) consecutive school days per semester, but I do not anticipate that \_\_\_\_\_ will be absent enough days to require homebound services.

Example 2: \_\_\_\_\_ will require three (3) hospitalizations of approximately four (4) days duration each and three to five (3 - 5) treatments of one (1) day each during the school year.

Other relevant information:

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\_\_\_\_\_  
Type or print Certified health professional or  
nurse practitioner name and licensed title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Certified health professional or nurse practitioner  
signature and title

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

**KB-EC ©**

**EXHIBIT**

**PARENTAL INVOLVEMENT  
IN EDUCATION**

**REQUEST FOR INFORMATION PURSUANT TO A.R.S. §15-102(D)**

Parent Name \_\_\_\_\_

Student Name \_\_\_\_\_

**Parent Contact Information**

Address \_\_\_\_\_  
\_\_\_\_\_ (street) \_\_\_\_\_ (city) \_\_\_\_\_ (state) \_\_\_\_\_ (zip)

Phone: \_\_\_\_\_ Home Work or Cell \_\_\_\_\_

E-mail address \_\_\_\_\_

Date of Request \_\_\_\_\_

Request given to: (circle one) Principal/Superintendent

**Note:** requests must be submitted in written form to the school principal or Superintendent during business hours. Schools will respond according to the timeline listed below.

**Information Requested** (please be as specific as possible):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
(Printed Name) \_\_\_\_\_ (Signature) \_\_\_\_\_ (Date)

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

Pursuant to A.R.S. § 15-102, a parent shall submit a written request for information during regular business hours to either the school principal at the school site or the Superintendent of the School District at the office of the School District. Within ten (10) days after receiving the request for information, the school principal or the Superintendent of the School District shall either deliver the requested information to the parent or submit to the parent a written explanation of the reasons for denying the requested information. If the request for information is denied or the parent does not receive the requested information within fifteen (15) days after submitting the request for information, the parent may request the information in writing from the School District Governing Board, which shall formally consider the request at the next scheduled public meeting of the Governing Board if the request can be properly noticed on the agenda. If the request cannot be properly noticed on the agenda, the Governing Board shall formally consider the request at the next subsequent public meeting of the Governing Board.

# POLICY SERVICES ADVISORY

Volume 34, Number 2

August 2022

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Policy Advisory No. 734.....	Policy IJNC — Resource Centers/Media Centers/School Libraries (NEW) Regulation IJNC-R — Resource Centers/Media Centers/School Libraries (NEW) Exhibit IJNC-E — Resource Centers/Media Centers/School Libraries
Policy Advisory No. 735.....	Policy IMD — School Ceremonies and Observances
Policy Advisory No. 736.....	Policy IMB — Teaching About Controversial/ Sensitive Issues

## Summary

The following policy advisories are the result of laws passed by the 55th Legislature, Second Regular Session which convened in January 2022 and adjourned sine die on June 25, 2022. The General Effective Date of these bills is September 24, 2022.

Governing Boards may review and adopt these policy advisories consistent with the Policy Adoption process in Policy BGB—First Meeting – the proposal shall be presented for review; Second Meeting – the proposal shall be presented for discussion and action.

Descriptions of each revised policy/regulation/exhibit follows below starting on page 4.

ASBA policy services is providing the following table for the benefit of subscribers. The bills and policy revisions are grouped by subject matter.

Areas of Law	Bills passed and signed by Governor	Statutes amended	Policies/Regulations/Exhibits amended
Parents' Rights/Transparency of Government	HB2161-surveys	15-117	JRR, JRR-R (Student Surveys)

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

	HB2025- visitors at schools	15-341(46); 15-184(J)	KI, KI-R (Visitors at Schools)
	HB2161-access to records, right to sue	15-143; 15-102; 1-602	KB, KB-R, KB-EB (Parental Involvement)  IMB (Teaching About Controversial Issues)
	HB2439- library books and materials, public review period, books, list of books borrowed by child	15-102; 15-189.07; 15-721; 15-722	KB, KB-R (Parental Involvement)  IJL, IJL-R (Library Materials Selection and Adoption)  IJNC, IJNC-R, IJNC-E (Resource Centers/Media Centers/School Libraries)
	HB2495- prohibits sexually explicit material	15-711  15-120.02	IHAMB, IHAMB-R (Family Life Education)
Health/COVID-19	HB2086- immunizations for Covid-19  HB2371- vaccines for minors	36-672;  36-681	JLCB, JLCB-R, JLCB-E (Immunizations of Students)
	HB2616- no masks for students w/out parental consent	1-611	JLCC (Communicable Infectious Diseases)
	HB2453 and HB2498 – Vaccines, Masks and Face Coverings	36-681;  36-685	GBGCB (Staff Health and Safety)  KI, KI-R – (Visitors at Schools)

School Business, Operations and Curriculum	HB2179 – Accounting Responsibility	15-914.01	DIA (Accounting Responsibility)
	HB2325- 9/11 Education Day	1-321 15-203	IHA (Basic Instructional Program)
	HB2178- psychologists exempt from licensure	32-2075	JLDA (School Counselors and Psychologists)
	HB2322- Hazing Policy	15-2301; 13-1215; 13-1216	JICFA (Hazing)
	HB2632- Social Studies Standards	15-701.01(L)	IKF (Graduation Requirements)
	SB1165- Save Women’s Sports Act	15-120.02	JJIA (Intramural Sports)  JJIB, JJIB-R (Interscholastic sports)
	SB1246- Electric vehicles  SB1630- 11 to 15 person vans allowable; Bus Driver Licensing	15-923;  15-925	EE (Transportation Services)  EEAEA (Bus Driver Requirements, Training and Responsibilities)
	SB1361- Certificate of Educational Convenience	15-825	JF (Student Admissions)
	HB2707	15-506- Moment of silence	IMD (School Ceremonies and Observances)

## Policy Advisory Discussion

### Policy Advisory No. 717

### **Policy JRR — Student Surveys** **(NEW) Regulation JRR-R — Student Surveys**

HB2161 amended A.R.S. §15-117 which governs district or charter school administration of student surveys relating to fourteen (14) specific topics. Districts and charter schools are cautioned to take special care when conducting a survey of pupils soliciting any information that relates to the categories defined in 15-117(A). Districts are required to provide parents a copy of any 15-117 survey and obtain informed consent from the parent at least seven (7) days before administering the survey. The previous statute limited this requirement to surveys that would be retained for longer than a year and listed that consent would be obtained at the beginning of the school year. ASBA modified JRR to retain what is appropriate for board policy and moved the bulk of the rules regarding 15-117 surveys to a new regulation, JRR-R.

**Note to Board members/administrators:** student surveys under A.R.S. §15-117 are not required by law.

### Policy Advisory No. 718

### **Policy KI — Visitors to Schools** **Regulation KI-R — Visitors to Schools** **Exhibit KI-E — Visitors to Schools**

HB2025 requires governing boards and charter schools to, in a public meeting, develop and adopt policies to allow for visits, tours and observations (See A.R.S. §15-341(46); 15-184(J)). The requirement pertains to parents and parents of students that may enroll in the school district or charter school. Visits, tours and observations that threaten the health and safety of pupils and staff are not required. This practice was in policy prior to HB2025 but policy KI and regulation KI-R is now updated to conform with statute. Additionally, schools may not require anyone to wear a mask or face covering unless under a long-standing safety rule not related to COVID-19 (See HB2453).

Finally, exhibit KI-E was created to require prospective visitors to fill out a form before visiting the school under policy KI.

**Note to Board members/administrators:** a policy developing procedures for visits, tours and observations is required by law.

### Policy Advisory No. 719

### **Policy KB — Parental Involvement in Education** **Regulation KB-R — Parental Involvement in Education** **Exhibit KB-EB — Parental Involvement in Education**

HB2161 and HB2439 are two parental rights bills that substantially affected policy KB, and its corresponding regulation, KB-R and exhibit, KB-EB. HB2161 amended 15-102 as follows: *the law requires school districts to create procedures enabling parents to request access to school district and employee electronic records that relate to their child.*



KB now has this requirement listed in policy. Regulation KB-R was amended to state that parents seeking the types of records listed in 15-102 and 15-143 may request the records from the district office.

HB2161 amended the Parent's Bill of Rights, 1-602, which is revised verbatim in Exhibit KB-EB. HB2161 created a parent's cause of action that enables parents to bring a lawsuit and seek damages and other remedies if the parent's rights are violated. If boards seek guidance on how to avoid the type of litigation discussed in KB-EB and HB2161 please contact ASBA and/or their own legal counsel.

HB2439 also affected 15-102 and 15-189.07. Policy KB is amended to reflect the required policy addition requiring schools to provide access to parents to the school's library collection of available books and materials and parents may receive a list of books and materials borrowed from the library by their children. KB-R provides districts and charter schools with a regulation stating that parents may request the library items and the list of library books their child has borrowed by using a request form created (Exhibit LJNC-E).

#### **Policy Advisory No. 720**

#### **Policy IHAMB — Family Life Education Regulation IHAMB-R — Family Life Education**

HB2495 prohibits school districts and charter schools from referring students to or using any sexually explicit material in any manner, except as part of sex education instruction as permitted by 15-711. Materials may be exempted from this rule if the materials meet certain statutory definitions such as having serious educational value. Policy IHAMB was updated to prohibit the referral to sexually explicit materials unless part of a Governing Board approved sex education program or as exempted by statute. Regulation IHAMB-R was updated with the language from statute to provide administrators with the legal language necessary to develop a sex education program for governing board approval if one is sought.

#### **Policy Advisory No. 721**

#### **Policy JLCB — Immunization of Students Regulation JLCB-R — Immunization of Students Exhibit of JLCB-E — Immunization of Students**

House Bill 2086 states that immunization for COVID-19 or any variant of COVID-19 is not required for school attendance. The law goes on to state that an immunization must be prescribed by rule adopted pursuant to A.R.S. §36-672(A) before it may be required for school attendance. HB 2371 states that no governmental entity may require a person under 18 years of age to receive a COVID-19 vaccine or any variant of COVID-19 without parental or guardian consent. (A.R.S. §36-681). This law was passed after A.R.S. §15-342.05, 2021's COVID-19 mask and immunization law, was invalidated by the Arizona Supreme Court. Appropriate changes have been made in Policy JLCB and Regulation JLCB-R. Exhibit JLCB-E has been updated to include the 2022-2023 requirements.

**Policy Advisory No. 722**

**Policy JLCC—Communicable Infectious Diseases**

House Bill 2616 states that school districts and charter schools may not require a minor to wear a mask or face covering without parental or guardian consent. This bill was passed in response to the COVID-19 global pandemic. Therefore, Policy JLCC, Communicable Infectious Diseases, was amended to reflect this change.

**Note:** This law was codified in Title 1, §1-611, and therefore the mask/face covering law may be read to apply to more than infectious diseases. Subscribers are notified to speak with their district legal counsel for potential broader impact of this law.

**Policy Advisory No. 723**

**Policy GBGCB — Staff Health and Safety**

House Bill 2498 prevents a school district from requiring a resident of this state to receive a vaccination for COVID-19 or any variant of COVID-19. House Bill 2453 prohibits a school district from imposing a mask or face covering requirement anywhere on district premises, except where long-standing workplace safety and infection control measures that are unrelated to COVID-19 may be required. Policy KI is amended to reflect these rules.

**Policy Advisory No. 724**

**Policy DIA — Accounting Responsibility**

HB2179 amended A.R.S. §15-914.01 which applies to school districts seeking that the State Board of Education (SBE) assume accounting responsibility for their district. The law now requires that the school district file their application with the county school superintendent as well as SBE. The law also requires districts apply for an evaluation with their county school superintendent before January 1 of the fiscal year preceding the fiscal year of implementation. Policy DIA has been amended to conform with the law.

**Policy Advisory No. 725**

**Policy IHA — Basic Instructional Program**

House Bill 2325 established 9/11 Education Day and requires that schools dedicate some portion of September 11, or an adjoining non-weekend day, to teaching, in an age-appropriate fashion, about the terrorist attacks of September 11, 2001. This legal requirement has been added to policy IHA. Resources for age-appropriate education will be developed by the Arizona Department of Education.

**Policy Advisory No. 726**

**Policy JLDA — School Counselors and Psychologists**

HB2178 excludes a school psychologist—who is certified by ADE to use that title, and is either employed by or contracted to provide services in an educational institution setting that services pupils in prekindergarten or kindergarten programs or the 1st-12th grades—from licensure requirements prescribed by the Board of Psychologist Examiners if the services are a part of that person's contract with the educational institution setting. Previously, only employed school psychologists were exempt from licensure. JLDA was updated to reflect this change.

**Policy Advisory No. 727**

**Policy JICFA – Hazing  
Exhibit JICFA-EB – Hazing**

HB2322 criminalized Hazing. Hazing is a class 1 misdemeanor unless the victim dies and then it is a class 4 felony. ASBA’s model Hazing policy, JICFA, and accompanying exhibit are based on previous law, A.R.S. §15-2301, which was largely unchanged. The major change to policy and to §15-2301 is that the definition of hazing now links directly to the criminal statute. Therefore, Hazing has been redefined in policy and in the exhibit as “an act in violation of section §13-1215 or 13-1216.” Copying the entire criminal statute into this definition would not be helpful to policy, thus a linking definition is being used.

**Policy Advisory No. 728**

**Policy IKF – Graduation Requirements**

HB2632 increases the number of questions a student must correctly answer on the required civics test identical to the civics portion of the naturalization test to 70, from 60, beginning with the graduating class of 2026. Schools must document the test as pass or fail on the pupil’s transcript. Permits a 7<sup>th</sup> or 8<sup>th</sup> grade pupil to take the test. Requires school districts and charter schools to report the factors in §15-701.01(L) to the Department of Education. Policy IKF is updated to reflect these changes.

