



Regular Board Meeting Agenda

Tuesday, August 10, 2021 | 6:00 PM | District Office Board Room, 8176 N. Westover, Joseph City, AZ 86032

Items on the regular meeting agenda may be discussed in executive session related to employment matters, for the purpose of obtaining legal advice thereon or other matters pursuant to A.R.S. 38-431.03(A). The Governing Board may change the order of agenda items, pursuant to Governing Board Policy BEDB.

1. OPENING ITEMS

- A. Call to Order
- B. Roll Call
- C. Pledge of Allegiance
- D. Invocation
- E. Adoption of Agenda
- F. Approve Minutes of the July 13, 2021 Regular Board Meeting

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**Minutes of Regular Board Meeting of the Governing Board
Joseph City Unified School District
District Office Board Room | 8176 N. Westover | Joseph City, AZ 86032
Tuesday, July 13, 2021**

Members present

Eldon Larsen, President; Rhonda Roberson, Clerk; Andrew Bushman; Dayton Flake; Karsten Flake

Administrators present

Bryan Fields, Superintendent; Eric Miller, Principal; Darrel Mosier, Principal; Steve Mills, Business Manager

Others present

5 Community members

1. PUBLIC HEARING

Eldon Larsen called the meeting to order at 6:02 p.m.

A. FY21-22 Budget Adoption

Individuals may comment on the FY21-22 Proposed Budget. A complete copy of the Proposed Budget may be viewed at the Joseph City School District Office and online at <https://meetings.boardbook.org/Public/Organization/894> in Item 7.A. of this agenda.

There were no public comments on the budget.

2. OPENING ITEMS

A. Call to Order

Eldon Larsen called the meeting to order at 6:14 p.m.

B. Roll Call

C. Pledge of Allegiance

D. Invocation

E. Adoption of Agenda

Motion to adopt the agenda.

Motion by Eldon Larsen, seconded by Karsten Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

F. Approve Minutes of the June 8, 2021 Regular Board Meeting

Motion to approve the minutes.

Motion by Eldon Larsen, second by Karsten Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

G. Superintendent's Report

3. CALL TO THE PUBLIC

There were no requests to address the board.

4. POSSIBLE EXECUTIVE SESSION

None.

5. CONSENT AGENDA

Motion to approve the Consent Agenda as presented.

Motion by Eldon Larsen, second by Karsten Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

A. Approve Expense Vouchers

Action to ratify district vouchers for period 6/2/2021 through 7/6/2021.

General and Special Funds: #1 \$22,220.83; #27 \$71,281.03; #28 \$71,212.34; #29 \$70,893.98; #30 \$40,263.12; #1000 \$83,302.70; #1058 \$48,408.22; #1059 \$34,574.73; #1060 \$24,548.35; #1061 \$24,137.95; #1062 \$36,642.94

Auxiliary Operations Funds: #1066 \$7,344.58; #1069 \$786.32; #1071 \$60.00; #1073 \$5,181.65

Student Activities Fund: #1067 \$2,167.61; #1068 \$33.67; #1070 \$8,277.24; #1072 \$315.87

B. Student Activities Fund Report

Revenues, expenditures and charges in the Student Activities Fund Report; period of 6/1/2021 through 6/30/2021.

C. Approve Intergovernmental Agreement with the Navajo County Community College District

Continuation of the TALON video concurrent enrollment classes offered to Joseph City High School students by Northland Pioneer College

D. Approval of Joseph City Unified School District 4-day week calendar statement

Districts on a 4-day week calendar have been asked to do this by ADE.

E. Approve the Official Governing Board Agenda Posting Location as the District Office Front Window

F. Approve New High School Geometry, Algebra I and Algebra II Textbooks

Textbooks have been available for public review at the Joseph City Unified School District Office for 60 days.

G. Approval of Joseph City Football Summer Camp and Fundraiser

This is a request for our team to have a 3-day camp in July to prepare for the upcoming season. The fundraiser is to sell t-shirts with advertisements on the back.

H. Approval of Joseph City Volleyball Fundraiser

Request to sell pizza and ice cream at the summer football camp concessions to raise money for the Volleyball program.

6. PERSONNEL REQUESTS

A. Employee Assignments, Employee Renewals, Volunteers, Employee Resignations

ASSIGNMENTS:

Laurie Bowler - National Honor Society Sponsor

Dustin Fish - Agriculture Club Sponsor

Andy Foree - Choral Director

Danny Hutchens - Band Director

Robert Pugh - Substitute Teacher

Julie Randall - Yearbook Advisor

Jennifer Westover - HS Cheer Coach

RENEWALS:

Greg Case - Substitute Teacher

Roland Hancock - Assistant Cross Country Coach
Kylie Miller - Substitute Teacher
Nichole Neat - Substitute Teacher
Gayla Smith - Substitute Teacher and Head Cross Country Coach
Mary Spurlock - Substitute Teacher

Motion to approve employee assignments and employee renewals as presented.

Motion by Eldon Larsen, second by Karsten Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

B. Personnel Appointments

Coretta Agnew - Instructional Aide
Desiree Hardy - Instructional Aide
Aaron Johnstun - JH Assistant FB Coach
Caleb Layden - JH Head Football Coach
Jennifer Oldham - Substitute Teacher
Tim Taranto - Instructional Aide

Motion to approve personnel appointments.

Motion by Eldon Larsen, second by Rhonda Roberson

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

C. Other Personnel Appointments

Kelbie Flake - Seasonal Worker (Ratification)

Motion to approve other personnel appointments.

Motion by Eldon Larsen, second by Rhonda Roberson

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman

Abstained: Dayton Flake, Karsten Flake

7. ACTION ITEMS

A. Adoption of the Joseph City Unified School District 2021-22 Proposed Budget

Motion to adopt the Joseph City Unified School District 2021-22 budget as presented.

Motion by Eldon Larsen, second by Dayton Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

B. Approve Referee Pay Rate Increase for Junior High School Game Officials

Increase pay rate to \$30 per game for non-certified officials and to \$40 for AID certified officials.

Motion to approve referee pay rate for Junior High School game officials as presented.

Motion by Eldon Larsen, second by Rhonda Roberson

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

C. Approval of the 2021-2022 Junior/Senior High School Student Handbooks and Discipline Plan

Motion to approve 2021-22 student handbooks and discipline plan as presented.

Motion by Eldon Larsen, second by Rhonda Roberson

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

8. DISCUSSION ITEMS

Discussed new statutes and recommendations regarding the wearing of masks and other COVID mitigation measures.

9. INFORMATION ITEMS

A. Requests for Future Agenda Items

- Possible Special Board meeting to approve staff appointments before school starts.
- ESSER grant (COVID relief) funds review and planning.
- Possible staff retention stipends funded from ESSER grants.

B. Upcoming Meetings and Events Calendar

- Next Regular Board Meeting - August 10, 2021

10. ADJOURNMENT

Motion to adjourn the meeting by Eldon Larsen, second by Andrew Bushman

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

Adjourned at 7:13 p.m.

APPROVED:

Board Clerk or President

G. Approve Minutes of the July 27, 2021 Special Board Meeting

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**Minutes of Special Board Meeting of the Governing Board
Joseph City Unified School District
District Office Board Room | 8176 N. Westover | Joseph City, AZ 86032
Tuesday, July 27, 2021**

Members present

Eldon Larsen, President; Rhonda Roberson, Clerk; Andrew Bushman; Dayton Flake; Karsten Flake

Administrators present

Bryan Fields, Superintendent; Eric Miller, Principal; Darrel Mosier, Principal; Steve Mills, Business Manager

Others present

2 community members

1. OPENING ITEMS

A. Call to Order

Eldon Larsen called the meeting to order at 6:00 p.m.

B. Roll Call

C. Pledge of Allegiance

D. Invocation

E. Adoption of Agenda

Motion to adopt the agenda.

Motion by Rhonda Roberson, second by Karsten Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

2. EXECUTIVE SESSION

None

3. PERSONNEL REQUESTS

A. Personnel Appointments

Neleigha Hutchens - Instructional Aide (Preschool/Special Education)

Tiffany Johnston - Health Aide

Theresa McKinzie - Teacher (Jr/Sr High Culinary Arts)

Tim Taranto - Teacher (Elementary) Temporary ESSER funded)

Motion to approve personnel appointments as listed:

Motion by Eldon Larsen

Motion seconded by Andrew Bushman

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

4. ADJOURNMENT

Motion to adjourn the meeting.

Motion by Eldon Larsen, second by Karsten Flake

Final Resolution: Motion carries

Yes: Eldon Larsen, Rhonda Roberson, Andrew Bushman, Dayton Flake, Karsten Flake

Meeting adjourned at 6:07 p.m.

APPROVED:

Board Clerk or President

Current Events and Updates

August Board Report

Prepared by B. Fields

- Each school has a new set of assisted hearing devices that I will have available to demonstrate for the Governing Board at the meeting.
- Attached to my report is a financial summary of the summer football camp.
- The school facilities board has approved both temporary repairs and the main roof project for our elementary school. We will try to get these projects started right away.
- Also attached to this report is a summary on ESSER (COVID) Funds. I think that a work session would be a good idea to discuss potential uses of the available funds. We can follow up the Board work session with a community meeting to obtain input and other ideas for the funds as well.
- In the 1st reading of policies on this agenda is a statement that prohibits certain instruction that promotes prejudice and inequality. This statement includes prohibiting the teaching of “Critical Race Theory”. I don’t believe that further action will be necessary at this time.
- The Governor has put out a statement making it illegal for schools to now require masks. I recommend that our Governing Board support this action. Our schools are planning to follow the prevailing rule of law and not require masks at this time.
- The District has purchased a used pool cover that we would like to experiment with to see what if any savings might be realized with it. We believe that we may be able to use it elsewhere if it is decided that it is not useful for the swimming pool.
- We had the annual Open House event at the schools on August 5th. They seemed to go well and the event provided an opportunity for parents to meet their children’s’ new teachers.
- We are looking into a tuition reimbursement program for staff and hope to have it prepared for Governing Board approval at the next meeting.
- The materials for the roof project at the high school campus are scheduled to arrive on site this month. We have not yet received an official construction schedule for the work.

COVID Relief Federal Funding

As of 8/9/2021

	ESSER I	ESSER II	ESSER III	ESG	Total
Expenditures					
INSTRUCTION					
Salaries and benefits - Instruction	19,300.08	5,021.13	61,536.56	150,527.86	236,385.63
Supplies - Instruction	3,645.55				3,645.55
Equipment - Instruction	2,181.89	120,982.06			123,163.95
INSTRUCTIONAL SUPPORT					
Salaries and benefits	599.35				599.35
Staff training	75.00				75.00
Supplies & PPE	7,596.19				7,596.19
Supplies - Technology	6,045.17		5,803.61		11,848.78
Equipment - Chromebooks, Technology	27,007.45		18,744.94		45,752.39
Dues & fees			795.00		795.00
ADMINISTRATIVE SUPPORT					
Salaries and benefits - Technology	2,471.20	2,074.75	3,270.48		7,816.43
Technology - Services & equipment	4,265.01		1,581.88		5,846.89
FACILITIES OPERATIONS					
Salaries and benefits - Custodial	3,643.43	1,375.70			5,019.13
Contracted services - Cleaning	3,915.00		450.00		4,365.00
Contracted services - Wireless hotspots	1,765.00				1,765.00
Insurance - COVID policy	5,000.00				5,000.00
Utilities	-			17,152.94	17,152.94
Supplies & equipment - Custodial	41,741.04		20,343.61		62,084.65
FOOD SERVICES					
Equipment		5,775.00			5,775.00
Total expenditures	129,251.36	135,228.64	112,526.08	167,680.80	544,686.88
Grant Award	142,995.07	579,996.25	1,297,789.60	167,680.80	2,188,461.72
Uncommitted Funds	13,743.71	444,767.61	1,185,263.52	-	1,643,774.84



ESSER OVERVIEW

JOSEPH CITY UNIFIED SCHOOL DISTRICT

Grant Info-ESSER I

- ESSER I-
 - \$13.23 billion allocated nationwide
 - Called the CARES Act
 - Schools were given amounts based on their FY19 Title I Allocations
 - Funds must be obligated by 9/30/2022
 - JCUSD's allocation amount was \$142,995.07 and we have expended this grant completely at this point.
 - Most spending was used for teacher pay-stipends for those teaching both in person and virtually, instructional supplies, PPE supplies, Chromebooks and cameras for virtual teaching, etc.

Grant Info-ESSER II

- ESSER II-
 - \$54.3 billion allocated nationwide
 - Called CRRSA-Coronavirus Response and Relief Supplemental Appropriations Act
 - Schools were given amounts based on their FY20 Title I Allocations
 - Funds must be obligated by 9/30/2023
 - JCUSD's allocation amount was \$579,996.25 we have expended \$135,228.64 of this grant at this point.
 - Spending to date has been used on purchasing the promethean boards for classrooms as well as summer technology workers and summer school teachers.

Grant Info-ESSER III

- ESSER III-
 - \$121.975 billion allocated nationwide
 - Called ARP-American Rescue Plan
 - Schools were given amounts based on their FY20 Title I Allocations
 - Funds must be obligated by 9/30/2024
 - JCUSD's allocation amount was \$1,297,789.60-budget has yet to be finalized
 - ESSER III differs from the first two ESSER awards. It contains new requirements for LEAs. These include:
 - 20% required set aside to address learning loss using evidence-based academic, social and emotional learning strategies for vulnerable populations of students
 - ESSER III LEA plan requirements, to include engaging in meaningful consultation with stakeholders in the development of the plan
 - Safe return to in-person instruction_{1b} plan

Additional ESSER Info-

- More detailed information can be found in the final four slides.
- All three grants can be used for the same activities.
- It is important to remember that once these funds go away we need to be ready to cut funded positions, or have a different way to fund any personnel or activities that we originally used ESSER grants to fund.
- All three grants can be used for expenses incurred on or after 3/13/2020.
- Each ESSER grant must be tracked and reported separately.
- ESSER funded activities should be consistent with ESSER's purpose of preparing for, preventing, and responding to COVID.
 - Examples include: inspection, testing, maintenance, repair, replacement and upgrade projects to improve indoor air quality in school facilities and transportation. Funds can also be used to bridge budget shortfalls if the deficit is related to COVID and the funds are needed for education related expenses.

Comparison of ESSER Fund (CARES Act), ESSER II Fund (CRRSA Act), and ARP ESSER (ARP Act)

This following table outlines the primary differences between the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund under the American Rescue Plan (ARP) Act 2021, Public Law 117-2, enacted on March 11, 2021; the ESSER II Fund under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, enacted on December 27, 2020; and the ESSER Fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act enacted on March 27, 2020.

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
Authorizing Legislation	Section 18003 of Division B of the Coronavirus Aid, Relief, and Economic Security (CARES) Act	Section 313 of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act	Section 2001 of the American Rescue Plan (ARP) Act
Period of Funds Availability, excluding 12-month Tydings Amendment period	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by State educational agencies (SEAs) and subrecipients through September 30, 2021.	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by SEAs and subrecipients through September 30, 2022.	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by SEAs and subrecipients through September 30, 2023.
SEA Deadline for Awarding Funds	An SEA must award the funds within one year of receiving them, which will be April through June 2021, depending on an SEA's award date.	An SEA must award the funds within one year of receiving them, which will be January 2022.	With respect to making local educational agency (LEA) subgrants (90% of the total ARP ESSER allocation), the SEA must allocate ARP ESSER funds in an expedited and timely manner and, to the extent practicable, not later than 60 days after the SEA receives those funds. An SEA must award ARP ESSER funds not allocated to LEAs within one year of the date the SEA receives those funds.
Definition of "Awarded"	For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the SEA reserve (see section 18003(e)), funds	Same as ESSER: For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the SEA reserve (see section 313(e)), funds are "awarded" when the SEA	Same as ESSER: For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the funds that the SEA reserves (section 2001(f)),

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
	are “awarded” when the SEA awards a contract or subgrant, or when it retains funds to provide direct services.	awards a contract or subgrant, or when it retains funds to provide direct services.	funds are “awarded” when the SEA awards a contract or subgrant, or when it retains funds to provide direct services.
LEA Uses of Funds and Reservations	The CARES Act includes allowable uses of funds related to preventing, preparing for, and responding to COVID-19. ESSER funds may be used for the same allowable purposes as ESSER II and ARP ESSER, including hiring new staff and avoiding layoffs. No required reservations of funds.	ESSER II funds may be used for the same allowable purposes as ESSER and ARP ESSER, including hiring new staff and avoiding layoffs. Note that the “additional” LEA allowable uses of funds under the CRRSA Act (addressing learning loss, preparing schools for reopening, and testing, repairing, and upgrading projects to improve air quality in school buildings) already are permitted under the CARES Act. No required reservations of funds.	An LEA must reserve not less than 20 percent of its total ARP ESSER allocation to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups. The remaining ARP ESSER funds may be used for the same allowable purposes as ESSER and ESSER II, including hiring new staff and avoiding layoffs. Note that section 2001(e) specifically authorizes an LEA to use ARP ESSER funds to develop strategies and implement public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff. An LEA may also

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
			use its ESSER and ESSER II funds for this purpose, although it is not expressly listed in the CARES or CRRSA Act.
Equitable Services	An LEA that receives ESSER funds under the CARES Act (section 18005) must provide equitable services to non-public school students and teachers in the same manner as provided under section 1117 of Title I, Part A of the ESEA.	The CRRSA Act (section 312(d)) includes a separate program of Emergency Assistance for Non-Public Schools under which eligible non-public schools may apply to an SEA to receive services or assistance. Consequently, LEAs do not provide equitable services under ESSER II.	The ARP (section 2002) includes a separate program of Emergency Assistance for Non-Public Schools (EANS). Consequently, LEAs do not provide equitable services under ARP ESSER. Under EANS, an SEA provides services or assistance to non-public schools that enroll a significant percentage of children from low-income families and are most impacted by COVID-19. EANS funds may not be used to provide reimbursements for costs incurred by non-public schools.
Maintenance of Effort (MOE)	Under the CARES Act (section 18008), there is a State MOE requirement for each of fiscal years (FYs) 2020 and 2021 (based on dollar levels of State support for education).	Under the CRRSA Act (section 317), there is a State MOE requirement for FY 2022 (based on percentages of the State's overall spending used to support education).	Under the ARP (section 2004(a)), there is a State MOE requirement for each of FYs 2022 and 2023 (based on percentages of the State's overall spending used to support education).
Maintenance of Equity	Not applicable	Not applicable	The ARP (section 2004(b) and (c)) contains both State and LEA maintenance of equity requirements for each of FYs 2022 and 2023. The Department intends to provide additional guidance on these important requirements.
Reporting	An SEA must meet the reporting requirements of section 15011, which are satisfied through the Federal Funding Accountability and	An SEA must meet the CARES Act reporting requirements that apply to ESSER funds and submit a report to the Secretary within six months of award that contains a detailed	An SEA must comply with all reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require.

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
	Transparency Act (FFATA) reporting, and other reporting as the Secretary may require.	accounting of the use of ESSER II funds, that includes how the State is using funds to measure and address learning loss among students disproportionately affected by the coronavirus and school closures, including: children from low-income families, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care.	FFATA reporting requirements apply.
Tracking of Funds	ESSER funds must be tracked separately from other funds (including from ESSER II and ARP ESSER funds).	ESSER II funds must be tracked separately from other funds (including from ESSER and ARP ESSER funds).	ARP funds must be tracked separately from other funds (including from ESSER and ESSER II funds).

