

TUSD

GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES

The purpose of the Guidelines is to assist students, parents, teachers, staff, and principals in creating and sustaining an environment which will enhance the achievement of a positive learning process. To be fully effective, the Guidelines for Student Rights and Responsibilities addresses:

- The rights and responsibilities of students and parents
- Conduct which may require discipline
- Administrative responsibilities for implementing discipline
- Administrative responsibilities for Due Process

You are encouraged to read and develop a thorough understanding of the details of these Guidelines.

Student discipline is subject to the provisions of Governing Board policies and state and federal laws. Students will be disciplined in accordance with Governing Board Policy JK and its accompanying regulations. Because the Individuals with Disabilities Education Act (IDEA) requires additional procedural safeguards, students with disabilities will be disciplined under the applicable Governing Board Policies—JKA, Discipline Of, and Alternative Interim Educational Placements For, Special Education Students; and JKAA, Discipline, Suspension, Expulsion for 504 Handicapped Students—as applied to these Guidelines for Student Rights and Responsibilities.

Students may also be subject to applicable civil and/or criminal penalties.

These Governing Board Policies and Administrative Regulations are available for review in the principal's office and online at www.tusd1.org. Copies of this booklet are available in Spanish on the reverse side of this booklet and can be obtained online at www.tusd1.org.

Estos Planes de Acción del Consejo Gobernante, y Reglamentos Administrativos se hacen disponibles para revisión en la oficina del director escolar y en www.tusd1.org. Las copias en español de este folleto están disponible al dorso de este folleto y se pueden obtener en línea en www.tusd1.org.

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SECTION A: PURPOSE

1. WHAT ARE THE “GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES” AND WHY ARE THEY NEEDED?

Students need an environment that is safe and positive for learning. To help provide and maintain that environment, the Guidelines for Student Rights and Responsibilities:

- Specifies the rights and responsibilities of students
- Describes conduct which violates those rights and responsibilities
- Strives to standardize those procedures which the school will use in responding to conduct problems
- Assures the rights of students when disciplinary action is taken

As students progress through our public schools, it is reasonable to assume that an increase in age and maturity carries with it a greater responsibility for their actions. Differences in age and maturity are recognized in determining the type of disciplinary action to be taken. However, the procedures outlined in the Guidelines for Student Rights and Responsibilities apply to all students in Grades K through 12.

All district personnel administering discipline to students should always follow discipline procedures for disabled students when dealing with a student in the special education programs, with section 504 disabled students, and for students who have a referral for evaluation pending.

2. WHEN ARE THESE GUIDELINES IN FORCE?

The Guidelines are enforced:

- During regular school hours
- While being transported on the school bus or other school district-sanctioned transportation
- At times and places where the principal or other school official or employee has jurisdiction over students
- During school-sponsored events
- During field trips
- During athletic functions
- When students are going to and from school (“portal to portal”)
- During other activities associated with the school in any way

Additionally, the principal is authorized to begin disciplinary action when a student's misconduct away from school has a detrimental effect on the other students, or on the orderly educational process, because the violation is directly connected to prior violations at school, or threatens to produce further violations at school.

SECTION B: STUDENT AND PARENT RIGHTS AND RESPONSIBILITIES

Tucson Unified School District believes that educating a student is a collaborative effort with the student and parent. To support this collaboration we realize that each party has rights and responsibilities. **The following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive.** (See Policy JI “Rights and Responsibilities”)

1. STUDENTS HAVE A RIGHT TO:

- a. Learn in a safe, clean, orderly and positive climate – one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- b. Participate in student activities.
- c. Express their ideas and perspectives on issues and various topics.
- d. Be treated with respect, and to be treated as a unique individual with differing needs, learning styles and abilities in a manner that encourages and enhances individual self-esteem.
- e. Be free from retaliation, from fear of retaliation, and from sex discrimination and sexual harassment at school, including dating abuse. A victim of dating abuse has the right to transfer to another school. (See Policy JICL “Dating Abuse”)
- f. Full access to opportunities within the educational environment without experiencing discrimination on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background. This includes the availability of all support services which promote the development of student potential (See Policy AC “Non-Discrimination”, ACA “Sexual Harassment”, and JB “Equal Educational Opportunities and Anti-Harassment”).
- g. Receive a copy of the Guidelines for Student Rights and Responsibilities.
- h. Privacy. (See the “Notification of Privacy Rights of Parents and Students” at page 26)
- i. Have access to their formal student records.
- j. Have access to school assignments/homework while serving a disciplinary suspension for the duration of the class period (quarter or semester) and have options for alternative instructional opportunities for any remaining suspension.
- k. Due process of law.
- l. Expect that school rules will be enforced in a consistent, fair and reasonable manner.
- m. Receive fair discipline without discrimination.
- n. Request an interpreter or translator at any step of the process.
- o. Acquire English and such other languages as may be available at the school for students to study.
- p. Receive high quality instruction that is comprehensible and appropriate to their level of academic and linguistic development.
- q. Have access to a classroom environment that encourages the use of English, promotes appreciation of other languages, and respects students’ right to use their native language to facilitate communication and enhance academic achievement.
- r. Access books and other reading materials for supplementary and recreational use, including materials that may be available in other languages.
- s. Non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.

Students who believe they have experienced discrimination or harassment as defined in the policies/regulations stated above may file a complaint with their Principal, Counselor, or directly with TUSD’s EEO Compliance Officer at 225-6444.

Students who believe they have experienced unfair disciplinary actions may file a complaint with their Principal, Counselor, or directly with TUSD's Department of Student Equity at 225-6237.

2. STUDENTS HAVE A RESPONSIBILITY TO:

- a. Attend school daily according to school district adopted calendar, arrive on time, bring appropriate materials, and be prepared to participate in class and complete assignments.
- b. Strive for academic growth and to strive for their personal best.
- c. Participate fully in the classroom, curriculum and learning process.
- d. Allow fellow students to have an equal educational opportunity.
- e. Allow fellow students to be free from discrimination and harassment.
- f. Make up work resulting from an absence.
- g. Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- h. Conduct themselves properly on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn.
- i. Follow discipline guidelines adopted by the school and district.
- j. Protect and take care of the school's property.
- k. Abide by the governing board policies and regulations.
- l. Assist the school staff in running a safe school, and to help maintain the safety and cleanliness of the school environment.
- m. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook.