**Policy Advisory No. 729**

**(NEW) Policy JJIA – Intramural Sports  
Policy JJIB – Interscholastic Sports  
Regulation JJIB-R – Interscholastic Sports**

SB1165, the “Save Women’s Sports Act,” requires that each school district and charter school designate their interscholastic or intramural sports based on the biological sex of the students who participate on the team or in the sport. The permissible categories are the following: Males, men or boys; Females, women or girls; or, Coed or mixed. The law outlines that a student that is harmed by the school’s knowing violation of §15-120.02 may bring a private cause of action for injunctive relief, damages, or any other relief available under law. JJIB is amended to conform with statute. JJIA is an optional policy for those districts that have intramural sports which this law applies. JJIB-R is updated to include the private cause of action.

**Policy Advisory No. 730**

**Policy EE – Transportation Services**

SB1246 enables the school district to contract for vehicles and other transportation services, including electric vehicles. Specifically, §15-923 now permits districts to select preapproved contract carriers or private parties to obtain *electric* school buses, or other electric vehicle services, if the contract carrier or private party is approved by the school bus advisory council established under §28-3053.

SB1630 expanded the type of vehicle permissible to transport school children to vehicles described in §15-925. This expands the Board’s authority to utilize non-school bus vehicles. Allowable vehicles are now included in Policy EE.

**Note:** The legislature’s intent in SB1246 was made clear: it is economical to have electric transportation, it prevents pollution and protects the health of our most vulnerable communities, and the benefits outweigh the costs.

**Policy Advisory No. 731**

**Policy EEAEA – Bus Driver Requirements,  
Training, and Responsibilities**

With the expansion of SB1630 and additional allowable vehicles came legislative changes to correspond, for example, drivers of non-bus (§15-925) vehicles can be licensed for that type of vehicle; insurance may be purchased for those vehicles; drivers must have fingerprint clearance card, and DPS certificate to drive school children. EEAEA is updated to reflect these statutory changes.

**Policy Advisory No. 732**

**Policy JF – Student Admissions**

SB1361 modifies eligibility, application and reporting requirements for a certificate of educational convenience (“CEC”). A certificate of educational convenience is a pupil’s ability to apply to attend a district outside of their home district if they are precluded from attending the home district because of distance, lack of adequate transportation facilities or a parent’s or guardian’s employment. The bill requires school districts that receive an application (CEC) pursuant to §15-825 to submit the completed application to the county school superintendent. Policy JF was amended to add this language because it is mandatory for the district if an application is received.

**Policy Advisory No. 733**

**Policy IJL – Library Materials Selection  
and Adoption**

**Regulation IJL-R – Library Materials Selection and Adoption**

HB2439 instructs school districts and charter school governing boards to adopt procedures that provide parents access to a school’s library collection and a list of books and materials their child borrows. This required list is included in IJNC, the policy that applies to libraries. IJL is a policy that applies to the selection and adoption of materials. HB2439 also revised IJL as follows:

For books and materials purchased after January 1, 2023, the law creates a public review period that requires districts and charter schools to notify parents at least seven (7) days before the public review period begins and ends. The law also requires the Superintendent to place new books and materials on the websites for a minimum of sixty (60) days. Finally, this does not apply to replace lost or damaged books or materials. IJL was revised to include that the Governing Board will comply with HB2439. The specifics of HB2439 were included in Regulation IJL-R. Additionally, IJL-E was created to give notice to parents that a book or material public review period was beginning and when it would end.

**Policy Advisory No. 734**

**Policy IJNC–Resource Centers/Media Centers/  
School Libraries**

**Regulation IJNC-R – Resource Centers/Media Centers/  
School Libraries**

**Exhibit IJNC-E – Resource Centers/Media Centers/  
School Libraries**

HB2439 instructs school districts and charter school governing boards to adopt procedures that provide parents access to a school’s library collection and a list of books and materials their child borrows. This is not required by law until January 1, 2023.

ASBA has created a new regulation IJNC-R to assist Superintendents in complying with this law. The regulation provides that parents seeking access to the school's library collection, or a list of their child's borrowed books or materials may utilize a request form (Exhibit IJNC-E).

**Policy Advisory No. 735      Policy IMD – School Ceremonies and Observances**

School districts and charter schools must set aside 1 to 2 minutes at the beginning of each day for silence. Teachers may not tell the children what to meditate on. Teachers must encourage parents to discuss with their children how to use the moment of silence.

**Policy Advisory No. 736      Policy IMB – Teaching About Controversial/  
Sensitive Issues**

HB2161's private cause of action enables parents to sue "governmental entities" for usurping the fundamental right of parents to direct the upbringing, education, health care and mental health of their children. ASBA's policy on teaching controversial issues, IMB, is amended to reflect that teachers have a great *responsibility* to educate students, but that parents ultimately direct the upbringing, education, health care and mental health of their children.

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If you have any questions, call Policy Services at (602) 254-1100. Ask for Nick Buzan, Director of Legal and Policy Services; Dr. Charlotte Patterson, Policy Analyst; Lynne Bondi, Policy Analyst; or Renae Watson, Policy Services Technician/Editor/Publisher. Our e-mail addresses are, respectively, [nbuzan@azsba.org], [cpatterson@azsba.org], [lbondi@azsba.org], and [rwatson@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**

## **JRR © STUDENT SURVEYS**

Student surveys will be prepared, administered, retained, and communicated to parents and students in a manner consistent with state and federal laws. ~~The requirements of the Arizona Revised Statutes shall be as specified in the relevant statutes and subsequent regulations.~~

No survey that solicits personal information about a pupil regarding any of the listed categories in A.R.S. §15-117(A) shall be conducted without being approved and authorized by the Superintendent. A teacher or other school employee may not administer any survey regarding A.R.S. §15-117(A) without obtaining written authorization from the Superintendent.

The categories of A.R.S. §15-117(A) and additional rules applying to surveys are listed in Regulation JRR-R.

~~The District will comply with all statutes pertaining to surveys including the requirement that notwithstanding any other law, each school district and charter school shall obtain written informed consent from the parent of a pupil before administering any survey that is retained by a school district, a charter school or the department of education for longer than one (1) year and that solicits personal information about the pupil regarding any of the following which are listed in A.R.S. [15-117](#).~~

- ~~1. Critical appraisals of another person with whom a pupil has a close relationship.~~
- ~~2. Gun or ammunition ownership.~~
- ~~3. Illegal, antisocial or self-incriminating behavior.~~
- ~~4. Income or other financial information.~~
- ~~5. Legally recognized privileged or analogous relationships, such as relationships with a lawyer, physician or member of the clergy.~~
- ~~6. Medical history or medical information.~~
- ~~7. Mental health history or mental health information.~~
- ~~8. Political affiliations, opinions or beliefs.~~



~~9. Pupil biometric information.~~

~~10. The quality of home interpersonal relationships.~~

~~11. Religious practices, affiliations or beliefs.~~

~~12. Self-sufficiency as it pertains to emergency, disaster and essential services interruption planning.~~

~~13. Sexual behavior or attitudes.~~

~~14. Voting history.~~

~~A parent of a pupil that has a reasonable belief that a school district or charter school has violated this section may file a complaint with the attorney general or the county attorney for the county in which an alleged violation of this section occurred. The attorney general or the county attorney for the county in which an alleged violation of this section occurred may initiate a suit in the superior court in the county in which the school district or charter school is located for the purpose of complying with this section. After receiving written notice of an alleged failure to comply with this section, a school district or charter school that determines that a violation has occurred is not subject to a penalty or cause of action under this section if the school district or charter school cures the violation. For the purposes of this subsection, "cure" means to destroy any information gathered in violation of this section and to provide written instruction to the individual circulating the survey, to be kept on file for one (1) year after receipt of the written notice of the alleged failure to comply.~~

The District will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA), the Individuals with Disabilities Education Act (IDEA), and the Protection of Pupil Rights Act (PPRA).

If a parent or eligible student believes that the District is violating the FERPA, that person has a right to file a complaint with the U.S. Department of Education. The address is:

The Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-4605  
Telephone number: (202) 260-3887

## **Annual Notification**

~~At the beginning of every school year, every school district and charter school shall obtain written informed consent from the parent of a pupil to participate in any survey pursuant to A.R.S. [15-117](#) for the entire year. A parent of a pupil may at any time revoke consent for the pupil to participate in any survey pursuant to subsection A of section [15-117](#). For any pupil who is at least eighteen years of age, the permission or consent that would otherwise be required from the pupil's parent pursuant to this section is required only from the pupil. All surveys conducted pursuant to subsection A of section [15-117](#) shall be approved and authorized by the school district or charter school. The school district or charter school is subject to the penalties prescribed in subsection L of section [15-117](#). A teacher or other school employee may not administer any survey pursuant to subsection A of section [15-117](#) without written authorization from the school district or charter school.~~

Adopted: \_\_\_\_\_

### **LEGAL REF.:**

A.R.S.

15-101

15-102

15-104

15-117

15-141

15-142

15-249

15-741

20 U.S.C. 1232g, the Family Educational Rights and Privacy Act

20 U.S.C. 1232h, the Protection of Pupil Rights Amendment

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

20 U.S.C. 7908

34 C.F.R. 98

34 C.F.R. 300

### **CROSS REF.:**

JI - Student Rights and Responsibilities

JICEC - Freedom of Expression

JII - Student Concerns, Complaints, and Grievances

JR - Student Records

KB - Parental Involvement in Education



**JRR-R ©**

**Regulation**

**STUDENT SURVEYS**

**Student Surveys as Defined  
in A.R.S. §15-117**

For the purposes of this regulation, the surveys discussed herein will be referred to as “15-117 surveys.”

No survey that solicits personal information about a pupil regarding any of the listed categories in A.R.S. §15-117(A) shall be conducted without being approved and authorized by the Superintendent. A teacher or other school employee may not administer any survey regarding A.R.S. §15-117(A) without obtaining written authorization from the Superintendent.

**Categories that Apply to 15-117 Survey  
Provisions (A.R.S. §15-117(A))**

This regulation applies to any survey that solicits personal information about the pupil regarding any of the following:

1. Critical appraisals of another person with whom a pupil has a close relationship.
2. Gun or ammunition ownership.
3. Illegal, antisocial or self-incriminating behavior.
4. Income or other financial information.
5. Legally recognized privileged or analogous relationships, such as relationships with a lawyer, physician or member of the clergy.
6. Medical history or medical information.
7. Mental health history or mental health information.
8. Political affiliations, opinions or beliefs.

9. Pupil biometric information.

10. The quality of home interpersonal relationships.

11. Religious practices, affiliations or beliefs.

12. Self-sufficiency as it pertains to emergency, disaster and essential services interruption planning.

13. Sexual behavior or attitudes.

14. Voting history.

### **Pupil or Parental Consent Required Prior to Administering a 15-117 Survey**

If the Superintendent elects to administer a survey as enumerated in A.R.S. §15-117(A), the Superintendent shall provide a copy of the survey to the pupil's parent along with a written informed consent form and shall obtain written informed consent from the pupil's parent authorizing the pupil to participate. The survey and written informed consent form must be provided and obtained at least seven (7) days before administering the survey to a pupil. A parent of a pupil may at any time revoke consent for the pupil to participate in any survey pursuant to A.R.S. 15-117 (A). If the pupil is at least eighteen (18) years of age the consent provisions listed above apply to the pupil and not their parent.

### **Requests for Information for 15-117 Surveys**

The District shall provide any available information in a timely manner to the parent of a pupil, or the pupil if they are eighteen (18) years of age, regarding a 15-117 survey, including:

1. The name of the survey.
2. The date or dates on which the survey will be administered.
3. The method or methods of administering the survey.
4. The amount of time required to administer the survey.
5. The type of information collected by the survey.
6. The reasons for administering the survey.

### **Complaint Procedure**

A parent that has a reasonable belief that the District has violated this section may file a complaint as stated in 15-117(K). The parent must provide written notice to the District of their complaint.

Once the District receives written notice of an alleged violation the District will attempt to cure the violation. For the purposes of this regulation, “cure” means to destroy any information gathered in violation of this section and to provide written instruction to the individual circulating the survey, to be kept on file for one year after receipt of the written notice of the alleged failure to comply.

### **Opt-Out Provision**

Students not participating in a 15-117 survey must be provided with an alternative educational activity and shall be counted toward attendance and average daily membership and may not be counted absent.

### **Additional Information**

When seeking to administer a survey under 15-117 the Superintendent will review 15-117 in its entirety.

**KI ©**  
**VISITORS TO SCHOOLS**

The Superintendent shall establish school-visit procedures for the control of persons other than school personnel or students who enter District premises. Such procedures shall permit full use of all legal means to ensure that students, employees, and District property are properly safeguarded. No person, other than one who is a peace officer or one who has obtained specific authorization from the appropriate school administrator, shall carry or possess a weapon on school grounds.

No visit, tour or observation shall be permitted if it threatens the health and safety of the pupils and staff.

**Parent and Prospective**  
**Parent Visitors**

The Superintendent shall develop procedures to allow for visits, tours and observations of all classrooms by parents of enrolled pupils and parents who wish to enroll their children in the school district. See Regulation KI-R.

Parent and prospective parent visit, tour and observation policies shall be easily accessible from the home page of each school's website.

**Mask or Face Coverings**  
**not Required**

The District does not require masks or face coverings anywhere on the District's premises except where long-standing workplace safety and infection control measures that are unrelated to COVID-19 may be required.

Adopted: \_\_\_\_\_

**LEGAL REF.:**

A.R.S.

13-1302

13-2905

13-2911

15-184

15-341

15-507

A.G.O.

I84-054

**CROSS REF.:**

AD - Educational Philosophy/School District Mission

BBA - Board Powers and Responsibilities

KFA - Public Conduct on School Property

**KI-R ©**

**REGULATION**

**VISITORS TO SCHOOLS**

Parents of enrolled pupils and parents who wish to enroll their children in the School District are encouraged may to visit, tour and observe the schools and classrooms. Visitors, including parents and parents of prospective pupils, must follow the school's procedures for scheduling visits, tours or observations. The District may discontinue visits, tours, and observations if such events threaten the health and safety of the pupils and staff.