Football Camps

Summer 2021

Revenue	Queen Creek	Mountain View	Total
Facility use fees	4,320	3,960	8,280
Meals	12,960	11,880	24,840
Concessions			4,392
Total revenue	17,280	15,840	37,512

<i>No. of participants</i>	<i>144</i>	<i>132</i>
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Summary of Financial Operations (Unaudited)
July 31, 2021

Fund		Budget	YTD Expenses	Balance	Encumbrances	Budget Balance
001	Maintenance & Operation	\$4,836,067	\$ 213,274	\$4,622,793	\$2,587,293	\$2,035,500
010-013	Classroom Site Funds	\$ 431,004	\$ -	\$ 431,004	\$ 105,281	\$ 325,723
100-130	Title I	\$ 260,000	\$ 2,946	\$ 257,054	\$ 100,289	\$ 156,765
140-150	Title II - Profesional Development	\$ 40,000	\$ 1,501	\$ 38,499	\$ -	\$ 38,499
200-209	Title VII - Indian Education	\$ 15,000	\$ -	\$ 15,000	\$ 1,029	\$ 13,971
220-229	IDEA/Special Education Grants	\$ 175,000	\$ 3	\$ 174,937	\$ 81,201	\$ 93,736
230	Johnson-O'Malley (JOM)	\$ 4,500	\$ 63	\$ 4,437	\$ 519	\$ 3,917
260-270	Career & Technical Ed (CTE) - Federal	\$ 16,000	\$ -	\$ 16,000	\$ -	\$ 16,000
290-291	Medicare Reimbursement	\$ 25,000	\$ -	\$ 25,000	\$ -	\$ 25,000
326-346	ESSER / CARES / ESG	\$1,746,229	\$ 23,613	\$1,722,616	\$ 30,026	\$1,692,590
374	E-Rate	\$ 2,000	\$ -	\$ 2,000	\$ -	\$ 2,000
390-396	REAP (Federal Rural Assistance)	\$ 45,000	\$ -	\$ 45,000	\$ 4,653	\$ 40,347
400	Career & Technical Ed (CTE) - State	\$ 10,000	\$ -	\$ 10,000	\$ 3,023	\$ 6,977
466	Healthy Drug-Free Community	\$ 170,000	\$ 948	\$ 169,052	\$ 31,265	\$ 137,788
506	School Plant (Sale)	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000
510	Food Service	\$ 300,000	\$ -	\$ 300,000	\$ -	\$ 300,000
515	Civic Center	\$ 10,000	\$ 203	\$ 9,797	\$ -	\$ 9,797
520	Preschool Tuition	\$ 12,000	\$ -	\$ 12,000	\$ 5,942	\$ 6,058
525	Auxiliary Operations	\$ 80,000	\$ 7,032	\$ 72,968	\$ 11,890	\$ 61,078
526	Extracurricular Activities Tax Credit	\$ 20,000	\$ -	\$ 20,000	\$ 500	\$ 19,500
530	Gifts & Donations	\$ 50,000	\$ -	\$ 50,000	\$ -	\$ 50,000
535-539	CTE & Vocational Education Projects	\$ 5,000	\$ -	\$ 5,000	\$ -	\$ 5,000
550	Insurance Proceeds	\$ 60,000	\$ 30,486	\$ 29,514	\$ -	\$ 29,514
565	Litigation Recovery	\$ 35,000	\$ -	\$ 35,000	\$ -	\$ 35,000
570	Indirect Costs	\$ 35,000	\$ 676	\$ 34,324	\$ 29,739	\$ 4,585
596	NAVIT	\$ 45,000	\$ -	\$ 45,000	\$ 18,648	\$ 26,352
610	Capital Outlay	\$ 404,120	\$ 72,296	\$ 331,824	\$ 86,924	\$ 244,900
620	Adjacent Ways	\$ 75,000	\$ 845	\$ 74,155	\$ 5,488	\$ 68,668
665	Energy and Water Savings	\$ 49,000	\$ -	\$ 49,000	\$ -	\$ 49,000
686	SFB Emergency Deficiency Correction	\$ 140,000	\$ -	\$ 140,000	\$ -	\$ 140,000
691	SFB Building Renewal Grant	\$ 900,000	\$ 3,952	\$ 896,048	\$ 535,491	\$ 360,557
850	Student Activities	\$ 60,000	\$ -	\$ 60,000	\$ 1,006	\$ 58,994

2. CALL TO THE PUBLIC

Individuals who wish to address the Board are requested to complete the appropriate form prior to the meeting and give the form to the Board Secretary. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter or scheduling the matter for a future agenda. The Board requests that all comments be limited to five minutes or less, that speakers refrain from the use of speech or language that is offensive or inappropriate, pursuant to Board policy KFA and that speakers refrain from voicing complaints against school personnel or any person connected with the District, as it may impact due process rights. Policies KE, KEB, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals. Forms required for use of these policies can be obtained from the Joseph City Schools website. The President will limit discussion whenever he deems such action appropriate to the proper conduct of the meeting.

3. POSSIBLE EXECUTIVE SESSION (*)

For any agenda item indicated with an asterisk (*), the Board may vote to convene in Executive Session pursuant to A.R.S. 38-431.03 (A) (1) for personnel matters when notified; (2) discussion or consideration of records exempt by law from public inspection; (3) for consultation with attorney; (4) for consultation with attorney when in pending or contemplated litigation. Discussion or consideration of personnel matters may include employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee.

4. CONSENT AGENDA

Vote on Consent Agenda. All items listed will be considered as a group and will be approved with one motion unless a Board Member requests an item be removed from the consent agenda and considered as a separate item.

A. Approve Expense Vouchers

Action to ratify district vouchers for period 7/7/2021 through 8/3/2021.

General and Special Funds: #2 \$40,454.03; #3 \$59,026.06; #31 \$13,780.38 (encumbered); #1001 \$4,508.34; #1002 \$18,627.76; #1003 \$29,310.45; #1004 \$59,643.61; #1005 \$27,084.30; #1063 \$36,642.94 (encumbered); #1064 \$164,588.96 (encumbered); #1065 \$28,890.36 (encumbered)

Auxiliary Operations Funds: #1001 \$300.00; #1002 \$2,455.16; #1004 \$3,741.97; #1005 \$2,458.47

Student Activities Fund: #1074 \$500.95 (encumbered)

B. Student Activities Fund Report

Revenues, expenditures and charges in the Student Activities Fund Report; period of July 1, 2021 through July 31, 2021.

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Joseph City USD External Funds

Revenue Report

☐ Summary Only

From Date: 7/1/2021

To Date: 7/31/2021

Fiscal Year: 2021-2022

Account Number / Description	Budget	Range To Date	YTD	Uncollected Balance	% Remaining
Fund: 850 STUDENT ACTIVITIES					
850.000.0000.1760.102.637 CLASS OF 2024 Student Club Revenue	\$0.00	\$22.11	\$22.11	(\$22.11)	0.00%
850.000.0000.1760.203.611 HS NATIONAL HONOR SOCIETY Student Club Revenue	\$0.00	\$14.72	\$14.72	(\$14.72)	0.00%
850.000.0000.1760.203.612 HS SOFTBALL Student Club Revenue	\$0.00	\$16.51	\$16.51	(\$16.51)	0.00%
850.000.0000.1760.203.613 HS MOMENTUM CLUB/AUDITION CHOIR Student Club Reven	\$0.00	\$47.09	\$47.09	(\$47.09)	0.00%
850.000.0000.1760.203.619 HS VOLLEYBALL Student Club Revenue	\$0.00	\$242.19	\$242.19	(\$242.19)	0.00%
850.000.0000.1760.203.630 HS FOOTBALL Student Club Revenue	\$0.00	\$2,550.00	\$2,550.00	(\$2,550.00)	0.00%
850.000.0000.1760.203.636 CLASS OF 2023 Student Club Revenue	\$0.00	\$19.05	\$19.05	(\$19.05)	0.00%
Fund 850 Total:	\$0.00	\$2,911.67	\$2,911.67	(\$2,911.67)	0.00%
Grand Total:	\$0.00	\$2,911.67	\$2,911.67	(\$2,911.67)	0.00%

End of Report

Joseph City USD External Funds

Expenditure Budget Balance Report

☐ Summary Only

From Date: 7/1/2021

To Date: 7/31/2021

Fiscal Year: 2021-2022

Budget Balance

Account Number / Description

Budget

Range To Date

YTD

Balance

Encumbrance

% Remaining Bud

Fund: 850	STUDENT ACTIVITIES						
850.620.1000.6610.203.630		\$0.00	\$0.00	\$0.00	\$0.00	\$1,005.77	(\$1,005.77)
Undesignated							0.00%
	Fund 850 Total:	\$0.00	\$0.00	\$0.00	\$0.00	\$1,005.77	(\$1,005.77)
							0.00%
	Grand Total:	\$0.00	\$0.00	\$0.00	\$0.00	\$1,005.77	(\$1,005.77)
							0.00%
	End of Report						

C. Approve Payment of Prior Year Invoice

Invoice in the amount of \$3,952.05 payable to GH2 Architects

D. Approve FY21-22 Qualified Evaluators for Certified Staff

E. Approve Intergovernmental Agreement with Navajo County Community College District

The purpose of this agreement is to provide dual enrollment courses for Joseph City High School students with Northland Pioneer college.

F. Accept Donation from School Connect, Inc.

140 laptop computers donated to Joseph City Schools

G. Accept Donation from Harbor Freight Tools

\$200 donation for Joseph City Schools woods and construction programs; Jim Stradling applicant for 2021 Prize for Teaching Excellence

H. Approve Cheerleading Fundraiser

Sale of business ads to go in the Football programs to fund shirts and warm weather gear

I. Approve contract award for Jr/Sr High School roof replacement to JBS Roofing

Project is funded by the Arizona School Facilities Board

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Award Notification Letter

Dear Bryan Fields,

Congratulations! This is to inform you that your application is now awarded.

Project: Joseph City USD-HS Main Campus Roof - David Kennon

Program: BRG Construction

Notification Date: 07/17/2021

Approval Date: 08/06/2021

Approved Amount: \$589,040.10

Federal Awards: No federal funds were included in this award.

Other Awards:

- BRG General Appropriation-FY21: \$589,040.10

Total Other: \$589,040.10

Total Match: \$0.00

Period of Performance: 04/08/2021 - 04/08/2022

Award/Contract Number: BRG-CONST-00412

J. Approval of Early Entry of a Student into Kindergarten

K. Approve Award of Arizona School Facilities Board Building Renewal Grant
Joseph City Elementary Main Campus Roof Patch Repairs for \$5,247

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----- Forwarded message -----

From: **eCivis Portal Support** <support@ecivis.com>

Date: Fri, Aug 6, 2021 at 10:29 PM

Subject: Application Award Notification

To: Bryan Fields <bryanf@jcusd.org>



Award Notification Letter

Dear Bryan Fields,

Congratulations! An award package has been created for the following program:

Project:	EA-Joseph City Elementary Main Campus Roof Patch Repairs - David Kennon
Program:	BRG Equipment Repair/Replacement
Approved Amount:	\$5,247.00
Federal Awards:	No federal funds were included in this award.
Other Awards:	• BRG General Appropriation-FY21: \$5,247.00
	Total Other: \$5,247.00
Total Match:	\$0.00
Period of Performance:	08/05/2021 - 08/05/2022
Award/Contract Number:	SFB-ERR-01160

Note from grantor:

This is an EA to repair the roof until it is replaced

Please find your award letter attached. To see full award details and accept your award, please click [here](#).

Sincerely,

SFA - School Facilities Board

The eCivis Support Team

support@ecivis.com

(877) 232-4847, option 2, 8am-5pm PT

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385 E. Colorado Blvd., #260, Pasadena, CA 91101

5. PERSONNEL REQUESTS (*)

Discussion and possible action to approve employee assignments, approve volunteers and accept employee resignations.

A. Employee Assignments, Employee Renewals, Volunteers, Employee Resignations

Discussion and possible action to approve employee assignments and renewals, approve volunteers and accept employee resignations.

ASSIGNMENTS:

Kristin Beatty - Teacher Mentor
Laurie Bowler - Teacher Mentor
Laurie Bowler - Class Sponsor (Class of 2028)
Jess Bushman - Class Sponsor (Class of 2023)
Darolyn Dewitt - Tutor
Darolyn Dewitt - Teacher Mentor
Jeri Edwards - Class Sponsor (Class of 2023)
Mitchell Farnes - Class Sponsor (Class of 2025)
Brad Fischer - Class Sponsor (Class of 2022)
Dustin Fish - Class Sponsor (Class of 2026)
Andy Foree - Class Sponsor (Class of 2024)
Lisa Gayer - Instructional Specialist (Elementary Music)
Roland Hancock - Class Sponsor (Class of 2024)
Ruth Hansen - Teacher Mentor
Aaron Johnstun - Class Sponsor (Class of 2027)
Caleb Layden - Class Sponsor (Class of 2025)
Shawn Layden - Class Sponsor (Class of 2028)
Lillian Neal - HS Student Council Advisor
Adam Neat - Class Sponsor (Class of 2022)
Kay Rush - JH Student Council Advisor
Kay Rush - Class Sponsor (Class of 2024)
Amanda Sander - Teacher Mentor
April Sartain - Teacher Mentor
Mike Sterkowitz - Class Sponsor (Class of 2026)
Jim Stradling - Class Sponsor (Class of 2025)
Jean Varney - Class Sponsor (Class of 2022)
Anthony Whetten - Class Sponsor (Class of 2027)

RENEWALS:

Alyssa Buckley - Event Worker
Brooke Frost - Event Worker
Lisa Gayer - Event Worker
Dana Johnstun - Event Worker
Sam Johnstun - Event Worker
Gayla Smith - Event Worker
Jim Smith - Event Worker

VOLUNTEERS:

Jessica Baldwin - Preschool, Library, Cafeteria
Jorge Sander - Softball

RESIGNATIONS:

Taura Dobbs - Coach (JV Volleyball)

B. Personnel Appointments

Discussion and possible action to approve the appointment of new personnel and changes to positions of current personnel.

Sarah Hayes - Instructional Aide (Special Education)
Talaina Kor - Substitute Teacher
Kelly Metzger - Substitute Teacher
Megan Powers - JV Volleyball Coach
Sharon Spurlock - Substitute Teacher
Reanna Walton - Substitute Teacher

6. ACTION ITEMS

- A. Discussion and Possible Approval of Retention Bonus for All Permanent Employees
- B. Discussion and Possible Action to Approve Changes to Superintendent's Regulation JJE-R Student Fund-Raising Activities
- C. Approval of Changing the Band/Choral Director Placement on the Extra Duty 1 Pay Schedule
Recommendation to lower the placement and pay on the salary schedule since this responsibility is now shared by two employees

7. DISCUSSION ITEMS

The Governing Board will not vote on Discussion Items and any action taken as a result of this discussion will be limited to directing staff to study the matter or scheduling the matter for a future agenda.

- A. Discussion of Tuition Assistance Benefit for Staff

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Tuition Assistance | 2021-22

Joseph City Unified School District encourages staff to obtain skills that will help them develop professionally. We offer eligible employees the opportunity to apply for our tuition assistance benefit. Under this program the District will reimburse a portion of the cost of classes or training successfully completed.

Who is eligible?

- All regular employees whose duty schedule is 20 or more hours per week.
- Staff who have been employed in a full or part time position by the District for at least 12 months.

What is reimbursable?

- Tuition or registration fees for college or university classes, professional development, training to improve skills or obtain certification.
- Courses and training must be related to the employee's assignment, part of a teacher certification program, and/or employment areas of high need in the District.
- Coursework must be approved in advance.
- Coursework completed only after the employee becomes eligible (see eligibility criteria above).

What is NOT reimbursable?

- The cost of books, software, supplies, travel, lodging, university/college fees, or other fees are not reimbursable.
- Tuition or registration fees incurred for coursework completed prior to December 1, 2021 are not eligible for reimbursement.

How much can I receive?

- Employees may receive up to \$1,000 per school year, with a maximum of \$3,000 in any five-year period.

How do I apply?

- Complete and submit the Tuition Assistance Request Form at least two weeks prior to the course of study.
- As tuition funds are limited, each application will be reviewed on a case-by-case basis. Applications may be denied for the following reasons:

- Course does not directly link to increased job performance or tie to career path or is not related to a high need areas identified by the District;
- Incomplete application;
- Request exceeds funding limits.

How do get reimbursed?

- Application must be pre-approved.
- Submit an official receipt from the university or organization showing itemized charges, proof of payment by the employee and an official transcript or certificate of completion.
- A grade of “C” or better (or “passing” grade if applicable) will be required for reimbursement.

COVID Relief Federal Funding

As of 8/9/2021

	ESSER I	ESSER II	ESSER III	ESG	Total
Expenditures					
INSTRUCTION					
Salaries and benefits - Instruction	19,300.08	5,021.13	61,536.56	150,527.86	236,385.63
Supplies - Instruction	3,645.55				3,645.55
Equipment - Instruction	2,181.89	120,982.06			123,163.95
INSTRUCTIONAL SUPPORT					
Salaries and benefits	599.35				599.35
Staff training	75.00				75.00
Supplies & PPE	7,596.19				7,596.19
Supplies - Technology	6,045.17		5,803.61		11,848.78
Equipment - Chromebooks, Technology	27,007.45		18,744.94		45,752.39
Dues & fees			795.00		795.00
ADMINISTRATIVE SUPPORT					
Salaries and benefits - Technology	2,471.20	2,074.75	3,270.48		7,816.43
Technology - Services & equipment	4,265.01		1,581.88		5,846.89
FACILITIES OPERATIONS					
Salaries and benefits - Custodial	3,643.43	1,375.70			5,019.13
Contracted services - Cleaning	3,915.00		450.00		4,365.00
Contracted services - Wireless hotspots	1,765.00				1,765.00
Insurance - COVID policy	5,000.00				5,000.00
Utilities	-			17,152.94	17,152.94
Supplies & equipment - Custodial	41,741.04		20,343.61		62,084.65
FOOD SERVICES					
Equipment		5,775.00			5,775.00
Total expenditures	129,251.36	135,228.64	112,526.08	167,680.80	544,686.88
Grant Award	142,995.07	579,996.25	1,297,789.60	167,680.80	2,188,461.72
Uncommitted Funds	13,743.71	444,767.61	1,185,263.52	-	1,643,774.84



ESSER OVERVIEW

JOSEPH CITY UNIFIED SCHOOL DISTRICT

Grant Info-ESSER I

- ESSER I-
 - \$13.23 billion allocated nationwide
 - Called the CARES Act
 - Schools were given amounts based on their FY19 Title I Allocations
 - Funds must be obligated by 9/30/2022
 - JCUSD's allocation amount was \$142,995.07 and we have expended this grant completely at this point.
 - Most spending was used for teacher pay-stipends for those teaching both in person and virtually, instructional supplies, PPE supplies, Chromebooks and cameras for virtual teaching, etc.

Grant Info-ESSER II

- ESSER II-
 - \$54.3 billion allocated nationwide
 - Called CRRSA-Coronavirus Response and Relief Supplemental Appropriations Act
 - Schools were given amounts based on their FY20 Title I Allocations
 - Funds must be obligated by 9/30/2023
 - JCUSD's allocation amount was \$579,996.25 we have expended \$135,228.64 of this grant at this point.
 - Spending to date has been used on purchasing the promethean boards for classrooms as well as summer technology workers and summer school teachers.

Grant Info-ESSER III

- ESSER III-
 - \$121.975 billion allocated nationwide
 - Called ARP-American Rescue Plan
 - Schools were given amounts based on their FY20 Title I Allocations
 - Funds must be obligated by 9/30/2024
 - JCUSD's allocation amount was \$1,297,789.60-budget has yet to be finalized
 - ESSER III differs from the first two ESSER awards. It contains new requirements for LEAs. These include:
 - 20% required set aside to address learning loss using evidence-based academic, social and emotional learning strategies for vulnerable populations of students
 - ESSER III LEA plan requirements, to include engaging in meaningful consultation with stakeholders in the development of the plan
 - Safe return to in-person instruction plan

Additional ESSER Info-

- More detailed information can be found in the final four slides.
- All three grants can be used for the same activities.
- It is important to remember that once these funds go away we need to be ready to cut funded positions, or have a different way to fund any personnel or activities that we originally used ESSER grants to fund.
- All three grants can be used for expenses incurred on or after 3/13/2020.
- Each ESSER grant must be tracked and reported separately.
- ESSER funded activities should be consistent with ESSER's purpose of preparing for, preventing, and responding to COVID.
 - Examples include: inspection, testing, maintenance, repair, replacement and upgrade projects to improve indoor air quality in school facilities and transportation. Funds can also be used to bridge budget shortfalls if the deficit is related to COVID and the funds are needed for education related expenses.

Comparison of ESSER Fund (CARES Act), ESSER II Fund (CRRSA Act), and ARP ESSER (ARP Act)

This following table outlines the primary differences between the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund under the American Rescue Plan (ARP) Act 2021, Public Law 117-2, enacted on March 11, 2021; the ESSER II Fund under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, enacted on December 27, 2020; and the ESSER Fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act enacted on March 27, 2020.