3. PARENTS AND GUARDIANS HAVE A RIGHT TO:

- a. Receive official reports (quarterly or more frequently) of the student's academic progress, attendance and behavior.
- b. Request and be granted conferences with teachers, counselors and/or the principal.
- c. Receive explanations from teachers about their student's grades and disciplinary procedures.
- d. Read all school records pertaining to their student.
- e. Receive a copy of the Guidelines for Student Rights and Responsibilities handbook.
- f. Receive immediately an oral **and** a written notification anytime a student is sent home for any safety and/or disciplinary reason, this includes short-term and long-term suspensions.
- g. Request an interpreter or translator at any step of the process.
- h. Request a review of all disciplinary actions relating to their student.
- i. Non-instructional interpretation services when communicating with the school, and in some cases, to translated copies of certain school forms and documents.
- j. Direct their student's education, upbringing and moral or religious training.
- k. Access and review all records relating to their student.
- l. Make health care decisions for the minor child.
- m. Access and review all medical records of the minor child unless otherwise prohibited by law or the parent is the subject of an investigation of a crime committed against the minor child and a law enforcement official requests that the information not be released.

n. Consent in writing before:

- a biometric scan of the minor child is made.
- a record of the minor's blood or DNA is created, stored or shared.
- genetic testing is conducted on the minor, unless required/authorized by law or court order.
- the state or any of its political subdivisions makes a video or voice recording of the minor, unless the recording is made during or as a part of: a court proceeding; a forensic interview in a criminal or child protective services investigation; or for use solely in any of the following:
 - safety demonstrations, including the maintenance of order and discipline.
 - a purpose related to a legitimate academic or extracurricular activity.
 - a purpose related to regular classroom instruction.
 - security or surveillance of buildings or grounds, or
 - a photo identification card.

o. Obtain information about a child protective services investigation involving the parent.

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

4. PARENTS AND GUARDIANS HAVE A RESPONSIBILITY TO:

- a. Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- b. Provide supervision of the student's health, physical and emotional well being, and assume responsibility for the student's timely regular attendance.
- c. Promptly provide the school with explanations for student absences or tardiness.
- d. Ensure student compliance with school and district policies and regulations.
- e. Read and ask questions to understand the information in the Guidelines for Student Rights and Responsibilities handbook.

SECTION C: GENERAL INFORMATION

1. EQUAL EDUCATIONAL OPPORTUNITIES AND ANTI-HARASSMENT (POLICY JB)

It is the policy of the Tucson Unified School District to prohibit discriminatory harassment based on real or perceived race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, parental status, status with regard to public assistance, limited proficiency in English, or family, social or cultural background, or any other reason not related to the student's individual capabilities or on the basis of association with others identified by these categories. TUSD shall act to investigate all complaints of discriminatory or other harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against anyone who is found to have violated this policy.

2. GOVERNING BOARD POSITION ON GANG BEHAVIOR AND ACTIVITY

The behaviors that have become associated with gang activity or membership, especially violence, intimidation, and disrespect will not be tolerated on or near school property or in activities associated with school. In accordance with this position, any students engaging in gang activities will be disciplined to the fullest extent of TUSD policies, and prosecuted, if applicable, according to local ordinances, and state and federal laws.

Gang: An ongoing, formal or informal organization or group of persons whose members act in concert for antisocial or criminal purposes, and who are identified with a common name, or common signs, colors, or symbols.

Gang-Related Incident: An incident is considered gang-related when the participants, whether perpetrators or victims, are identified as gang members or affiliates, and where a reasonable person would conclude that the incident was motivated, in whole or in part, by a desire to promote or otherwise impact gang interests.

Bias-Related and Hate-Related Incidents: An incident is considered bias-related or hate-related when a reasonable person would conclude that it was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics. Such characteristics include: ancestry or ethnicity, disability, sex, gender, immigration or citizenship status, race, religion or religious practices, or sexual orientation.

3. SCHOOL DRESS CODE (REQUIRED AT EVERY SCHOOL) (POLICY JICA)

The general guide to acceptable school dress is neatness, cleanliness and appropriateness. While the school cannot and does not dictate styles, it is expected that students will abide by the following rules demonstrating appropriateness in dress as though this were their daily place of business.

- Shoes are required to be worn in school.
- Hats and sunglasses may be worn outside in the sun for an extended period of time for protection from the sun. A principal in collaboration with School Safety may institute stricter requirements at a high school experiencing safety-related issues.
- No bandannas may be worn.
- Dark glasses may not be worn inside buildings unless a documented health problem exists.
- No gang related apparel or items are allowed.

- Students may not wear clothing or accessories in school buildings or on school grounds that are:
 - Hazardous, damaging, or presenting danger to school property or persons including but not limited to: extended belts (belts should fit proper length), choke chains, dog collars, wallet chains or any type of spiked apparel or jewelry;
 - Depicting and/or promoting and/or endorsing illegal or violent activities illegal drugs, tobacco or alcohol;
 - Vulgar, obscene, indecent, libelous, or degrading of others on the basis of race, color, religion, ancestry, national origin, sex, gender, sexual orientation or disability; and/or
 - Distracting so as to interfere with the teaching or learning process such as extremely revealing garments including but not limited to short shorts, short skirts, short dresses (must cover buttocks while standing and sitting), tube tops, net tops, swimsuits, strapless tops, spaghetti strap tops, halter tops, muscle shirts, basketball shirts without an accompanying T-shirt, no tights or leggings to be worn as pants, garments with plunging necklines, transparent and see through garments, (midsections must be covered and undergarments shall be completely covered with outer clothing).

Students who violate TUSD's dress standards may be asked to do any of the following depending upon the specific circumstances:

- Turn inappropriate clothing inside out.
- Change into clothing that may be provided by the school.
- Change into other clothing which has been brought to school.
- Remove the jewelry or other accessory.

*NOTE: These dress guidelines represent the minimum standards. Individual school sites may adopt additional guidelines. Students wearing inappropriate clothing to school are given an opportunity to change clothing or they will be released from school in the company of the parent/guardian.

4. BUS RULES

Safety Precautions:

Parents and Students should both discuss and make sure they know the following:

- The route the student will take to and from the bus stop, safety precautions and common courtesies to be maintained en route and at the bus stop;
- The correct bus route number;
- What to do if the bus is late in the morning or no one is home in the afternoon;
- To ALWAYS board and depart the bus at the correct stop as known and approved by the parent.

Bus Passenger Rules:

Parents and Students should both discuss and make sure they know the following:

- Always comply with bus driver's/monitor's directions;
- Use classroom voice only (no profanity/loud noises/threats/intimidation);
- Remain seated; keep hands, feet, and head inside bus;
- All personal possessions must be under control at all times;
- Keep unauthorized materials and substances off bus (snacks, drinks, animals, glass objects, weapons, skateboards, large radios, other large electronic devices, or large objects that occupy a seat space).

Violations of these bus rules may result in the loss of bus privileges.

5. STUDENT ATTENDANCE (POLICY JE)

Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith. A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school. The call, note or email must address the date/time and reason for the absence.