The District may not impose any requirement to wear a mask or face covering anywhere on the governmental entity's premises, except where long-standing workplace safety and infection control measures unrelated to COVID-19 may be required.

All visitors to any school must report to the school office upon arrival.

For those who wish to visit a classroom during the school day, ~~it is preferred that the teacher and~~ the visitor must contact the principal be contacted in advance to arrange a day and time for such visit. Conflicts with the school schedule shall be avoided. ~~so as to avoid any conflicts with the school schedule.~~

In visiting a classroom, ~~parents must realize that the~~ teacher's first responsibility is to the class as a whole, and the teacher will be unable to converse at any length with the visitor. If a conference is desired, arrangements will be made by the teacher for an appointment with the parent either before or after school hours.

No person may enter onto school premises, including visits or audits to a classroom or other school activity, without approval by the principal. Neither will any person be allowed to conduct or attempt to conduct any activity on school premises that has not had prior approval by the principal.

Anyone who is not a student or staff member of the District ~~schools~~, and is in violation of this policy, may be asked to leave the property of the District. Failure to comply with the lawful directions of District officials or of District security officers or any other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so, will be against District regulations. Failure to obey such instructions may subject the person to criminal proceedings applicable under law.

**KI-E ©**

Exhibit

**VISITORS TO SCHOOLS**

Parents of enrolled pupils and parents who wish to enroll their children in the School District must fill out this form to visit, tour, or observe a classroom.

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

Name of Parent: \_\_\_\_\_

Name of Pupil or Prospective Pupil: \_\_\_\_\_

Name of Classroom Parent seeks to visit, tour or observe:

\_\_\_\_\_

Please describe the reason for your visit, tour or observation so that the District may best satisfy your request:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**KB ©**  
**PARENTAL INVOLVEMENT**  
**IN EDUCATION**

**Purpose**

The Governing Board adopts this policy to promote the involvement of parents and guardians of children enrolled in the School District. This policy is adopted in consultation with parents, teachers and administrators.

The Governing Board recognizes parents' rights as codified in the Parents' Bill of Rights, 1-601, 1-602, and in Arizona's other codifications of parents' rights as stated in Title 15 of the Arizona Revised Statutes.

**Outline of Policy KB, Regulations and Exhibits:**

- A. Policy KB contains the Governing Board's policy as developed and adopted as required by law.
- B. Regulation KB-R incorporates the Superintendent's detailed guidance in administering this policy.
- C. Exhibit KB-EA provides Superintendents with a mechanism to collect and maintain instructional staff background information.
- D. Exhibit KB-EB contains the parents' bill of rights as codified for ease of reference.

**Definitions**

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

**Parental Involvement Procedures**

The Superintendent, in consultation with parents, teachers, and administrators, shall develop procedures for parental involvement in the school(s). These procedures shall include:

- A. A plan for parent participation in the school designed to improve parent and teacher cooperation in such areas as homework, attendance, and discipline. The plan shall provide for the administration of a parent-teacher satisfaction survey.

B. A method by which parents may learn about the course of study for their children and review learning materials, including the source of any supplemental educational materials.

C. Procedures by which parents have access to the school's library collection of available books and materials.

D. Procedures by which parents may receive a list of books and materials borrowed from the library by their children.

*The following are exempt from paragraph C and D:*

1. Schools without a full-time library media specialist or an equivalent position.
2. School district libraries that have agreements with county free library districts, municipal libraries or other entities pursuant to section 15-362, subsection D.

~~D~~E. A procedure by which parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used and request an alternative assignment. Objection to a learning material or activity on the basis that it is harmful includes objection to a material or activity because it questions beliefs or practices in sex, morality, or religion or, because of sexual content, violent content, or profane or vulgar language.

~~E~~F. A procedure by which parents or guardians of students enrolled in the District shall have access in advance to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District.

~~E~~G. A procedure by which the District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that may be inappropriate for the age of the student.

~~F~~H. Procedures to prohibit the School District from providing sex education instruction to a student unless the student's parent provides written permission for the student to participate in the sex education curricula if the School District offers any sex education curricula pursuant to A.R.S. 15-711 on the requirement to include instruction to students in grades seven (7) through twelve (12) on laws relating to sexual conduct with a minor or 15-716 concerning instruction on immune deficiency syndrome, or pursuant to any rules adopted by the State Board of Education.



G. A procedure by which the District shall obtain signed, written consent from a student's parent or guardian before providing sex education to the student. At the same time the public educational institution seeks consent, it shall inform the student's parent or guardian of the parent's or guardian's right to review the instructional materials and activities.

H. Procedures by which parents will be notified in advance of and given the opportunity to withdraw their children from any instruction or presentations regarding sexuality in courses other than formal sex education curricula.

I. Procedures by which parents may learn about the nature and purpose of clubs and activities that are part of the school curriculum, extracurricular clubs, and activities that have been approved by the school.

J. Procedures by which parents will be notified in advance of and given the opportunity to opt their children into any instruction, learning materials or presentations regarding sexuality, in courses other than formal sex education curricula.

K. Procedures by which parents may learn about parental rights and responsibilities under the laws of this state, including the following:

1. The right to opt into a sex education curriculum if one is provided by the District.
2. Open enrollment rights pursuant to A.R.S. 15-816.01, relating to the District policies on open enrollment.
3. The right to opt out of assignments pursuant to A.R.S. 1-601, Parents Bill of Rights. [See Exhibit KB-EB]
4. The right to opt a child out of immunizations as authorized by A.R.S. 15-873, relating to an outbreak of a communicable disease.
5. The promotion requirements prescribed in A.R.S. 15-701 for students in grades one (1) through eight (8).
6. The minimum course of study and competency requirements for graduation from high school prescribed in A.R.S. 15-701.01.

7. The right to opt out of instruction on the acquired immune deficiency syndrome as provided by A.R.S. 15-716.
8. The right to review their child's standardized norm-referenced test results pursuant to A.R.S. 15-743.
9. The right to participate in gifted programs pursuant as prescribed by A.R.S. 15-779.01.
10. The right to access instructional materials as directed by A.R.S. 15-730.
11. The right to receive the school's annual report card pursuant to A.R.S. 15-746.
12. The school attendance and age requirements for children prescribed in A.R.S. 15-802, 15-803 and 15-821.
13. The right to public review of courses of study and textbooks and library books and materials in the common schools (preschool programs through grade eight [8]), as prescribed in A.R.S. 15-721, and in high schools, prescribed in A.R.S. 15-722.
14. The right to be excused from school attendance for religious purposes as described by A.R.S. 15-806.
15. Policies related to parental involvement pursuant to A.R.S. 15-102 and set out herein.
16. The right to seek membership on school councils pursuant to A.R.S. 15-351, describing the purpose, duties, and membership of a school council. [Subject to the exemption of certain school districts exempted as described in A.R.S. 15-352.]
17. Information about the student accountability information system (SAIS) as prescribed in section 15-1042.
18. The right to access the failing schools tutoring fund pursuant to A.R.S. 15-241.
19. The right to access all written and electronic records of a school district or school district employee concerning the parent's child pursuant to section 15-143, listed in Regulation KB-R.

20.49. Access to the Arizona Department of Education (DOE) statutory handbook of parental rights, which is posted on the DOE website and is prominently posted on a publicly accessible portion of the District website with a link to the statutory handbook of parental rights with the title and sections as listed below.

- a. Title 1, chapter 6.
- b. Section 15-102.
- c. Section 15-110.
- d. Section 15-113.
- e. Section 15-117.
- f. Section 15-351.
- g. Section 15-721.
- h. Section 15-722.
- i. Section 15-730.

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

The District plan under this policy may also include:

- A. Making parents aware of this District parental involvement policy, including:
  - 1. Rights under the Family Educational Rights and Privacy Act (FERPA) of 1974, as revised (20 U.S.C. 1232g) relating to access to children's official records.
  - 2. The parent's right to inspect the District policies and curriculum.
- B. Efforts to encourage the development of parenting skills.
- C. The communication to parents of techniques designed to assist the student's learning experience in the home.
- D. Efforts to encourage access to community and support services for children and families.

E. The promotion of communication between the school and parents concerning school programs and the academic progress of the parents' children.

F. Identifying opportunities for parents to participate in and support classroom instruction at the school.

G. Efforts to support, with appropriate training, parents as shared decision makers and to encourage membership on school councils.

H. The recognition of the diversity of parents and the development of guidelines that promote widespread parental participation and involvement in the school at various levels.

I. The development of preparation programs and specialized courses for certificated employees and administrators that promote parental involvement.

J. The development of strategies and programmatic structures at schools to encourage and enable parents to participate actively in their children's education.

K. Provide to parents the information in this policy in an electronic form.

=====

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

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

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

A. The Superintendent or principal shall:

1. Deliver the requested information to the parent within ten (10) calendar days, or
2. Provide to the parent a written explanation for denial of the requested information.

B. If the requested information is denied or is not received by the parent within fifteen (15) calendar days:

1. The parent may submit in writing to the Governing Board a request for the requested information, and
2. The Governing Board shall consider the request at the next scheduled meeting of the Board on which the request can be properly noticed. If the request cannot be properly noticed on the next scheduled meeting agenda, the Governing Board shall formally consider the request at the next subsequent public meeting of the Governing Board.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

1-601

1-602

15-101

15-102

15-110

15-113

15-117

15-143

15-189.07

15-249

15-341

15-351

15-721

15-722

15-730

CROSS REF.:

ABA - Community Involvement in Education

IHBD - Compensatory Education

IJ - Instructional Resources and Materials

IJND - Technology Resources

JHD - Exclusions and Exemptions from School Attendance

KDB - Public's Right to Know/Freedom of Information

**KB-R ©**

**REGULATION**

**PARENTAL INVOLVEMENT  
IN EDUCATION**

**Parent and Teacher Cooperation in  
Homework, Attendance, and Discipline**

When homework, attendance, and discipline rules are being considered, a procedure similar to, but not limited to, the following shall be used:

A. An ad hoc committee shall be appointed by the appropriate administrative officer under the provisions of Board policy. The committee will study the issue and make recommendations to the appointing administrator. The committee will be dissolved when the final report is submitted.

B. School staff members, including teachers, will be appointed to study the issues and report to the appointing administrator. The administrator will schedule hearings on the staff report, give parents sufficient notice, and conduct hearings to permit parent reaction to the staff report, copies of which shall be readily available for parent review. Following the hearings, the administrator will prepare recommendations that give careful consideration to the views of teachers and parents. Such recommendations will be submitted to the Superintendent unless the recommendations are prepared by the Superintendent, in which case the recommendations will be submitted to the Board.

**Parents' Access to Courses of Study  
and Learning Materials**

Parents who wish to learn about the course of study for their children or to review learning materials shall do so under provisions of Board Policy IJ and supporting regulations.

**Parents' Access to the School's Library Collection of Available Books and Materials and a List of Books and Materials Borrowed from the Library by Their Children**

Parents may access the school's library collection of available books and materials through following the procedures stated in Regulation IJNC-R and Exhibit IJNC-E. Parents may request a list of books and materials borrowed from the library by their children by using Exhibit IJNC-E.

**Parents' Access to Written and Electronic Records of a School District or School District Employee Concerning the Parent's Child and to All Electronic Accounts of the Parent's Child**

Parents may request the written and electronic records accessible under A.R.S. 15-143 from the District office, including, but not limited to, all of the following:

- A. Attendance records.
- B. Test scores of school-administered tests and statewide assessments.
- C. Grades.
- D. Extracurricular activities or club participation.
- E. Disciplinary records.
- F. Counseling records.
- G. Psychological records.
- H. Applications for admission.
- I. Health and immunization information, including any medical records that are maintained by a health clinic or medical facility operated or controlled by the school district or charter school or that are located on school district or charter school property.
- J. Teacher and counselor evaluations.
- K. Reports of behavioral patterns.
- L. E-mail accounts.
- M. Online or virtual accounts or data.

### **Parental Cause of Action for Violation of 15-143 and Remedies**

A parent may file suit against a school district that violates subsection A of 15-143 in the superior court in the county in which the violation occurs. This section does not preclude a parent from filing a suit asserting a violation of this section or any other claim otherwise allowed by law.

A parent who successfully asserts a claim under subsection A of 15-143 may recover:

1. Declaratory relief.
2. Injunctive relief to prevent or remedy a violation of subsection A of this section or the effects of the violation.
3. Reasonable attorney fees and costs.
4. Any other appropriate relief.

### **Parental Objections to Learning Activities or Materials**

Parents who wish to object to any learning activities or learning materials may do so under provisions of Board Policies IJ, KB and supporting regulations.

### **Availability of Instructional Employee Resumés**

The administration shall inform parents of the availability of each teaching employee's resumé and make that document available for inspection upon request of parents or guardians of pupils enrolled at a school. Such information shall not include teacher address, salary, social security number, and telephone or other personally identifiable information as determined by the District.



**KB-EB ©**

**EXHIBIT**

**PARENTAL INVOLVEMENT  
IN EDUCATION**

**PARENTS' BILL OF RIGHTS\***

**(Enacted by the 49th Arizona Legislature,  
2nd Regular Session (2010)  
Session Law SB1309, Chapter 307  
Arizona Revised Statutes 1-601 and 1-602)**

**Parents' Rights Protected**

The liberty of parents to direct the upbringing, education, health care and mental health of their children is a fundamental right.

This state, any political subdivision of this state or any other governmental entity shall not infringe on these rights without demonstrating that the compelling governmental interest as applied to the child involved is of the highest order, is narrowly tailored and is not otherwise served by a less restrictive means.