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
Authorizing Legislation	Section 18003 of Division B of the Coronavirus Aid, Relief, and Economic Security (CARES) Act	Section 313 of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act	Section 2001 of the American Rescue Plan (ARP) Act
Period of Funds Availability, excluding 12-month Tydings Amendment period	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by State educational agencies (SEAs) and subrecipients through September 30, 2021.	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by SEAs and subrecipients through September 30, 2022.	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by SEAs and subrecipients through September 30, 2023.
SEA Deadline for Awarding Funds	An SEA must award the funds within one year of receiving them, which will be April through June 2021, depending on an SEA's award date.	An SEA must award the funds within one year of receiving them, which will be January 2022.	With respect to making local educational agency (LEA) subgrants (90% of the total ARP ESSER allocation), the SEA must allocate ARP ESSER funds in an expedited and timely manner and, to the extent practicable, not later than 60 days after the SEA receives those funds. An SEA must award ARP ESSER funds not allocated to LEAs within one year of the date the SEA receives those funds.
Definition of "Awarded"	For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the SEA reserve (see section 18003(e)), funds	Same as ESSER: For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the SEA reserve (see section 313(e)), funds are "awarded" when the SEA	Same as ESSER: For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the funds that the SEA reserves (section 2001(f)),

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
	are “awarded” when the SEA awards a contract or subgrant, or when it retains funds to provide direct services.	awards a contract or subgrant, or when it retains funds to provide direct services.	funds are “awarded” when the SEA awards a contract or subgrant, or when it retains funds to provide direct services.
LEA Uses of Funds and Reservations	The CARES Act includes allowable uses of funds related to preventing, preparing for, and responding to COVID-19. ESSER funds may be used for the same allowable purposes as ESSER II and ARP ESSER, including hiring new staff and avoiding layoffs. No required reservations of funds.	ESSER II funds may be used for the same allowable purposes as ESSER and ARP ESSER, including hiring new staff and avoiding layoffs. Note that the “additional” LEA allowable uses of funds under the CRRSA Act (addressing learning loss, preparing schools for reopening, and testing, repairing, and upgrading projects to improve air quality in school buildings) already are permitted under the CARES Act. No required reservations of funds.	An LEA must reserve not less than 20 percent of its total ARP ESSER allocation to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups. The remaining ARP ESSER funds may be used for the same allowable purposes as ESSER and ESSER II, including hiring new staff and avoiding layoffs. Note that section 2001(e) specifically authorizes an LEA to use ARP ESSER funds to develop strategies and implement public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff. An LEA may also

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
			use its ESSER and ESSER II funds for this purpose, although it is not expressly listed in the CARES or CRRSA Act.
Equitable Services	An LEA that receives ESSER funds under the CARES Act (section 18005) must provide equitable services to non-public school students and teachers in the same manner as provided under section 1117 of Title I, Part A of the ESEA.	The CRRSA Act (section 312(d)) includes a separate program of Emergency Assistance for Non-Public Schools under which eligible non-public schools may apply to an SEA to receive services or assistance. Consequently, LEAs do not provide equitable services under ESSER II.	The ARP (section 2002) includes a separate program of Emergency Assistance for Non-Public Schools (EANS). Consequently, LEAs do not provide equitable services under ARP ESSER. Under EANS, an SEA provides services or assistance to non-public schools that enroll a significant percentage of children from low-income families and are most impacted by COVID-19. EANS funds may not be used to provide reimbursements for costs incurred by non-public schools.
Maintenance of Effort (MOE)	Under the CARES Act (section 18008), there is a State MOE requirement for each of fiscal years (FYs) 2020 and 2021 (based on dollar levels of State support for education).	Under the CRRSA Act (section 317), there is a State MOE requirement for FY 2022 (based on percentages of the State's overall spending used to support education).	Under the ARP (section 2004(a)), there is a State MOE requirement for each of FYs 2022 and 2023 (based on percentages of the State's overall spending used to support education).
Maintenance of Equity	Not applicable	Not applicable	The ARP (section 2004(b) and (c)) contains both State and LEA maintenance of equity requirements for each of FYs 2022 and 2023. The Department intends to provide additional guidance on these important requirements.
Reporting	An SEA must meet the reporting requirements of section 15011, which are satisfied through the Federal Funding Accountability and	An SEA must meet the CARES Act reporting requirements that apply to ESSER funds and submit a report to the Secretary within six months of award that contains a detailed	An SEA must comply with all reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require.

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
	Transparency Act (FFATA) reporting, and other reporting as the Secretary may require.	accounting of the use of ESSER II funds, that includes how the State is using funds to measure and address learning loss among students disproportionately affected by the coronavirus and school closures, including: children from low-income families, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care.	FFATA reporting requirements apply.
Tracking of Funds	ESSER funds must be tracked separately from other funds (including from ESSER II and ARP ESSER funds).	ESSER II funds must be tracked separately from other funds (including from ESSER and ARP ESSER funds).	ARP funds must be tracked separately from other funds (including from ESSER and ESSER II funds).

Side-by-side: ESSER, ESSER II, and ARP ESSER allowable activities

The following side-by-side chart shows the allowable activities for each pool of funding.

ESSER (CARES Act)	ESSER II (CRRSA Act)	ARP ESSER (ARP Act)
Any activities authorized under the Elementary and Secondary Education Act, IDEA, Carl D. Perkins Career and Technical Education Act, Adult Education and Family Literacy Act, and McKinney-Vento.	Any activities authorized under the Elementary and Secondary Education Act, IDEA, Carl D. Perkins Career and Technical Education Act, Adult Education and Family Literacy Act, and McKinney-Vento.	Any activities authorized under the Elementary and Secondary Education Act, IDEA, Carl D. Perkins Career and Technical Education Act, and Adult Education and Family Literacy Act.
Coordination of preparedness and response efforts of LEAs with state, local, tribal, and territorial public health departments, and other relevant agencies, to prevent, prepare for, and respond to the coronavirus.	Coordination of preparedness and response efforts of LEAs with state, local, tribal, and territorial public health departments, and other relevant agencies, to prevent, prepare for, and respond to the coronavirus.	Coordination of preparedness and response efforts of LEAs with state, local, tribal, and territorial public health departments, and other relevant agencies, to prevent, prepare for, and respond to the coronavirus.
Providing resources for principals and other school leaders to address school-specific needs.	Providing resources for principals and other school leaders to address school-specific needs.	Not included in ARP Act.
Activities that address unique needs of low-income children, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youths, including how outreach and service delivery will meet the needs of each population.	Activities that address unique needs of low-income children, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youths, including how outreach and service delivery will meet the needs of each population.	Activities that address unique needs of low-income children, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youths, including how outreach and service delivery will meet the needs of each population.
Developing and implementing procedures, systems to improve the preparedness and response efforts of LEAs.	Developing and implementing procedures, systems to improve the preparedness and response efforts of LEAs.	Developing and implementing procedures, systems to improve the preparedness and response efforts of LEAs.
Training and professional development for staff on sanitation and minimizing the spread of infectious diseases.	Training and professional development for staff on sanitation and minimizing the spread of infectious diseases.	Training and professional development for staff on sanitation and minimizing the spread of infectious diseases.
Purchasing supplies to sanitize and clean facilities operated by an LEA.	Purchasing supplies to sanitize and clean facilities operated by an LEA.	Purchasing supplies to sanitize and clean facilities operated by an LEA.
Planning and coordination during long-term closures, including how to provide meals to students, how to provide online learning technology to all students, how to provide guidance on meeting IDEA requirements, and how to ensure other educational services continue to be provided consistent with federal, state, and local requirements.	Planning and coordination during long-term closures, including how to provide meals to students, how to provide online learning technology to all students, how to provide guidance on meeting IDEA requirements, and how to ensure other educational services continue to be provided consistent with federal, state, and local requirements.	Planning and coordination during long-term closures, including how to provide meals to students, how to provide online learning technology to all students, how to provide guidance on meeting IDEA requirements, and how to ensure other educational services continue to be provided consistent with federal, state, and local requirements.
Purchasing educational technology, which could include hardware, software, and connectivity, for students served by the LEA that aids in regular, substantive educational interaction between students and educators, including low-income students and students with disabilities. Could also include assistive technology or adaptive equipment.	Purchasing educational technology, which could include hardware, software, and connectivity, for students served by the LEA that aids in regular, substantive educational interaction between students and educators, including low-income students and students with disabilities. Could also include assistive technology or adaptive equipment.	Purchasing educational technology, including hardware, software, and connectivity, for students served by the LEA that aids in regular, substantive educational interaction between students and educators, including low-income students and those with disabilities. Could also include assistive technology or adaptive equipment.
Providing mental health services and supports.	Providing mental health services and supports.	Providing mental health services and supports.
Planning and implementing summer learning and supplemental afterschool program activities, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.	Planning and implementing summer learning and supplemental afterschool program activities, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.	Planning and implementing summer learning and supplemental afterschool program activities, including providing classroom instruction or online learning during the summer months and addressing the needs of low-income students, students with disabilities, English learners, migrant students, students experiencing homelessness, and children in foster care.
Other activities necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff.	Other activities necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff.	Other activities necessary to maintain the operation of and continuity of services in LEAs and continuing to employ existing staff.
	Addressing learning loss among all students in all subgroups, including by: • Administering high-quality, reliable assessments that can assess student academic progress and assist educators in meeting student needs, including by using differentiated instruction. • Implementing evidence-based activities to meet the comprehensive needs of students. • Providing information and assistance to parents and families on ways to support students. • Tracking student performance and engagement in distance learning environments.	Addressing learning loss among all students in all subgroups, including by: • Administering high-quality, reliable assessments that can assess student academic progress and assist educators in meeting student needs, including by using differentiated instruction. • Implementing evidence-based activities to meet the comprehensive needs of students. • Providing information and assistance to parents and families on ways to support students. • Tracking student performance and engagement in distance learning environments.
	School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards and support student health needs.	School facility repairs and improvements to enable operation of schools to reduce risk of virus transmission and exposure to environmental health hazards and support student health needs.
	Inspecting, testing, maintaining, repairing, replacing, and upgrading projects to improve the indoor air quality in school facilities, including HVAC systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.	Inspecting, testing, maintaining, repairing, replacing, and upgrading projects to improve the indoor air quality in school facilities, including HVAC systems, filtering, purification and other air cleaning, fans, control systems, and window and door repair and replacement.
		Development of strategies and implementation of public health protocols that align with CDC guidance on reopening and operating school facilities to maintain the health and safety of students, educators, and other staff.

*Source: CARES Act Section 18003; CRRSA Act Section 313; and American Rescue Plan Act, H.R. 1319.

U.S. DEPARTMENT OF EDUCATION FACT SHEET
American Rescue Plan Act of 2021
ELEMENTARY AND SECONDARY SCHOOL EMERGENCY RELIEF FUND (ARP ESSER)

This document outlines the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund under the American Rescue Plan (ARP) Act of 2021, Public Law 117-2, enacted on March 11, 2021. ARP ESSER provides a total of nearly \$122 billion to States and school districts to help safely reopen and sustain the safe operation of schools and address the impact of the coronavirus pandemic on the nation's students. In addition to ARP ESSER, the ARP Act includes \$3 billion for special education, \$850 million for the Outlying Areas, \$2.75 billion to support non-public schools, and additional funding for homeless children and youth, Tribal educational agencies, Native Hawaiians, and Alaska Natives.

To address the immediate needs of schools and districts, the U.S. Department of Education (Department) will begin making ARP ESSER funds available to States this month.

ARP ESSER OVERVIEW

State Allocation of ARP ESSER Funds

- A State must **subgrant not less than 90 percent of its total ARP ESSER allocation to local educational agencies (LEAs)** (including charter schools that are LEAs) in the State to help meet a wide range of needs arising from the coronavirus pandemic, including reopening schools safely, sustaining their safe operation, and addressing students' social, emotional, mental health, and academic needs resulting from the pandemic. The State must allocate these funds to LEAs on the basis of their respective shares of funds received under Title I, Part A of the Elementary and Secondary Education Act of 1965 (ESEA) in fiscal year (FY) 2020.
- The ARP ESSER Fund includes **three State-level reservations for activities and interventions that respond to students' academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups**, including each major racial and ethnic group, children from low-income families, children with disabilities, English learners, gender, migrant students, students experiencing homelessness, and children and youth in foster care:
 - **5 percent of the total ARP ESSER allocation for the implementation of evidence-based interventions aimed specifically at addressing learning loss**, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs.
 - **1 percent of the total ARP ESSER allocation for evidence-based summer enrichment programs.**
 - **1 percent of the total ARP ESSER allocation for evidence-based comprehensive afterschool programs.**
- A State may use **up to ½ of 1 percent of its total ARP ESSER allocation for administrative costs and emergency needs** as determined by the State to address issues related to COVID-19.

Reservation for Homeless Children & Youth

The ARP ESSER Fund also requires the Department to reserve \$800 million to support efforts to identify homeless children and youth, and provide them with comprehensive, wrap-around services that address needs arising from the COVID-19 pandemic and allow them to attend school and participate fully in all school activities. The Department will award these funds expeditiously, and will work to coordinate these new resources with supports provided through the McKinney-Vento Homeless Assistance Act as well as other ARP ESSER Fund activities targeting homeless children and youth.

LEA Use of ARP ESSER Funds

Of the total amount allocated to an LEA from the State's ARP ESSER award, the LEA must **reserve at least 20 percent of funds to address learning loss through the implementation of evidence-based interventions and ensure that those interventions respond to students' social, emotional, and academic needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups** (each major racial and ethnic group, children from low-income families, children with disabilities, English learners, gender, migrant students, students experiencing homelessness, and children and youth in foster care).

Remaining LEA funds may be used for a **wide range of activities** to address needs arising from the coronavirus pandemic, including any activity authorized by the ESEA, the Individuals with Disabilities Education Act (IDEA), Adult Education and Family Literacy Act (AEFLA), or Carl D. Perkins Career and Technical Education Act of 2006 (Perkins CTE). Specifically, ARP ESSER funds may be used to develop strategies and implement public health protocols including, to the greatest extent practicable, policies in line with guidance from the Centers for Disease Control and Prevention (CDC) on reopening and operating schools to effectively maintain the health and safety of students, educators, and other staff, as well as:

- coordinating preparedness and response efforts with State, local, Tribal, and territorial public health departments to prevent, prepare for, and respond to COVID-19;
- training and professional development on sanitizing and minimizing the spread of infectious diseases;
- purchasing supplies to sanitize and clean the LEA's facilities;
- repairing and improving school facilities to reduce risk of virus transmission and exposure to environmental health hazards;
- improving indoor air quality;
- addressing the needs of children from low-income families, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and foster care youth;
- developing and implementing procedures and systems to improve the preparedness and response efforts of LEAs;
- planning for or implementing activities during long-term closures, including providing meals to eligible students and providing technology for online learning;
- purchasing educational technology (including hardware, software, connectivity, assistive technology, and adaptive equipment) for students that aids in regular and substantive educational interaction between students and their classroom instructors, including students from low-income families and children with disabilities;
- providing mental health services and supports, including through the implementation of evidence-based full-service community schools and the hiring of counselors;

- planning and implementing activities related to summer learning and supplemental after-school programs;
- addressing learning loss; and
- other activities that are necessary to maintain operation of and continuity of and services, including continuing to employ existing or hiring new LEA and school staff

LEA Safe Return to In-Person Instruction Plan

An LEA that receives ARP ESSER funds must, within 30 days of receiving the funds, make publicly available on its website a plan for the safe return to in-person instruction and continuity of services. Before making the plan publicly available, the LEA must seek public comment on the plan.

Comparison of ESSER Fund (CARES Act), ESSER II Fund (CRRSA Act), and ARP ESSER (ARP Act)

This following table outlines the primary differences between the American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) Fund under the American Rescue Plan (ARP) Act 2021, Public Law 117-2, enacted on March 11, 2021; the ESSER II Fund under the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act, enacted on December 27, 2020; and the ESSER Fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act enacted on March 27, 2020.

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
Authorizing Legislation	Section 18003 of Division B of the Coronavirus Aid, Relief, and Economic Security (CARES) Act	Section 313 of the Coronavirus Response and Relief Supplemental Appropriations (CRRSA) Act	Section 2001 of the American Rescue Plan (ARP) Act
Period of Funds Availability, excluding 12-month Tydings Amendment period	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by State educational agencies (SEAs) and subrecipients through September 30, 2021.	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by SEAs and subrecipients through September 30, 2022.	May be used for pre-award costs dating back to March 13, 2020, when the national emergency was declared. Available for obligation by SEAs and subrecipients through September 30, 2023.
SEA Deadline for Awarding Funds	An SEA must award the funds within one year of receiving them, which will be April through June 2021, depending on an SEA's award date.	An SEA must award the funds within one year of receiving them, which will be January 2022.	With respect to making local educational agency (LEA) subgrants (90% of the total ARP ESSER allocation), the SEA must allocate ARP ESSER funds in an expedited and timely manner and, to the extent practicable, not later than 60 days after the SEA receives those funds. An SEA must award ARP ESSER funds not allocated to LEAs within one year of the date the SEA receives those funds.
Definition of "Awarded"	For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the SEA reserve (see section 18003(e)), funds	Same as ESSER: For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the SEA reserve (see section 313(e)), funds are "awarded" when the SEA	Same as ESSER: For the 90 percent of funds for LEAs, funds are generally considered "awarded" when the SEA subgrants the funds to an LEA. For the funds that the SEA reserves (section 2001(f)),

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
	are “awarded” when the SEA awards a contract or subgrant, or when it retains funds to provide direct services.	awards a contract or subgrant, or when it retains funds to provide direct services.	funds are “awarded” when the SEA awards a contract or subgrant, or when it retains funds to provide direct services.
LEA Uses of Funds and Reservations	The CARES Act includes allowable uses of funds related to preventing, preparing for, and responding to COVID-19. ESSER funds may be used for the same allowable purposes as ESSER II and ARP ESSER, including hiring new staff and avoiding layoffs. No required reservations of funds.	ESSER II funds may be used for the same allowable purposes as ESSER and ARP ESSER, including hiring new staff and avoiding layoffs. Note that the “additional” LEA allowable uses of funds under the CRRSA Act (addressing learning loss, preparing schools for reopening, and testing, repairing, and upgrading projects to improve air quality in school buildings) already are permitted under the CARES Act. No required reservations of funds.	An LEA must reserve not less than 20 percent of its total ARP ESSER allocation to address learning loss through the implementation of evidence-based interventions, such as summer learning or summer enrichment, extended day, comprehensive afterschool programs, or extended school year programs, and ensure that such interventions respond to students’ academic, social, and emotional needs and address the disproportionate impact of COVID-19 on underrepresented student subgroups. The remaining ARP ESSER funds may be used for the same allowable purposes as ESSER and ESSER II, including hiring new staff and avoiding layoffs. Note that section 2001(e) specifically authorizes an LEA to use ARP ESSER funds to develop strategies and implement public health protocols including, to the greatest extent practicable, policies in line with guidance from the CDC for the reopening and operation of school facilities to effectively maintain the health and safety of students, educators, and other staff. An LEA may also

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
			use its ESSER and ESSER II funds for this purpose, although it is not expressly listed in the CARES or CRRSA Act.
Equitable Services	An LEA that receives ESSER funds under the CARES Act (section 18005) must provide equitable services to non-public school students and teachers in the same manner as provided under section 1117 of Title I, Part A of the ESEA.	The CRRSA Act (section 312(d)) includes a separate program of Emergency Assistance for Non-Public Schools under which eligible non-public schools may apply to an SEA to receive services or assistance. Consequently, LEAs do not provide equitable services under ESSER II.	The ARP (section 2002) includes a separate program of Emergency Assistance for Non-Public Schools (EANS). Consequently, LEAs do not provide equitable services under ARP ESSER. Under EANS, an SEA provides services or assistance to non-public schools that enroll a significant percentage of children from low-income families and are most impacted by COVID-19. EANS funds may not be used to provide reimbursements for costs incurred by non-public schools.
Maintenance of Effort (MOE)	Under the CARES Act (section 18008), there is a State MOE requirement for each of fiscal years (FYs) 2020 and 2021 (based on dollar levels of State support for education).	Under the CRRSA Act (section 317), there is a State MOE requirement for FY 2022 (based on percentages of the State's overall spending used to support education).	Under the ARP (section 2004(a)), there is a State MOE requirement for each of FYs 2022 and 2023 (based on percentages of the State's overall spending used to support education).
Maintenance of Equity	Not applicable	Not applicable	The ARP (section 2004(b) and (c)) contains both State and LEA maintenance of equity requirements for each of FYs 2022 and 2023. The Department intends to provide additional guidance on these important requirements.
Reporting	An SEA must meet the reporting requirements of section 15011, which are satisfied through the Federal Funding Accountability and	An SEA must meet the CARES Act reporting requirements that apply to ESSER funds and submit a report to the Secretary within six months of award that contains a detailed	An SEA must comply with all reporting requirements at such time and in such manner and containing such information as the Secretary may reasonably require.

Topic	ESSER Fund (CARES Act)	ESSER II Fund (CRRSA Act)	ARP ESSER (ARP Act)
	Transparency Act (FFATA) reporting, and other reporting as the Secretary may require.	accounting of the use of ESSER II funds, that includes how the State is using funds to measure and address learning loss among students disproportionately affected by the coronavirus and school closures, including: children from low-income families, children with disabilities, English learners, racial and ethnic minorities, students experiencing homelessness, and children and youth in foster care.	FFATA reporting requirements apply.
Tracking of Funds	ESSER funds must be tracked separately from other funds (including from ESSER II and ARP ESSER funds).	ESSER II funds must be tracked separately from other funds (including from ESSER and ARP ESSER funds).	ARP funds must be tracked separately from other funds (including from ESSER and ESSER II funds).