6. DATING ABUSE (POLICY JICL)

Dating abuse is a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal, or emotional abuse to control the person's former or present dating partner. Behaviors used may include, but are not limited to, physical abuse, emotional abuse, sexual abuse, and/or threats. TUSD is committed to maintaining a school campus environment that is safe and secure for all students, and dating abuse will not be tolerated. TUSD employees aware of dating abuse shall respond in a manner consistent with District training. Students are encouraged to report all known or suspected instances of dating abuse involving themselves or other students.

7. BULLYING, INTIMIDATION & HARASSMENT (POLICY JICFB)

Bullying is a form of harassment. Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another (including verbal taunts, name-calling and put-downs, and extortion of money or possessions). Students who engage in any act of bullying while at school, at any school function, in connection to or with any District sponsored activity or event, or while en route to or from school, are subject to disciplinary action up to and including suspension or expulsion.

8. RESTORATIVE PRACTICES

Restorative Practices is an approach that seeks to develop good relationships and restore a sense of community. Restorative Practices: focuses on repairing harm caused by an offending behavior, while holding the wrongdoer accountable for his/her actions; provides an opportunity for the affected parties (victim, wrongdoer, and community) to identify and address their needs as a result of the offending behavior, and make amends or find a resolution; and surrounds the affected parties with a community of care, in which all parties share in the resolution of the problem.

In schools, Restorative Practices provides a proactive approach for building a community of care based on collaboration, mutual understanding, and reciprocated respect. This process holds students accountable for their actions while, at the same time, building a caring school environment. Attention is given to the victim and the wrongdoer, whether they are student or staff. Restorative Practices allows wrongdoers an opportunity to rejoin the school community after they have made amends.

SECTION D: KNOW THE ACTIONS

ADMINISTERING THE GUIDELINES FOR STUDENT RIGHTS AND RESPONSIBILITIES

The Arizona Department of Education has developed a list of violations as well as a list of possible actions a school district may take in response to a violation. TUSD has categorized these possible actions into five levels and then assigned a level to each violation depending on the severity of the violation. In this way, students from school to school will receive similar actions for similar violations. A major consideration in the application of the Guidelines for Student Rights and Responsibilities is to identify the most appropriate disciplinary action necessary to bring about positive student behavior. At the elementary level, the age and developmental level of the child may be considered in interpreting the severity of the discipline imposed. Student services personnel, such as counselors, social workers, learning support coordinators, or psychologists, play a vital role in assisting the student in resolving any problems influencing the student's behavior.

1. CONDUCT WHICH MUST BE REPORTED TO LAW ENFORCEMENT

It is important for all staff, students, and *parents* to understand that, in addition to taking disciplinary action at the school level, certain criminal behavior must be reported to appropriate law enforcement agencies. **The law requires school officials to report the following incidents:**

Use or threat to use a deadly weapon or dangerous instrument	Homicide	Burglary in the first degree
Aggravated Assault resulting in physical injury	Sexual Assault	Arson of an occupied structure
Sexual conduct with a minor under 15 years of age	Armed Robbery	Any dangerous crime against minors
Possession, use, sale, or attempted sale of illegal drugs	Kidnapping	

Additionally, pursuant to A.R.S. § 13-3620, school personnel are required to immediately report any reasonable belief of non-accidental physical injury, neglect, or sexually related offense against a minor. "Physical injury" means the impairment of physical condition, and may include any skin bruising, pressure sores, bleeding, failure to thrive, malnutrition, dehydration, burns, fracture of any bone, subdural hematoma, soft tissue swelling, injury to any internal organ or any physical condition that imperils health or welfare. (See A.R.S. § 13-3623(F)(4))

2. CONDUCT WHICH MAY BE REPORTED TO LAW ENFORCEMENT

Additionally, the administrator **MAY** report to law enforcement agencies other potentially disruptive incidents. Such incidents include, but are not limited to, the following:

Possession, sale or distribution of dangerous substances, including alcohol, tobacco or legal drugs				
Demonstration by students which is likely to create unsafe conditions				
Setting off a false fire alarm	Threats	Assault	Bomb threats	Vandalism

3. DUE PROCESS FOR A STUDENT

Any student whose conduct may warrant suspension or expulsion will be provided due process. This is a legal safeguard that protects the rights of students and their parents and is constitutionally guaranteed.

Due process steps include:

- a. Oral or written notice of the charges presented to the student;
- b. An opportunity to present the student's side of the story in an informal hearing or meeting;
- c. The allowance, for safety considerations, for a student to be removed from the school prior to an informal hearing with that hearing to follow as soon as practical;
- d. Adequate notification and an opportunity for a fair hearing;

- e. Written notification to parents about suspension of student;
- f. That parents will be informed in writing of all suspensions and that they have the right to a conference with the principal;
- g. That if parents are not satisfied with any school official's decision they are entitled to request a review by the school official's immediate supervisor;
- h. Formal due process in long-term suspension and expulsion proceedings.
- i. Due Process for Exceptional Education and Section 504 Students: Students with disabilities may be disciplined in the same manner as any other student for up to ten days of suspension. However, if a student is to be suspended from school for more than ten days (cumulatively) this may be considered a “change of placement” under IDEA/Section 504. Accordingly, in addition to the due process described above, a manifestation determination must be held to determine whether the conduct for which the student is to be disciplined is a manifestation of the disability. (See Regulations JKA and JKAA for these specific procedures)

4. OUT OF SCHOOL SUSPENSIONS

Short-Term Suspension – A principal or principal’s designee may suspend a student from school for up to ten (10) school days due to misconduct. Principals take this action when they have exhausted informal disciplinary strategies, or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. Conferences to resolve the problem are scheduled with the parent, student, and other appropriate school staff members. Governing Board Policy Regulation JK-R1, Short Term Suspension states: “The student is allowed access to class assignments and to make up tests upon return to school. Homework must be made available for the parent to pick up at the school office.” It shall be the parent's and student’s responsibility to make arrangements to obtain such assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. During the term of the suspension, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

Long-Term Suspension – A principal may suspend a student from school for up to 180 days due to persistent disobedience and/or misconduct subject to long-term suspension. Long-term suspensions of more than 45 days shall not be imposed except for Violations at Level 5. Principals take this action when they have exhausted other disciplinary strategies, or when they have at least considered those alternatives and rejected them as inappropriate in a given situation. Conferences to resolve the problem are scheduled with the parent, student, and other appropriate school staff members. It shall be the parent's and student’s responsibility to make arrangements to obtain such class assignments and homework and to have completed assignments returned to the school for grading and credit. One set of assignments must be completed and returned before another set of assignments can be picked up. Students on suspension who successfully complete such assignments shall be allowed a reasonable time to take makeup tests upon returning to school. Homework will be made available by the student’s teachers for the remainder of the grading period. However, because of the difficulty in students keeping up with class work through homework alone, without an instruction component, after the end of a grading period, students will receive academic support through a TUSD alternative program such as distance learning. During the term of the suspension, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal’s designee.

