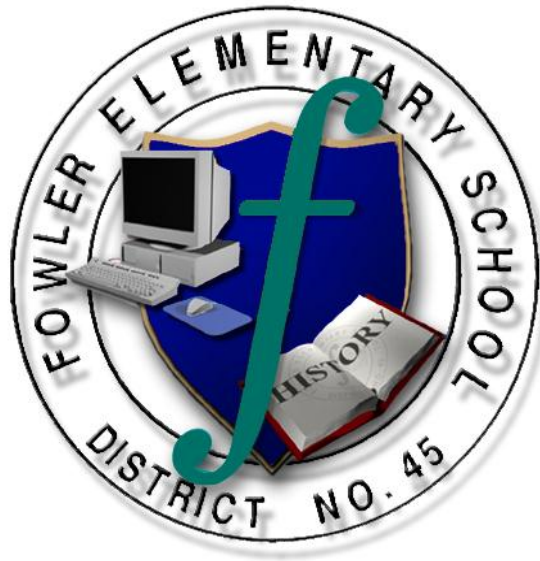


STUDENT CODE OF CONDUCT

AND

STUDENT RIGHTS AND RESPONSIBILITIES



Fowler Elementary School District #45

1617 South 67th Ave. • Phoenix, AZ 85043-2114 • (623) 707-4500

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Fowler School District Student Code of Conduct Guidelines for Student Behavior

Problem Area	Range	First Occurrence	Repeated Occurrences
Academic Misconduct/Cheating	Minimum	AISI•	Suspension
	Maximum	Loss of Credit for the Assignment	Removal from Class, Loss of Credit, and/or Expulsion
*Abuse of Staff	Minimum	AISI/Counseling	Short-term Suspension
	Maximum	Expulsion	Expulsion
*Alcohol and Non-prescribed Drug Possession, Use, Distributions	Minimum	AISI/Suspension	Suspension
	Maximum	Expulsion	Expulsion
Bus Violations	Minimum	Conference	Denial of specified privileges
	Maximum	Denial of all bus-riding privileges	
Disruptive, Deceptive/Defiant Behavior	Minimum	Parent Conference	Parent Conference/AISI
	Maximum	AISI	Suspension/Expulsion
Dress Code Violations	Minimum	Clothing Change	Conference/AISI
	Maximum	AISI	Suspension
Electronic Devices	Minimum	Confiscation	AISI
	Maximum	AISI	Suspension
*Extortion/Fighting	Minimum	AISI	AISI/Suspension
	Maximum	Suspension	Expulsion
*Gambling	Minimum	Parent Involvement	Parental Involvement/AISI
	Maximum	AISI	Suspension
*Harassment	Minimum	Conference/Suspension	AISI/Suspension
	Maximum	Suspension	Expulsion
Internet/Computer Violations	Minimum	Loss of privileges	Suspension
	Maximum	Suspension/Expulsion	Expulsion
Theft	Minimum	Conference/Restitution	AISI/Restitution
	Maximum	Suspension/Restitution	Expulsion/Restitution
Trespassing	Minimum	Conference	AISI
	Maximum	AISI	Suspension
*Tobacco: Use, Sale, Distribution	Minimum	AISI	Suspension
	Maximum	Suspension/Expulsion	Expulsion
*Truancy	Minimum	Conference	AISI
	Maximum	AISI	Court Referral
*Vandalism	Minimum	Parental Involvement	Restitution/Suspension
	Maximum	Expulsion/Criminal Charge	Expulsion/Criminal Charge
*Weapons/Dangerous Instruments	Minimum	AISI/Suspension	Suspension/Expulsion
	Maximum	Expulsion	Expulsion

*These areas also involve state and/or federal law. School officials shall notify appropriate law enforcement officers of all deadly weapons and non-prescribed drug violations, as required by law. School officials may also notify law enforcement officers of other violations.

•AISi – alternative In-School Instruction. The student is temporarily removed from one or more classes but remains at school.

The Governing Board may, on a case-by-case basis, provide for lesser disciplinary action after consideration of all relevant circumstances.

SECTION 1. RIGHTS AND RESPONSIBILITIES OF STUDENTS

1.1. Educational Opportunity.

Each student is entitled to the opportunity for a quality education through access to a professional staff and facilities. By participating in school programs on or off school property, students agree to comply with the rules, regulations, and provisions of these programs.