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Volume 33, Number 3

July 2021

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POLICY ALERT

School Operations / Closures

House Bill 2898 has enacted an amendment to A.R.S. 35-212 requiring that school districts and charter schools should exercise caution in the planning or executing of any activity that impedes or prevents a public school from operating for any period of time, unless the public official, employee or agent is acting in good faith and in furtherance of the official's, employee's or agent's official duties.

This statute states further that the attorney general may bring an action to recover illegally paid public monies against:

1. The public official, employee or agent of this state, a political subdivision of this state or a budget unit who knowingly uses public monies or other public resources, including e-mail, equipment or compensated work time, to organize, plan or execute any activity as described above.
2. The teacher, administrator or other employee of a school district or charter school or the state employee whose violation of section 15-717.02, Prohibited Instruction, or resulted in an illegal use of public monies.

For each violation of 15-717.02, as modified in House Bill 2898, including subsequent or continued violations, a court may impose a civil penalty not to exceed \$5,000 per school district, charter school or state agency where the violation occurs. (See the concepts listed in BIB-R.)

POLICY ADVISORY DISCUSSION

Most of the following policy advisories are derived from enactments of the 55th Legislature, First Regular Session, 2021. These are indicated by references to the bills and/or statutes which have either been newly created or altered by the Legislature.

Several other policy advisories are those which have been revised for clarity by Policy Services.

Policy Advisory No. 680

Policy BDF — Advisory Committees

Policy BDF, Advisory Committees, is amended to make it clear that if a board creates an advisory committee or directs that the committee be created or appoints members to a committee, and that committee has the authority to act for the board or make recommendations to the board, the committee is covered as an advisory committee or subcommittee of the public body under the Open Meeting Law.

Policy Advisory No. 681

Policy BEDD— Rules of Order

This change makes it clear that the Governing Board President has the authority to recess a meeting without a vote of the Governing Board to maintain decorum and Governing Board meeting rules of order.

Policy Advisory No. 682

Policy BEDH — Public Participation at Board Meetings

Policy BEDH, Public Participation at Board Meetings, is amended to prohibit unsolicited commercial messages during Call to the Public

Policy Advisory No. 683

**Policy BIB — Board Member Development Opportunities
Regulation BIB-R — Board Member Development Opportunities**

House Bill 2906 has added statute A.R.S. 41-1494 which states, in part, that a political subdivision, including school districts and charter schools, may not expend public monies for board members for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity, or sex. This does not preclude any training on sexual harassment.

Blame or judgment on the basis of race, ethnicity or sex is defined in the statute by seven (7) concepts which are listed in the regulation.

Policy Advisory No. 684

Policy DIE — Audits / Financial Monitoring

HB 2018 pertaining to audits and financial records prescribes a requirement for school district governing boards or charter school governing bodies to publicly accept all audits and compliance questionnaires by roll call vote. This language has been added to A.R.S. 15-914 and to Policy DIE.

Policy Advisory No. 685.....Policy DJ — Purchasing (Purchasing Ethics Policy)

House Bill 2210 amended section 15-342, Arizona Revised Statutes, relating to school district governing boards by adding that the Governing Board may provide food and beverages at school district events, including official school functions and trainings, as allowed by the Arizona Constitution and policies of the Department of Education.

Policy Advisory No. 686

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

House Bill 2159 amended A.R.S. 28-3228, relating to driver licenses for school bus driver applicants, requiring school bus driver applicants to possess a commercial driver license issued by the Department of Public Safety or an acceptable alternate as described in the statute.

Policy Advisory No. 687

**Regulation GBGB-R — Staff Personal Security
and Safety**

House Bill 2898 enacted a new statute, A.R.S. 15-342.05, which prohibits school districts and charter schools from requiring face coverings for students and staff during school hours and on school property.

Additionally, the statute provides that a school district or charter school may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

GBGB-R, JICA-RB and KI-RB, PAs 687, 704, and 711, respectively, are regulations which may be revised/deleted by the Superintendent and communicated to the Governing Board. These regulations were first changed and added in Policy Advisory Volume 32, Number 2, released in July 2020 in response to the Governor's Executive Order on July 23, 2020 (EO 2020-51). PA 672, GBGB-R, was a revision. PAs 674 and 676, JICA-RB and KI-RB, were new documents and should be deleted. Take care revising GBGB-R, as this document has other necessary language that should be retained.

Policy Advisory No. 688

**Policy GCB— Professional Staff Contracts and
Compensation**

House Bill 2268 added statutes A.R.S. 15-189 for Charter Schools and A.R.S. 15-341(45) for Traditional Public Schools requiring the School/District to provide each employee a total compensation statement categorized by benefit or payment that includes specific categories.

Policy Advisory No. 689

Policy GCF— Professional Staff Hiring

Per House Bill 2023, before employing a certificated or noncertificated person, school districts and charter schools are required to conduct a search of the educator information system that is maintained by ADE on the prospective employee. School districts and charter schools are prohibited from employing in a position that requires a valid fingerprint clearance card either a certificated person whose certificate has been suspended, surrendered, or revoked and not subsequently reinstated, or a noncertificated person who has been prohibited from employment at a school district or charter school.

The additions to Policies GCF and GDF are included in the newly enacted A.R.S. 15-505.

Policy Advisory No. 690

**Policy GCH — Professional / Support Staff
Orientation and Training**

House Bill 2906 has added statute A.R.S. 41-1494 which states, in part, that a political subdivision, including school districts and charter schools, may not require an employee to engage in and shall not use public monies for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity, or sex. This does not preclude any training on sexual harassment.

Blame or judgment on the basis of race, ethnicity or sex is defined in the statute by seven (7) concepts.

Policy Advisory No. 691

**Policy GDB — Support Staff Contracts and
Compensation**

See Policy Advisory 688 discussion.

Policy Advisory No. 692

Policy GDF — Support Staff Hiring

See Policy Advisory 689 discussion.

Policy Advisory No. 693

Policy IC — School Year

House Bill 2862 consisted of extensive amending of statutes 15-801, 15-901, and 15-1021, repealing section 15-861, and the addition of a new statute, 15-901.08, focusing on school instructional time. The primary directives are included in Policy IC, School Year, with emphasis on districts referring to the more specific information included in A.R.S. 15-901.08.

Note that for the purposes of meeting the instructional time and instructional hours requirements prescribed in A.R.S. 15-808 and A.R.S. 15-901, a school district governing board, after at least two public hearings in the school district, or a charter school governing body for one or more schools may adopt any instructional time models as prescribed in A.R.S. 15-901 to meet the minimum annual instructional time and instructional hours requirements prescribed in A.R.S. 15-808 and A.R.S. 15-901 for all of the purposes described in A.R.S. 15-901.08. The two public hearings may be held as part of regular board meetings or as separate meetings and shall include public comment.

The specifics of the new requirements are in the Arizona Department of Education School Finance release from July 12, 2021: HB 2862 FINAL Guidance (7-12).pdf (azed.gov)

Policy Advisory No. 694

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

SB1572 changed A.R.S. 15-211 and moved the deadline by which a District must have at least one (1) kindergarten through third (K-3) grade teacher in each school who has received training related to dyslexia. The new date is July 1, 2022.

Policy Advisory No. 695

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

House Bill 2035 modified A.R.S. 15-113, Rights of Parents, and A.R.S.15-711, Sex Education Instruction. Arizona Administrative Code R7-2-303 was also updated. The salient portions of these changes have been placed in Policy IHAMB and in Regulation IHAMB-R, Family Life Education.

Policy Advisory No. 696

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

An ASBA Policy Alert for Policy IHAMD, Instruction and Training in Suicide Prevention, was released in July 2020 to make districts aware of requirements from Senate Bill 1446 (Fifty-fourth Legislature, Second Regular Session) due to be met by July 1, 2021. School district governing boards and charter school governing bodies that issue identification cards to students in grades nine through twelve shall include on each new identification card at least one of the items described in A.R.S. 15-160 that are now included in Policy IHAMD. This language should be adopted by districts that issue identification cards to students in grades nine through twelve.

Policy Advisory No. 697

**Policy IJ – Instructional Resources
and Materials**

Policy IJ, Instructional Resources and Materials, has been updated with additional language from A.R.S. 15-721 and A.R.S. 15-722 regarding the definition of “textbook.” As more districts move away from using physical copies of textbooks in favor of electronic options, the language clarifies that “textbook” includes printed instructional materials and digital content.

Policy Advisory No. 698

**Policy IJJ – Textbook / Supplementary Materials
Selection and Adoption**

Policy IJJ, Textbook / Supplementary Materials Selection and Adoption, has been updated with additional language from A.R.S. 15-721 and A.R.S. 15-722 regarding the definition of “textbook.” As more districts move away from using physical copies of textbooks in favor of electronic options, the language clarifies that “textbook” includes printed instructional materials and digital content.

Policy Advisory No. 699

Policy IKE-RB – Promotion and Retention of Students

Senate Bill 1572 added language pertaining to promotion of students from the third grade regarding parent written notification, updates, and information to parents or guardians on the pupil's progress. It adds a timeframe for when the District shall provide written notification of the pupil's reading deficiency to the parent or guardian and adds more information to what the notification must include.

Policy Advisory No. 700

Policy IMB – Teaching About Controversial / Sensitive Issues

House Bill 2898 added A.R.S. 15-717.02, which states that a teacher, administrator or other employee of a school district, charter school or state agency who is involved with students and teachers in grades preschool through twelve may not use public monies for instruction that presents any form of blame or judgment on the basis of race, ethnicity or sex. This language is added to Policy IMB.

The Arizona Department of Education issued a release on “Understanding A.R.S. 15-717.02 regarding ‘prohibited instruction’ and its impact on teaching the History and Social Studies Standards” in July 2021. This may be accessed at the following site:

<https://www.azed.gov/sites/default/files/2021/07/Teacher%20Guidance%20for%20ARS%2015-717.02-%207.22.21%20.pdf>

Policy Advisory No. 701

**Policy JFAA — Admission of Resident Students
Exhibit JFAA-EA — Admission of Resident Students
Exhibit JFAA-EB — Admission of Resident Students**

Policy Advisory No. 702

**Policy JFAB — Tuition / Admission of Nonresident Students
JFAB-EA — Tuition / Admission of Nonresident Students
JFAB-EB — Tuition / Admission of Nonresident Students**

Senate Bill 1420 requires the state or any political subdivision of this state, including school districts and charter schools, to accept a consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques in issuing the consular identification card. Policies JFAA and JFAB and the related exhibits include the necessary language for schools.

Biometric identification techniques include fingerprint identification and retina scans.

Policy Advisory No. 703

Policy JFB – Open Enrollment

Substantive changes were made to A.R.S. 15-816.01 in House Bill 2898 pertaining to open enrollment. The required information is included in Policy JFB to clarify the statutory requirements set forth for open enrollment programs.

Policy Advisory No. 704 DELETE

**Regulation JICA-RB — Student Dress
(Cloth Face Coverings)**

See Policy Advisory 687 discussion.

Policy Advisory No. 705

Policy JK— Student Discipline

Policy Advisory No. 706

Policy JKD— Student Suspension

Policy Advisory No. 707

Policy JKE— Student Expulsion

The above three policy advisories are based on changes to statute contained in House Bill 2123 pertaining to suspension and expulsion of students in kindergarten and grades one through four.

Language regarding district regulation of off-campus student speech is added to Policy JK in response to the recent Supreme Court decision in *Mahanoy Area School District v. B.L.*, 594 U.S. ____ (2021). In *Tinker v. Des Moines School Dist.*, 393 U.S. 503 (1969), the Court ruled that districts may regulate on-campus speech that “materially disrupts classwork or involves substantial disorder or invasion of the rights of others.” In *Mahanoy*, the Court writes that district “regulatory interests remain significant in some off-campus circumstances.” Districts should confer with their attorney for guidance when questions arise about specific situations.

Policy Advisory No. 708

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

House Bill 2898 enacted a new statute, A.R.S. 15-342.05, which prohibits school districts and charter schools from requiring face coverings for students and staff during school hours and on school property and provides that a school district or charter school may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction. Appropriate changes have been made in Policy JLCB and Regulation JLCB-R. Exhibit JLCB-E has been updated to include the 2021-2022 requirements.

Policy Advisory No. 709

Policy JLF— Reporting Child Abuse/Child Protection

Senate Bill 1114 has added A.R.S. 15-160.01, describing the required posting related to suspected abuse and neglect of children, instructions to call 911, and directions for accessing the website of the Department of Child Safety for information on reporting child abuse, child neglect and the exploitation of children.

Policy Advisory No. 710

Policy KB — Parental Involvement in Education

Language was altered in A.R.S. 15-102, Parental involvement in the school, by House Bill 2035 which modifies the language pertaining to instruction, learning materials or presentations regarding sexuality, in courses other than formal sex education curricula.

Policy KB includes this language which requires parents to opt their children in to any such instruction, learning materials, or presentations. It also reiterates language added to A.R.S. 15-113 requiring parental consent before providing sex education instruction to the student.

Policy Advisory No. 711 DELETE

Regulation KI-RB — Visitors to Schools (Cloth Face Coverings)

See Policy Advisory 687 discussion.

=====

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

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

**BDF ©
ADVISORY COMMITTEES**

The Board may, by majority vote, appoint ad hoc committees when deemed advisable. Recommendations of such committees cannot be binding on the Board; they may be advisory only. These committees will be responsible for presenting to the Board recommendations for action based on research and facts. Any such committee shall automatically be dissolved upon completion of its assignment.

If the Board creates an advisory committee or directs that an advisory committee be created or appoints members to an advisory committee, and that advisory committee has the specific purpose of making a recommendation concerning a decision to be made or considered or a course of conduct to be taken or considered by the public body, that committee is considered a subcommittee of the public body and is subject to the conditions of Arizona's Open Meeting Law.

The Governing Board President shall develop guidelines for each committee. These guidelines shall be approved by the Board prior to the first meeting of each committee and will include, but not necessarily be limited to, the following:

- A. A written, specific statement of the purpose of the committee.
- B. The dates on which interim and final reports of the committee are to be rendered.
- C. The date or event upon which the committee will be terminated.
- D. The extent to which facilities, supplies, equipment, and clerical support will be provided to each committee.

The Superintendent will ensure that the following actions are taken for each committee established by the Board:

- A. Each committee member will be briefed on the requirements of the Arizona Open Meeting Law (A.R.S. 38-431) as it applies to committees of the Board.
- B. Notices and agendas of all meetings of the committee will be posted.
- C. All meetings will be open for public attendance.
- D. If an executive session is authorized, all applicable requirements as presented in Policy BEC, Executive Sessions/Open Meetings will be followed.
- E. Minutes will be taken and made available for public inspection three (3) working days after the meeting.

A representative of the Board and the Superintendent will serve as ex-officio members of all advisory committees.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

38-431 *et seq.*

CROSS REF.:

BEC - Executive Sessions/Open Meetings

**BEDD ©
RULES OF ORDER**

The Board prescribes rules for its meetings as follows:

- A. It shall hold a regular meeting at least once each month during the regular school year and may hold other meetings as often as called.
- B. Each action item shall require a motion, and all motions shall require seconding.
- C. The President may make or second motions and may vote on all motions.
- D. A motion to adjourn is in order at any time. Such a motion shall require a second and a majority vote. No discussion is in order.
- E. A motion to table is in order at any time. Such a motion requires a second and is limited to being considered only once on any given agenda item. No discussion is in order.
- F. Rules of order may be subject to suspension only upon a majority vote of the members of the Board present at a meeting.
- G. The Governing Board President may recess the meeting without a vote of the Governing Board in order to maintain decorum and Governing Board meeting rules of order.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.
15-321
15-341

CROSS REF.:

BED - Meeting Procedures/Bylaws
BEDA - Notification of Board Meetings
BEDB - Agenda
BEDBA - Agenda Preparation and Dissemination
BEDC - Quorum
BEDF - Voting Method
BEDG - Minutes
BEDH - Public Participation at Board Meetings
BGF - Suspension/Repeal of Policy

**BEDH ©
PUBLIC PARTICIPATION AT
BOARD MEETINGS**

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

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

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

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

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

D. Personal attacks upon Board members, staff personnel, or other persons in attendance or absent by individuals who address the Board are discouraged. Policies KE, KEB, KEC, and KED are provided by the Board for disposition of legitimate complaints, including those involving individuals. Upon conclusion of the open call to the public, individual members of the Board may respond to any criticism made by an individual who has addressed the Board.

E. Presentations for unsolicited services will not be permitted. Companies or businesses offering services of possible interest to the District should send information to the District Office for distribution to appropriate School District Officials.

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

Adopted: <-- z2AdoptionDate -->

**BIB ©
BOARD MEMBER DEVELOPMENT
OPPORTUNITIES**

Governing Board members are encouraged to attend workshops presented by the county, state, and national school boards associations. Professional journals and books in the school libraries shall be available to every Board member.

No public monies can be used for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity or sex. This does not include any training on sexual harassment.

Blame or judgment on the basis of race, ethnicity or sex is defined in the statute by seven (7) concepts.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-342

41-1494

BIB-R ©

REGULATION

**BOARD MEMBER DEVELOPMENT
OPPORTUNITIES**

“Blame or judgment on the basis of race, ethnicity or sex” is defined in statute by the following concepts:

1. One race, ethnic group or sex is inherently morally or intellectually superior to another race, ethnic group or sex.
2. An individual, by virtue of the individual's race, ethnicity or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously.
3. An individual should be invidiously discriminated against or receive adverse treatment solely or partly because of the individual's race, ethnicity or sex.
4. An individual's moral character is determined by the individual's race, ethnicity or sex.
5. An individual, by virtue of the individual's race, ethnicity or sex, bears responsibility for actions committed by other members of the same race, ethnic group or sex.
6. An individual should feel discomfort, guilt, anguish or any other form of psychological distress because of the individual's race, ethnicity or sex.
7. Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race, ethnic group or sex to oppress members of another race, ethnic group or sex.

**DIE ©
AUDITS / FINANCIAL MONITORING**

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

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

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

The Governing Board shall publicly accept all audits and compliance questionnaires by roll call vote.

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

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-213

15-239

15-914

15-2111

41-1279.03

41-1279.04

41-1279.05

41-1279.07

41-1279.21

41-1279.22

A.A.C.

R7-2-902

USFR – Audit Requirements

2 CFR Part 200 Appendix XI, Compliance Supplement

CROSS REF.:

DICA - Budget Format

**DJ ©
PURCHASING**

(Purchasing Ethics Policy)

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

The Governing Board may provide food and beverages at School District events, including official school functions and trainings, as allowed by the Arizona Constitution and policies of the Department of Education.

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

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

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

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

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-213

15-323

38-503

38-504

Article IX, section 7, Constitution of Arizona (laws pertaining to travel and subsistence, gifts, grants, including federal grants, or devises)

Policies adopted by the Department of Education

CROSS REF.:

DJE - Bidding/Purchasing Procedures

GBEAA - Staff Conflict of Interest

**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.

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: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-106

28-857

28-3228

A.A.C.

R17-4-508 *et seq.*

CROSS REF.:

GBEFA - Staff Use of Digital Wireless Communications or
Electronic Devices While Operating a Motor Vehicle

GDFA - Support Staff Qualifications and Requirements
(fingerprinting requirements)

GBGB-R ©

REGULATION

**STAFF PERSONAL SECURITY
AND SAFETY**

Threats

Any employee who is threatened with harm by an individual or a group while carrying out assigned duties shall immediately notify the school principal or supervisor. The principal or supervisor shall then immediately notify the Superintendent's office of the threat and together they shall take immediate steps in cooperation with the employee to provide every reasonable precaution for the employee's safety. Precautionary steps, including any advisable legal action, shall be reported to the Superintendent's office at the earliest possible time.

Eye Protective Devices

Every student, teacher, and visitor in public schools shall wear appropriate eye protective ware while participating in or when observing vocational, technical, industrial arts, art, or laboratory science activities involving exposure to:

- A. Molten metals or other molten materials.
- B. Cutting, shaping, and grinding of materials.
- C. Heat treatment, tempering, or kiln firing of any metal or other materials.
- D. Welding fabrication processes.
- E. Explosive materials.
- F. Caustic solutions.
- G. Radiation materials.

The Board shall equip the schools with eye protective ware.

Schools may receive and expend federal, state, and local monies to provide eye protective devices.

For purposes of this procedure, *eye protective ware* means devices meeting the standards of the U.S.A. Standard Safety Code for head, eye, and respiratory protection, Z21-1959, and subsequent revisions thereof, approved by the United States of America Standards Institute, Inc.