5. ABEYANCE CONTRACTS (POLICY JK-R4)

An Administrator may offer to hold out of school suspensions in abeyance, that is, to not immediately impose an out of school suspension for certain offenses, if (1) the administrator believes it is in the best interest of the student and the school community, (2) the student and parent/legal guardian agree to certain conditions, and (3) the student and parents sign an abeyance contract. Abeyance contracts may not exceed 90 school days. If a student violates their abeyance contract, the suspension will be reinstated and the student *must* serve the suspension. If the student receives an out of school suspension for the new incident, it will be served concurrently with the remaining days of the suspension from the abeyance contract.

6. RESTORATIVE CIRCLES; RESTORATIVE CONFERENCES

Restorative Practices actions range from informal to formal. In schools, these actions include:

- *Small impromptu circles:* a few people meet to briefly address and resolve a problem; facilitated by teachers, administrators, and/or learning supports coordinators.
- *Group or classroom circles:* a larger group can meet in a large circle or a classroom circle to discuss issues, answer questions, solve problems, or offer feedback; facilitated by teachers, administrators, and/or learning supports coordinators.
- *Formal restorative conferences:* address serious problems of behavior. These conferences may involve wrongdoers, victims, parents, and school administrators. Only those trained in formal conferences can facilitate a formal conference.

7. APPEALS

Students and parents/guardians have the right to appeal short-term and long-term suspension decisions; however, there is no appeal from the Governing Board's final decisions regarding long-term suspension appeals or its expulsion decisions. (See Policy JK and its accompanying regulations for details).

8. EXPULSION

Expulsion is defined as the permanent withdrawal of the privilege of attending a school unless the Governing Board reinstates the privilege. A principal may or, in some cases, must request that the Superintendent recommend to the Governing Board the expulsion of a student. This is the most serious disciplinary step available. As part of its decision to expel, the Governing Board may permit the student to apply for readmission through the Office of Student Equity after any period of time it may set. The Governing Board, or designee, may establish further conditions within the readmission process with which the student must comply prior to their admission to the instructional process. During the term of the expulsion, the student is to remain away from all Tucson Unified School District schools and activities. If it is necessary to come to a school, the student must make prior arrangements with the principal or principal's designee.

9. PRINCIPAL APPLICATION FOR WAIVER OF MANDATORY ACTIONS

For violations requiring Action Level 4 or 5 consequences, the principal has the prerogative to seek the waiver of any portion or all of the mandatory disciplinary action through the appropriate Assistant Superintendent. The principal may seek the waiver and, if granted, the parties directly involved shall be informed of the reasons the waiver was granted.

Waivers may **not** be sought when the prescribed disciplinary action involves the possession of a firearm or the threatening of an educational institution. By state law in such a case, only the Governing Board may decide, on a case by case basis, whether to impose less than the mandatory penalty.

ACTION LEVELS

The chart below lists actions that may be taken by school administration as the result of a violation. The Action Level identifies maximum action for violations assigned to that level. **Actions listed in bold are the minimum or mandatory action for that level of violation.** Multiple actions may be applied to a single violation. Action Levels are developed with input from students, parents, teachers and community members. **For all violations, parent notification and student conference are mandatory.**

It will be the policy of TUSD to implement Restorative Practices wherever practicable.

LEVEL 1	<ul style="list-style-type: none"> ○ Parent Notification ○ Student Conference ○ Restorative Circle ○ Restorative Conference ○ Confiscation of Contraband ○ Parent Conference ○ Student Verbal Apology ○ Student Written Apology ○ Warning ○ Referred to Outside Agency ○ Community Service ○ Detention ○ Other Action 	<ul style="list-style-type: none"> ○ Peer mediation ○ Privileges Suspended ○ Restitution ○ Saturday School ○ Teen Court ○ Functional Behavioral Assessment ○ Meeting With School Counselor ○ Reassignment To A Different class ○ Behavior Contract ○ Work Detail ○ Behavior Intervention Group ○ Threat Assessment ○ Behavior Intervention Plan ○ Lunch Detention
LEVEL 2	Any mandatory action from the prior level(s) must also be imposed. <ul style="list-style-type: none"> ○ Behavior Contract ○ Restorative Conference and/or Restorative Circle ○ In School Suspension – Short-Term ○ Out Of School Suspension – Short-Term (1-3 Days) ○ Local Law Enforcement Contacted In Appropriate Circumstances 	
LEVEL 3	Any Action from the prior level(s) may also be imposed. <ul style="list-style-type: none"> ○ Short-Term In School Action and/or Abeyance ○ Restorative Conference and/or Restorative Circle ○ In School Suspension ○ Out Of School Suspension and/or Abeyance – Short-Term (1-10 Days) 	
LEVEL 4	Any Action from the prior level(s) may also be imposed. <ul style="list-style-type: none"> ○ Out of School Suspension and/or Abeyance – Long-Term (11-45 Days) ○ Restorative Conference and/or Restorative Circle ○ Removal By Hearing Officer For Likely Injury To Self Or Others ○ Removal By Student’s IEP Team To An Interim Alternative Education Setting 	
LEVEL 5	Any Action from the prior level(s) may also be imposed. <ul style="list-style-type: none"> ○ Out of School Suspension and/or Abeyance – Long-Term (11-180 Days) ○ Restorative Conference and/or Restorative Circle ○ Expulsion 	
<i>Notes:</i>		
<ul style="list-style-type: none"> • All parent conferences will be made in the timeliest manner. 		
<ul style="list-style-type: none"> • A student who willingly assists or forces another student to commit a violation of these guidelines will be held equally accountable for the violation. 		
<ul style="list-style-type: none"> • Attempted violations may require Actions. Administrators will determine the appropriate level of Action to take for an attempted violation. The Action will generally be at a level less than that of the actual violation. 		
<ul style="list-style-type: none"> • For repeated and/or multiple offenses, Administrators may apply an action that is one level higher than that listed, but only after consultation with the Department of Student Equity. 		
<ul style="list-style-type: none"> • When determining the appropriate level of action to take. Administrators may consider a student’s claim of self defense, defense of others or defense of property. 		
<ul style="list-style-type: none"> • When determining the appropriate action to take, Administrators at the elementary level (Pre-K-5th Grade) may consider all violations, <i>with the exception of possession of firearms or any incidence of threat to an educational institution</i>, at one level lower than that of the actual violation. 		