1.2. Use of Educational Resources.

Students share the responsibility for the preservation and care of school property. Any unauthorized use or deliberate destruction, damage to, or defacing of district property is a violation of the Fowler Student Code of Conduct.

1.3. Special Programs.

All identified disabled children shall receive special education commensurate with their abilities and needs.

All identified gifted children shall receive education commensurate with their abilities and needs.

Children and youth may qualify for services under State and Federal special educations laws (The Individuals with Disabilities Education Act (IDEA) and Section 504 of the Rehabilitation Act of 1973). A child can be referred for an evaluation at any time if they are suspected of having a disability regardless of where they are receiving schooling. Private school and home-schooled children may access an evaluation as well as children enrolled in the District. If you live in the Fowler Elementary School boundaries and are parents of a student, or you know of a child who might be in need of services for a disabling condition, please call the Special Education Department at (623) 474-7276.

1.4. Freedom of Speech.

An environment conducive to the free exchange of ideas and to study and learning shall be maintained in each school in the district.

Students have a responsibility to respect others at all times. Communications of an obscene or defamatory nature or those that constitute or advocate discriminatory comments about one's race, color, creed, national origin, age, gender or disabling condition or which violate commonly accepted standards of the district, are not permitted.

Students have the right, and are encouraged, to form, hold and express their ideas and beliefs. The encouragement of this right requires that students be able to disclose or express an idea or belief in the proper educational setting without penalty, embarrassment or any reflection in academic evaluation.

Students are entitled to express in writing their personal opinions and to circulate petitions. The manner of distribution of such material shall not interfere with or disrupt the educational process.

1.5. Student Records.

Parents or guardians have equal rights to inspect and to review a student's records unless the school has been provided with a valid court order to the contrary. Review and inspection of a student's record by others may also occur when

- a. the prior written consent of the student's parents or the eligible student has been received,
- b. law enforcement or probationary officers are operating under the direction of a court, or,
- c. under certain limited circumstances, it is permitted by the Federal Education Rights and Privacy Act of 1974 (FERPA) 20 USC 1232(g) and 1232(h) and by federal regulations issued pursuant to that statute.

1.55. Confidentiality of Student Records.

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. The Governing Board has established written policies regarding the collection, storage, retrieval, release, use, and transfer of student educational information collected and maintained pertinent to the education of all students to ensure the confidentiality of the information and to guarantee parents' and students' rights to privacy. These policies and procedures are in compliance with:

SECTION 1. RIGHTS AND RESPONSIBILITIES OF STUDENTS

The Family Education Rights and Privacy Act; Title 20, United States Code, Sections 1232g and 1232h; and the Federal Regulations (34 C.F.R., Part 99) issued pursuant to such act; Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT ACT); No Child Left Behind Act of 2001 (NCLB); The Individuals with Disabilities in Education Act; 20 U.S.C. Chapter 33; and the Federal Regulations (34 C.F.R. Part 300); and Arizona Revised Statutes, Title 15, sections 131 and 132.

Student education records are collected and maintained to help in the instruction, guidance, and educational progress of the student, to provide information to parents and staff members, to provide a basis for the evaluation and improvement of school programs, and for legitimate educational research. The students' records maintained by the District may include - but are not necessarily limited to, identifying data, report cards and transcripts of academic work completed, standardized achievement test scores, attendance data, reports of psychological testing, health data, teacher or counselor observations, and verified reports of serious or recurrent behavior patterns.

These records are maintained in the office of the District under the supervision of the building administrator and are available only to the teachers and staff members working with the student. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll. Otherwise, records are not released to most agencies, persons or organizations without prior written consent of the parent [34 C.F.R. 99.7].

You shall be informed when personally identifiable information collected, maintained, or used is no longer needed to provide educational services to your child. The information must be maintained for two (2) years after the date your child was last enrolled in this school district.

You have the right to request that an amendment be made to the student's education records and to add comments of your own if you believe information in the record file is inaccurate or misleading [34 C.F.R. 99.7(a)(1)]. You should write the principal, clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by you, the School will notify you of the decision and advise you of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

You have the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or 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.