Cloth Face Coverings / Covid-19 Vaccine

As stipulated in A.R.S. 15-342.05, a school district or charter school may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

~~All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a cloth face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District buses or vehicles rented or leased by the District.~~

~~Cloth face coverings should not be worn by:~~

- ~~A. Children under the age of two (2);~~
- ~~B. Anyone who has trouble breathing;~~
- ~~C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.~~

~~The Superintendent may make exceptions to the requirement to wear a cloth face covering while keeping in mind the health and safety of everyone involved.~~

~~Cloth face coverings are to fully cover a person's nose and mouth, ideally fitting snugly but comfortably against the sides of the face and under the chin. They are to remain affixed in place without the use of one's hands and are to not have holes. They are to be laundered regularly or disposed of appropriately.~~

~~A cloth face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their cloth face covering and to wash their hands frequently. To ensure the proper use of cloth face coverings, staff and students are to be educated on how to wear and care for their cloth face coverings.~~

**GCB ©
PROFESSIONAL STAFF
CONTRACTS AND COMPENSATION**

Salaries in the District will be differentiated in relationship to duties and responsibilities.

The Superintendent will provide recommendations on salaries and fringe benefits to the Board.

The Board at any time may establish, within the budgetary constraints of the District, the salaries and benefits for all employees necessary for the succeeding year.

Every fiscal year, each School District employee will be provided a total compensation statement that is broken down by category of benefit or payment and that includes, for that employee, at least all of the following:

- A. Base salary and any additional pay.
- B. Medical benefits and the value of any employer-paid portions of insurance plan premiums.
- C. Retirement benefit plans, including social security.
- D. Legally required benefits.
- E. Any paid leave.
- F. Any other payment made to or on behalf of the employee.
- G. Any other benefit provided to the employee.

Subject to the terms of employment contracts, the Governing Board at any time may reduce salaries or eliminate certificated teachers in the District in order to effectuate economies in the operation of the District or to improve the efficient conduct and administration of the District's schools. Notice of a general salary reduction shall be given each certificated teacher affected. These provisions do not apply to salary reductions from classroom site fund money.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-341

15-502

15-503

15-544

15-952

15-977

CROSS REF.:

GCF - Professional Staff Hiring

GCO - Evaluation of Professional Staff Members

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

**GCF ©
PROFESSIONAL STAFF HIRING**

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

Before employing a certificated or noncertificated person, school districts and charter schools shall conduct a search of the prospective employee on the educator information system that is maintained by the Department of Education.

A school district or charter school may not employ either of the following in a position that requires a valid fingerprint clearance card:

A. A certificated person whose certificate has been suspended, surrendered or revoked, unless the State Board of Education has subsequently reinstated the person's certificate.

B. A noncertificated person who has been prohibited from employment at a school district or charter school by the State Board of Education pursuant A.R.S. 15-505.

Each school district and charter school shall annually submit to the Department of Education a list of certificated and noncertificated persons who are employed at the school district or charter school. The department shall issue guidance to school districts and charter schools regarding this requirement.

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

A. There will be no discrimination in the hiring process due to race, color, religion, sex, age, national origin, or disability of an otherwise qualified individual.

B. Candidates for professional positions shall be qualified for and have the training necessary to perform the instructional duties or functions for which they have applied.

C. Each candidate shall provide evidence of meeting state requirements for certification.

D. Each candidate shall be requested to complete a consent-and-release form regarding conduct of a background investigation.

E. A "background investigation" - consisting of communication with the applicant's (or employee's) former employer that concerns education, training, experience, qualifications, and job performance for the purpose of evaluation for employment - shall be conducted on each individual to be considered for a recommendation of employment. Forms developed for this purpose are to be used.

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

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

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

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

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

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

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

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

A professional candidate's acceptance of a contract offer must be indicated within _____ (_____) days from the date of the written contract or the offer is revoked. Written notice of the deadline date for acceptance shall be included in the contract offer or an attachment to the contract offer. The candidate accepts the contract by signing the contract and returning it to the Governing Board or by making a written instrument which accepts the terms of the contract and delivering it to the Governing Board. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the candidate fails to accept the contract.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

13-3716

15-153

15-502

15-503

15-505

15-512

15-536

15-538.01

15-539

15-550

23-211

23-212

23-1361

38-201

38-231

38-232

38-766.01

41-1750

41-1756

CROSS REF.:

GCB - Professional Staff Contracts and Compensation

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

GCO - Evaluation of Professional Staff Members

**GCH ©
PROFESSIONAL / SUPPORT STAFF
ORIENTATION AND TRAINING**

The Superintendent will establish a program to provide orientation for all new District employees. At a minimum, this program will cover the following items:

- A. Goals, objectives, and programs of the District.
- B. Personnel policies.
- C. Sexual harassment.
- D. Terms of employment.
- E. General disciplinary rules and procedures.
- F. Salary and fringe-benefit plans.
- G. Self-improvement opportunities.
- H. The evaluation program and name(s) of evaluator(s).
- I. Handling of body fluids.
- J. Child abuse reporting responsibilities.

School districts and charter schools may not require an employee to engage in and shall not use public monies for training, orientation or therapy that presents any form of blame or judgment on the basis of race, ethnicity, or sex. This does not preclude any training on sexual harassment or lessons on recognizing and reporting abuse.

"Blame or judgment on the basis of race, ethnicity or sex" is defined in A.R.S.15-717.02 by seven (7) concepts.

For each violation of A.R.S.15-717.02, including subsequent or continued violations, a court may impose a civil penalty not to exceed five thousand dollars (\$5,000) per school district, charter school or state agency where the violation occurs.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-153

15-341

41-1494

CROSS REF.:

IHAMD - Instruction and Training in Suicide Prevention

**GDB ©
SUPPORT STAFF CONTRACTS
AND COMPENSATION**

Support staff members are all employees of the District who are not required by state law or by a District policy, regulation, or job description to possess *teaching certificates* from the Arizona Department of Education for the purpose of performing their jobs, unless they are expressly designated as professional staff members in notices of employment or contracts executed by the Governing Board.

Employment Status

All support personnel are either term employees or at-will employees of the District.

Term employee. A term employee is a support staff member who is employed by the District pursuant to a written contract that specifies the duration of the employment contract, which shall not exceed one (1) year. All support staff members who are not term employees are at-will employees.

At-will employee. An at-will employee is a support staff member who is employed by the District for no specific term and who has no right of continued employment. The employment of an at-will employee may be terminated by action of the Governing Board without advance notice. No employee or Governing Board member shall have the authority to make any agreement or contract to the contrary or any agreement with an at-will employee for any specified period of time. No District policy or regulation or item within the District's handbook is intended to - and shall not operate to - create any property or contract rights inconsistent with the at-will employment status of support staff members.

Compensation

The Board will determine salaries and benefits of support staff employees, differentiated on the basis of duties and responsibilities.

Every fiscal year, each School District employee will be provided a total compensation statement that is broken down by category of benefit or payment and that includes, for that employee, at least all of the following:

- A. Base salary and any additional pay.
- B. Medical benefits and the value of any employer-paid portions of insurance plan premiums.
- C. Retirement benefit plans, including social security.
- D. Legally required benefits.
- E. Any paid leave.

F. Any other payment made to or on behalf of the employee.

G. Any other benefit provided to the employee.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-341

15-502

A.A.C.

R7-2-601 *et seq.*

CROSS REF.:

GDQB - Resignation of Support Staff Members

**GDF ©
SUPPORT STAFF HIRING**

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

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

Before employing a certificated or noncertificated person, school districts and charter schools shall conduct a search of the prospective employee on the educator information system that is maintained by the department of education.

A school district or charter school may not employ either of the following in a position that requires a valid fingerprint clearance card:

A. A certificated person whose certificate has been suspended, surrendered or revoked, unless the State Board of Education has subsequently reinstated the person's certificate.

B. A noncertificated person who has been prohibited from employment at a school district or charter school by the State Board of Education pursuant to subsection b of this section.

Each school district and charter school shall annually submit to the Department of Education a list of certificated and noncertificated persons who are employed at the school district or charter school. The department shall issue guidance to school districts and charter schools regarding this requirement.

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

A. There will be no discrimination in the hiring process due to race, color, religion, sex, age, national origin, or disability of an otherwise qualified individual.

B. Candidates for all positions shall be physically and mentally able to perform the duties of the position job descriptions for which they have applied.

C. Each candidate shall be requested to complete a consent-and-release form regarding conduct of a background investigation.

D. A "background investigation" - consisting of communication with the applicant's (or employee's) former employer that concerns education, training, experience, qualifications, and job performance for the purpose of evaluation for employment - shall be conducted on each individual to be considered for a recommendation of employment. Forms developed for this purpose are to be used.

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

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

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

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

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

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

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

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

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

13-3716

15-153

15-502

15-505

15-512

23-211

23-212

23-1361

38-201

38-481

41-1756

CROSS REF.:

GDFA - Support Staff Qualifications and Requirements
(fingerprinting requirements)

**IC ©
SCHOOL YEAR**

The school year shall be not less than one hundred eighty (180) instructional days.

Each instructional day shall consist of not less than the minimum amount of time prescribed in A.R.S. 15-901 for each respective program level. ~~Variance from this requirement may be sought under A.R.S. 15-861~~

The school district or charter school may satisfy any of the time and hours requirements prescribed in statute in any manner prescribed in the district's or charter school's instructional time model adopted under section 15-901.08.

Except as may be otherwise authorized by the Superintendent of Public Instruction to accommodate a year-round school operation or as otherwise prescribed under an instructional time model adopted pursuant to A.R.S. 15-901.08, the school year begins July 1 and ends June 30, and a school month is twenty (20) school days or four (4) weeks of five (5) days each.

Notwithstanding any other law, for the purposes of meeting the instructional time and instructional hours requirements prescribed in A.R.S. 15-808 and A.R.S. 15-901, a school district governing board, after at least two (2) public hearings in the school district, or a charter school governing body for one (1) or more schools may adopt any instructional time models (ITM) as prescribed in A.R.S. 15-901 to meet the minimum annual instructional time and instructional hours requirements prescribed in A.R.S. 15-808 and A.R.S. 15-901 for all of the purposes described in A.R.S. 15-901.08.

The Board shall establish the school calendar each year after recommendations from the Superintendent.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-341.01 (Laws 2000, 5th S.S., Ch 1 § 54)

15-801

15-854

15-855

~~15-861~~

15-881

15-901

15-901.08

**IHA ©
BASIC INSTRUCTIONAL PROGRAM**

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

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

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

The instructional program will ensure that on or before July 1, 2021~~2~~, 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.

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 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: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

1-319

15-203

15-211

15-219

15-341

15-501.01

15-701

15-701.01

15-704

15-710

15-741.01

15-802

A.A.C.

R7-2-301 *et seq.*

CROSS REF.:

IJNDB - Use of Technology Resources in Instruction

IHA-E ©

EXHIBIT

BASIC INSTRUCTIONAL PROGRAM

Reading

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

- A. select and administer screening, ongoing diagnostic and classroom based instructional reading assessments, including motivational assessments, as defined by the State Board of Education;
- B. conduct a curriculum evaluation;
- C. adopt a scientifically based reading curriculum including the essentials of reading instruction;
- D. provide ongoing teacher training based on scientifically based reading research;
- E. devote reasonable amounts of time to explicit instruction and independent reading;
- F. provide intensive reading instruction as defined by the State Board of Education to each student who does not meet or exceed the Arizona standards; and
- G. review its reading program and take corrective action as specified by the State Board of Education whenever more than twenty percent (20%) of the third (3rd) grade students do not meet the Arizona standards.
- H. ensure that on or before July 1, 202~~12~~¹², at least one (1) kindergarten through third (K-3) grade teacher in each school has received training related to dyslexia that complies with the requirements prescribed in A.R.S. 15-219 and A.R.S. 15-501.01 which includes enabling teachers to understand and recognize dyslexia and to implement structured literacy instruction that is systematic, explicit, multisensory and evidence-based to meet the educational needs of students with dyslexia.
- I. ensure that, within forty-five (45) calendar days after the beginning of each school year or within forty-five (45) calendar days after a student enrollment occurs after the first (1st) day of school, every student who is enrolled in a kindergarten program or grade one in a public school in this state is screened for indicators of dyslexia, using the Department of Education (D.O.E.) dyslexia screening plan (the screening for indicators of dyslexia may be integrated with reading proficiency screenings as prescribed by the D.O.E.);

J. provide notifications to parents of students who are identified as having indicators of dyslexia based on a screening for indicators; and

K. ensure that screening for indicators of dyslexia includes phonological and phonemic awareness, rapid naming skills, correspondence between sounds and letters, nonsense word repetition, and sound symbol recognition.

**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.

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 districts 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.

Grades K-8:

- ~~A. Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law.~~
- ~~B. Prior to offering sex education, the Board shall establish an *ad hoc* advisory committee with membership representative of the District's 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.~~
- ~~C. The Board shall review the total instructional materials for lessons presented for approval.~~
- ~~D. The Board shall publicize and hold at least two (2) public hearings for the purpose of receiving public input at least one (1) week prior to the Board meeting at which sex education lessons will be considered for approval.~~
- ~~E. The Board shall maintain for viewing by the public the total instructional materials to be used in approved sex education lessons within the District.~~
- ~~F. The Superintendent shall, before recommending the offering of instruction in sex education, develop and implement regulations that meet the requirements of Arizona regulatory and statutory law.~~
- ~~G. If sex education is offered in grades seven (7) and eight (8) the curricula shall include instruction on the laws relating to sexual conduct with a minor.~~

~~Grades 9-12:~~

- ~~A. Instruction in sex education may be offered in the District in conformity with the requirements of Arizona law.~~
- ~~B. The Governing Board shall review the total instructional materials and approve all lessons in the course of study to be offered in sex education.~~
- ~~C. The Board shall maintain for viewing by the public the total instructional materials to be used in all high school sex education courses to be offered.~~
- ~~D. If sex education is offered, the curricula shall include instruction on the laws relating to sexual conduct with a minor.~~

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: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-115

15-341

15-711

15-716

A.A.C.

R7-2-303

Note: This material is written for informational⁹³ purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

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 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 ~~K~~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-eighth (1/8th) of the school year for grades kindergarten (K) through four (4).~~

4. 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 ~~K~~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.

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.

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

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

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

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

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

Student Identification Cards

The District shall include at least one (1) of the following on each new identification card issued to a student in grades nine (9) through twelve (12).

- A. The telephone number for a national suicide prevention lifeline.
- B. The telephone number for a national network of local crisis centers.
- C. A statement describing how to access a text-based emotional support service.
- D. The telephone number for a local suicide prevention hotline.

The District may include the information described by printing the information on, or by affixing a sticker that contains the information to, the identification cards.

Adopted: <-- z2AdoptionDate -->

LEGAL REF:

A.R.S.

15-120

15-160

15-341

15-701.01

CROSS REF.:

IKF - Graduation Requirements

Note: This material is written for informational⁹⁹ purposes only, and not as legal advice. You may wish to consult an attorney for further explanation.

IJ © INSTRUCTIONAL RESOURCES AND MATERIALS

Supplies

All students in the elementary (K-8) schools will have required textbooks and supplies furnished by the District.

The Governing Board shall furnish free required textbooks and related printed subject matter materials for high school students in grades nine (9) through twelve (12).

"Textbook" means printed instructional materials or digital content, or both, and related printed or nonprinted instructional materials, that are written and published primarily for use in school instruction and that are required by a state educational agency or a local educational agency for use by pupils in the classroom, including materials that require the availability of electronic equipment in order to be used as a learning resource.

A student or parent may purchase, at the price paid for the books, such books as are necessary for high school students. Students and their parents shall be held responsible for proper care of books and school property. Books must be kept clean and unmarked. Parents may be required to pay for any damage to school property.

The Superintendent is authorized to establish a replacement-fee schedule and make it available to students, staff members, and parents. Students and parents will be advised of this replacement-cost policy upon enrollment or at the beginning of each school year.

The District shall obtain signed, written consent from a student's parent or guardian before using video, audio or electronic materials that may be inappropriate for the age of the student.

Access to Instructional Material by Parents and Guardians

The Superintendent shall establish procedures that permit parents or guardians of students enrolled in the District to have advance access to the instructional materials, learning materials and activities currently used by, or being considered for use by, the District in accordance with the terms of this policy. A parent who objects to any learning material or activity on the basis that the material or activity is harmful, because of sexual content, violent content, or profane or vulgar language, may request to withdraw that student from the activity or from the class or program in which the material is used and request an alternative assignment.

The request by the parent or guardian must be in writing and must specify the materials that the parent or guardian wishes to review.

Such procedures shall make available at least one (1) copy of the materials for review by the parents or guardians. Printed textbooks, printed supplementary books, and printed subject-matter materials may be checked out from the District premises by parents or guardians for periods not to exceed forty-eight (48) hours. All other materials, including films, may be reviewed only on the District premises.

Parents or guardians will be notified when and where the instructional materials may be picked up or reviewed. Materials will be made available on a first-come, first-served basis.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-102

15-113

15-341

15-342

15-721 to 15-730

CROSS REF.:

ABA - Community Involvement in Education

IJND - Technology Resources

KB - Parental Involvement in Education

IJJ ©
TEXTBOOK / SUPPLEMENTARY
MATERIALS
SELECTION AND ADOPTION

The Board will approve and adopt all new textbooks and supplementary books. The Superintendent shall establish textbook selection procedures that shall provide for the appropriate involvement of staff members, students, and community members. These procedures may provide for the establishment of textbook selection committees. Recommendations from textbook selection committees will be forwarded to the Superintendent.

Textbooks and supplementary books for common schools recommended by textbook selection committees will be placed on display in the District office for a period of at least sixty (60) days prior to the meeting at which the Board will consider their adoption.

Textbooks for high schools recommended by textbook selection committees will be placed on display in the District office for a period of at least sixty (60) days prior to the meeting at which the Board will consider their adoption. Information related to high school textbooks, which are proposed for approval, shall be placed on the District website.

In recommending books, the committees will strive for continuity of textbooks throughout the different grades and use the same book series in all classes of the same grade.

"Textbook" means printed instructional materials or digital content, or both, and related printed or nonprinted instructional materials, that are written and published primarily for use in school instruction and that are required by a state educational agency or a local educational agency for use by pupils in the classroom, including materials that require the availability of electronic equipment in order to be used as a learning resource.

Objectives of Selection

It is the responsibility of the school textbook committees to:

- A. Recommend resources that will support and enrich the curriculum, taking into consideration the varied interests, abilities, learning styles, and maturity levels of students served.
- B. Recommend resources that will stimulate growth in factual knowledge, critical analysis of differing sides of issues, literary appreciation, aesthetic values, and recognition of various societal values.
- C. Place principle above personal opinion and reason above prejudice in the recommendation of resources of the highest quality in order to assure a comprehensive collection of resources appropriate for the complete education of all students.

The Superintendent will establish procedures for the purchase and distribution of all necessary textbooks, supplemental books, and other related instructional materials from the adopted list free of cost to students.

Removal of Textbooks/Supplementary Materials

Textbook selection committees may recommend to the Superintendent that certain previously adopted textbooks or supplementary materials be deleted from the Board-approved list. Textbooks and supplementary materials will not be deleted without the approval of the Board.

Disposal of Learning Materials

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

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-203

15-342

15-721

15-722

15-726

CROSS REF.:

DN - School Properties Disposition

IJL - Library Materials Selection and Adoption

KEC - Public Concerns/Complaints about Instructional Resources

IKE-RB ©

REGULATION

**PROMOTION AND RETENTION
OF STUDENTS**

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

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

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

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

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

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

B. The Governing Board may promote from the third (3rd) grade a pupil who does not demonstrate sufficient reading skills if the pupil:

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

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

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

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

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

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

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

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

- A. A requirement the student be assigned for evidence-based reading instruction by a different teacher who was designated in that teacher's most recent performance evaluation in one (1) of the top two (2) performance classifications pursuant to section 15-203.
- B. Summer school reading instruction.
- C. Intensive reading instruction in the next academic year that occurs before, during, or after the regular school day, or any combination of before, during and after the regular school day.
- D. Small group and teacher-led evidence-based reading instruction, which may include computer-based or online reading instruction.
- E. A requirement that a school district governing board or charter school governing body that promotes a pupil pursuant to the above provide annual reporting to the Department of Education on or before October 1 that includes information on the total number of pupils subject to the retention provisions of Policy IKE and this regulation, the total number of students promoted pursuant to Policy IKE and this regulation, the total number of pupils retained in grade three (3) and the interventions administered.

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

- A. Provide for universal screening of pupils in preschool programs, kindergarten programs and grades one (1) through three (3) that is designed to identify students who have reading deficiencies in accordance with A.R.S. 15-704.
- B. Develop interventions and remedial strategies for pupils in kindergarten programs and grades one (1) through three (3) who are identified as having reading deficiencies pursuant to section 15-704.