The Arizona Department of Education has identified the following violations:

AGGRESSION	
<i>Violation</i>	<i>Action Level</i>
<p>Verbal Provocation</p> <p>Use of language or gestures that may incite another person or other people to fight.</p>	1
<p>Recklessness</p> <p>Unintentional, careless behavior that may pose a safety or health risk for yourself or for others.</p>	1
<p>Minor Aggressive Act</p> <p>Student engages in non-serious but inappropriate physical contact.</p> <p>Examples: hitting, poking, pulling, tripping, or pushing.</p>	2
<p>Other Aggression</p> <p>Includes other acts of aggression not specifically listed within the Aggression section including, but not limited to, serious and inappropriate physical contact.</p> <p>Examples: pulling a chair out from underneath another person, or other behaviors that demonstrate low-level hostile behaviors.</p>	3
<p>Disorderly Conduct</p> <p>A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person: 1) Engages in violent or seriously disruptive behavior. 2) Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person. 3) Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession, and 4) Refuses to obey a lawful order to disperse issued to maintain public safety. (see A.R.S. §13-2904)</p>	3
<p>Endangerment</p> <p>A person commits endangerment by endangering themselves or another person with a substantial risk of imminent death or physical injury. (see A.R.S. § 13-1201)</p>	3
<p>Fighting</p> <p>Mutual participation in an incident involving physical violence; does not include verbal confrontation alone.</p>	3
<p>Assault</p> <p>A person commits assault by intentionally, knowingly, or recklessly causing physical injury to another person; knowingly touching another person with the intent to injure, insult or provoke such person., or by threatening to use a deadly weapon or dangerous instrument or a simulated deadly weapon. (see A.R.S. §13-1203)</p> <p>Examples: Restraining, barricading.</p> <p>Mandatory report to law enforcement <u>only if</u> the administrator forms a reasonable belief that a student has suffered a non-accidental “physical injury” as defined above in Section D.1.</p>	4
<p>Aggravated Assault</p> <p>A person commits aggravated assault if the person: 1) causes serious physical injury to another; 2) uses a deadly weapon or dangerous instrument; 3) commits the assault by any means of force that causes temporary but substantial disfigurement, temporary but substantial loss or impairment of any body organ or part or a fracture of any body part; 4) commits the assault while the victim is bound or otherwise physically restrained or while the victim's capacity to resist is substantially impaired; 5) commits assault and the person is in violation of an order of protection; 6) commits the assault knowing or having reason to know that the victim is any of the following: law enforcement officer, prosecutor, firefighter, EMT/Paramedic engaged in official duties, teacher or any school employee on school grounds, on grounds adjacent to the school or in any part of a building or vehicle used for school purposes, teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties or any teacher engaged in any authorized and organized classroom activity held on other than school grounds. (see A.R.S. § 13-1204)</p>	5 Mandatory report to law enforcement

ALCOHOL, TOBACCO AND OTHER DRUGS VIOLATIONS		
<i>Definitions</i>		
Drug Violation: Unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Includes over-the-counter medications if abused by the student.		
Possession: knowing exercise of dominion or control over an item.		Use: the act of using.
Sale: to transfer or exchange an item to another person for anything of value or advantage, present or prospective.		
Share: to allow another person to use or enjoy something that one possesses.		
<i>Violation</i>		<i>Action Level</i>
Over the Counter Drugs, Inappropriate use of Medicines that may be purchased directly without a prescription from a health care professional. Inappropriate use includes any use other than that described on the packaging or recommended by a health care professional.		
	Possession	2
	Use	2
	Sale	3
	Share	3
Inhalants Inhalants include medications, anesthetics, or other compounds in vapor or aerosol form, taken by inhalation.		
	Possession	4
	Use	4
	Sale	5
	Share	5
Unknown Drug		
	Possession	4
	Use	4
	Sale	5
	Share	5
Substance Represented as of Illicit Drug A substance that is not an illicit drug but that is represented as, and could be perceived as being, an illicit drug.		
	Possession	4
	Use	4
	Sale	5
	Share	5
Prescription Drugs, Inappropriate use of Medicines obtained with the lawful prescription of a health care professional. Inappropriate use includes any use other than that described by the prescription.		Mandatory report to law enforcement
	Possession	4
	Use	4
	Sale	5
	Share	5
Illicit Drug Illicit drugs include dangerous drugs, narcotic drugs, marijuana, and peyote as defined by A.R.S. § 13-3401, and appearing in any form, including seeds, plants, cultivated product, powder, liquid, pills, tablets, etc.		Mandatory report to law enforcement
	Possession	4
	Use	4
	Sale	5
	Share	5
Alcohol Violation The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school-sponsored events and on school-sponsored transportation.		
	Possession	4
	Use	4
	Sale	5
	Share	5

Tobacco Violation		
The possession, use, distribution or sale of tobacco products on school grounds (including any device or substance that delivers nicotine), at school-sponsored events and on school-sponsored transportation. (see A.R.S. §36-798.03).		
	Possession	2
	Use	2
	Sale	3
	Share	3
Possession of Drug Paraphernalia		
Drug paraphernalia means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter. (A.R.S. § 13-3415)		
	Possession	2
	Use	2
	Sale	3
	Share	3

ARSON	
<i>Definitions</i>	
Structure: a building or place with sides and a floor used for lodging, business, transportation, recreation, or storage	
Occupied structure: any structure in which one or more persons is, or is likely to be present, or is so near as to be in equivalent danger at the outset of the fire or explosion. This includes any dwelling house, whether occupied or not.	
Property: anything other than a structure that is owned and has value of any kind (e.g., a backpack, school book, clothing, etc.).	
Damage: as used here, means a tangible or visible impairment to a surface.	
Reckless Burning: recklessly causing a fire or explosion resulting in damage to a structure, wild land, or property. (see A.R.S. § 13-1702).	
<i>Violation</i>	<i>Action Level</i>
Arson of a Structure or Property A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion. A.R.S. § 13-1703. (Burning one's own property is not arson, with the exception of burning one's own property with the knowledge that it will ignite another's property or a structure. Burning one's own property may, where appropriate, be considered reckless burning.)	4
Arson of an Occupied Structure A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion. A.R.S. § 13-1704.	5 Mandatory report to law enforcement
NOTE: Administrators may consider acts of arson that are only reckless (as opposed to knowing or intentional), or that damage property with a value under \$100, at Level 3. Please see the definition of Reckless Burning above.	