Copies of the district student education records record confidentiality policies and procedures may be reviewed in the assigned office in each school [34 C.F.R. 99.7(a)(5) and 99.7(b)]. You have the right to file a complaint with the Family Educational Rights and Privacy Act Office in Washington, D.C., concerning alleged failures by the School to comply with the requirements of FERPA [34 C.F.R. 99.7]. The name and address of the Office that administers FERPA is:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-4605**

SECTION 1. RIGHTS AND RESPONSIBILITIES OF STUDENTS

1.58. Designation of Directory Information.

During the school year, District staff members may compile non-confidential student directory information. According to state and federal law the designated directory information may be publicly released to educational, occupational or military recruiting representatives without your permission. If the Governing Board permits the release of the designated directory information to persons or organizations who inform students of educational or occupational opportunities, by law the District is required to provide the same access on the same basis to official military recruiting representatives for the purpose of informing students of educational and occupational opportunities available to them, unless you request in writing not to release the student's information without your prior written consent. *If you do not opt out of releasing any and all of the designated information, then the District must provide military recruiters, upon request, directory information containing the student's names, addresses and telephone listings.*

If you *do not* want any or all of the designated information about your son/daughter to be released to any person or organization without your prior written consent, you must notify the District in writing by checking off any or all of the rejected information, signing the form at the end of this book, and returning it to the Principal, within two (2) weeks of receiving this form. If the School District does not receive this notification from you within the prescribed time, *it will be assumed that your permission is given* to release your son's/daughter's designated directory information.

1.6. Student Publications.

The school principal is the official publisher of school-sponsored publications. Student editors of school-sponsored publications shall be guided by the policies of the district and shall ensure adherence to accepted standards of journalism including, but not limited to prohibition of libel, intentional distortion, or reckless disregard for the facts. Authorship shall be disclosed and opinions shall be identified as such. Student editors of school-sponsored publications must provide the opportunity for other students, teachers, and administrators to express views that differ from editorial policy.

All materials to be published in school-sponsored publications shall be submitted for approval to the faculty sponsor before publication. The faculty sponsor shall provide a written explanation to the student editor of the reasons for any such rejection. Within five school days after receipt of such written explanation, the rejection may be appealed in writing to the building principal who may affirm, reverse or modify the action of the faculty sponsor.

Students who edit, publish or distribute handwritten, printed, duplicated or other materials among their fellow students assume full responsibility for the content of all material. Students are entitled to express in writing their personal opinions and to circulate petitions. Circulation of petitions may occur during lunch and prior to and/or after school in areas designated by the principal, which provide reasonable access to the students. The authorship of the material must be identified.

Students shall have access to specified bulletin boards and/or areas for the posting of notices or other communications concerning school activities or matters of general interest to students. Posted notices shall (1) be subject to reasonable size and number limitations determined by the administration, (2) be dated and (3) identify the sponsoring individual or organization. Notices that violate any applicable restriction, that are outdated, or are posted longer than ten days may be removed by school authorities.

The administration may prohibit the posting or distribution of, and may remove, any material which

- a. interferes or threatens to interfere with the orderly operation of the school;
- b. disrupts or threatens to disrupt a class, classes, class work or the educational process;
- c. involves or threatens to involve disorder, violence, harassment or an invasion of the rights of other students; or,
- d. is libelous, defamatory or obscene.

1.7. Right to Assemble.

School-sponsored activities and meetings (student government, pep rallies, etc.) may be scheduled during the school day. In addition, students shall be given the opportunity to organize and hold student meetings at other reasonable times.

Student meetings or gatherings in school buildings or on school grounds may be authorized by the school administration. The principal must be informed in advance and may impose reasonable restrictions on the time and place of student gatherings or assemblies.

SECTION 1. RIGHTS AND RESPONSIBILITIES OF STUDENTS

If the principal denies permission for a student gathering or assembly, a written explanation will be provided upon request. Attendance at meetings and assemblies is limited to students regularly enrolled in that school unless the principal has given prior approval for others to attend.

1.8. Exercise of Rights and Privileges.

Students shall not be punished or penalized for exercising any of the rights or privileges described in this Code. Students who believe that they have been punished or penalized in violation of this paragraph may appeal, in writing, to the principal, who will hear and consider the appeal and respond in writing.

1.9. Freedom from Harassment.

The district seeks to provide all students with an atmosphere free from harassment. Harassment occurs when an individual is subjected to treatment and/or to a school environment that is hostile or intimidating because of the individual's race, religion, creed, color, national origin, age, physical condition or ability, or gender. Harassment can occur at any time during a school day, including while going to or from school or during school-related activities. There shall be no hazing. "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 both of the following apply:

- a. The act was committed in connection with an initiation into, an affiliation with, or the maintenance of membership in any organization that is affiliated with an educational institution.
- b. The act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation.