**Parents' Bill of Rights; definition**

All parental rights are exclusively reserved to a parent of a minor child without obstruction or interference from this state, any political subdivision of this state, any other governmental entity or any other institution, including, but not limited to, the following rights:

- A. The right to direct the education of the minor child.
- B. All rights of parents identified in Title 15, including the right to access and review all records relating to the minor child.
- C. The right to direct the upbringing of the minor child.
- D. The right to direct the moral or religious training of the minor child.
- E. The right to make all health care decisions for the minor child, including rights pursuant to sections 15-873, 36-2271 and 36-2272, unless otherwise prohibited by law.

F. The right to request, access and review all written and electronic medical records of the minor child unless otherwise prohibited by law or unless the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.

G. The right to consent in writing before a biometric scan of the minor child is made pursuant to section 15-109.

H. The right to consent in writing before any record of the minor child's blood or deoxyribonucleic acid is created, stored or shared, except as required by section 36-694, or before any genetic testing is conducted on the minor child pursuant to section 12-2803 unless authorized pursuant to section 13-610 or a court order.

I. The right to consent in writing before ~~the~~ this state or any of its political subdivisions makes a video or voice recording of the minor child, unless the video or voice recording is made during or as a part of a court proceeding, by law enforcement officers during or as part of a law enforcement investigation, during or as part of an forensic interview in a criminal or child safety protective services investigation or to be used solely for any of the following:

1. Safety demonstrations, including the maintenance of order and discipline in the common areas of a school or on pupil transportation vehicles.
2. A purpose related to a legitimate academic or extracurricular activity.
3. A purpose related to regular classroom instruction.
4. Security or surveillance of buildings or grounds.
5. A photo identification card.

J. The right to be notified promptly if an employee of this state, any political subdivision of this state, any other governmental entity or any other institution suspects that a criminal offense has been committed against the minor child by someone other than a parent, unless the incident has first been reported to law enforcement and notifying ~~notification of~~ the parent would impede a law enforcement or child protective services investigation. This paragraph does not create any new obligation for school districts and charter schools to report misconduct between students at school, such as fighting or aggressive play, that are routinely addressed as student disciplinary matters by the school.

K. The right to obtain information about a child ~~protective~~ safety services investigation involving the parent pursuant to section 8-807.

L. This section does not authorize or allow a parent to engage in conduct that is unlawful or to abuse or neglect a child in violation of the laws of this state. This section does not prohibit courts, law enforcement officers or employees of a government agency responsible for child welfare from acting in their official capacity within the scope of their authority. This section does not prohibit a court from issuing an order that is otherwise allowed ~~permitted~~ by law.

M. Any attempt to encourage or coerce a minor child to withhold information from the child's parent ~~shall be~~ is grounds for discipline of an employee of this state, any political subdivision of this state, ~~or any other governmental entity, or any other institution,~~ except for law enforcement personnel.

N. Unless those rights have been legally waived or legally terminated, parents have inalienable rights that are more comprehensive than those listed in this section. This chapter does not prescribe all rights of parents or preempt or foreclose claims or remedies in support of parental rights that are available under the constitution, statutes or common law of this state. Unless otherwise required by law, the rights of parents of minor children shall not be limited or denied.

O. Except as prescribed in subsections P and Q of this section, this state, a political subdivision of this state or any other governmental entity, or any official of this state, a political subdivision of this state or any other governmental entity acting under color of law, shall not interfere with or usurp the fundamental right of parents to direct the upbringing, education, health care and mental health of their children. A parent may bring suit against a governmental entity or official described in this subsection based on any violation of the statutory rights set forth in this chapter or any other action that interferes with or usurps the fundamental right of parents to direct the upbringing, education, health care and mental health of their children in the superior court in the county in which the violation or other action occurs or in federal court, if authorized by federal law, or before an administrative tribunal of appropriate jurisdiction. A parent may raise a violation of this chapter as a claim or a defense.

P. In any action under subsection O of this section, the governmental entity or official described in subsection O of this section has the burden of proof to demonstrate both of the following:

1. That the interference or usurpation is essential to accomplish a compelling government interest of the highest order, as long recognized in the history and traditions of this state in the operation of its regulatory powers.
2. That the method of interference or usurpation used by the government is narrowly tailored and is not otherwise served by a less restrictive means.

Q. A governmental entity or official described in subsection O of this section may interfere with or usurp the fundamental right of parents to direct the upbringing, education, health care and mental health of their children only if the governmental entity or official successfully demonstrates both elements described in subsection P of this section. If the governmental entity or official is unsuccessful, the court shall grant appropriate relief, such as declaratory or injunctive relief, compensatory damages and attorney fees, based on the facts of the case and the law as applied to the facts.

R. For the purposes of this section, "*parent*" means the natural or adoptive parent or legal guardian of a minor child.

*\*Note: The literal language of the Parents' Bill of Rights is retained as enacted by the Legislature. However, the layout and style has been modified to be consistent with that of the other documents in the District's Manual of Governing Board Policies and Administrative Regulations. Where the term "section" appears, it is to be understood as the identified section of the Arizona Revised Statutes (A.R.S.).*

**IHAMB ©**  
**FAMILY LIFE EDUCATION**

### **Instruction in Sex Education**

Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law.

A public school shall not refer students to or use any sexually explicit material in any manner except as provided in a Governing Board-approved sex education program. Materials may be exempted from this requirement if the materials meet the definition of A.R.S. 15-120.02(B), listed in Regulation IHAMB-R.

The school shall obtain signed, written consent from a student's parent or guardian before doing either of the following:

- A. Using video, audio or electronic materials that may be inappropriate for the age of the student.
- B. Providing sex education instruction to the student. At the same time the public educational institution seeks consent, it shall inform the student's parent or guardian of the parent's or guardian's right to review the instructional materials and activities.

School districts and charter schools may not provide sex education instruction before grade five (5).

Before a parent provides written permission for the parent's child to participate in any sex education curricula, the school district or charter school shall make the sex education curricula available for the parent's review online and in person pursuant to A.R.S. 15-102(A)(2). The school district or charter school shall notify parents where the sex education curricula are available for review at least two (2) weeks before any instruction is offered pursuant to A.R.S. 15-711.

A school district or charter school with existing sex education curricula shall include instruction on the laws relating to sexual conduct with a minor for pupils in grades seven (7) through twelve (12).

Each school district or charter school may develop its own sex education course of study or adopt an existing sex education course of study.

Before a school district or charter school offers sex education instruction, the school district governing board or charter school governing body shall review and approve the sex education course of study that is developed, adopted, revised, or updated.

The governing board or governing body:

- A. Shall provide parents with a meaningful opportunity to participate in, review and provide input on any proposed sex education course of study before it is adopted.
- B. May not approve a course of study unless it complies with A.R.S. 15-711.

Before approving any sex education course of study developed, adopted, revised, or updated pursuant to A.R.S. 15-711, the school district governing board or charter school governing body shall do all of the following:

- A. Require that all meetings of committees that are authorized for the purposes of reviewing and selecting the sex education course of study be publicly noticed at least two (2) weeks before occurring and be open to the public pursuant to Title 38, Chapter 3, Article 3.1.
- B. Make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the governing board or governing body decides whether to approve that course of study.
- C. Conduct at least two (2) public hearings within the sixty (60)-day period before the governing board or governing body decides whether to approve any course of study. Public comment may include written comments, oral comments and comments submitted through e-mail.

A school district or charter school is not required to provide sex education instruction to pupils. If a school district or charter school decides to provide sex education instruction after school hours, A.R.S. 15-711 and A.R.S. 15-102 apply.

Statute does not prohibit age and grade appropriate classroom instruction regarding child assault awareness and abuse prevention.

## **Certification of Compliance**

The District shall certify, under the notarized signatures of both the Governing Board President and the Superintendent, compliance with A.A.C. R7-2-303. Acknowledgment of receipt of the compliance certification from the State Board of Education is required as a prerequisite to the initiation of instruction. Certification of compliance shall be in a format and with such particulars as shall be specified by the Department of Education.

## **Instruction on Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus**

The District may provide instruction in kindergarten (K) through grade twelve (12) on acquired immune deficiency syndrome and the human immunodeficiency virus as authorized by Arizona law.

If instruction is to be offered at one (1) or more grade levels, the Superintendent shall develop and implement regulations on such instruction that conform to Arizona law.

## **Promotion of Childbirth**

The District shall not endorse or provide financial or instructional program support to any program that does not present childbirth and adoption as preferred options to elective abortion.

The District shall not allow any presentation during instructional time or furnish any materials to pupils as part of any instruction that does not give preference, encouragement and support to childbirth and adoption as preferred options to elective abortion.

Adopted: \_\_\_\_\_

### **LEGAL REF.:**

A.R.S.

15-115

15-341

15-711

15-716

A.A.C.

R7-2-303

**IHAMB-R ©**

**REGULATION**

**FAMILY LIFE EDUCATION**

**Instruction in Sex Education**

Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law. Nothing in this regulation shall be construed to require a school district or charter school provide sex education instruction to pupils. The District shall not refer students to or use any sexually explicit material in any manner except as provided in a Governing Board-approved sex education program. Materials may be exempted from this requirement if the materials meet the definition of A.R.S. 15-120.02(B).

The school shall obtain signed, written consent from a student's parent or guardian before doing either of the following:

- A. Using video, audio or electronic materials that may be inappropriate for the age of the student.
- B. Providing sex education instruction to the student. At the same time the public educational institution seeks consent, it shall inform the student's parent or guardian of the parent's or guardian's right to review the instructional materials and activities.

School districts and charter schools may not provide sex education instruction before grade five (5).

**Grades 5 - 8:**

- A. *Elective lessons.* The District may provide a specific elective lesson or lessons concerning sex education as a supplement to the health course of study.
  - 1. Such supplement may be taken by the student only upon the written request of the student's parent or guardian.
  - 2. Alternative elective lessons from the state-adopted optional subjects shall be provided for students who do not enroll in elective sex education.



3. Elective sex education lessons shall not exceed the equivalent of one (1) class period per day for one-quarter (1/4th) of the school year for grades five (5) through eight (8).

*B. Governing Board approval.* All elective sex education lessons to be offered must have prior approval from the Governing Board.

1. The Governing Board shall establish an advisory committee with membership representative of District size and the racial and ethnic composition of the community to assist in the development of lessons and advise the Board on an ongoing basis. All meetings of committees that are authorized for the purposes of reviewing and selecting the sex education course of study shall be publicly noticed at least two (2) weeks before occurring and be open to the public pursuant to Arizona Revised Statutes Title 38, Chapter 3, Article 3.1.
2. The Governing Board shall review the total instructional materials and approve all lessons and curricula in the course of study to be offered in sex education.
3. The Governing Board shall make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the Board decides whether to approve that course of study. The Board shall publicize and hold at least two (2) public hearings within the sixty (60)-day period for the purpose of receiving public input at least one (1) week prior to the local governing board meeting at which the elective sex education lessons will be considered for approval. Public input may include written comments, oral comments and comments submitted electronically.
4. The Governing Board shall maintain for viewing by the public, both online and in-person pursuant to A.R.S. 15-102(A)(2), the total instructional materials to be used in approved elective sex education lessons within the school district or charter school at least two (2) weeks before any instruction is offered.

*C. Format of instruction:*

1. Lessons shall be taught to boys and girls separately.

2. Lessons shall be ungraded and shall require no homework; any evaluation administered for the purpose of self-analysis shall not be retained or recorded by the school or the teacher in any form.
3. Lessons shall not include tests, psychological inventories, surveys, or examinations containing any questions about personal beliefs or practices in sex, family life, morality, values, or religion on the part of students or their parents.
4. Lessons for grades seven (7) and eight (8) shall include instruction on the laws relating to sexual conduct with a minor.

**Grades 9 - 12:**

- A. A course in sex education may be provided in the high schools of Arizona.
- B. This course may only be taken by the student at the written request of the student's parent or guardian.
- C. Alternative elective lessons from the state-adopted optional subjects shall be provided for students who do not enroll in elective sex education.
- D. All meeting of committees that are authorized for the purposes of reviewing and selecting the sex education course of study shall be publicly noticed at least two (2) weeks before occurring and be open to the public pursuant to Arizona Revised Statutes Title 38, Chapter 3, Article 3.1.
- E. The Governing Board shall review the total instructional materials and approve all lessons and curricula in the course of study to be offered in sex education.
- F. The Governing Board shall make any proposed sex education course of study available and accessible for review and public comment for at least sixty (60) days before the Board decides whether to approve that course of study. The Board shall publicize and hold at least two (2) public hearings within the sixty (60)-day period for the purpose of receiving public input at least one (1) week prior to the local governing board meeting at which the elective sex education lessons will be considered for approval. Public input may include written comments, oral comments and comments submitted electronically.

G. Lessons shall not include tests, psychological inventories, surveys, or examinations containing any questions about personal beliefs or practices in sex, family life, morality, values, or religion on the part of students or their parents.

H. The Governing Board shall maintain for viewing by the public, both online and in-person pursuant to A.R.S. 15-102(A)(2), the total instructional materials to be used in approved elective sex education lessons within the school district or charter school at least two (2) weeks before any instruction is offered.

***Content of instruction (Grades 5 - 12):***

A. All sex education materials and instruction shall be age appropriate, shall recognize the needs of exceptional students, shall meet the needs of the District, shall recognize local community standards and sensitivities, shall not include the teaching of abnormal, deviate, or unusual sexual acts and practices, and shall include the following:

1. Emphasis upon the power of individuals to control their own personal behavior.

Students shall be encouraged to base their actions on reasoning, self-discipline, sense of responsibility, self-control, and ethical considerations such as respect for self and others.

2. Instruction on how to say "no" to unwanted sexual advances and to resist negative peer pressure.

Students shall be taught that it is wrong to take advantage of, or to exploit, another person.