ATTENDANCE POLICY VIOLATION (Out of school suspension is not permitted)	
<i>Violation</i>	<i>Action Level</i>
Other Attendance Violations Examples: leaving school, without signing out in the main office; leaving school at lunch, without a pass; obtaining a pass to go to a certain place and not reporting there; becoming ill and going home or staying in the restroom, instead of reporting to the nurse's office; or coming to school, but not attending classes.	1
Tardy Arriving at school or class after the scheduled start time.	1
Unexcused Absence When a student is not in attendance for an entire day and does not have an acceptable excuse.	1
Leaving School Grounds without Permission Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.	2
Truancy When a child between 6-16 years of age has an unexcused absence for at least one class period during the day.	2

HARASSMENT AND THREAT, INTIMIDATION	
<i>Violation</i>	<i>Action Level</i>
<p>Threat or Intimidation</p> <p>When a person indicates, by words or conduct, the intent to cause physical injury or serious damage to a person or their property, or intentionally places another person in reasonable apprehension of imminent physical injury. This may include threats or intimidation that occurs online or through a telecommunication device. (see A.R.S. § 13-1202).</p>	3
<p>Bullying</p> <p>Bullying is the repeated intimidation of students by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put-downs, including ethnically based or sex or gender-based verbal put-downs, and extortion of money or possessions. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); non-verbal (e.g., text messages, email, social networking); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).</p>	3
<p>Harassment, nonsexual</p> <p>A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person:</p> <ol style="list-style-type: none"> 1) Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses. 2) Follows another person in or about a public place for no legitimate purpose after being asked to desist. 3) Repeatedly commits an act or acts that harass another person. 4) Surveils or causes another person to surveil a person for no legitimate purpose. 5) On more than one occasion makes a false report to a law enforcement, credit or social service agency. (see A.R.S. § 13-2921) <p>*Bullying and Sexual Harassment are types of Harassment. Indicate Harassment, nonsexual if the violation is not specifically Bullying or Sexual harassment, or if the specific type of harassment is not known.</p>	3
<p>Hazing</p> <p>“Hazing” means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which <u>both</u> of the following apply:</p> <ol style="list-style-type: none"> 1) The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution. (“Organization” means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with the school and whose membership consists primarily of students enrolled at the school.); <u>and</u> 2) The act contributes a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. A.R.S. § 15-2301. 	3

HOMICIDE; KIDNAPPING	
<i>Violation</i>	<i>Action Level</i>
<p>Homicide</p> <p>Includes first degree murder, second degree murder, manslaughter or negligent homicide, and intentionally or recklessly causing the death of another person. A.R.S. § 13, Chapter 11.</p>	5 Mandatory report to law enforcement
<p>Kidnapping</p> <p>Knowingly restraining another person with the intent to hold the victim for ransom, as a shield or hostage; or hold the victim for involuntary servitude; or inflict death, physical injury or a sexual offense on the victim, or to otherwise aid in the commission of a felony; or place the victim or a third person in reasonable apprehension of imminent physical injury to the victim or such third person A.R.S. § 13-1304.</p>	5 Mandatory report to law enforcement

<u>DISHONESTY</u>	
<i>Violation</i>	<i>Action Level</i>
Cheating To intentionally share with another, or take from another, intellectual property for the purpose of deceit or fraud, or to take or steal intellectual property from another with or without their knowledge and present it as the student's own.	2
Forgery Falsely and fraudulently making or altering a document, including hall passes and parent signatures.	2
Lying To make an untrue statement with intent to deceive or to create a false or misleading impression.	2
Plagiarism To steal and pass off the ideas or words of another as one's own, including material obtained online.	2

<u>OTHER VIOLATIONS OF SCHOOL POLICIES</u>	
<i>Violation</i>	<i>Action Level</i>
Dress Code Violation Student wears clothing that does not fit within the dress code guidelines stated by school or district policy.	1
Parking Lot Violation Examples: unsafe driving in the parking lot, parking in unauthorized areas, parking in fire lanes or disabled persons space/area, parking in two or more parking spaces with one vehicle, excessive audio or radio sound, blocking driveway or access, or littering.	1
Public Display of Affection Inappropriate displays of affection (i.e. kissing)	1
Other Violation of School Policies and Regulations Other violations of written school, or district-wide, policy or regulation. Example: soliciting (drugs, tobacco, alcohol, stolen items, etc.)	2
Contraband Items stated in school policy as prohibited because they may disrupt the learning environment.	2
Combustible Student is in possession of substance or object that is readily capable of causing bodily harm or property damage. (e.g. matches, lighters)	2
Disruption Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior.	2
Gambling To play games of chance for money or to bet a sum of money.	2
Language, Inappropriate Delivering verbal messages that include swearing, name calling, or use of words in an inappropriate way.	2
Defiance or Disrespect Towards Authority and Non Compliance Student engages in refusal to follow directions, talks back, or delivers socially rude interactions.	2
Negative Group Affiliation / Illegal Organization Clubs, fraternities, sororities, anti-social organizations, secret societies, criminal street gangs, and other sets of individuals that are not sanctioned by the Governing Board and which are determined to be disruptive to teaching and learning. This includes wearing of symbolic apparel, making gestures, writing on and marking of property, or altering of personal appearance to symbolize membership in an organization with a history of, or determined to be, a disruption to teaching and learning.	3

SCHOOL THREAT OR INTERFERENCE	
<i>Definitions</i>	
Threatening an educational institution (School Threat) means to interfere with or disrupt an educational institution by doing any of the following:	
1) For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.	
2) For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.	
3) Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.	
4) Refusing to obey a lawful order to leave the property of an educational institution.	
NOTE: "interference with or disruption of" includes only those acts that might reasonably lead to the evacuation or closure of a school property or to the postponement, cancellation, or suspension of any class or other school activity (though actual evacuation, closure, postponement, cancellation or suspension is not required).	
<i>Violation</i>	<i>Action Level</i>
Fire Alarm Misuse Intentionally ringing fire alarm when there is no fire.	4
Other School Threat An incident, not coded in the School Threat category, which involves threatening an educational institution.	5 Expulsion required by law
Bomb Threat Threatening an educational institution by using or threatening to use a bomb, or arson-causing device.	5 Expulsion required by law
Chemical or Biological Threat Threatening an educational institution by using or threatening to use dangerous chemicals or biological agents.	5 Expulsion required by law