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

Students and others may report hazing to any professional staff member. The staff member shall preserve the confidentiality of those involved, disclosing the incident only to the appropriate school administrator or next higher administrative supervisor or as otherwise required by law.

1.10. Responsibilities and Limitations.

Anyone subjected to harassment should immediately inform school personnel. The district will attempt to maintain confidentiality of harassment complaints and related matters but may disclose such information if the district deems it appropriate. Students are required to obey all federal, state, or city laws, district policies, rules and regulations.

Students are required by state law to comply with the regulations, pursue the required course of study and submit to the authority of the teachers and the Governing Board (ARS §15-841).

Students are required to comply with the lawful directions of district officials and law enforcement officers acting in performance of their duties. Students must identify themselves to such officials or officers when requested to do so.

Students are responsible for ensuring that their own exercise of rights and privileges does not disrupt the educational program or school activities nor infringe on the rights of others.

1.11. Student Searches.

School administrators are entitled to search students and seize property, including school property temporarily assigned to students, when there is reasonable suspicion that stolen property or some material or item detrimental to the health, safety or welfare of students may be in their possession or control. Searches may include a student's personal property such as backpacks or pockets. Any search must be reasonable in scope and not excessively intrusive on the student in light of the age, sex of the student, nature of the infraction, property or item involved and the type of conduct alleged. Strip searches are prohibited. Searches may be conducted at any time, without student consent, without notice and without a search warrant or other formal documentation.

Lockers and desks for storage of school-related items and personal items are provided as a convenience to the students but remain the property of the district and are subject to its control and supervision. Students have a reasonable expectation of privacy; however, at any time, with or without notice, without student consent and without a search warrant or other formal

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documentation, school authorities may inspect lockers, desks, storage areas, etc. Students who accept lockers or desks must assume full responsibility for the content and security of these items.

Students have a reasonable expectation of privacy in the personal belongings they carry with them at school such as backpacks or purses; however, school authorities may search a backpack or purse when they have a reasonable suspicion that a particular illegal, dangerous or stolen object is located in the backpack or purse.

1.12. Medications.

When a student must take medication during school hours, school personnel may assist under the following conditions:

The medication must be in its original container. The pharmaceutical label must be on the container of any prescription drug. The parent or legal guardian must provide written direction to the school personnel at the school where the medication is to be administered. The direction must be signed and dated by the parent or guardian. Student medications shall be kept in the school's health office. Provisions may be made for students to carry asthma inhalers or similar aids.

1.13. Parent Liability.

Upon complaint of the Governing Board, the parents or guardians of minors who damage school property shall be liable for all damages caused by their children (ARS §15-842B).

1.14. Visitor/Guest Passes.

Any person other than a student or employee of the school must obtain a visitor's pass from the school office. The school administration has absolute discretion as to the issuance of visitor passes.

1.15. Instructional Employee Resumes.

Instructional Employee Resumes are available for inspection by parents. Requests to review resumes can be made to school principals. Such information shall not include teacher address, salary, social security number, and telephone or other personally identifiable information as determined by the District.

1.16. Nondiscrimination Statement.

It is the policy of the Fowler School District to maintain a nondiscriminatory learning environment and to ensure that students are free from discrimination in any District program or activity on the basis of race, color or ethnicity, national origin, gender, religion or disability.

1. The District affirms its intent to comply with all federal and state law in relating to the prevention of discrimination.
2. Lack of English language skills shall not be a barrier to admission and participation in District programs.
3. With respect to Title IX issues (gender-based discrimination), the Curriculum Director is the District's Title IX officer. If you have questions that cannot be answered at your school, please contact the Curriculum Director at 1617 S. 67th Avenue, Phoenix, AZ 85043. Phone 623-707-4500.
4. With respect to Title VI issues (race, color, ethnicity or national-origin based discrimination), Curriculum Director is the District's current title VI officer. If you have questions that cannot be answered at your school, please contact the Curriculum Director at 1617 S. 67th Avenue, Phoenix, AZ 85043. Phone 623-707-4500.
5. Section 504 of the Federal Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 provide protections against discrimination on the basis of a disability. If you have questions, please contact the Special Education Director at 1617 S. 67th Avenue, Phoenix, AZ 85043. Phone 623-474-7260.
6. Any student who knowingly makes false accusations of discrimination may be subject to disciplinary action.