3. Instruction on the laws relating to sexual conduct with a minor.

B. All sex education materials and instruction that discuss sexual intercourse shall:

1. Stress that students should abstain from sexual intercourse until they are mature adults.

2. Emphasize that abstinence from sexual intercourse is the only method for avoiding pregnancy that is one hundred percent (100%) effective.
3. Stress that sexually transmitted diseases have severe consequences and constitute a serious and widespread public health problem.
4. Include a discussion of the possible emotional and psychological consequences of preadolescent and adolescent sexual intercourse and the consequences of preadolescent and adolescent pregnancy.
5. Advise students of Arizona law pertaining to the financial responsibilities of parenting, and legal liabilities related to sexual intercourse with a minor.

School districts and charter schools shall make any existing sex education course of study available and accessible for review both online and in person.

### **Prohibition on Use of Sexually Explicit Materials as Defined and Exemptions**

Except as prescribed in a Governing Board approved sex education program, a public school in this state may not refer students to or use any sexually explicit material in any manner.

- A. **Exemptions:** Materials may be exempted from this rule if all of the following requirements are met:
1. The exempted material possesses serious educational value for minors or possesses serious literary, artistic, political or scientific value.
  2. The public school obtains parental consent before the public school refers a student to or uses the exempted material. The public school shall obtain parental consent on a per-material basis.
  3. The public school provides students for whom parental consent is not secured under paragraph 2 of this subsection with an alternative assignment that does not contain sexually explicit material.

**B. Definitions:**

“Sexually explicit materials” includes textual, visual or audio materials or materials accessed via any other medium that depict any of the following:

1. *Sexual conduct.* For the purposes of this paragraph, “sexual conduct” means acts of masturbation, sexual intercourse or physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks or, if such person is a female, breast.
2. *Sexual excitement.* For the purposes of this paragraph, “sexual excitement” means the condition of human male or female genitals when in a state of sexual stimulation or arousal.
3. *Ultimate sexual acts.* For the purposes of this paragraph, “ultimate sexual acts” means sexual intercourse, vaginal or anal, fellatio, cunnilingus, bestiality or sodomy. A sexual act is simulated when it depicts explicit sexual activity that gives the appearance of consummation of ultimate sexual acts.

**Instruction on Acquired Immune Deficiency Syndrome and Human Immunodeficiency Virus**

The District will develop its own course of study for each grade. At a minimum, instruction shall:

- A. Be appropriate to the grade level in which it is offered.
- B. Be medically accurate.
- C. Promote abstinence.
- D. Discourage drug abuse.
- E. Dispel myths regarding transmission of the human immunodeficiency virus.

The District may request that the Department of Health Services, in conjunction with the Department of Education, review instruction materials to determine their medical accuracy.

The District may request that the Department of Education provide the following assistance:

- A. A suggested course of study.
- B. Teacher training.
- C. A list of available films and other teaching aids.

At the request of a parent, a student shall be excused from the instruction on acquired immune deficiency syndrome and the human immunodeficiency virus. The District shall notify all parents of their ability to withdraw their children from the instruction.

## **JLCB © IMMUNIZATIONS OF STUDENTS**

The Board follows Arizona law as it applies to immunizations of students.

### **Immunizations Required for Attendance**

Subject to the exemptions as provided by law, immunization against diphtheria, tetanus, pertussis, poliomyelitis, rubeola (measles), mumps, rubella (German measles), hepatitis B, haemophilus influenzae b (Hib), and varicella is required for attendance of a student in a District school.

### **Immunizations Not Required for School Attendance**

The following immunizations are not required for school attendance:

A. Human papillomavirus.

B. COVID-19 or any variant of COVID-19.

A School District or Charter School, as a governmental entity, that requires a person under eighteen (18) years of age to receive a vaccination for COVID-19 or any variant of COVID-19 must obtain the consent of that person's parent or guardian.

### **Immunization Procedures**

The Board authorizes the Superintendent to create procedures for verifying immunizations records of students. The procedures shall be administered in Regulation JLCB-R and Exhibit JLCB-E.

A student's immunization record must be submitted prior to attendance, although a student may be conditionally enrolled provided that necessary immunizations have been initiated and a schedule has been established for completion of the required immunizations.

The school administrator shall review the school immunization record at least twice each school year until the pupil receives all of the required immunizations.

A student shall not be allowed to attend school without submitting documentary proof of compliance to the school administrator unless the student is exempted from immunization.

On enrollment, the school administrator shall suspend that student if the administrator does not have documentary proof of compliance and the student is not exempted from immunization.

A student who fails to comply with the immunization schedule shall be suspended from school attendance until documentary proof of compliance is provided to the school administrator, except that a homeless student shall not be suspended from attendance until the fifth (5th) calendar day after enrollment.

Any student with serologic confirmation of the presence of specific antibodies against a vaccine-preventable disease shall not be subject to immunization against that disease as a condition for attending school.

The District will cooperate with county and state health departments in programs of immunization. Parents' permission must be secured before a student may participate in such immunization projects.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

15-871

15-872

15-873

15-874

36-681

A.A.C.

R9-6-203

R9-6-313

R9-6-350

R9-6-353

R9-6-356

R9-6-365

R9-6-368

R9-6-372

R9-6-388

R9-6-701 through 707



**JLCB-R ©**

**REGULATION**

**IMMUNIZATIONS OF STUDENTS**

Subject to the exemptions in A.R.S. 15-873, immunization against each of the following diseases is required for attendance of a child in any school:

- A. Diphtheria;
- B. Tetanus;
- C. Hepatitis B;
- D. Pertussis;
- E. Poliomyelitis;
- F. Measles (rubeola);
- G. Mumps;
- H. Rubella (German measles);
- I. *Haemophilus influenzae* type b (Hib);
- J. Varicella; and
- K. Meningococcal.
- L. Hepatitis A, for a child one (1) through five (5) years of age in a day care program in Maricopa County.

To be required for in-person school attendance the immunization must be prescribed by rule adopted pursuant to subsection A of A.R.S. §36-672.

The following immunizations are not required for school attendance:

- A. Human papillomavirus.
- B. COVID-19 or any variant of COVID-19.

A School District or Charter School, as a governmental entity, that requires a person under eighteen (18) years of age to receive a vaccination for COVID-19 or any variant of COVID-19 must obtain the consent of that person's parent or guardian.

Unless exempt in accord with R9-6-706, the schedule for compliance with the requirement for immunization against varicella is:

Grade student entering	as of September 1,
Kindergarten (K) through grade four (4) and grades seven (7) through ten (10)	2008
Kindergarten (K) through grade five (5) and grades seven (7) through eleven (11)	2009
Kindergarten (K) through grade twelve (12)	2010

Unless exempt in accord with R9-6-706, the schedule for compliance for a student eleven (11) years or older who has not previously received the meningococcal vaccine is:

Grade student entering	as of September 1,
Grade six (6)	2008
Grades six (6) and seven (7)	2009
Grades six (6) through eight (8)	2010
Grades six (6) through nine (9)	2011
Grades six (6) through ten (10)	2012
Grades six (6) through eleven (11)	2013
Grades six (6) through twelve (12)	2014

The preceding schedules will remain in effect unless the school is notified by the Arizona Department of Health Services of a modification to one (1) or both of the schedules.

A child is in compliance with the requirements if the child has met the criteria of the appropriate immunization schedule as recommended by the Department of Health Services or is actively in the process of meeting such criteria as evidenced by having received one (1) dose of each of the required immunizations and has established a schedule for completion of the required immunizations.

A child shall not be allowed to attend school without submitting documentary proof to the school administrator unless the child is exempted from immunization pursuant to section 15-873. Upon enrollment, schools shall forbid attendance or (suspend) a student not meeting the requirements for immunization or exemption from immunization. Homeless students shall be referred to the liaison for homeless students and shall not be required to comply with the immunization requirements until the fifth (5th) calendar day after enrollment.

The admitting official shall deem the student to be in compliance with the requirements of this regulation if:

- A. The student's immunization record complies with the documentary proof required pursuant to A.A.C. R9-6-704, and the student has received or is in the process of receiving all required age-specific vaccine doses according to Exhibit JLCB-E; or
- B. An exemption from immunization is submitted in accordance with the procedures set forth in R9-6-706.

When the student's immunization record is not available at the time of enrollment, the school shall provide the responsible person with the following:

- A. Notification of the lack of compliance with the immunization requirements;
- B. A written notice that specifies when the required doses shall be completed, notes the availability of exemptions to immunization, and refers the student to a physician or local health department for review of the student's immunization history and provision of immunizations as needed; and
- C. Notification that the student is suspended in accordance with 15-872 until an acceptable immunization record that meets the standards of documentary proof is presented to the school.

When immunization records are presented that do not comply with the standards for documentary proof, the school shall:

- A. Notify the responsible person of the lack of compliance with the immunization requirements; and
- B. Obtain a review and verification of the student's immunization record by or in consultation with a certificated school nurse, a public health nurse, a licensed physician, or an authorized representative of a local health department.

If the admitting official is unable to verify the accuracy of the student's immunization record pursuant to the preceding paragraph, the school shall provide to the responsible person:

- A. A written referral to a physician or local health department for further review of the student's immunization history and provision of immunizations as needed; and
- B. Notification that the student is suspended until an immunization record that meets the standards of documentary proof is presented to the school.

Each school shall maintain a current list of students without evidence of immunization or immunity to the diseases listed in R9-6-702, which shall include the names of all students with incomplete immunization histories or exemptions for personal or medical reasons where evidence of immunity has not been provided.

Schools shall forbid attendance by a student lacking proof of immunization or immunity against any of the immunization-preventable diseases as determined by the State Department of Health Services or local health department during periods of outbreaks of the diseases for which immunity is lacking. The announcement of an outbreak of disease and the length of the period of communicability shall be as declared by the state or local health department.

### **Standards for Documentary Proof**

Proof of immunity to the diseases listed in R9-6-702 shall be documented in accordance with R9-6-704.

Immunization records or statements of immunity shall be signed by a physician or authorized representative of a health agency.

## **Exemptions to Immunizations**

Students who have reached their fifth (5th) birthday shall be exempt from the Hib immunization requirement.

Students who have reached their seventh (7th) birthday shall be exempt from the pertussis immunization requirement.

Any student with laboratory evidence of immunity shall not be subject to immunization against that disease as a condition for attending school, provided that such evidence is submitted to the school.

In accordance with A.R.S. 15-873, documentary proof is not required for a student to be admitted to school if one (1) of the following occurs:

A. The parent or guardian of the student submits a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the Department of Health Services, understands the risks and benefits of immunizations and the potential risks of nonimmunization, and that, due to personal beliefs, the parent or guardian does not consent to the immunization of the student.

B. The school administrator receives written certification, signed by the parent or guardian and by a physician, that states that one (1) or more of the required immunizations may be detrimental to the student's health and indicates the specific nature and probable duration of the medical condition or circumstance that precludes immunization.

An exemption pursuant to the preceding subparagraph is valid only during the duration of the circumstance or condition that precludes immunization.

If a medical exemption is granted in accordance with A.R.S. 15-873, it shall be defined by the grantor as either permanent or temporary.

A. A permanent medical exemption may be provided for one (1) or more vaccines.

B. A temporary medical exemption shall specify the date of its termination. A student with a temporary medical exemption shall be allowed to attend school on the condition that the required immunizations are obtained at the termination of the exemption. The responsible person shall be notified of the date by which the student shall complete all required immunizations.

Any exemption granted in accordance with A.R.S. 15-873 shall be recorded on the school immunization record in the student's permanent file.

Students who lack documentary proof of immunization shall not attend school during outbreak periods of communicable immunization-preventable diseases as determined by the Department of Health Services or local health department. The Department of Health Services or local health department shall transmit notice of this determination to the school administrator responsible for the exclusion of the students.

### **Reporting Communicable Diseases**

The administrator of a school shall submit by telephone a report to the local health department any case, suspected case, or outbreak of a communicable disease as follows:

A. Within twenty-four (24) hours after detecting a case or suspected case of:

1. Cryptosporidiosis
2. Enterohemorrhagic Escherichia coli
3. Haemophilus influenzae: invasive disease
4. Hepatitis A
5. Measles
6. Meningococcal invasive disease
7. Mumps
8. Pertussis (whooping cough)
9. Rubella (German measles)
10. Salmonellosis
11. Shigellosis

B. Within twenty-four (24) hours after detecting an outbreak of:

1. Conjunctivitis: acute
2. Diarrhea, nausea, or vomiting
3. Scabies
4. Streptococcal Group A infection

C. Within five (5) working days after detecting a case or a suspected case of:

1. Campylobacteriosis
2. Varicella (chicken pox)

The report shall include:

A. The name and address of the school

B. The number of individuals having the disease, infestation, or symptoms

C. The date and time the disease or infestation was detected or the symptoms began

D. The number of rooms, grades, or classes affected and the name of each

E. Information about each affected individual to include:

1. Name,
2. Date of birth or age,
3. Residential address and telephone number,
4. Whether the individual is a staff member, student, child in care, or a resident,

F. The number of individuals attending or residing in the school, and

G. The name, address, and telephone number of the person making the report.

## Other Required Reports

By November 15 of each year, the Superintendent shall submit a report on the immunization status of students to the state or local health department on a form provided by the Department.

Each Superintendent of a school whose nurses are authorized to administer vaccines or immunizing agents shall submit monthly reports to the county health department in accordance with the procedures set forth in [R9-6-707](#). Reports are due by the fifth (5th) day of the following month.

An immunization record shall be maintained for each student in the school. Each immunization record shall include the following information:

- A. Name of the student;
- B. Date of birth;
- C. The date of the student's admission to the school;
- D. The month and year in which each vaccine was received, except for measles, mumps, and rubella, for which the day, month, and year are required;
- E. The type of immunizing agents administered to the student;
- F. The date each dose of immunizing agent is administered to the student; and
- G. The established schedule for completion of immunizations if the student is admitted to or allowed to continue to attend a school pursuant to section [15-872](#), subsection E.