SEXUAL OFFENSES	
<i>Violation</i>	<i>Action Level</i>
Harassment, Sexual Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal, graphic, written, or physical conduct of a sexual nature where such conduct has the purpose or effect of creating an intimidating, hostile, or offensive educational environment. Sexual harassment can include nonverbal forms (e.g., "sexting," tweeting, or otherwise sending messages through networking sites and/or telecommunication devices), or physical conduct of a sexual nature.	3
Pornography Pornography is the sexually explicit and obscene depiction of persons, in words or images. Examples: viewing and/or sharing nude or sexually-charged images (non-art, non-educational) of people in books, magazines, electronic devices, or on the internet; using an electronic device to send or receive nude images, partially-nude images, or images that are sexual in nature ("i.e. sexting"), or drawing nude images, partially-nude images, or images that are sexual in nature that have no redeeming educational value.	3
Harassment, Sexual with contact Sexual harassment that includes physical contact.	4
Indecent Exposure or Public Sexual Indecency A violation of A.R.S. § 13-1402 Indecent exposure, § 13-1403 Public sexual indecency, or engaging in other sexual acts. Examples: public urination, streaking, masturbation, "peeping tom" (including taking photos or videotaping), exposing another student's private parts, or engaging in intercourse, or oral sex.	4
Sexual Assault or Rape A violation of A.R.S. § 13-1406 Sexual assault	5 Mandatory report to law enforcement
Sexual Abuse or Sexual Conduct with minor, or Child Molestation A violation of A.R.S. § 13-1404 Sexual abuse, § 13-1405 Sexual conduct with a minor, or § 13-1410 Child Molestation.	5 Mandatory report to law enforcement

TECHNOLOGY, IMPROPER USE OF	
<i>Violation</i>	<i>Action Level</i>
Telecommunication Device Examples: use of telecommunication devices (cell phones, pagers, etc.) for non-instructional purpose	1
Other Technology Examples: Nintendo DS, iPods, MP3 players, etc.	1
Computer Examples: use of school computers for non-instructional purpose, copyright or trademark infringement, knowingly uploading or downloading destructive or malicious programs or software, loading personal software or disks onto school computers without permission of an administrator, vandalism of computers or computer equipment.	2
Network Violation Examples: use of computer network for non-instructional purpose, knowingly uploading or downloading destructive or malicious programs or software, sharing passwords, attempting to read, delete, copy or modify the email of other users, accessing secure areas other than for educational purposes, transmitting material information or software in violation of any district policy or regulation, local, state or federal law or regulation, or tampering with or misuse of the computer networking system or taking any other action inconsistent with this regulation will be viewed as a network violation.	3

THEFT	
<i>Violation</i>	<i>Action Level</i>
<p>Petty Theft</p> <p>Thefts for cash, or property, valued under \$100.</p>	2
<p>Theft – School Property or Non-School Property</p> <p>A person commits theft if, without lawful authority, the person knowingly:</p> <ol style="list-style-type: none"> 1) Controls property of another with the intent to deprive the other person of such property; or 2) Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant's possession for a limited, authorized term or use; or 3) Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or 4) Comes into control of lost, mislaid or misdelivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person's own or another's use without reasonable efforts to notify the true owner; or 5) Controls property of another knowing or having reason to know that the property was stolen; or 6) Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another's services to the person's own or another's benefit without authority to do so. A.R.S. § 13-1802. 	3
<p>Burglary or Breaking and Entering</p> <p>Entering or remaining unlawfully in or on the personal property of another, a classroom, a residential structure or yard or a nonresidential structure or in a fenced commercial property with the intent to commit any theft or any felony therein. (see A.R.S. § 13-1506 - § 13-1507).</p>	4
<p>Extortion</p> <p>A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:</p> <ol style="list-style-type: none"> 1) Cause physical injury to anyone by means of a deadly weapon or dangerous instrument. 2) Cause physical injury to anyone except as provided in paragraph 1 of this subsection. 3) Cause damage to property. 4) Engage in other conduct constituting an offense. 5) Accuse anyone of a crime or bring criminal charges against anyone. 6) Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person's credit or business. 7) Take or withhold action as a public servant or cause a public servant to take or withhold action. 8) Cause anyone to part with any property. A.R.S. § 13-1804. 	4
<p>Robbery</p> <p>A person commits robbery if in the course of taking any property of another from his person or immediate presence and against his will, such person threatens or uses force against any person with intent either to coerce surrender of property or to prevent resistance to such person taking or retaining property. A.R.S. § 13-1902.</p>	4
<p>Armed Robbery</p> <p>A person commits armed robbery if, in the course of committing robbery (see definition above) such person or an accomplice, 1) is armed with a deadly weapon or a simulated deadly weapon; or 2) Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon. A.R.S. § 13-1904.</p>	5 Mandatory report to law enforcement
<p>Burglary (First Degree)</p> <p>A person commits burglary in the first degree if such person or an accomplice enters or remains unlawfully in or on a residential structure or yard or a nonresidential structure or in a fenced commercial with the intent to commit any theft or any felony therein (A.R.S. §13-1506-07) and knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft or any felony. A.R.S. § 13-1508.</p>	5 Mandatory report to law enforcement

TRESPASSING; VANDALISM OR CRIMINAL DAMAGE	
<i>Definitions</i>	
<p>Criminal damage: willful destruction or defacement of school property, commercial property located on school property, or personal property of another person, so as to substantially impair its function or value in an amount of five thousand dollars or more. Administrators may consider acts of vandalism that result in damages exceeding \$5,000 in value at a Level 4.</p> <p>Examples: substantial destruction of copy machines, school vehicles, student vehicles, or certain technology, science, or computer equipment.</p>	
<i>Violation</i>	<i>Action Level</i>
<p>Trespassing</p> <p>To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function.</p>	2
<p>Graffiti or Tagging</p> <p>Writing on walls, drawings or words that are scratched, painted, or sprayed on walls or other surfaces in public places.</p>	2
<p>Vandalism of Personal property</p> <p>Willful destruction or defacement of personal property.</p>	3
<p>Vandalism of School Property</p> <p>Willful destruction or defacement of school property.</p> <p>Examples: destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles.</p>	3

WEAPONS AND DANGEROUS ITEMS	
<i>Violation</i>	<i>Action Level</i>
<p>Dangerous Items</p> <p>Knife with a blade length of less than 2.5 inches, Air Soft Gun, B.B.Gun, Laser Pointer, Letter Opener, Mace/Pepper Spray, Paintball Gun, Pellet Gun, Razor Blade/Box Cutter, Simulated Knife, TASER or Stun Gun, Tear Gas, firecrackers, smoke and stink bombs, gas, lighter fluid, and other dangerous items (Anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury)</p> <p>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</p>	3
<p>Other Weapons</p> <p>Examples: Billy Club, Brass Knuckles, Knife with a blade length of at least 2.5 inches, Nunchakus</p> <p>Mandatory report to law enforcement if under the circumstances in which it is used, attempted to be used or threatened to be used the item is readily capable of causing death or serious physical injury.</p>	4
<p>Simulated Firearm</p> <p>Possession of a simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm (or any object such as a stick or finger concealed under clothing).</p>	4
<p>Firearms</p> <p>Firearm means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition. A.R.S. § 13-3101</p> <p>Other Firearms – As defined for the Gun-Free Schools Act (GFSA) – includes - the frame or receiver of any weapon described above; Any firearm muffler or firearm silencer; Any destructive device, which includes: Any explosive, incendiary, or poison gas: Bomb; Grenade; Rocket having a propellant charge of more than four ounces; Missile having an explosive or incendiary charge of more than one-quarter ounce, Mine or similar device. Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter. Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled. 18 U.S.C. 921</p> <p>(This definition does not apply to items such as toy guns, colorful plastic water guns, cap guns, bb guns, and pellet guns)</p>	<p>5</p> <p>Expulsion required by law</p> <p>Mandatory report to law enforcement</p>

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TUSD ANNUAL NOTIFICATION OF PRIVACY RIGHTS OF PARENTS AND STUDENTS

The Family Educational Rights and Privacy Act (FERPA) affords parents and “eligible students” (students over 18 years of age, or who attend an institution of postsecondary education) certain rights regarding the student’s education records. These rights are:

(1) The right to inspect and review the student’s education records within 45 days from the day TUSD receives a request.