SECTION 2. DISCIPLINARY ACTIONS

The following types of behavior, which are considered to be detrimental to the educational environment, are prohibited on school property, including school buses, in the vicinity of the school, at school activities, at school-sponsored activities, and on the way to and from school. Disciplinary decisions are at the discretion of the administration. Disciplinary actions will occur in a timely manner.

2.1. Abuse of Staff.

Insubordinate behavior: refusing to obey reasonable directives or requests; physically accosting; verbally threatening; abusive, threatening and/or profane language; insolent behavior; disrespectful manner; tone of voice; inappropriate bodily actions/gestures; failure to comply with lawful directions of district officials or any law enforcement officers acting in performance of their duties; failure to identify themselves to such officials or officers when requested to do so.

Actions taken may include, but are not limited to:

- a. Student may be isolated from other students.
- b. Informing parents of conduct, policy and disciplinary procedures.
- c. Requirement to obtain counseling help.
- d. Suspension from school premises and activities for a period not to exceed ten days and/or pending conference with parents. The conference may be made a condition for readmission.
- e. Administration may involve police. Legal action may be taken as appropriate.
- f. Removal of student from the regular school program or recommend for an expulsion hearing per ARS §15-521 and ARS 15-507. (ARS 15-507: Insult or abuse of teacher in school: A person who knowingly insults or abuses a teacher on school grounds or while the teacher is engaged in the performance of duty is guilty of a Class 3 misdemeanor.)
- g. Pursuant to A.R.S. §15-841, Responsibilities of Pupils; Expulsion. A school district “shall expel” from school for at least one year a pupil who has threatened an educational institution as defined in A.R.S. §13-2911, except that the expulsion requirement may be modified if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat. Special Education laws apply. District may reassign a pupil to an alternative education program and may require parent participation in medication, service, or other programs in which parent takes responsibility with the pupil for the threat.

2.2. Academic Dishonesty/Cheating.

Cheating on schoolwork is presenting the work of another person as one’s own work. This includes, but is not limited to, the following:

- a. Copying another’s homework, term paper, examination, assignment or other work to be assessed.
- b. Inappropriately collaborating on work to be assessed.
- c. Using “cheat sheets” or other prohibited test-taking aids.
- d. Obtaining examinations, term papers, or assignments from others with the intent to copy answers and present the work as one’s own.
- e. Viewing a video or reading a summary of an assigned book in lieu of the book itself.
- f. Plagiarizing and submitting another person's words, thoughts, ideas or work as one’s own.

While a student is expected to use information from sources other than personal experience, appropriate acknowledgment of such sources is required. Academic dishonesty/cheating includes, but is not limited to:

- a. Using a direct quotation without citing the source.
- b. Paraphrasing the ideas, interpretation, or expressions of another without giving appropriate credit.
- c. Failing to acknowledge or document sources.

The classroom teacher and/or administration will make the final determination regarding whether a student has violated this subsection 2.2.

Actions taken may include, but are not limited to:

- a. Student may be isolated from other students.
- b. Material may be confiscated.
- c. Informing parents of conduct, policy and disciplinary procedures.
- d. A grade reduction or failing grade may be assessed for the specific work associated with dishonesty.
- e. Student may be withdrawn from class with loss of credit.
- f. Suspension from school premises and activities for a period not to exceed three days and/or pending conference with parents. The conference may be made a condition for readmission.
- g. Student may be removed from the regular school program or recommended for expulsion.

SECTION 2. DISCIPLINARY ACTIONS

2.3. Alcohol, Drugs, Controlled Substances, Narcotics Paraphernalia, or Illegal Contraband.

The Fowler Elementary School District strictly enforces a drug free school zone. The use of, or the sale and/or distribution of any unauthorized controlled substances to anyone at school, at school activities or on any district property, or within the defined bounds of the drug free school zone, is against the law. This includes off-campus consumption or use prior to being on district property, at a district function or at a school-sponsored activity. It also includes use, possession or distribution of drug paraphernalia, imitations of non-prescribed drugs, narcotics and other noxious substances.

2.4. Bomb Threats, False Fire Alarms.

A bomb threat or false fire alarm endangers the safety of anyone at a school site or school function. The threat may be either oral or in writing, in any medium of communication. These threats will be reported to appropriate law enforcement agencies.