By November 15 of each year, each administrator of a public-school-based day care program or preschool shall submit a report to the state or local health department on a form provided by the Department.

A school shall transfer an immunization record and signed requests for provision of immunizations, including any revocations thereof, with the mandatory permanent student record and provide at no charge, on request, a copy of the immunization record to the parent or guardian of the pupil.



**JLCB-E ©**

EXHIBIT

**IMMUNIZATION OF STUDENTS**

**ARIZONA GUIDE TO IMMUNIZATIONS REQUIRED FOR ENTRY**  
**Grades K-12 (School year 2022-2023)**

To view the 2022-2023 Immunization Requirements, click here.

~~Requirements are shown below as stated in Arizona Administrative Code, R9-6-702, Table 7.1 and Table 7.2~~

~~Please review the Arizona Immunization Handbook for Schools and Child Care Programs along with the Vaccine Catch-up Flowcharts & FAQs Vaccine Flowchart Resource for further information and details about school immunization requirements and exemptions.~~

~~Vaccines must follow Advisory Committee on Immunization Practices (ACIP) minimum intervals and ages to be valid. See page 2 for minimum interval and catch-up schedule information.~~

~~The four (4)-day grace period only applies to vaccine-administration minimum age and intervals. Refer to the Handbook for questions.~~

<del>Vaccine</del>	<del>4 - 6 Years Old and attendance in Kindergarten or 1st grade</del>	<del>7 - 10 Years Old</del>	<del>11 Years and Older</del>
<del><b>HepB</b> Hepatitis B</del>	<del><b>3 doses</b> The final dose of HepB must be given at 24 weeks of age or older. Only 3 doses are required if the 3rd dose was received at or after 24 weeks of age; otherwise 4 doses are required.</del>		
<del><b>Polio</b> Poliomyelitis (IPV) Oral polio vaccine (OPV)</del>	<del><b>4 doses</b> The final dose of polio must be received at/after 4 years of age and at least six (6) months after the previous dose. Only 3 doses are required if the 3rd dose was received on/after the child's 4th birthday and at least six (6) months after the 2nd dose. Additional doses may be needed to meet requirements.</del>		

<b>MMR</b> Measles, _____ Mumps and Rubella	<b>2 doses</b> Minimum recommended age for dose #1 is 12 months. A 3rd dose will be required if dose #1 was given more than 4 days before 1st birthday.  MMR and Varicella must be given on the same day or at least 28 days apart.			
<b>VAR</b> Varicella (chickenpox)	<b>1 dose</b> Minimum recommended age for dose #1 is 12 months. 2 doses, at least 4 weeks apart, are required if the 1st dose was given at 13 years of age or older.			
<b>DTaP, _____ Tdap, _____ Td</b> Diphtheria, _____ Tetanus, _____ and Pertussis	<table><tr><td><b>5 doses of DTaP</b> The final dose of tetanus-diphtheria-containing vaccine must be received at/after four (4) years of age and at least six (6) months after the previous dose. Only four (4) doses are required if the 4th dose was received on/after four (4) years of age; in certain situations an additional dose may be required, up to a maximum of six (6) doses (before age seven [7]).</td><td><b>4 doses of tetanus-diphtheria-containing vaccine (or combination of DTaP, Td or Tdap doses). At least one (1) dose at/after four (4) years of age and at least six (6) months from previous dose.</b>  3 doses (with 1 at/after 4 years) is acceptable if the first dose was given on/after 1st birthday; otherwise refer for an additional dose.</td><td><b>1 dose of Tdap is required</b> If the student does not have a Tdap but received a dose of tetanus-diphtheria-containing vaccine within the past five (5) years, refer for the adolescent Tdap dose when five (5) years has passed since that dose. If a student has received 1 valid dose of adolescent Tdap (age ten [10] years or older), no further doses are needed.  Students must have a minimum series of four (4) doses of tetanus-diphtheria-containing vaccine; 3 doses acceptable if the 1st dose was given on/after 1st birthday.</td></tr></table>	<b>5 doses of DTaP</b> The final dose of tetanus-diphtheria-containing vaccine must be received at/after four (4) years of age and at least six (6) months after the previous dose. Only four (4) doses are required if the 4th dose was received on/after four (4) years of age; in certain situations an additional dose may be required, up to a maximum of six (6) doses (before age seven [7]).	<b>4 doses of tetanus-diphtheria-containing vaccine (or combination of DTaP, Td or Tdap doses). At least one (1) dose at/after four (4) years of age and at least six (6) months from previous dose.</b>  3 doses (with 1 at/after 4 years) is acceptable if the first dose was given on/after 1st birthday; otherwise refer for an additional dose.	<b>1 dose of Tdap is required</b> If the student does not have a Tdap but received a dose of tetanus-diphtheria-containing vaccine within the past five (5) years, refer for the adolescent Tdap dose when five (5) years has passed since that dose. If a student has received 1 valid dose of adolescent Tdap (age ten [10] years or older), no further doses are needed.  Students must have a minimum series of four (4) doses of tetanus-diphtheria-containing vaccine; 3 doses acceptable if the 1st dose was given on/after 1st birthday.
<b>5 doses of DTaP</b> The final dose of tetanus-diphtheria-containing vaccine must be received at/after four (4) years of age and at least six (6) months after the previous dose. Only four (4) doses are required if the 4th dose was received on/after four (4) years of age; in certain situations an additional dose may be required, up to a maximum of six (6) doses (before age seven [7]).	<b>4 doses of tetanus-diphtheria-containing vaccine (or combination of DTaP, Td or Tdap doses). At least one (1) dose at/after four (4) years of age and at least six (6) months from previous dose.</b>  3 doses (with 1 at/after 4 years) is acceptable if the first dose was given on/after 1st birthday; otherwise refer for an additional dose.	<b>1 dose of Tdap is required</b> If the student does not have a Tdap but received a dose of tetanus-diphtheria-containing vaccine within the past five (5) years, refer for the adolescent Tdap dose when five (5) years has passed since that dose. If a student has received 1 valid dose of adolescent Tdap (age ten [10] years or older), no further doses are needed.  Students must have a minimum series of four (4) doses of tetanus-diphtheria-containing vaccine; 3 doses acceptable if the 1st dose was given on/after 1st birthday.		

MenACWY or MCV4 Quadrivalent Meningococcal	-	-	1 dose of MenACWY is required.  A dose administered at 10 years of age will meet the requirement.
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**Arizona Immunization Program Office • 150 North 18th  
Avenue, Suite 120  
Phoenix, AZ 85007 • (602) 364-3630  
Last reviewed/revised July 2022**

### **~~Exceptions and Additions to the Rules~~**

~~The laws and rules governing school immunization requirements are Arizona Revised Statutes §[15-871](#) - [15-874](#); and Arizona Administrative Code, [R9-6-701](#) - [708](#). Please review the school requirements in Table 7.1 and "catch-up" schedule in Table 7.2, located in [R9-6-701](#) - [708](#).~~

~~Students must have proof of all required immunizations in order to attend school. Parental recall or verbal history of any disease is not accepted; therefore these students must submit an ADHS medical exemption form. Specifically, with varicella (chickenpox), measles, or rubella disease a medical exemption with attached laboratory evidence of immunity is required. Arizona law allows K-12 immunization exemptions for medical reasons, lab evidence of immunity, and personal beliefs.~~

~~Homeless students and children in foster care are allowed a five (5)-day grace period to submit proof of immunization records (assuming that all other students have their immunization records submitted prior to attendance at school).~~

~~For further information and guidance please review the Arizona Immunization Handbook for Schools and Child Care Programs along with Frequently Asked Questions.~~

#### **~~Quick-Look Vaccine Exceptions and Conditions:~~**

- ~~● Hepatitis B — A child has received the required number of doses of hepatitis B virus (HBV) vaccine to qualify for Arizona school and child care/preschool attendance if all of the following apply:~~

~~There are at least 4 weeks between the 1st and 2nd dose of HBV vaccine;~~

~~There are at least 8 weeks between the 2nd and final dose of HBV vaccine;~~

~~There are at least 16 weeks (4 months) between the 1st and final dose of HBV vaccine; AND~~

~~The child received the final dose of HBV vaccine when they were at least 24 weeks of age.~~

- ~~● Hepatitis B for students aged 11-15 years — 2 doses meet the requirement if adult hepatitis B vaccine (Recombivax) was received. Dosage (10mcg/1.0mL) and type of vaccine must be clearly documented. If Recombivax was not the vaccine used, a 3-dose series is required.~~
- ~~● Meningococcal Vaccine — Only quadrivalent meningococcal ACWY vaccine doses will be accepted. The only quadrivalent meningococcal vaccines given currently in the U.S. are Menactra and Menveo. The Meningococcal Polysaccharide vaccine (Menomune) was a quadrivalent vaccine so is acceptable; however, production of this vaccine was discontinued in February 2017. Students who received this polysaccharide vaccine are considered acceptable for school requirements. No monovalent or bivalent meningococcal vaccinations will be accepted (MenA, MenB, MenC, or MenC/Y).~~
- ~~● Poliomyelitis (Polio) — The U.S. currently does not give anything other than IPV (inactivated polio vaccine) whereas some foreign countries still give the OPV (oral polio vaccine). OPV given prior to April 1, 2016 will be presumed to be trivalent and therefore acceptable, regardless of country of administration. Any OPV doses administered after April 1, 2016 are presumed to be bivalent and therefore unacceptable.~~
- ~~● Td Booster — A Td booster is required 10 years after the last dose of a tetanus-containing vaccine if student is still enrolled in school.~~

Source: Arizona Immunization Program Office

**JLCC ©**  
**COMMUNICABLE / INFECTIOUS DISEASES**

Any student with, or recovering from, a communicable disease will not be permitted in school until the period of contagion is passed or until a physician recommends a return, in accordance with A.R.S. 36-621 *et seq.*, appropriate regulations of the State Department of Health Services, and policies of the County Health Department.

Parents will be requested to provide a history of the communicable diseases for each student, and such records will be kept and maintained by the District.

A student suffering from a communicable disease shall be excluded from school to protect the student's own welfare and also to protect other students from illness. Early recognition of a communicable disease is of prime importance. The administrator or county health director shall make the decision for exclusion and readmission.

The District or charter school may require that a mask or face covering be worn by a person under eighteen (18) years of age only with the express consent of the person's parent or guardian.

**Pediculosis (Lice Infestation)**

Students with pediculosis shall be excluded from school until treated with a pediculicide.

Adopted: \_\_\_\_\_

**LEGAL REF.:**

A.R.S.

1-602

1-611

15-871

15-872

36-621

A.A.C.

R9-6-202 *et seq.*

R9-6-301

R9-6-342

R9-6-355

**GBGCB ©**  
**STAFF HEALTH AND SAFETY**  
**(Communicable Diseases)**

It is the policy of the School District to take reasonable and lawful measures to protect students and staff members from the transmission of communicable diseases. The Superintendent is authorized to adopt such procedures as are necessary to implement this policy in a manner consistent with state and federal laws.

**Prohibition on COVID-19 Vaccination  
and Mask or Face Coverings**

The School District shall not:

- A. Require a resident of this state to receive a vaccination for COVID-19 or any variant of COVID-19.
- B. Impose any requirement to wear a mask or face covering anywhere on the School District's premises, except where long-standing workplace safety and infection control measures unrelated to COVID-19 may be required. See GBGB-R for a list of long-standing workplace safety control measures.

**Exclusion from School**

A staff member who has a communicable disease shall be excluded from school only if the staff member presents a direct threat to the health or safety of others in the school workplace. The outbreak control measures, and other directives of the Department of Health Services (DHS) and local health agencies shall be acted upon as the best medical knowledge and judgments with regard to the exclusion of a staff member who has a communicable disease that is addressed by DHS regulations. The communicable diseases specifically addressed by DHS regulations are listed at A.A.C. R9-6-203 *et seq.*

A staff member who has a chronic communicable disease, such as tuberculosis or HIV/AIDS, shall not be excluded unless a significant risk is presented, to the health and safety of others, which cannot be eliminated by reasonable accommodation. The Superintendent shall consult with legal counsel and health professionals, as necessary, to ensure that exclusion of a staff member with a chronic communicable disease will not violate the staff member's rights under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act.

The school nurse or other person designated by the Superintendent must reassess a staff member who is excluded from school because of a communicable disease before the staff member returns to work. The District may require a physician's written medical release as a condition for the staff member's return to work.

### **Reporting and Notification**

The District shall report by telephone to its local health agency each diagnosed and suspected case of a communicable disease as set out in Regulation JLCB-R.

If an outbreak of a communicable disease occurs in a school setting, the Superintendent or the school nurse shall promptly inform staff members who are known to have special vulnerability to infection. The District does not assume any duty to notify an employee of health risks caused by the presence of a communicable disease in the school setting unless the at-risk employee has notified the District of the conditions when notification is needed.

### **Confidentiality**

The District shall make reasonable efforts to maintain the confidentiality of staff members' medical conditions. All medical information relating to employees is confidential. The identity of a staff member who has a communicable disease and/or the nature of the communicable disease may be disclosed only to:

- A. Staff members who must have such information to carry out their duties under this policy; or
- B. Staff members or students (or their parents/guardians) who must have such information to protect themselves from direct threat to their health or safety.

Inquiries or concerns by staff members or others regarding communicable diseases or a staff member who is known or believed to have a communicable disease shall be directed to the Superintendent or the school nurse.

### **Universal Precautions**

The District shall follow the "Universal Precautions Standard" set forth in the attached Exhibit GBGCB-E to protect employees who are at risk of being exposed to blood and body fluids in the course of their work.

## Food Service Workers

The District shall follow the guidance of the U.S. Department of Health and Human Services concerning infectious and communicable diseases transmitted through the handling of food, and special precautions required for food services workers.