**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 in the formation of the values 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.

A teacher, administrator or other employee of a school district or charter school who is involved with students and teachers in grades preschool through the twelfth grade (PK-12) may not use public monies for instruction that presents any form of blame or judgment on the basis of race, ethnicity, or sex.

A teacher, administrator or other employee of a school district or charter school who is involved with students and teachers in grades preschool through the twelfth grade (PK-12) may not allow instruction or make part of a course the following concepts:

A. One race, ethnic group or sex is inherently morally or intellectually superior to another race, ethnic group or sex.

B. An individual, by virtue of the individual's race, ethnicity or sex, is inherently racist, sexist or oppressive, whether consciously or unconsciously.

C. An individual should be invidiously discriminated against or receive adverse treatment solely or partly because of the individual's race, ethnicity or sex.

D. An individual's moral character is determined by the individual's race, ethnicity or sex.

E. An individual, by virtue of the individual's race, ethnicity or sex, bears responsibility for actions committed by other members of the same race, ethnic group or sex.

F. An individual should feel discomfort, guilt, anguish or any other form of psychological distress because of the individual's race, ethnicity or sex.

G. Meritocracy or traits such as a hard work ethic are racist or sexist or were created by members of a particular race, ethnic group or sex to oppress members of another race, ethnic group or sex.

Adopted: <-- z2AdoptionDate -->

**JFAA ©
ADMISSION OF
RESIDENT STUDENTS**

A student who is a resident of the District and who meets the applicable age requirements established by state law shall be admitted without payment of tuition to the school in the attendance area in which the student resides and may be admitted as a resident transfer student to another school in the District in accordance with the District's open enrollment policy.

The following students are residents of the District:

A. A student who is in the legal custody of a natural or adoptive parent or other person to whom custody has been granted by a court order and who resides with the parent or other person in the District.

B. A student who is an emancipated minor and whose place of residence is in the District. When determining whether a minor is emancipated, the Superintendent will consider such factors as whether the student is married, financially independent, and residing away from the family domicile with parental consent.

C. A student who is eighteen (18) years of age or older and whose place of residence is in the District.

D. A student who is homeless, and who attended a school in the District at the time of becoming homeless.

E. A student who resides with a family member living in the District while awaiting the outcome of a legal guardianship or custody proceeding if the family provides written documentary proof in accord with 15-821(D).

F. A student whose parent is transferred to or is pending transfer to a military installation within this state while on active military duty pursuant to an official military order. The parent shall provide proof of residency in the District to the local education agency within ten (10) days after the arrival date provided on official documentation.

The residency of a student, natural or adoptive parent, or other person to whom custody of the student has been granted by court order shall be based upon evidence of the individual's physical presence and intent to remain in the District. Such evidence of residency may be determined by using the following verifiable documentation.

Verifiable Documentation

A.R.S. 15-802(B) requires school districts and charter schools to obtain and maintain verifiable documentation of Arizona residency upon enrollment in an Arizona public school.

The documentation required by A.R.S. 15-802 *must be provided each time a student enrolls in a school district or charter school in this state, and reaffirmed during the district or charter's annual registration process via the district or charter's annual registration form. The documentation supporting Arizona residency should be maintained according to the school's records retention schedule. PROOF OF RESIDENCY IS NOT REQUIRED FOR HOMELESS STUDENTS.*

In general, students will fall into one (1) of two (2) groups: 1) those whose parent or legal guardian is able to provide documentation bearing his or her name and address; and 2) those whose parent/legal guardian cannot document his or her own residence because of extenuating circumstances including, but not limited to, that the family's household is multi-generational. Different documentation is required for each circumstance.

Parent(s) or legal guardian(s) that maintains his or her own residence: The parent or legal guardian must complete and sign a form indicating his or her name, the name of the school district, school site, or charter school in which the student is being enrolled, and provide *one (1)* of the following documents, which bear the parent or legal guardian's full name and residential address or physical description of the property where the student resides (no P.O. Boxes):

- A. Valid Arizona driver's license, Arizona identification card
- B. Valid Arizona motor vehicle registration
- C. Valid Arizona Address Confidentiality Program (ACP) authorization card.

A public school shall accept the substitute address as the address of record and shall verify student enrollment eligibility through the Secretary of State. The Secretary of State shall facilitate the transfer of student records from one school to another.

- D. Property deed
- E. Mortgage documents
- F. Property tax bill
- G. Rental agreement or lease (including Section 8 agreement or off-base military housing)
- H. Utility bill (water, electric, gas, cable, phone)
- I. Bank or credit card statement
- J. W-2 wage statement
- K. Payroll stub
- L. Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe located in Arizona

M. Other documentation from a state, tribal, or federal agency (Social Security Administration, Veterans' Administration, Arizona Department of Economic Security, etc.)

N. A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card.

O. Temporary on-base billeting facility (for military families)

Parent(s) or legal guardian(s) that does not maintain his or her own residence: The parent or legal guardian must have an *affidavit of shared residency* form completed indicating his or her name, the name of the school district, school site, or charter school in which the student is being enrolled, and submit a signed, notarized affidavit bearing the name and address of the person who maintains the residence where the student lives attesting to the fact that the student resides at that address, along with a document from the bulleted list above bearing the name and address of the person who maintains the residence. (JFAA-EB)

Use of and Retention of Documents by Schools

School officials must *retain a copy* of the attestations or affidavits and copies of any supporting documentation presented for each student (photocopies acceptable) that school officials believe establish validity. Documents presented may be different in each circumstance, and unique to the living situation of the student. Documents retained by the school district or charter school may be used as an indicia of residency; however, documentation is subject to audit by the Arizona Department of Education. Personally identifiable information other than name and address (SSN, account numbers, etc.) should be redacted from the documentation either by the parent/guardian or the school official prior to filing.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-802

15-816 *et seq.*

15-821

15-823

15-823.01

15-824

41-166

41-5001

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

42 U.S.C. 11432

CROSS REF.:

IKEB - Acceleration

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

JFAA-EA ©

EXHIBIT

**ADMISSION OF
RESIDENT STUDENTS**

ARIZONA RESIDENCY DOCUMENTATION FORM

Student _____ School _____

School District or Charter Holder _____

Parent/Legal Guardian _____

As the Parent/Legal Guardian of the Student, I attest that I am a resident of the State of Arizona and submit in support of this attestation a copy of the following document that displays my name and residential address or physical description of the property where the student resides:

_____ Valid Arizona driver's license, Arizona identification card or motor vehicle registration

_____ Valid Arizona Address Confidentiality Program (ACP) authorization card

_____ Real estate deed or mortgage documents

_____ Property tax bill

_____ Residential lease or rental agreement

_____ Water, electric, gas, cable, or phone bill

_____ Bank or credit card statement

_____ W-2 wage statement

_____ Payroll stub

_____ Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe in Arizona

_____ Documentation from a state, tribal or federal government agency (Social Security Administration, Veteran's Administration, Arizona Department of Economic Security)

A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card.

_____ Temporary on-base billeting facility (for military families)

_____ I am currently unable to provide any of the foregoing documents. Therefore, I have provided an original affidavit signed and notarized by an Arizona resident who attests that I have established residence in Arizona with the person signing the affidavit. (JFAA-EB)

Signature of Parent/Legal Guardian

Date

**Arizona Department of Education
Arizona Residency Guidelines
REVISED April 24, 2019**

JFAA-EB ©

EXHIBIT

**ADMISSION OF
RESIDENT STUDENTS**

**STATE OF ARIZONA
AFFIDAVIT OF SHARED RESIDENCE**

Student Name: _____

Parent/Legal Guardian Name: _____

School Name: _____

School District or Charter Holder: _____

Name of Arizona Resident: _____

I, (resident name) _____, swear or affirm that I am a resident of the State of Arizona and that the persons listed below reside with me at my residence, described as follows:

Persons who reside with me: _____

Location of my residence: _____

I submit in support of this attestation a copy of the following document that displays my name and current residence address or physical description of my property:

_____ Valid Arizona driver's license, Arizona identification card or motor vehicle registration

_____ Valid Arizona Address Confidentiality Program (ACP) authorization card

_____ Real estate deed or mortgage documents

_____ Property tax bill

_____ Residential lease or rental agreement

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

_____ Water, electric, gas, cable, or phone bill

_____ Bank or credit card statement

_____ W-2 wage statement

_____ Payroll stub

_____ Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe in Arizona

_____ Documentation from a state, tribal or federal government agency (Social Security Administration, Veteran's Administration, Arizona Department of Economic Security)

A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card.

Printed Name of Affiant: _____

Signature of Affiant: _____

Acknowledgement

State of Arizona

County of _____

The foregoing was acknowledged before me this ____ day of _____, 20____,

By _____.

My Commission Expires _____

Notary Public

**Arizona Department of Education
Arizona Residency Guidelines
REVISED April 24, 2019**

**JFAB ©
TUITION / ADMISSION OF
NONRESIDENT STUDENTS**

For purposes of open enrollment a "nonresident pupil" means a student who resides in this state and who is enrolled in or is seeking enrollment in a school district other than the school district in which the student resides. A student who is not a resident of the District but is a resident of Arizona who meets the age and other requirements for open enrollment established by state law and District policy shall be admitted to a school without payment of tuition.

A student shall also be admitted to a school *without tuition* payment, if:

A. The student is the child of a United States resident who is not a resident of Arizona, if this is in the best interest of the student and the student is placed with a relative per A.R.S. 15-823 and the placement is not to avoid tuition payment.

B. The student is a resident of the United States and evidence indicates that because the parents are homeless or the child is abandoned, as defined in A.R.S. 8-201, the child's physical, mental, moral or emotional health is best served by placement with a person who does not have legal custody of the child and who is a resident within the school district, unless it is determined that the placement is solely for the purpose of obtaining an education in this state without payment of tuition. *PROOF OF RESIDENCY IS NOT REQUIRED FOR HOMELESS STUDENTS.*

C. The student presents a certificate of educational convenience issued by the County School Superintendent pursuant to A.R.S. 15-825.

D. The student is a child of a nonresident teaching or research faculty member of a community college district or state university or a nonresident graduate or undergraduate student of a community college district or state university whose parent's presence at the district or university is of international, national, state, or local benefit.

The District shall admit the following students, *charging tuition* as prescribed in statute:

A. The child of an Arizona resident who is not a resident of the District, if the District provides a high school and the student is a resident of an Arizona common school district that is not in a high school district and that does not offer instruction in the student's grade. Special circumstances may apply in accordance with A.R.S. 15-2041 after three hundred fifty (350) students have been admitted.

B. For an Arizona resident who is not a resident of the District, if the district of residence provides only financing for students who are instructed by another school district and for students from a unified district that does not offer instruction in the student's grade.

C. A pupil who is issued a certificate of educational convenience to attend school in the School District or adjoining the school district to that in which the pupil is placed by an agency of this state or a state or federal court of competent jurisdiction, as provided in A.R.S. 15-825.

The District shall admit a pupil who is the resident of a school district that has entered into a voluntary agreement with the District, charging tuition as agreed to in accordance with A.R.S. 15-824(E)(3).

The Governing Board may admit children who are residents of the United States, but who are nonresidents of this state, without payment of tuition if all of the following conditions exist:

A. The child is enrolled in a year-round residential boarding academy located in this state specializing in intensive instruction and skill development in sports, music or acting.

B. The child's parents have executed a current notarized guardianship agreement covering the child while enrolled at the academy, which is a condition of enrollment at the academy and authorizes academy representatives to act on the child's parent's or legal guardian's behalf in making all decisions on a daily basis as to the child's activities and needs for medical, educational and other personal issues.

The District may admit nonresident foreign exchange students without payment of tuition, or as it may otherwise prescribe.

The District shall not include in its student membership count students who are not Arizona residents. Unless authorized by statute, the District is prohibited from obtaining state funding for any student who is not a resident of the state.

"Residence" Defined

The residence of a student is the residence of the person having legal custody of the student, except as provided in A.R.S. 15-823 through A.R.S. 15-825.

Residency of the parent/guardian or surrogate may be determined by showing the individual's presence and intent to remain in the District. Documentation of residency may be determined by using the following verifiable documentation.

Verifiable Documentation

A.R.S. 15-802(B) requires school districts and charter schools to obtain and maintain verifiable documentation of Arizona residency upon enrollment in an Arizona public school.

The documentation required by A.R.S. 15-802 must be provided each time a student enrolls in a school district or charter school in this state, and reaffirmed during the district or charter's annual registration process via the district or charter's annual registration form. The documentation supporting Arizona residency should be maintained according to the school's records retention schedule.

In general, students will fall into one (1) of two (2) groups: 1) those whose parent or legal guardian is able to provide documentation bearing his or her name and address; and 2) those whose parent/legal guardian cannot document his or her own residence because of extenuating circumstances including, but not limited to, that the family's household is multi-generational. Different documentation is required for each circumstance.

Parent(s) or legal guardian(s) that maintains his or her own residence: The parent or legal guardian must have an *affidavit of shared residency* form completed indicating his or her name, the name of the school district, school site, or charter school in which the student is being enrolled, and provide *one (1)* of the following documents, which bear the parent or legal guardian's full name and residential address or physical description of the property where the student resides (no P.O. Boxes):

- A. Valid Arizona driver's license, Arizona identification card
- B. Valid Arizona motor vehicle registration
- C. Valid Arizona Address Confidentiality Program (ACP) authorization card.

A public school shall accept the substitute address as the address of record and shall verify student enrollment eligibility through the Secretary of State. The Secretary of State shall facilitate the transfer of student records from one school to another.

- D. Property deed
- E. Mortgage documents
- F. Property tax bill
- G. Rental agreement or lease (including Section 8 agreement or off-base military housing)
- H. Utility bill (water, electric, gas, cable, phone)
- I. Bank or credit card statement
- J. W-2 wage statement
- K. Payroll stub
- L. Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe
- M. Other documentation from a state, tribal, or federal agency (Social Security Administration, Veterans' Administration, Arizona Department of Economic Security, etc.)
- N. A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card.
- Q. Temporary on-base billeting facility (for military families)

Parent(s) or legal guardian(s) that does not maintain his or her own residence: The parent or legal guardian must complete and sign a form indicating his or her name, the name of the school district, school site, or charter school in which the student is being enrolled, and submit a signed, notarized affidavit bearing the name and address of the person who maintains the residence where the student lives attesting to the fact that the student resides at that address, along with a document from the bulleted list above bearing the name and address of the person who maintains the residence.

Use of and Retention of Documents by Schools

School officials must *retain a copy* of the attestations or affidavits and copies of any supporting documentation presented for each student (photocopies acceptable) that school officials believe establish validity. Documents presented may be different in each circumstance, and unique to the living situation of the student. Documents retained by the school district or charter school may be used as an indicia of residency; however, documentation is subject to audit by the Arizona Department of Education. Personally identifiable information other than name and address (SSN, account numbers, etc.) should be redacted from the documentation either by the parent/guardian or the school official prior to filing.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

8-201

15-802

15-816 through 15-816.07

15-821

15-823 through 15-825

41-166

41-5001

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

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

JFAB-EA ©

EXHIBIT

**TUITION / ADMISSION OF
NONRESIDENT STUDENTS**

ARIZONA RESIDENCY DOCUMENTATION FORM

Student _____ School _____

School District or Charter Holder _____

Parent/Legal Guardian _____

As the Parent/Legal Guardian of the Student, I attest that I am a resident of the State of Arizona and submit in support of this attestation a copy of the following document that displays my name and residential address or physical description of the property where the student resides:

_____ Valid Arizona driver's license, Arizona identification card or motor vehicle registration

_____ Valid Arizona Address Confidentiality Program (ACP) authorization card

_____ Real estate deed or mortgage documents

_____ Property tax bill

_____ Residential lease or rental agreement

_____ Water, electric, gas, cable, or phone bill

_____ Bank or credit card statement

_____ W-2 wage statement

_____ Payroll stub

_____ Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe in Arizona

_____ Documentation from a state, tribal or federal government agency (Social Security Administration, Veteran's Administration, Arizona Department of Economic Security)

A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card.

_____ Temporary on-base billeting facility (for military families)

_____ I am currently unable to provide any of the foregoing documents. Therefore, I have provided an original affidavit signed and notarized by an Arizona resident who attests that I have established residence in Arizona with the person signing the affidavit. (JFAB-EB)

Signature of Parent/Legal Guardian

Date

**Arizona Department of Education
Arizona Residency Guidelines
REVISED April 24, 2019**

JFAB-EB ©

EXHIBIT

**TUITION / ADMISSION OF
NONRESIDENT STUDENTS**

**STATE OF ARIZONA
AFFIDAVIT OF SHARED RESIDENCE**

Student Name: _____

Parent/Legal Guardian Name: _____

School Name: _____

School District or Charter Holder: _____

Name of Arizona Resident: _____

I, (resident name) _____, swear or affirm that I am a resident of the State of Arizona and that the persons listed below reside with me at my residence, described as follows:

Persons who reside with me: _____

Location of my residence: _____

I submit in support of this attestation a copy of the following document that displays my name and current residence address or physical description of my property:

_____ Valid Arizona driver's license, Arizona identification card or motor vehicle registration

_____ Valid Arizona Address Confidentiality Program (ACP) authorization card

_____ Real estate deed or mortgage documents

_____ Property tax bill

_____ Residential lease or rental agreement

_____ Water, electric, gas, cable, or phone bill

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

_____ Bank or credit card statement

_____ W-2 wage statement

_____ Payroll stub

_____ Certificate of tribal enrollment (506 Form) or other identification issued by a recognized Indian tribe in Arizona

_____ Documentation from a state, tribal or federal government agency (Social Security Administration, Veteran's Administration, Arizona Department of Economic Security)

A consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses biometric identity verification techniques, including fingerprint identification and retina scans, in issuing the consular identification card.

Printed Name of Affiant: _____

Signature of Affiant: _____

Acknowledgement

State _____ of _____ Arizona
County of _____

The foregoing was acknowledged before me this ____ day of _____, 20____,

By _____.

My Commission Expires _____

Notary Public

**Arizona Department of Education
Arizona Residency Guidelines
REVISED April 24, 2019**

**JFB ©
OPEN ENROLLMENT**

The District has an open-enrollment program as set forth in A.R.S. 15-816 and A.R.S.15-816.01 et seq. The open enrollment program described in this policy shall be placed on the District website and made available to the public on request.

No tuition shall be charged for open enrollment, except as authorized by applicable provisions of A.R.S. 15-764, 15-797, 15-823, 15-824, and 15-825.

School District policies shall include the information required by A.R.S. 15-816.01 (I) that is needed to request enrollment and that is consistent with guidance and state and federal law regarding pupil privacy and civil rights, and information regarding the provision of transportation or resources for transportation.

The policies must be easily accessible from the home page on each school's website and be available in English and in Spanish or in any other language used by a majority of the populations served by the school or School District.

A school district shall update on each school's website the school's capacity and whether the school is currently accepting open enrollment students, by grade level, at least once every twelve (12) weeks unless there are no changes to report for the individual school.

If a school has any other separate capacity by specialized program, the information required pursuant to this subsection shall also be posted by specialized program.

Schools shall accept pupils throughout the school year as capacity allows. Pupils who are denied access due to capacity shall be informed that they are on a wait list and of the details regarding the process prescribed in A.R.S. 15-816.01(E).

Pupils shall be selected as seats become available.

A school district shall enroll at any time any resident pupil who applies for enrollment to the school district.

A school district shall give enrollment preference to and reserve capacity for all of the following:

- A. Resident pupils.
- B. Pupils returning to the school from the prior year.
- C. Siblings of pupils already enrolled.

A school district may give enrollment preference to children who:

- A. Are in foster care.

B. Meet the definition of unaccompanied youth prescribed in the McKinney-Vento Homeless Assistance Act (P.L. 100-77; 101 Stat. 482; 42 United States Code Section 11434a).

C. Attend a school that is closing.

If a school remains open as part of a boundary change and capacity is available, students assigned to a new attendance area may stay enrolled in their current school.

A school district may give enrollment preference to and reserve capacity for all of the following:

A. Pupils who are children of persons who are employed by or at a school in the School District.

B. Resident transfer pupils and their siblings.

C. Pupils who meet additional criteria established and published by the School District Governing Board.

If remaining capacity at a school, as determined by the School District Governing Board, is insufficient to enroll all pupils who submit a timely request, the school or School District shall select pupils through an equitable selection process such as a lottery (but not limited to a lottery), except that preference shall be given to the siblings of a pupil selected through an equitable selection process such as a lottery.