Actions taken may include, but are not limited to:

- a. Student may be isolated from others.
- b. Student may be referred to counseling services.
- c. Student may be removed from the regular program.
- d. The administration may involve the police and legal action may be taken as appropriate.
- e. Student may be subject to suspension or expulsion. A conference with the principal and parents may be a condition for readmission.

2.5. Bullying

Bullying may occur when a student or group of students engages in any form of behavior that includes such acts as cyber bullying, intimidation and/or harassment. Bullying of a student or group of students can be manifested through written, verbal, physical, or emotional means and may occur in a variety of forms. Students are prohibited from bullying on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, and through the use of electronic technology or electronic communication equipment on school computers, networks, forums or mailing lists. A student who is experiencing bullying, or believes another student is experiencing bullying, is to report the situation to the principal or another school employee. (FESD Governing Board Policy JICK).

2.6. Closed Campus Violation.

All schools in the Fowler Elementary School District are closed campuses for all students, from the beginning of the school day until dismissal. Students are expected to be on campus during the school day.

The district recognizes that students sometimes must leave for education, employment, or family reasons, and therefore allows students the privilege of leaving the campus under certain circumstances with prior parent permission. Parents wishing to have a student excused for part of the day must obtain permission from the school administration for the student to leave. Each school will develop a procedure for obtaining permission to leave the campus.

Actions taken may include, but are not limited to:

- a. Revocation of privilege of leaving campus during the school day.
- b. Suspension until conference with parent.
- c. Short-term suspension and parent conference.
- d. Long-term suspension and parent conference.

2.7. Dangerous Instruments and/or Materials.

Dangerous instruments may include but are not limited to such items as gunpowder in any form, any type of minor explosive or explosive device, poisons, other materials which may be toxic to human bodily functions, fire producing devices [matches, lighters, torches, etc.], caustic acids, mace, pepper spray or gas or other gases/materials in pressurized containers, laser pointers and any other device determined by the administration to be dangerous. Objects that are launched with or without the intent to harm (i.e., rocks, sand, gravel, etc.) and which potentially violate the safety of others are defined to be dangerous instruments or materials.

Actions taken may include, but not be limited to:

- a. Material will be confiscated and held intact for evidence.
- b. Appropriate sources of medical assistance will be contacted immediately.
- c. Removal of student from the regular school program and isolation from other students.

SECTION 2. DISCIPLINARY ACTIONS

- d. Suspension from school premises and activities for a period of up to ten days and/or pending conference with parents. Either or both actions will be determined by the principal or designee. At the discretion of the principal, the conference may be made a condition for readmission.
- e. Administration may involve police. Legal action may be taken.
- f. Long-term suspension and/or recommendation for an expulsion hearing.

2.8. Disruptive, Deceptive or Defiant Behavior.

Disruptive behaviors consist of any behavior that distracts from or interrupts the learning environment, including but not limited to, behavior that is dishonest or disrespectful, such as deception, forgery, stealing, falsifying documents, profanity and obscene behavior and insubordination. Profanity is the use of obscene language or gestures that disrupt the educational environment. Statements intended to intimidate, berate or otherwise harm another person are included.

Actions taken may include, but are not limited to:

- a. Student shall be isolated from other students.
- b. Material may be confiscated.
- c. Conference with parents.
- d. Suspend from school premises and activities for a period not to exceed three days and/or pending conference with parents. The conference may be made a condition for readmission.
- e. Repeated abuse may result in withdrawal from class and loss of credit.
- f. Recommendation for suspension or expulsion hearing.

2.9. Disruptive or Obscene Behavior and Pranks, Including Interschool Rivalry.

Any action which does not qualify as an act of vandalism, but does one or more of the following: causes negative public image of the school, creates tension or excessive excitement within one school or between two or more schools, temporarily disrupts or distracts from a school event (such as a homecoming parade, school assembly, punctuality to classes, etc.) or stimulates similar acts of behavior by other students.

Acts intended as pranks, but which fall into one of the vandalism categories, are regarded as vandalism and are dealt with as set forth in subsection 2.24 (Vandalism).

Actions taken may include, but are not limited to:

- a. Request written apology from student to be communicated to all concerned (i.e., letter, PA address, press release).
- b. Work detail (amount and type of work to be determined by the situation).
- c. Cancellation, postponement, or restriction of related event(s) (i.e., football games, parade, dance, etc.).
- d. Dropping student from co-curricular activities.
- e. Place student on social probation.
- f. Short-term suspension.
- g. Student may be removed from the regular school program or recommended for an expulsion hearing.