The parent(s) and/or eligible student may inspect and review student’s education records, and TUSD policies and regulations governing use of those records, by making an appointment with the student’s school principal. A copy of state and federal statutes and regulations concerning student records is available for reasonable inspection in the Office of the Superintendent or designee, 1010 E. 10th Street, Tucson, Arizona. A list of the types of records maintained, and an explanation of any record, will be provided by appropriate TUSD personnel upon request.

Federal law assumes that both parents are equally entitled to review their child’s records. If there is a custody order in place that prohibits the provision of this information to one parent, please provide TUSD with a copy of the custody order, signed by a judge.

(2) The right to request the amendment of the student’s education records that the parent(s) and/or eligible students believes are inaccurate, misleading, or otherwise in violation of the student’s privacy rights under FERPA.

Such a request must be in writing to the student’s school principal, must clearly identify the part of the record they want changed, and must specify why it should be changed. If TUSD, decides not to amend the record as requested by the parent(s) and/or eligible student, TUSD will notify the parent(s) and/or eligible student of the decision, and the parent(s) and/or eligible student may further request a hearing regarding the request for amendment, as provided by federal and state statutes, rules and regulations.

(3) The right to privacy of personally identifiable information in the student’s education records, except to the extent that FERPA authorizes disclosure without consent.

TUSD must obtain the written consent of the parent or eligible student prior to releasing personally identifiable information from the education records of a student, except in circumstances where federal and state law authorize disclosure without consent, such as disclosure to school officials with legitimate educational interests. A school official is a person employed by TUSD as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a Governing Board member; a person or company with whom TUSD has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent or student serving on an official committee, such as a disciplinary or grievance committee; or a parent, student, or other volunteer assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, schools will disclose education records, without consent, to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student’s enrollment or transfer.

(4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by TUSD to comply with the requirements of FERPA.

Any complaints arising from an alleged violation of these rights may be submitted to the Superior Court of Pima County, Arizona, or to:

The Family Policy Compliance Office
U.S. Dep’t of Education
400 Maryland Avenue, SW
Washington, D.C. 20202
(202) 260-3887

Directory Information

FERPA requires that TUSD, with certain exceptions, obtain a parent’s/guardian’s written consent prior to the disclosure of personally identifiable information from your child’s education records. However, TUSD may disclose appropriately designated “directory information” without written consent, unless you have advised TUSD to the contrary in accordance with TUSD procedures (see Administrative Regulation 5130). The primary purpose of directory information is to allow TUSD to include this type of information from your child’s education records in certain school publications, such as:

- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets showing weight/height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the *Elementary and Secondary Education Act of 1965* (ESEA) to provide military recruiters, upon request, with the following information – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want TUSD to disclose directory information from your child’s education records without your prior written consent, you must notify TUSD on TUSD Form 274, prior to October 1st. TUSD has designated the following information as directory information:

Name, address, parent or guardian telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees (diplomas) and awards received, the most recent previous educational agency or institution attended by the student, personally identifiable photographs, videotapes, films and other visual media, personally identifiable interviews, either audio only or audio and visual, and other similar information.

Under federal law, this information is considered directory information and does not require the written consent of a parent/eligible student to release. If you object to the release of directory information you must notify the principal or designee of the school, in writing, on TUSD Form 274, prior to October 1st. If Form 274 is not received by October 1st, it will be assumed that there is no objection to releasing such information. This procedure shall be done annually. Pursuant to federal law, upon request, TUSD may disclose education records without prior parental/eligible student consent, to officials of another school district in which a student seeks or intends to enroll. For further information, contact the Principal’s Office at the school where the student(s) attend in TUSD.

TUSD ANNUAL NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

(1) Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Dep’t of Education (ED) –

1. Political affiliations or beliefs of the student or student’s parent;
2. Mental or psychological problems of the student or student’s family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents; or
8. Income, other than as required by law to determine program eligibility.

(2) Receive notice and an opportunity to opt a student out of –

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

(3) Inspect, upon request and before administration or use –

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 yrs old, or an emancipated minor under State law.

TUSD will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes.

TUSD will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. TUSD will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey.

TUSD will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales, or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parents who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 2020

YOUR SCHOOL IS A
SAFE-T-ZONE

IF YOU SEE IT

- | | |
|-------------------|-----------------------|
| ↪ <i>DRUGS</i> | ↪ <i>VIOLENCE</i> |
| ↪ <i>FIGHTS</i> | ↪ <i>WEAPONS</i> |
| ↪ <i>GANGS</i> | ↪ <i>NON-STUDENTS</i> |
| ↪ <i>ASSAULTS</i> | ↪ <i>GRAFFITI</i> |
| ↪ <i>TRUANCY</i> | ↪ <i>THREATS</i> |

REPORT IT!

CONFIDENTIALITY GUARANTEED

TELL A SCHOOL OFFICIAL OR CALL

TUSD SAFETY MESSAGE LINE
584-7680

- MESSAGES CHECKED HOURLY DURING SCHOOL -
- DAILY ON NON-SCHOOL DAYS -

DISCRIMINATION STATEMENT: Tucson Unified School District does not discriminate on the basis of race, color, religion/religious beliefs, sex, gender, gender identity, age, national origin, sexual orientation, , creed, citizenship status, marital status, political beliefs/affiliation, disability, home language, or family, social or cultural background in admission or access to, or treatment or employment in, its educational programs or activities. Inquiries concerning Title VI, Title VII, Title IX, Section 504, and Americans with Disabilities Act may be referred to TUSD’s EEO Compliance Officer, 1010 East Tenth Street, Tucson, Arizona 85719, (520) 225-6444, or to the Office for Civil Rights, U.S. Department of Education, 1244 Speer Boulevard, Denver, Colorado 80204. See Board Policies AC “Non-Discrimination,” and ACA “Sexual Harassment” for more information.