Except as provided in A.R.S. 15-816.01, a school that is operated by a school district may not limit admission based on any of the following:

A. Ethnicity or race.

B. National origin.

C. Sex.

D. Income level.

E. Disability.

F. Proficiency in the English language.

G. Athletic ability.

Definition

Resident transfer pupil means a resident pupil who is enrolled in or seeking enrollment in a school that is within the school district - but outside the attendance area - of the pupil's residence.

Nonresident pupil means a pupil who resides in this state and who is seeking enrollment in a school district other than the school district in which the pupil resides.

Enrollment Options

District resident pupils may enroll in another school district. Nonresident pupils may enroll in schools within this District, subject to the procedures that follow.

Information and Application

The Superintendent shall prepare a written information packet concerning the District's application process, standards for acceptance or rejection, and policies, regulations, and procedures for open enrollment. The packet will be made available to everyone who requests it.

The information packet shall include the enrollment application form and shall advise applicants that they must submit enrollment applications on or before _____ of each year to be considered for enrollment during the following school year.

Capacity

The Superintendent shall annually estimate how much excess capacity may exist to accept transfer pupils. The estimate of excess capacity shall be made for each school and grade level and shall take into consideration:

- A. District resident pupils, including those issued certificates of educational convenience and those required to be admitted by statute.
- B. The enrollment of eligible children of persons who are employed by the District.
- C. Resident transfer pupils who were enrolled in the school the previous year.
- D. Nonresident pupils who were enrolled in the school the previous year.

The Governing Board shall make the final determination of excess capacity. The excess-capacity estimates shall be made available to the public in _____ of each year.

Enrollment Priorities

If the Governing Board has determined that there is excess capacity to enroll additional pupils, such pupils shall be selected on the basis of designated priority categories from the pool of pupils:

- A. Who have properly completed and submitted applications; and
- B. Who meet admission standards.

Enrollment priorities and procedures for selection shall be in the order and in accordance with the following:

A. Enrollment preference shall be given to resident transfer pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

B. Enrollment preference shall be given to nonresident pupils who were enrolled in the school the previous year and any sibling who would be enrolled concurrently with such pupils. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

C. Enrollment preference shall be given to resident transfer pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

D. Enrollment preference shall be given to nonresident pupils who were not enrolled in the school the previous year. If capacity is not sufficient to enroll all of these pupils, they shall be selected through a random selection process adopted by regulation of the Superintendent.

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

Admission Standards

A school district may refuse to admit any pupil who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.

Notification

The District shall notify the emancipated pupil, parent, or legal guardian in writing by _____ whether the applicant has been accepted, placed on a waiting list pending the availability of capacity, or rejected. The District shall also notify the resident school district of an applicant's acceptance or placement on a waiting list. If the applicant is placed on a waiting list, the notification shall inform the emancipated pupil, parent, or legal guardian of the date when it will be determined whether there is capacity for additional enrollment in a school. If the pupil's application is rejected, the reason for the rejection shall be stated in the notification.

As provided by A.R.S. 15-816.07, the District and its employees are immune from civil liability for decisions relative to the acceptance or rejection of the enrollment of a nonresident student when the decisions are based on good faith application of this policy and the applicable statutory requirements and standards.

Transportation of Students Admitted Through Open Enrollment

A resident transfer student is eligible for District transportation on routes within the attendance boundaries of the school to which the student has been accepted for open enrollment transfer. It is the responsibility of the parents or guardians of the resident transfer student to have the student at a designated pickup point within the receiving school's transportation area.

Nonresident open enrollment students are eligible for District transportation from a designated pickup point on a bus route serving the attendance area of the school to which the student has been admitted, or as may be otherwise determined by the District.

The District *may* provide transportation for open enrollment nonresident students who meet the economic eligibility requirements established under the national school lunch and child nutrition acts for free or reduced price lunches:

- A. of not more than ~~twenty (20)~~ thirty (30) miles to and from:
 - 1. the school of attendance, or
 - 2. a pickup point on a regular District transportation route, or
 - 3. for the total miles traveled each day to an adjacent district.

The District *shall* provide transportation for nonresident transfer students with disabilities whose individualized education program (IEP) specifies that transportation is necessary for fulfillment of the program:

- A. of not more than ~~twenty (20)~~ thirty (30) miles to and from:
 - 1. the school of attendance, or
 - 2. a pickup point on a regular District transportation route, or
 - 3. for the total miles traveled each day to an adjacent district.

Exception

Should there be excess capacity remaining for which no applications were submitted by the date established, the Superintendent, upon approval by the Board, shall authorize additional enrollment of nonresident pupils:

- A. Up to the determined capacity.
- B. On the basis of the order of the completed applications submitted after the notification date established in this policy.
- C. Without regard to enrollment preference.

D. As long as admission standards are met.

~~E. Whose applications are submitted by _____.~~

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

8-371

15-341

15-764

15-797

15-816 *et seq.*

15-823

15-824

15-825

15-841

15-922

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.:

EEAA - Walkers and Riders

IIB - Class Size

JF - Student Admissions

JFAA - Admission of Resident Students

JFAB - Admission of Nonresident Students

JFABD - Admission of Homeless Students

JFABDA - Admission of Students in Foster Care

JG - Assignment of Students to Classes and Grade Levels

JICA-RB-©

REGULATION

STUDENT DRESS

(Cloth Face Coverings)

~~All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a cloth face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District buses or vehicles rented or leased by the District.~~

~~Cloth face coverings should not be worn by:~~

- ~~A. Children under the age of two (2);~~
- ~~B. Anyone who has trouble breathing;~~
- ~~C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.~~

~~The Superintendent may make exceptions to the requirement to wear a cloth face covering while keeping in mind the health and safety of everyone involved.~~

~~Cloth face coverings are to fully cover a person's nose and mouth, ideally fitting snugly but comfortably against the sides of the face and under the chin. They are to remain affixed in place without the use of one's hands and are to not have holes. They are to be laundered regularly or disposed of appropriately.~~

~~A cloth face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their cloth face covering and to wash their hands frequently. To ensure the proper use of cloth face coverings, staff and students are to be educated on how to wear and care for their cloth face coverings.~~

**JK ©
STUDENT DISCIPLINE**

The Superintendent shall recommend policies and develop procedures for the discipline of students that comply with A.R.S. 15-843. These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity, or in any other situation in which the District may lawfully exercise its authority to discipline a student. When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

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

Unless required by A.R.S. 15-841(G), bringing a firearm to school, which may be modified on a case-by-case basis, a school district or charter school may out-of-school suspend or expel a pupil who is enrolled in kindergarten through fourth grade (K-4) only if all of the following apply:

A. The pupil is seven (7) years of age or older.

B. The pupil engaged in conduct on school grounds that meets one (1) of the following criteria:

1. Involves the possession of a dangerous weapon without authorization from the school.

2. Involves the possession, use or sale of a dangerous drug as defined in A.R.S. 13-3401 or a narcotic drug as defined in A.R.S. 13-3401 or a violation of A.R.S. 13-3411.

3. Immediately endangers the health or safety of others.

4. The pupil's behavior is determined by the School District Governing Board or Charter School Governing Body to qualify as aggravating circumstances and that all of the following apply:

a. The pupil is engaged in persistent behavior that has been documented by the school and that prevents other pupils from learning or prevents the teacher from maintaining control of the classroom environment.

b. The pupil's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with a school counselor, school psychologist or other mental health professional or social worker if available within the School District or Charter School or through a state sponsored program.

c. The pupil's parent or guardian was notified and consulted about the ongoing behavior.

d. Before a long-term suspension or expulsion, the school provides the pupil with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

C. Failing to remove the pupil from the school building would create a safety threat that cannot otherwise reasonably be addressed or qualifies as "aggravating circumstances."

D. Before suspending or expelling the pupil, the School District or Charter School considers and, if feasible while maintaining the health and safety of others, in consultation with the pupil's parent or guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the School District or Charter School, that are appropriate to the circumstances and that are considerate of health and safety. The School District or Charter School shall document the alternative behavioral and disciplinary interventions it considers and employs.

E. The School District or Charter School, by policy, provides for both:

1. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who have served at least five (5) school days of a suspension from the school that exceeds ten (10) school days to be considered for readmission on appeal of the pupil's parent or guardian.

2. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who are expelled from or subject to alternative reassignment at the school to be considered for readmission on appeal of the pupil's parent or guardian at least twenty (20) school days after the effective date of the expulsion or alternative reassignment.

"Aggravating circumstances" means the pupil is engaged in persistent behavior that:

A. Has been documented by the school.

B. Prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.

C. Is unresponsive to targeted interventions as documented through an established intervention process.

The principal of each school shall ensure that a copy of all rules pertaining to discipline, suspension, and expulsion of pupils are distributed to the parents of each pupil at the time the pupil is enrolled in school.

The principal of each school shall ensure that all rules pertaining to the discipline, suspension, and expulsion of pupils are communicated to students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

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

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

Temporary Removal

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

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

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

Confinement

If confinement is authorized by the Governing Board, in accordance with A.R.S. 15-843, the Superintendent shall ensure that disciplinary policies involving the confinement of pupils left alone in an enclosed space shall include the following:

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

Schools are not prohibited from adopting policies which include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others and defense of property (A.R.S. 15-843(B)(3)).

Threatened an Educational Institution

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

Regulating Off-Campus Speech

While the District may regulate certain types of off-campus student speech, it must be mindful of student rights of expression under the First Amendment.

Circumstances that may implicate the District's off-campus regulatory interests include, but are not limited to:

- A. Serious or severe bullying or harassment targeting particular individuals.
- B. Threats aimed at teachers or other students.
- C. The failure to follow rules concerning:
 - 1. Lessons.
 - 2. The writing of papers.
 - 3. The use of computers.
 - 4. Participation in other online school activities.
- D. Breaches of school security devices.

The District may take affirmative steps to work with the student, short of discipline, to engage in future respectful and accountable digital citizenship.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

13-403 *et seq.*

13-2911

13-3401

13-3411

15-105

15-341

15-342

15-841

15-842

15-843

15-844

CROSS REF.:

GBEB - Staff Conduct

JIC - Student Conduct

JKA - Corporal Punishment

JKD - Student Suspension

JKE - Expulsion of Students

JLDB - Restraint and Seclusion

**JKD ©
STUDENT SUSPENSION**

A student may be removed from contact with other students as a temporary measure.

The authority to suspend a student for up to ten (10) days, after an informal hearing is held, rests with the Superintendent, principal, or other school officials granted this power by the Governing Board of the School District. If a danger to students or staff members is present, the Superintendent may immediately remove the student from school, with prior contact with the parents and with a notice and hearing following as soon as practicable. Each suspension shall be reported to the Governing Board, within five (5) days, by the person imposing it. [A.R.S. 15-843]

In all cases, except summary suspension where a clear and present danger is evident, the student shall remain in school until applicable due process procedures are instituted. In *no* instance shall students be released early from school unless parents have been notified.

Suspension of pupils in a kindergarten program and grades one (1) through four (4) must comply with A.R.S. 15-843(K), as follows:

Unless required by A.R.S. 15-841(G), bringing a firearm to school, which may be modified on a case-by-case basis, a school district or charter school may out-of-school suspend or expel a pupil who is enrolled in kindergarten through fourth grade (K-4) only if all of the following apply:

A. The pupil is seven (7) years of age or older.

B. The pupil engaged in conduct on school grounds that meets one (1) of the following criteria:

1. Involves the possession of a dangerous weapon without authorization from the school.

2. Involves the possession, use or sale of a dangerous drug as defined in A.R.S. 13-3401, or a narcotic drug as defined in A.R.S. 13-3401 or a violation of A.R.S. 13-3411.

3. Immediately endangers the health or safety of others.

4. The pupil's behavior is determined by the School District Governing Board or Charter School Governing Body to qualify as aggravating circumstances and that all of the following apply:

a. The pupil is engaged in persistent behavior that has been documented by the school and that prevents other pupils from learning or prevents the teacher from maintaining control of the classroom environment.

b. The pupil's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with a school counselor, school psychologist or other mental health professional or social worker if available within the School District or Charter School or through a state sponsored program.

c. The pupil's parent or guardian was notified and consulted about the ongoing behavior.

d. Before a long-term suspension or expulsion, the school provides the pupil with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

C. Failing to remove the pupil from the school building would create a safety threat that cannot otherwise reasonably be addressed or qualifies as "aggravating circumstances."

D. Before suspending or expelling the pupil, the School District or Charter School considers and, if feasible while maintaining the health and safety of others, in consultation with the pupil's parent or guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the School District or Charter School, that are appropriate to the circumstances and that are considerate of health and safety. The School District or Charter School shall document the alternative behavioral and disciplinary interventions it considers and employs.

E. The School District or Charter School, by policy, provides for both:

1. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who have served at least five (5) school days of a suspension from the school that exceeds ten (10) school days to be considered for readmission on appeal of the pupil's parent or guardian.

2. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who are expelled from or subject to alternative reassignment at the school to be considered for readmission on appeal of the pupil's parent or guardian at least twenty (20) school days after the effective date of the expulsion or alternative reassignment.

"Aggravating circumstances" means the pupil is engaged in persistent behavior that:

A. Has been documented by the school.

B. Prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.

C. Is unresponsive to targeted interventions as documented through an established intervention process.

The Superintendent may designate a hearing officer for suspension hearings.

Regular Education Students

Suspension for ten days or less:

- A. *Step 1:* The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.
1. After having received notice, the student will be asked for an explanation of the situation.
 2. The authorized District personnel shall make reasonable efforts to verify facts and statements prior to making a judgment.
- B. *Step 2:* Following Step 1:
1. Provided that a written record of the action taken is kept on file, authorized District personnel may:
 - a. Suspend the student for up to ten (10) days.
 - b. Choose other disciplinary alternatives.
 - c. Exonerate the student.
 - d. Suspend the student for ten (10) days pending a recommendation that the student be given a long-term suspension or expulsion or both.
 2. When suspension is involved:
 - a. A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
 - b. A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
 3. No appeal is available from a short-term suspension.

Suspension for over ten days:

- A. *Step 3:* If the offense is one that could result in a suspension of over ten (10) days, in addition to Step 1 and Step 2 a formal hearing will be arranged and conducted by a hearing officer or by the Superintendent.
- B. *Step 4:* A formal letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult witness present) at least five (5) working days prior to the formal hearing. A copy of this letter will remain on file, and the letter should contain the following information:

1. The charges and the rule or regulation violated.
2. The extent of the punishment to be considered.
3. The date, time, and place of the formal hearing.
4. A designation of the District's witnesses.
5. That the student may present witnesses.
6. That the student may be represented by counsel at student's expense.
7. If a hearing officer has been designated, the name of the hearing officer.

C. *Step 5:* A formal hearing will be held, during which the student will be informed of the following:

1. Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony of such session or from recording such a session at the parent's or legal guardian's expense.
2. The student is entitled to a statement of the charges and the rule or regulation violated.
3. The student may be represented by counsel, without bias to the student.
4. The student may present witnesses.
5. The student or counsel may cross-examine witnesses presented by the District.
6. The burden of proof of the offense lies with the District.
7. Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.
8. The District has the right to cross-examine witnesses and may be represented by an attorney.

D. *Step 6:* The decision and appeal procedure, if applicable, upon the conclusion of the hearing will be as follows:

1. Upon the conclusion of a hearing by a hearing officer in which a decision of long-term suspension is made, the decision may be appealed to the Board. To arrange such an appeal, the parent(s) of the suspended student or the student must deliver to the Superintendent a letter directed to the Board within five (5) days after receiving written notice of the long-term suspension. The letter must describe in detail any objections to the hearing or the decision rendered.

2. The appeal to the Board will be on the record of the hearing held by the hearing officer. If the Board determines that the student was not afforded due process rights or that this policy was not followed in all substantive respects, the student shall be given another hearing. If the Board determines that the punishment was not reasonable, they may modify the punishment.
3. The decision of the Board is final.

Special Education Students

Suspension for ten days or less. Short-term suspension (ten [10] days or less) may be used for special education students for disciplinary reasons on the same basis as for a regular education student. (It is not considered a change of placement.)

A. *Step 1:* The student will receive notice, written or oral, of the reason for suspension and the evidence the school authorities have of the alleged misconduct.

1. After having received notice, the student will be asked for an explanation of the situation.
2. The authorized District personnel involved shall make reasonable efforts to verify facts and statements prior to making a judgment.

B. *Step 2:* Following Step 1:

1. Provided that a written record of the action taken is kept on file, authorized District personnel may:
 - a. Suspend the student for up to ten (10) days.
 - b. Choose other disciplinary alternatives.
 - c. Exonerate the student.
 - d. Suspend the student for ten (10) days pending a recommendation that the student be given a long-term suspension or expulsion or both.
2. When suspension is involved:
 - a. A parent must be notified before the student is allowed to leave campus. If no parent contact can be made, the student may be isolated until dismissal time and then given a written message to the parents.
 - b. A letter to the parents will be written within a reasonable time to explain the terms (including the possibility that a long-term suspension and/or expulsion is being recommended) and reasons for the suspension and to request a meeting to solicit their help.
3. No appeal is available from a short-term suspension.

Suspension for over ten days

If a special education student is recommended for a suspension of more than ten (10) days during the school year (a possible change in placement), a manifestation determination conference must be held.

A. *Step 3:* A recommended suspension of a special education student for more than ten (10) consecutive days, or a series of suspensions totaling more than ten (10) days, may constitute a change of placement and shall require a manifestation determination conference. Such a conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability.

B. *Step 4:* If the offense is not a manifestation of the disability of the student, the student may be suspended by following the District policies for students in general, provided that educational services are continued during the period of disciplinary removal for a student with a disability qualified under the Individuals with Disabilities Education Act (IDEA). A student with a disability qualified for educational services under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973, and not qualified under IDEA, may be suspended or expelled from school, and educational services may be ceased, if nondisabled students in similar circumstances do not continue to receive educational services.

C. *Step 5:* If the behaviors are a manifestation of the disability of the student, the District may not extend the suspension of the student beyond the initial ten (10) school days.

An exception to the above allows for an IDEA qualified student to be given a change in placement to an interim alternative educational setting for not more than forty-five (45) days, in accord with federal law and regulation, if the removal is for IDEA defined drug or weapons offenses or is based upon a due process hearing officer's determination that injury to the child or another is substantially likely if current placement is maintained.

Any interim alternative educational setting must be selected so as to enable the child to continue to progress in the general curriculum, although in another setting, and to continue to receive those services and modifications, including those described in the child's current IEP; and include services and modifications which are designed to prevent the behaviors for which the placement was made from recurring. (*Caution: refer to IDEA statutes and regulations before implementing the exception.*)

Alternative to Suspension

Students meeting the following requirements may participate in an alternative to suspension program described below at the determination of the Superintendent:

A. Suspension from school has been determined as the punishment for an offense and any appeal has been denied.

B. The immediate suspension was not due to:

1. Fighting or engaging in violent behavior
2. Threatening an educational institution
3. Selling, using or possessing weapons, firearms, explosives, or dangerous instruments
4. Making a bomb threat
5. Engaging in arson

C. The student has not served more than one (1) short-term suspension or alternative to suspension of ten (10) days or less during the current academic year.

D. The student has admitted to or taken responsibility for the act upon which suspension was imposed in a written statement signed by the student and attested to by the student's parent or guardian.

E. The student and parent or guardian has received a written admonition that the suspension as originally determined will be imposed summarily and in its entirety should the student violate the conditions or requirements of the Alternative to Suspension Program. (*Note: Follow appropriate dismissal procedures.*)

F. Parent(s) or guardian(s) shall agree to participate by:

1. Providing transportation as necessary to and from the program location.
2. Furnishing meals prepackaged or purchasing same for the student.
3. Establishing and monitoring in consultation with the school a supervisory routine limiting the student's contact to that which is necessary with other students and friends during the program.

The Alternative to Suspension Program is to be one of social isolation. It shall be discipline intensive, requiring academic work and as determined may involve community service, groundskeeping, and litter control. Parents will participate by providing support and supervision.

A. Students will be isolated from others by means of barriers or distance at a location determined by the District. No participation in any school sponsored activity will be permitted during the program.

B. Communication by students with others will be limited to adult District staff or as directed by the adult supervisor on duty.

C. Ordered study time will be established for each student consistent with the number of classes in which the student is enrolled, divided proportionately through the academic day.

D. Students are confined to their assigned areas and seats except as designated by the supervisor. All personal maintenance will be planned and approved by the supervisor.

E. Students are to bring all books, workbooks, paper and necessary instruments for each class in which they are enrolled to the program daily and take the same material home each day of the program.

F. Protocols for implementation of the Alternative to Suspension Program following the requirements above may be established by the administrator at each location.