## HIV/AIDS

Current medical information indicates that HIV can be transmitted by sexual intercourse with an infected partner, by injection of infected blood products, and by transmission from an infected mother to her child *in utero* or during the birth process. None of the identified cases of HIV infection in the United States are known to have been transmitted in a school setting or through any other casual person-to-person contact. There is no evidence that HIV is spread by sneezing, coughing, shaking hands, hugging, or sharing toilets, food, water, or utensils. According to best medical knowledge and judgments, the use of the "universal precautions" and other procedures that implement this policy are sufficient to protect staff members and students from transmission of HIV at school.

Adopted: \_\_\_\_\_

### LEGAL REF.:

A.R.S.

36-621

36-624

36-681

36-685

A.A.C.

R9-6-203 *et seq.*

R9-6-355

29 U.S.C. 794 *et seq.*, Rehabilitation Act, (Section 504)

42 U.S.C. 12101 *et seq.* (Americans with Disabilities Act)

29 C.F.R. 1630.1 *et seq.* (ADA guidelines)

29 C.F.R. 1910.10 *et seq.* (OSHA Universal Precautions Standard)

### CROSS REF.:

GBGC - Employee Assistance

GBGCA - Wellness Programs

JLCB-R - Immunizations of Students



**DIA ©**  
**ACCOUNTING SYSTEM**

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

The District may apply to the State Board of Education (SBE) to assume accounting responsibility, in which case the District shall develop and file with the SBE and the county school superintendent of the county in which the school district is located an accounting responsibility plan as specified in A.R.S. 15-914.01.

Before January 1 of the fiscal year preceding the fiscal year of implementation and before applying to assume accounting responsibility the District must apply for evaluation by the county treasurer of the county in which the school district is located.

An approval by the SBE for the District to assume accounting responsibility compels the District to contract with an independent certified public accountant for an annual financial and compliance audit.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.  
15-239  
15-914.01  
15-271  
15-272

CROSS REF.:

DI - Fiscal Accounting and Reporting  
DIC - Financial Reports and Statements

**IHA ©  
BASIC INSTRUCTIONAL PROGRAM**

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

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

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

The instructional program will ensure that on or before July 1, 2022, at least one (1) kindergarten through third (K-3) grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219 and A.R.S. 15-501.01 which includes enabling teachers to understand and recognize dyslexia and to implement structured literacy instruction that is systematic, explicit, multisensory and evidence-based to meet the educational needs of students with dyslexia.

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

The instructional program will include planned sequences in:

- A. Language arts - reading, spelling, handwriting, English grammar, composition, literature, and study skills.
- B. Mathematics experiences.
- C. Social studies - history including Native American history, geography, civics, economics, world cultures, political science, and other social science disciplines.

D. Science experiences.

E. Fine and practical arts experience - art education, vocal and instrumental music, and vocational/business education.

F. Technology skills.

G. Health and safety education.

H. Physical education.

I. Foreign or Native American language.

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

### **Observance Days**

September 11, in each year shall be observed as 9/11 Education Day. On 9/11 Education Day, each public school shall dedicate a portion of the school day to age-appropriate education on the terrorist attacks of September 11, 2001.

September 25, in each year, shall be observed as Sandra Day O'Connor Civics Celebration Day, ~~which is not a legal holiday~~. On Sandra Day O'Connor Civics Celebration Day, each public school in this state shall dedicate the majority of the school day to civics education.

If Sandra Day O'Connor Civics Celebration Day or 9/11 Education Day falls on a Saturday, Sunday or other day when a public school is not in session, the preceding or following school day shall be observed in the public school as the holiday.

The Superintendent is directed to emphasize the use of the resources developed by the State Board of Education relating to civics education which align with the academic standards in social studies pursuant to A.R.S. [15-701](#) and [15-701.01](#).

Adopted: \_\_\_\_\_

LEGALREF.:

A.R.S.

1-319

1-321

15-203

15-211

15-219

15-341

15-501.01

15-701

15-701.01

15-704

15-710

15-710.02

15-741.01

15-802

A.A.C.

R7-2-301 *et seq.*

CROSS REF.:

IJNDB - Use of Technology Resources in Instruction

**JLDA ©  
SCHOOL COUNSELORS AND  
PSYCHOLOGISTS**

Psychological services, including testing, are available to students through the public schools. Initial referrals for psychological evaluations may come from certificated staff members or parents, or from the student.

A school psychologist who is employed by or contracted to provide services in a public school must be certified by the Department of Education but is exempt from licensure.

Prior written or oral consent of a parent or the legal guardian of a minor child must be obtained in the manner and as required by A.R.S. 36-2272 to procure, solicit to perform, arrange for the performance of or perform mental health screening in a nonclinical setting or mental health treatment on a minor. Eligible student (age eighteen [18] years and beyond) authorization must be obtained prior to the referral or performance of a mental health screening or mental health treatment as described above, except as otherwise provided by law or a court order. These restrictions do not apply when an emergency exists that requires a person to perform mental health screening or provide mental health treatment to prevent serious injury to or save the life of a minor child.

A school psychologist shall administer preliminary tests to determine the need for psychological evaluations.

Referrals to outside agencies shall be made only with parental or eligible student authorization, except as otherwise provided by law or a court order.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

32-2075

36-2272

## **JICFA © HAZING**

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to District schools within twelve (12) calendar months. For purposes of this policy a person as specified above shall be considered a "student" until graduation, transfer, promotion or withdrawal from the District school.

"Hazing" means ~~an act in violation of section §13-1215 or 13-1216, any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:~~

~~A. The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an education institution.~~

~~B. The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.~~

"Organization" means an athletic team, association, order, society, corps, cooperative, club, or similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing.

In accord with statute, violations of this policy do not include either of the following:

A. Customary athletic events, contests or competitions that are sponsored by an educational institution.

B. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.

All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of this policy.

Students and others may report hazing to any professional staff member.

Professional staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with District policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

To assure that students and staff are aware of its content and intent, a notice of this policy and procedure shall be posted conspicuously in each school building and shall be made a part of the rights and responsibilities section of the student handbook. Forms for submitting complaints are to be available to students and staff in the school offices.

Disposition of all reports/complaints shall be reported to the Superintendent. The Superintendent will determine if the policies of the District have been appropriately implemented and will make such reports and/or referrals to the Board as may be necessary.

All violations of this policy shall be treated in accord with the appropriate procedures and penalties provided for in District policies related to the conduct and discipline of students, staff, and others.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

13-1215

13-1216

15-341

15-2301

CROSS REF.:

GBEB - Staff Conduct

JIC - Student Conduct

JII - Student Concerns, Complaints and Grievances

JK - Student Discipline

JKD - Student Suspension

JKE - Student Expulsion

JICF - Secret Societies/Gang Activities

KFA - Public Conduct on School Property

## **JICFA-EB ©**

### **EXHIBIT**

### **HAZING**

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

There shall be no hazing, solicitation to engage in hazing, or aiding and abetting another who is engaged in hazing of any person enrolled, accepted for or promoted to enrollment, or intending to enroll or be promoted to schools within twelve (12) calendar months. For purposes of Policy JICFA and this exhibit a person as specified above shall be considered a "student" until graduation, transfer, promotion or withdrawal from the school.

#### **Definitions**

"Hazing" means ~~an act in violation of section 13-1215 or 13-1216 any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:~~

~~A. The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an education institution.~~

~~B. The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.~~

"Organization" means an athletic team, association, order, society, corps, cooperative, club, or similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.

#### **Directions**

It is no defense to a violation of this policy if the victim consented or acquiesced to hazing.



In accord with statute, violations of this policy do not include either of the following:

- A. Customary athletic events, contests or competitions that are sponsored by an educational institution.
- B. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program.

All students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of Policy JICFA and this exhibit.

### **Reporting/Complaint Procedure**

Students and others may report hazing to any professional staff member. Professional staff members must report the incident to the school administrator or next higher administrative supervisor, in writing, with such details as may have been provided. A failure by a staff member to timely inform the school administrator or next higher administrative supervisor of a hazing allegation or their observation of an incident of hazing may subject the staff member to disciplinary action in accord with school policies. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law. Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

A person who complains or reports regarding hazing may complain or report directly to the school administrator or to a professional staff member. The professional staff member receiving the report/complaint shall retrieve sufficient detail from the person to complete the form designated for such purpose. At a minimum the report/complaint shall be put in writing containing the identifying information on the complainant and such specificity of names, places and times as to permit an investigation to be carried out. When a professional staff member receives the information, the staff member will transmit a report to the school administrator or supervising administrator not later than the next school day following the day the staff member receives the report/complaint.

The report/complaint will be investigated by the school administrator or a supervising administrator. The procedures to be followed are:

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

B. The investigator shall meet with the person who reported the incident at or before the end of the time period and shall discuss the conclusions and actions to be taken as a result of the investigation. Confidentiality of records and student information shall be observed in the process of making such a report.

C. The investigator shall prepare a written report of the findings and a copy of the report shall be provided to the Superintendent.

All violations of Policy JICFA and this exhibit shall be treated in accord with the appropriate procedures and penalties provided for in school policies related to the conduct and discipline of students, staff, and others.

**IKF ©  
GRADUATION REQUIREMENTS**

**Regular Education**

A minimum number of units of credit are required for graduation by the Arizona State Board of Education. Listed below are the units that must be completed before a student may receive a high school diploma.

Graduation requirements may be met as follows:

- A. By successful completion of subject area course requirements.
- B. By mastery of the standards adopted by the State Board of Education and other competency requirements for the subject as determined by the Governing Board in accord with A.A.C. R7-2-302.02 and rules established by the Superintendent.
- C. By earning credits through correspondence courses (limited to one [1] in each of the four [4] major subject areas) and/or by passing appropriate courses at the college or university level if the courses are determined to meet standards and criteria established by the Board and in accord with A.R.S. 15-701.01.
- D. By the transfer of credits as described in Policy JFABC.
- E. An out-of-state transfer student is not required to pass the competency test to graduate if the student has successfully passed a statewide assessment test on state adopted standards that are substantially equivalent to the State Board Adopted Academic Standards.

Graduation requirements as determined by the Arizona State Board of Education (R7-2-302.02) and the District Governing Board are as follows:

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

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

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

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

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

\*\*\* ~~Beginning in the 2016-2017 school year~~Through the graduating class of 2025, the competency requirements for social studies shall include a requirement that, in order to graduate from high school or obtain a high school equivalency diploma, a pupil must correctly answer at least sixty (60) of the one hundred (100) questions listed on a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. ~~The District school shall document on the pupil's transcript that the pupil has passed a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services.~~

Beginning with the graduating class of 2026, the competency requirements for social studies shall include a requirement that, in order to graduate from high school or obtain a high school equivalency diploma, a pupil must correctly answer at least seventy (70) of the one hundred (100) questions listed on a test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services. The District school shall document on the pupil's transcript only a pass or fail designation that the pupil has passed or failed the test.

A pupil in grade seven (7) or eight (8) may take the test described in this paragraph, and if the pupil correctly answers at least seventy (70) of the one hundred (100) questions on the test:

a) The district school or charter school shall document on the pupil's transcript only a pass or fail designation that the pupil has passed or failed the test required by this paragraph.

b) The pupil is not required to take the test required by this paragraph again in high school.

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

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

Each school district and charter school shall report to the department of education all of the following aggregate data, organized by grade level, relating to the test that is identical to the civics portion of the naturalization test used by the United States Citizenship and Immigration Services required by subsection A, paragraph 3 of §15-701.01:

1. The median score.

2. The percentage of pupils who passed by correctly answering the minimum number of questions required to pass the test pursuant to subsection A, paragraph 3 of §15-701.01.

3. The percentage of pupils who failed by correctly answering fewer than the minimum number of questions required to pass the test pursuant to subsection A, paragraph 3 of §15-701.01.

4. Any other data required by the department relating to the test.

A school district or charter school may not include the personally identifiable information of any pupil in the data reported to the department of education under subsection L of §15-701.01.

## Special Education

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

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

**Competency requirements.** Any student who is placed in special education classes, grades nine (9) through twelve (12), is eligible to receive a high school diploma without meeting state competency requirements.

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

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

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

15-203

15-341

15-701.01

15-763

A.A.C.

R7-2-302.02

R7-2-302.03

CROSS REF.:

IGD - Curriculum Adoption

IGE - Curriculum Guides and Course Outlines

IHAMC - Instruction and Training in Cardiopulmonary Resuscitation

IHAMD - Instruction and Training in Suicide Prevention

IIE - Student Schedules and Course Loads

IKA - Grading/Assessment Systems

JFABC - Admission of Transfer Students

**JJIA ©**  
**INTRAMURAL SPORTS**

**Male, Female, or Coed**  
**Designation**

Each intramural athletic team or sport that is sponsored by a public school shall be expressly designated as one (1) of the following based on the biological sex of the students who participate on the team or in the sport:

- A. “Males,” “men” or “boys.”
- B. “Females,” “women” or “girls.”
- C. “Coed” or “mixed.”

Athletic teams or sports designated for “females,” “women” or “girls” may not be open to students of the male sex.

Any student may participate in any intramural athletic team or sport designated as being for “males,” “men” or “boys” or designated as “coed” or “mixed.”

Adopted: \_\_\_\_\_

**LEGAL REF.:**  
**A.R.S.**  
**15-120.02**



**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.

**Male, Female, or Coed Designation**

Each interscholastic athletic team or sport that is sponsored by a public school shall be expressly designated as one (1) of the following based on the biological sex of the students who participate on the team or in the sport:

- A. “Males,” “men” or “boys”
- B. “Females,” “women” or “girls”
- C. “Coed” or “mixed.”

Athletic teams or sports designated for “females,” “women” or “girls” may not be open to students of the male sex.