Procedures and Conditions for Readmission of Students Suspended for More Than Ten Days

Early readmission procedures

The Superintendent may authorize early readmission of a student suspended for more than ten (10) days. The student shall be considered for readmission only upon completion of the major portion of the suspension (usually one [1] day more than half [1/2] with consideration for the grading period or academic division as necessary). The following conditions must be met:

A. A written request must be submitted to the Superintendent on behalf of the student by the student's parent or guardian asking for readmission and requesting a meeting to determine any requirements.

B. Accompanying the written request shall be a summary of the student's activities and accomplishments during the suspension period written and signed by the student and signed and attested to by the parent or guardian. (Parents of elementary grade students may prepare the summary.)

C. The request shall include a signed statement from local law enforcement officials that there have been no infractions of local or state codes for which the student could have been charged during the period of the suspension.

D. At the time of the meeting to review the request the student may be required to explain the incident or incidents leading up to the suspension.

E. The determination to allow readmission may be based on, but not limited to, the following elements:

1. The age of the student.
2. The frequency, type, and relative magnitude of previous misbehavior by the student.
3. The relative severity of the event(s).
4. Whether the student's behavior violated civil or criminal laws.
5. The degree to which the incident(s) interfered with the educational process.
6. The extent to which the event created endangerment to the student, others or property.
7. Special intellectual, psychological, emotional, environmental and physical characteristics of the student.

8. The student's attitude concerning the event(s).
9. The expressed intent concerning the student's future behavior.

F. Should early readmission be granted, the student, with parent or guardian affirmation, shall agree to the following conditions:

1. Regular attendance—no unexcused absences.
2. No violation of school rules or policies.
3. Attendance at after school events for the remaining term of suspension only with prior approval of the administration.
4. Completion of all class tasks in timely fashion, as directed.
5. Student will receive supervision before and after school by parental arrangement, travel directly to school and from school, and report immediately to a supervisor for the balance of the term of the suspension.

G. The student and parent or guardian shall receive a written admonition that failure in the conditions required for early readmission will mean summary imposition of the remainder of the suspension, and additional punishment if indicated by the disciplinary policies and procedures of the District.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

13-3401

13-3411

15-342

15-766

15-767

15-841

15-842

15-843

A.A.C.

R7-2-401

R7-2-405

A.G.O.

I78-103

I78-218

I80-055

I84-036

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

20 U.S.C. 7151 *et seq.*, The Gun-Free School Act of 1990

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

CROSS REF.:

IHB - Special Instructional Programs

JK - Student Discipline

JR - Student Records

**JKE ©
EXPULSION OF STUDENTS**

A recommendation to expel shall be by the Superintendent. The authority to expel rests only with the Board. All expulsions requested shall have supporting data indicating the required due process procedure provided at the time of recommendation.

Expulsion of pupils in a kindergarten program and grades one (1) through four (4) must comply with A.R.S. 15-843(K), as follows:

Unless required by A.R.S. 15-841(G), bringing a firearm to school, which may be modified on a case-by-case basis, a school district or charter school may out-of-school suspend or expel a pupil who is enrolled in kindergarten through fourth grade (K-4) only if all of the following apply:

A. The pupil is seven (7) years of age or older.

B. The pupil engaged in conduct on school grounds that meets one (1) of the following criteria:

1. Involves the possession of a dangerous weapon without authorization from the school.

2. Involves the possession, use or sale of a dangerous drug as defined in A.R.S. 13-3401, or a narcotic drug as defined in A.R.S. 13-3401 or a violation of A.R.S. 13-3411.

3. Immediately endangers the health or safety of others.

4. The pupil's behavior is determined by the School District Governing Board or Charter School Governing Body to qualify as aggravating circumstances and that all of the following apply:

a. The pupil is engaged in persistent behavior that has been documented by the school and that prevents other pupils from learning or prevents the teacher from maintaining control of the classroom environment.

b. The pupil's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with a school counselor, school psychologist or other mental health professional or social worker if available within the School District or Charter School or through a state sponsored program.

c. The pupil's parent or guardian was notified and consulted about the ongoing behavior.

d. Before a long-term suspension or expulsion, the school provides the pupil with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

C. Failing to remove the pupil from the school building would create a safety threat that cannot otherwise reasonably be addressed or qualifies as “aggravating circumstances.”

D. Before suspending or expelling the pupil, the School District or Charter School considers and, if feasible while maintaining the health and safety of others, in consultation with the pupil’s parent or guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the School District or Charter School, that are appropriate to the circumstances and that are considerate of health and safety. The School District or Charter School shall document the alternative behavioral and disciplinary interventions it considers and employs.

E. The School District or Charter School, by policy, provides for both:

1. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who have served at least five (5) school days of a suspension from the school that exceeds ten (10) school days to be considered for readmission on appeal of the pupil's parent or guardian.

2. A readmission procedure for pupils who are in kindergarten through fourth grade (K-4) and who are expelled from or subject to alternative reassignment at the school to be considered for readmission on appeal of the pupil's parent or guardian at least twenty (20) school days after the effective date of the expulsion or alternative reassignment.

"Aggravating circumstances" means the pupil is engaged in persistent behavior that:

A. has been documented by the school.

B. prevents other students from learning or prevents the teacher from maintaining control of the classroom environment.

C. is unresponsive to targeted interventions as documented through an established intervention process.

The Governing Board (**Option A:** will decide in executive session whether the Board will conduct an expulsion hearing or designate one (1) or more hearing officers to hear the evidence) **OR** (**Option B:** directs all expulsions hearings to be conducted by a hearing officer selected from a list of hearing officers approved by the Board).

Expulsion

Regular Education Students

Expulsion is the permanent exclusion of a student from school and school activities, unless the Governing Board reinstates the student's privileges to attend school.

A. *Step 1:* Each recommendation for expulsion shall be delivered to the Superintendent. A recommendation for expulsion may be made before, after or in conjunction with a long-term suspension hearing, if one is to be held.

B. *Step 2:* If the Superintendent concurs with the recommendation, the Superintendent shall (**Option A:** present the recommendation to the Governing Board) **OR** (**Option B:** present the recommendation for expulsion to a hearing officer selected from a list of hearing officers approved by the Board).

C. *Step 3:* In each case in which a recommendation for expulsion receives approval by the Superintendent, (*and the Board has not determined that all expulsion hearings are to be conducted by a hearing officer*), the Governing Board will meet in executive session:

1. to determine whether the nature of the accusations against the student justify an expulsion hearing,
2. to determine whether the hearing will be held before the Governing Board or before a hearing officer,
3. to designate a hearing officer if one will be used, and
4. if the hearing will be conducted by the Governing Board to determine whether the hearing will be conducted in executive session. Under normal circumstances, the Governing Board will not review any documents or other pertinent evidence during the initial executive session.

D. *Step 4:* The expulsion hearing should be scheduled so it may be resolved, if reasonably possible, during the period of any suspension.

E. *Step 5:* A formal letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult witness present) at least five (5) working days prior to the formal hearing. A copy of this letter will remain on file, and the letter should contain:

1. A statement of the charges and the rule or regulation violated.
2. The extent of the punishment to be considered.

3. The date, time, and place of the formal hearing.
4. A designation of the District's witnesses.
5. That the student may present witnesses.
6. That the student may be represented by counsel at the student's expense.
7. If a hearing officer has been appointed, the name of the hearing officer and how the hearing officer may be contacted, or a statement that the Governing Board will preside at the hearing.
8. Copies of this policy and A.R.S. 15-840 and 15-843 unless previously provided in connection with the same infraction.

F. *Step 6:* The parent, guardian or emancipated student shall be informed of the following:

1. Nothing in these procedures shall be construed to prevent the students who are subject to the action and their parents or legal guardians and legal counsel from attending any executive (closed) session pertaining to the proposed disciplinary action, or from having access to the minutes and testimony of such session or from recording such a session at the parent's or legal guardian's expense.
2. The student is entitled to a statement of the charges and the rule or regulation violated.
3. The student may be represented by counsel, without bias to the student.
4. The student may present witnesses.
5. The student or counsel may cross-examine witnesses presented by the District.
6. The burden of proof of the offense lies with the District.
7. Either the hearing must be recorded on tape or an official record must be kept in some other appropriate manner. In addition, parents are to be allowed to tape-record the hearing at their own expense.
8. The District has the right to cross-examine witnesses, and may be represented by an attorney.
9. If the hearing is held before a hearing officer, the hearing will be conducted in private with the attendance of only the hearing officer, administrative representatives, the student and parent(s), counsel for the parties, and witnesses necessary to the proceedings, unless the parent(s), guardian(s) or emancipated student requests in writing that the hearing be open to public attendance.

10. If the hearing is held before the Governing Board the Board will conduct the hearing in executive session with the attendance of only the hearing officer, administrative representatives, the student and parent(s), counsel for the parties, and witnesses necessary to the proceedings, unless the parent(s), guardian(s) or emancipated student requests in writing that the hearing be open to public attendance.

G. *Step 7:* A formal hearing will be held:

When a parent or legal guardian has disagreed that the hearing should be held in executive (closed) session, it shall be held in an open meeting unless:

- a. If only one (1) student is subject to the proposed action, and disagreement exists between that student's parents or legal guardians, then the Board (hearing officer), after consultation with the student's parents or legal guardians, shall decide in executive (closed) session whether the hearing will be in executive (closed) session.
- b. If more than one (1) student is subject to the proposed action and disagreement exists between the parents of different students, then separate hearings shall be held subject to the provisions of A.R.S. 15-843.

H. *Step 8:* The decision and appeal procedure, if applicable, upon the conclusion of the hearing will be as follows:

1. Upon conclusion of a hearing conducted by a hearing officer, if a recommendation for expulsion is made, the decision may be appealed to the Board at the time the Board considers the recommendation. A formal letter to the responsible parent or guardian will be mailed by certified mail with return receipt requested or delivered by hand (with an adult witness present) indicating the recommendation that will be made to the Board. A copy of this letter will remain on file, and the letter should explain:

- a. The time and place of the Board meeting at which the recommendation will be made.
- b. That the recommendation may be appealed at the time the recommendation is made to the Board.
- c. That the appeal shall be in writing delivered to the Superintendent prior to the time of the Board meeting.
- d. That the written appeal shall indicate a spokesperson on behalf of the student.
- e. That the spokesperson will be given time to speak to the Board on appeal.

- f. The Board may accept the hearing officer's recommendation or reject the recommendation and impose a different disciplinary action including assignment to an alternative educational program. The Board may grant a new hearing, take the matter under advisement, or take any further action deemed necessary. If the Board decides to expel the student the expulsion shall become effective the day after the Board's decision. The decision of the Board is final.
2. Upon conclusion of a hearing on expulsion conducted by the Board, the decision of the Board is final.

Special Education Students

A student qualified under the Individuals with Disabilities Education Act (IDEA) as revised in 2004 may not be expelled from school, unless as a result of a manifestation determination it has been determined that the student's behavior is unrelated to the child's disability. The manifestation determination must be held within ten (10) school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct. In compliance with federal law and regulation, the student may be given a change in placement in lieu of expulsion. Expulsion may not result in termination of educational services for a student qualified under the Individuals with Disabilities Education Act. The individualized education program (IEP) team generally determines a change in placement of an IDEA qualified student. During any change in placement the school must provide services to the extent necessary to enable the child to appropriately progress in the general curriculum and appropriately advance toward achieving the goals set out in the child's individualized education programs.

A student with a disability qualified under the Americans with Disabilities Act or Section 504 of the Rehabilitation Act of 1973 and not qualified under the Individuals with Disabilities Education Act as revised in 2004, may be suspended or expelled from school and education services may be ceased, if nondisabled students in similar circumstances do not continue to receive education services.

Readmittance procedure:

A. A student expelled from the District may request readmittance by making a written application to the Board. Readmission is at the discretion of the Governing Board. In addition, it is the prerogative of the Board to stipulate appropriate conditions for readmittance. The application for readmittance shall occur no less than nine (9) months after the date of the expulsion; however, the student may not be readmitted until at least two (2) complete semesters have passed (the remainder of the semester in which the violation has occurred and two [2] additional semesters). The application must:

1. Be written and be directed to the attention of the Governing Board.

2. Contain all information that the student and parent(s) consider relevant to the Governing Board's determination as to whether or not to readmit the student. This should include information indicating:

- a. An appreciation by the student of the severity and inappropriateness of the student's prior misconduct.
- b. That such misconduct or similar misconduct will not be repeated.
- c. A description of the student's activities since the expulsion.
- d. Support of the student's application for readmission.

3. Be filed in the Superintendent's office.

B. The Governing Board shall meet in executive session to consider an initial application for readmission. The student and parents have the right to be present in the executive session but do not have the right to make a presentation or address the Governing Board unless they are asked to do so by the Governing Board. For this reason, it is important that the application for readmission contain all information that the Governing Board may deem important in determining whether to readmit the student. The Governing Board, in its sole discretion, shall determine whether the student should be readmitted, and, if so, under what restrictions and conditions. The burden is on the student and parent(s) to convince the Governing Board that readmission is appropriate considering the interests of the expelled student, the District, and the interests of the other students and staff members. The Governing Board's decision is final.

C. A student may file more than one (1) application for readmission. Applications subsequent to an initial application, however, may not be filed more frequently than every ninety (90) days, and the Governing Board shall meet to discuss and consider the application only if at least two (2) members of the Governing Board ask that the matter be placed on an agenda for discussion in executive session.

Readmittance conditions

As a condition for readmission from an expulsion, the student, with parent(s) or guardian affirmation, shall agree to the following conditions:

- A. Regular attendance – no unexcused absence.
- B. No violation of school rules or policies.
- C. Completion of all classroom tasks in a timely fashion, as directed.
- D. Depending upon the nature of the original violation for which the expulsion was provided, the student may be limited as to attendance or participation in after school activities, school sports, and extracurricular events or activities.

A student allowed readmission following expulsion shall receive a written admonition that the original expulsion will be summarily reinstated should the student commit a violation of the conditions for readmission or a criminal or civil violation reflecting on the school order.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

13-3401

13-3411

15-342

15-766

15-767

15-841

15-842

15-843

A.A.C.

R7-2-401

R7-2-405

A.G.O.

I78-103

I78-218

I80-055

I84-036

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

20 U.S.C. 7151 *et seq.*, The Gun-Free School Act of 1990

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

CROSS REF.:

IHB - Special Instructional Programs

JK - Student Discipline

JR - Student Records

**JLCB ©
IMMUNIZATIONS OF STUDENTS**

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. 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.

As stipulated in A.R.S. 15-342.05, a school district or charter school may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

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: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

15-342.05

15-871

15-872

15-873

15-874

A.A.C.

R9-6-203

R9-6-313

R9-6-350

R9-6-353

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

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.

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

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

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

As stipulated in A.R.S. 15-342.05, a school district or charter school may not require a student or teacher to receive a vaccine for Covid-19 or to wear a face covering to participate in in-person instruction.

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
201820-201921 ARIZONA SCHOOL
IMMUNIZATION REQUIREMENTS**

**Arizona Guide to Immunizations
Required for Entry**

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

Please review the Arizona Immunization Handbook for Schools and Child Care Programs along with the Vaccine Flowchart Resource requirements by age and grade for school attendance. 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.

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

Vaccine	4 - 6 Years Old <u>and attendance in</u> Kindergarten or 1st grade	7 - 10 Years Old	11 Years and Older
<u>HepB</u> Hepatitis B (Hep B or HBV)	3 doses <u>The final dose of HepB must be given at 24 weeks of age or older. Only 3 doses acceptable if dose #3 was received at or after 24 weeks of age; otherwise 4 doses are required with the final dose if the 3rd dose was received at or after 24 weeks of age; otherwise 4 doses are required.</u>		
<u>Polio</u> Poliomyelitis (IPV) <u>Oral polio vaccine OPV)</u>	4 doses <u>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 acceptable if dose #3 are required if the 3rd dose was received on/after 4 years of age. Students who received 3 or 4 doses (with 4 weeks minimum intervals between doses) PRIOR to August 7, 2009 have met the requirement. The final dose of polio administered ON or AFTER August 7, 2009 must be given at a minimum of 4 years of age AND a minimum interval of 6 months following the previous dose the child's 4th birthday and at least six (6) months after the 2nd dose. Additional doses may be needed to meet requirements.</u>		

MMR Measles, Mumps and Rubella (MMR or MMR-V)	2 doses 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.		
VAR Varicella (chickenpox) (VAR or MMR-V)	1 dose Minimum recommended age for dose #1 is 12 months. 2 doses, <u>at least 4 weeks apart</u>, are required if the 1st dose was given at 13 years of age or older. MMR and Varicella must be given on the same day or at least 28 days apart.		
DTaP, Tdap, Td Diphtheria, Tetanus, and Pertussis	5 doses of DTaP, DTP or DT <u>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 4 doses are required if the 4th dose was received on/after on or after 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]).</u>	4 doses of DTaP, DTP, DT, Tdap or Td <u>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.</u> 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. Tdap given at ages 7-10 will meet the 11-year-old+ Tdap requirement.	1 dose of Tdap is required <u>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.</u> Students must have a minimum series of <u>four (4) doses of tetanus-diphtheria-containing vaccine; 3 doses of tetanus/diphtheria vaccine which may</u>

			include 1 Tdap. If Tdap has not been previously given, 1 dose of Tdap is required when at least 5 years has passed since the last dose of tetanus-containing vaccine acceptable if the 1st dose was given on/after 1st birthday.
MenACWY or MCV4 Quadrivalent Meningococcal (MenACWY or MCV4)			1 dose of quadrivalent meningococcal <u>MenACWY</u> is required. A dose administered at 10 years of age will meet the requirement.

Arizona Immunization Program Office • 150 North 18th Avenue, Suite 120
Phoenix, AZ 85007 • (602) 364-3630
Last reviewed/revised June 2021

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).

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

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

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

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

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

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

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

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

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

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

Submitting *non-emergency* concerns via the Online Reporting Service at <https://dcs.az.gov/about/contacts>.

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

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

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

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

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

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

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

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

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

Each school that is operated by a school district and each charter school shall post in a clearly visible location in a public area of the school that is readily accessible to students a sign that contains all of the following:

A. In boldfaced type, the telephone number of the centralized intake hotline concerning suspected abuse and neglect of children that is established pursuant to A.R.S. 8-455.

B. Instructions to call 911 for emergencies.

C. Directions for accessing the website of the Department of Child Safety for more information on reporting child abuse, child neglect and the exploitation of children.

Adopted: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

8-201

13-1404 *et seq.*

13-1410

13-3019

13-3212

13-3506

13-3506.01

13-3552

13-3553

13-3608

13-3619

13-3620

13-3623

15-160.01

15-514

46-451

46-454

CROSS REF.:

GBEB - Staff Conduct

GBEBB - Staff Conduct With Students

JKA - Corporal Punishment

**KB ©
PARENTAL INVOLVEMENT
IN EDUCATION**

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

GH. 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.

HI. 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.

IJ. 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.

JK. 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 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. 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.

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 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: <-- z2AdoptionDate -->

LEGAL REF.:

A.R.S.

1-601

1-602

15-101

15-102

15-110

15-113

15-117

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

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

~~KIRB ©~~

~~REGULATION~~

~~VISITORS TO SCHOOLS~~

~~(Cloth Face Coverings)~~

~~All persons, including, but not limited to, staff, students, vendors, visitors, and volunteers, shall wear a cloth face covering while on any District property, in any District facility, at any District event, whether indoors or outdoors, and in any District vehicle, including District buses or vehicles rented or leased by the District.~~

~~Cloth face coverings should not be worn by:~~

~~A. Children under the age of two (2);~~

~~B. Anyone who has trouble breathing;~~

~~C. Anyone who is unconscious, incapacitated, or otherwise unable to remove the mask without assistance.~~

~~The Superintendent may make exceptions to the requirement to wear a cloth face covering while keeping in mind the health and safety of everyone involved.~~

~~Cloth face coverings are to fully cover a person's nose and mouth, ideally fitting snugly but comfortably against the sides of the face and under the chin. They are to remain affixed in place without the use of one's hands and are to not have holes. They are to be laundered regularly or disposed of appropriately.~~

~~A cloth face covering does not replace the need for frequent handwashing, covering coughs and sneezes, and practicing physical distancing (six feet [6'] away) to the extent possible. Individuals are to be reminded to avoid touching their cloth face covering and to wash their hands frequently. To ensure the proper use of cloth face coverings, staff and students are to be educated on how to wear and care for their cloth face coverings.~~

8. INFORMATION ITEMS

A. Requests for Future Agenda Items

This agenda item is for the Governing Board to have a running record of potential items to be placed on future agendas. There will be no discussion on the substance, merits, or issues relating to the proposed agenda item.

B. Upcoming Meetings and Events Calendar

- Next Regular Board Meeting - September 14, 2021; 6:00 p.m.
- Possible Study Session regarding the use of ESSER (COVID relief) funds and other financial planning issues

9. ADJOURNMENT

Call to adjourn the meeting