Any student may participate in any interscholastic athletic team or sport designated as being for “males,” “men” or “boys” or designated as “coed” or “mixed.”

## **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 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.

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: \_\_\_\_\_

LEGAL REF.:

A.R.S.

15-120.02

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

## **JJIB-R ©**

### **REGULATION**

### **INTERSCHOLASTIC SPORTS**

#### **District Students**

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

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

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

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

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

#### **Groups or Organizations**

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

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

## **Records Compliance**

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

### **Student Remedies for Violations of the Save Women's Sports Act (A.R.S. §15-120.02)**

A student has a private cause of action for injunctive relief, damages and any other relief available under law against the school, if either of the following occurs:

- A. Any student who is deprived of an athletic opportunity or suffers any direct or indirect harm as a result of a school knowingly violating A.R.S. §15-120.02.
- B. Any student who is subject to retaliation or another adverse action by a school as a result of reporting a violation of this section to an employee or representative of the school.

### **School Remedies for Violations of the Save Women's Sports Act (A.R.S. §15-120.02)**

A school that suffers any direct or indirect harm as a result of a violation of this section has a private cause of action for injunctive relief, damages and any other relief available under law against the government entity, the licensing or accrediting organization or the athletic association or organization.

## **EE © TRANSPORTATION SERVICES**

In the budgeting process, the Governing Board may grant appropriations for vehicles and other transportation services. This may include contracts for electric vehicles as stated in A.R.S. §15-923.

### **Allowable Vehicles**

A school district or charter school in Arizona or a privately owned and operated entity that is contracted for compensation with a school district or charter school in Arizona may use a motor vehicle that is designed to carry at least eleven (11) and not more than fifteen (15) passengers or a motor vehicle that is designed as a type A school bus or type B school bus as defined by the Department of Public Safety to carry at least eleven (11) and up to fifteen (15) passengers to transport students to or from home or school on a regularly scheduled basis in accordance with the safety rules adopted by the Department of Public Safety pursuant to sections §28-900 and §28-3228.

Transportation of students is a privilege extended to students in the District, and is not a statutory requirement except for necessary transportation of students with disabilities as indicated in their respective individual education programs.

The responsibility for the operation of student transportation shall be vested in the Superintendent. Reasonable efforts shall be made to eliminate any particular hazards that might adversely affect the safety and welfare of any student.

Adopted: \_\_\_\_\_

### **LEGAL REF.:**

A.R.S.

15-342

15-764

15-921

15-922

15-923

15-925

15-945

15-946

28-900

28-901

28-3053

**EEAEA ©**  
**BUS DRIVER REQUIREMENTS, TRAINING,  
AND RESPONSIBILITIES**

Bus drivers employed by the District or employed by contractors who provide transportation services to the District shall comply with applicable provisions of the Commercial Motor Vehicle Safety Act of 1986 and all applicable requirements of the state of Arizona.

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

Bus driver applicants are required to possess a commercial driver license issued by the Department of Public Safety except that the applicant may possess a commercial driver license issued by another state if the applicant will be driving a school bus for a school district that is adjacent to that state.

Bus drivers are required to possess a bus endorsement that is issued by the Department of Transportation and a school bus certificate that is issued by the Department of Public Safety.

**Licenses for §15-925 Vehicles**

A person shall not operate a vehicle described in section §15-925 to transport school children unless the person possesses the appropriate license class for the size of the vehicle being operated, a school bus driver certificate that is issued by the Department of Public Safety and a valid fingerprint clearance card.

The District will assume the cost of required physical examinations, and the drivers will assume the cost of obtaining valid commercial driver's licenses as required by law.

Adopted: \_\_\_\_\_



LEGAL REF.:

A.R.S.

15-106

15-925

28-857

28-3228

A.A.C.

R17-4-508 *et seq.*

CROSS REF.:

EEAEB – Bus Purchasing and Maintenance

GBEFA - Staff Use of Digital Wireless Communications or  
Electronic Devices While Operating a Motor Vehicle

GDFA - Support Staff Qualifications and Requirements  
(fingerprinting requirements)

**JF ©  
STUDENT ADMISSIONS**

The person enrolling a student (except homeless students) in the school for the first time will be asked to produce one (1) of the following proofs:

- A. A certified copy of the child's birth certificate.
- B. Other reliable proof of the student's identity and age, including the student's baptismal certificate, an application for a Social Security number, or original school registration records, and an affidavit explaining the inability to provide a copy of the birth certificate.
- C. A letter from the authorized representative of an agency having custody of the student (pursuant to statute) certifying that the student has been placed in the custody of the agency as prescribed by law.

The parent, guardian, or surrogate will be given thirty (30) days to provide documentation requested as listed above. If documentation is not provided, a letter will be sent to notify the parent, guardian, or surrogate that unless the documentation is provided within ten (10) days, the local law enforcement agency will be notified.

Nothing contained in this policy shall authorize the school to disclose to any person a student's educational record without prior parental consent unless the school makes a determination that disclosure of such records is necessary to protect the health and safety of the student.

**Certificate of Educational  
Convenience Applications**

A pupil who is precluded by distance, lack of adequate transportation facilities or a parent's or guardian's employment from attending a school in the School District or county of the pupil's residence or who resides in unorganized territory may apply for a certificate of educational convenience.

A school district that receives an application pursuant to §15-825 shall submit the completed application to the County School Superintendent electronically, in person or by regular mail.

Adopted: \_\_\_\_\_

LEGAL REF.:

A.R.S.

15-825

15-828

42 U.S.C. 11301, McKinney-Vento Homeless Assistance Act of 2001,  
as amended by the Every Student Succeeds Act (ESSA) of 2015

CROSS REF.:

IKEB - Acceleration

JFAA - Admission of Resident Students

JFAB - Admission of Nonresident Students

JFABD - Admission of Homeless Students

JFB - Open Enrollment

JG - Assignment of Students to Classes and Grade Levels

JLCB - Immunizations of Students

JLH - Missing Students

JR - Student Records

JRCA - Request for Transfer of Records

**IJL ©  
LIBRARY MATERIALS  
SELECTION AND ADOPTION**

The Superintendent shall annually recommend to the Board an expenditure level for the purchase of library books, materials, and electronic media. The Superintendent shall approve the purchase of library books, materials, and electronic media that:

- A. Enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.
- B. Stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.
- C. Provide a background of information that will enable students to make intelligent judgments in their daily lives.
- D. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.
- E. Assure a comprehensive collection appropriate for the users of the library.
- F. Provide a current, balanced collection of books, basic reference materials, texts, periodicals, and audiovisual materials that depict in an accurate and unbiased way the cultural diversity and pluralistic nature of American society.

The Superintendent is authorized to establish a professional library for the use of the District staff.

**Public Review Period for adoption of  
Books and Materials purchased after  
January 1, 2023**

Arizona law requires a public review period for books and materials purchased after January 1, 2023. The Superintendent shall establish procedures to make books and materials purchased after January 1, 2023 available to the public for public review. The procedures are outlined in Regulation IJL-R.

The Superintendent will establish procedures for the removal of the following categories of books and other material from the library:

- A. Damaged materials.
- B. Materials that no longer present current information.
- C. Materials that no longer support the goals of the District.
- D. Materials that have not been used frequently enough to justify the use of library space.

Adopted: \_\_\_\_\_

#### LEGAL

REF.:

A.R.S.

15-102

15-189.07 (refers to charters)

15-362

15-721

15-722

## IJL-R ©

### REGULATION

#### LIBRARY MATERIALS SELECTION AND ADOPTION

The following standards shall be used in the selection of library books, materials, and electronic media:

- A. Materials and media that widen the boundaries of the students' thinking, that enrich their lives and help them fulfill their recreational and emotional needs.
- B. Materials and media that have imaginative appeal and a style that is interesting and free from monotony.
- C. Materials and media that stimulate the imagination, provide for mental growth, develop a taste for good writing, and draw attention to the beautiful and artistic.
- D. Books and media that provide pleasurable reading for the reader's sake.
- E. Books and media that are illustrated in a manner that complements the text, have quality art, and are suitable for the intended readers.
- F. Materials and media that adequately cover a wide range of reading ability.

#### **Public Review Period for adoption of Books and Materials purchased after January 1, 2023**

For public review, the Superintendent shall make available, on the School District's website, and on each school's website, a list of all books and materials purchased after January 1, 2023 for any of the School District's school libraries.

- A. The Superintendent may not remove these purchases from the School District's or school's websites until sixty (60) days after the purchase of books and materials.

- B. The Superintendent is not required to publish the purchase of books or materials intended to replace lost or damaged books or materials.
- C. *Notification:* Seven (7) school days prior to the opening date of the public review period, each common school and high school operated by the School District shall notify the parents of each enrolled pupil of the opening and closing dates of the public review period.

The following are exempt from the requirements of the public review period discussed herein:

- A. Schools without a full-time library media specialist or an equivalent position.
- B. School District libraries that have agreements with county free library districts, municipal libraries or other entities pursuant to section 15-362, subsection D.

**IJNC ©  
RESOURCE CENTERS / MEDIA  
CENTERS / SCHOOL LIBRARIES**

Library facilities are considered of the utmost importance to the students and should be designed, to the extent possible, to accommodate:

- A. A comprehensive collection of instructional materials selected to meet the needs of the students.
- B. Maximum accessibility to these materials.
- C. A place for materials that will support the curriculum, taking into consideration the individual student's needs and the varied interests, abilities, socioeconomic backgrounds, and maturity levels of all of the students.
- D. A place for materials for teachers and students to encourage growth in knowledge, which will develop literary, cultural, and aesthetic appreciation and ethical standards.
- E. The allotment of space for an adequate professional library.

**Parental Access to Library  
Books and Materials**

Parents may access the school's library collection of available books and materials through following the procedures stated in Regulation IJNC-R and Exhibit IJNC-E. Parents may request a list of books and materials borrowed from the library by their children by using Exhibit IJNC-E.

*Definition:* For the purpose of this policy, regulation and exhibit, "parent" means the natural or adoptive parent or legal guardian of a minor child. The Superintendent will ensure that only parents, as defined, may access the information stated above.

The following are exempt from the procedures of IJNC-R and IJNC-E:

- C. Schools without a full-time library media specialist or an equivalent position.
- D. School District libraries that have agreements with county free library districts, municipal libraries or other entities pursuant to section 15-362, subsection D.

Adopted: \_\_\_\_\_



LEGAL REF.:

A.R.S.

15-102

15-189.07

15-341

15-362

**IJNC-R ©**

Regulation

**RESOURCE CENTERS / MEDIA  
CENTERS / SCHOOL LIBRARIES**

**Parental Access to Library  
Books and Materials**

Parents may access the school's library collection of available books and materials by requesting access using Exhibit IJNC-E.

**Parental Access to Their Children's  
Borrowed Books and Materials**

Upon request, parents may receive a list of books and materials borrowed from the library by their children. Parents shall utilize Exhibit IJNC-E to request the list of books and materials their children have borrowed.

The Superintendent shall confirm the existence of a parent-enrolled pupil relationship prior to complying with any request to access information stated herein.

**IJNC-E ©**

Exhibit

**RESOURCE CENTERS / MEDIA  
CENTERS / SCHOOL LIBRARIES**

**PARENTAL REQUEST TO ACCESS SCHOOL LIBRARY COLLECTION  
OF AVAILABLE BOOKS AND MATERIALS OR ACCESS TO BOOKS  
THEIR CHILDREN BORROWED**

Under Arizona law, A.R.S. §15-102(A)(3), parents may access available books and materials *AND* parents may receive a list of books and materials their children have borrowed from the school's library.

Please fill out the below information to enable the School District to provide this information to you as required by law.

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

Name of Parent or Guardian: \_\_\_\_\_

Name of Pupil: \_\_\_\_\_

**Nature of Request:** (circle one [1] or both)

(1) I am seeking access to the school's library collection of available books and materials.

(2) I am seeking a list of books and materials my child has borrowed from the library.

If you are seeking a list of books and materials your child has borrowed from the library, please state your child's name here: \_\_\_\_\_.

**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.~~ For K-12 programs, each school district and charter school shall set aside at least one (1) minute but not more than two (2) minutes at the beginning of each school day for students to engage in a moment of silence during which students may not interfere with other students' participations. A teacher or other school employee may not suggest the nature of any reflection in which a student may engage during the moment of silence. Each teacher of a class in which a moment of silence occurs pursuant to law shall encourage parents of students in the class to discuss with their children how best to use the moment of silence.

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.
- 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."

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**IMB ©**  
**TEACHING ABOUT**  
**CONTROVERSIAL / SENSITIVE ISSUES**

Democratic tradition often involves dealing with controversial issues. Knowledge and understanding of such issues are an indispensable part of education.

The teacher holds a position of authority and respect in the classroom and community, and by virtue of that position has great ~~influence~~ responsibility in the formation of the ~~values~~ education of all students. It must be clear that personal views are not a part of the instructional program and must be tempered by the responsibility to maintain professionalism.

To ensure that controversial issues are dealt with fairly and objectively, and with instruction as their goal, such issues may be a part of the curriculum as long as the following policies are observed:

- A. Teachers should instruct students in the principles and techniques of the scientific method and provide opportunities for practice in applying established facts to specific problems.
- B. Teachers should seek to develop in students the ideals of truth and honesty.
- C. All personnel should seek to create an atmosphere in which difference of opinion can be voiced without fear and hostility and with mutual respect for all viewpoints.
- D. Constitutional guarantees of due process and freedom of speech will continue to be observed as to students and teachers alike when they are involved in a controversial issue.
- E. Teachers should encourage the suspension of judgment and conclusions until all relevant and significant facts have been assembled, critically examined, and checked for accuracy.
- F. Teachers should seek to develop in students a sense of responsibility for their beliefs, opinions, attitudes, and actions.
- G. Teachers should place major emphasis upon "why" and "how" to think rather than "what" to think.

Adopted: date of Manual adoption