2.10. Dress Code Policy and Personal Appearance.

The Board recognizes the critical importance of its educational mission to promote academic achievement and a safe and secure environment at all campuses in the District. To assist in creating a positive educational environment, as well as to help promote campus safety and school unity and pride, a dress code that includes mandatory uniforms has been adopted for the District.

No student will be denied an education for inability to afford a uniform. In situations of economic need, the District will work with parents and students to resolve any family's financial inability to purchase a student uniform.

All students attending kindergarten (K) through eighth (8th) grade in the Fowler Elementary School District are required to wear school uniforms. The clothing may not be altered in a manner that includes, but is not limited to, slits or shredded hems, logos other than the school mascot, or in any way that is disruptive to the educational process. Bare midriffs are not allowed. Exceptions may be allowed due to religious reasons.

SECTION 2. DISCIPLINARY ACTIONS

The standard school clothing is:

Tops:

- Colors must be white, light blue, or navy
- Shirts must have a collar and sleeves
- Must not have any logos or writing on them other than school mascot
- Must be size appropriate
- Undershirts worn beneath tops must be white only
- Students may wear shorts, skirts, skorts, or slacks that conform to the tailored uniform style found in the uniform department of any of the department or discount stores
- All shorts, skirts, and skorts must be no shorter or longer than two inches (2") above or below the knee

Bottoms:

- Color must be navy blue.
- No denim may be worn.
- Slacks/pants must be tailored
- Belts must be black, brown or white, single buckle, with no logos
- No logos or writing on bottoms
- Must be size appropriate

Outer Wear:

- Must be size appropriate with no logos other than the school mascot.

School ID's

- Middle school students must be in possession of student identification at all times (including riding the school bus).

Footwear must be worn at all times. Safety requirements for specific classes such as industrial technology, life management, physical education and science shall be followed.

Hats or visors in their original unaltered condition and no logo are the only acceptable headwear that may be worn by students in grades kindergarten (K) through eighth (8) at school. Bandanas, hairnets, knit stocking caps, etc., are not to be worn at school. Students shall remove their hats when in a building or when requested to do so by a member of the administration, faculty, or staff.

Gang clothing/paraphernalia is prohibited on school property, in school buses, and/or at school activities. Gang paraphernalia is defined as any apparel, altered apparel, jewelry, accessory, notebook, or manner of grooming which, by virtue of its color, arrangement, trademark, or any other attribute suggests membership in a gang.

Actions taken may include, but are not limited to:

- a. Changing into clothing that may be provided by the school.
- b. Having other clothing brought to school.
- c. Removal of jewelry or other accessory.

2.11. Electronic Devices.

Electronic devices are those which interfere with the orderly operation of the school such as cellular telephones, iPods, MP3's, tape or CD players, electronic games, etc.

Electronic devices should be left at home. If it is necessary for a student to have any electronic device on campus, it must be turned off during the school day.

Consequences for infraction may include, but are not limited to:

- a. Equipment may be confiscated and returned at the end of the school day, or held at school until picked up by the parent.
- b. Repeated violations may result in suspension and/or parent conferences.

2.12. Fighting, Assault, Extortion, Threat and Intimidation.

Fighting is the act of two or more persons engaging in any violence toward each other. Horseplay/roughhousing may lead to fighting and is considered unacceptable behavior.

SECTION 2. DISCIPLINARY ACTIONS

Assault is the attempt to apply force to another (or to attack another) with the intent to do physical injury and/or with means to execute the attempt.

Extortion is obtaining money, information or any other item or thing from others by coercion or intimidation.

Threat/intimidation is the threatening or frightening of another person by physical force or verbal abuse. Intimidation shall include stalking which is any intentional following of a person by another in a time, place or manner which implies a threat to the safety of the person being followed.

Actions taken may include, but are not limited to:

- a. Student may be isolated from others.
- b. Appropriate sources contacted for any needed medical assistance.
- c. Student may be requested to complete up to five hours of cleanup or repair work on school property.
- d. Student may be required to obtain counseling as appropriate.
- e. Administration may involve police. Legal action may be taken.
- f. Suspension from school premises and activities pending conference with parents. The conference may be made a condition for readmission.
- g. Suspension and/or recommendation for expulsion.

2.13. Food and/or Drinks.

Food and/or drinks will not be allowed in the school buildings without teacher and/or administrative approval. Violations will be considered defiant behavior (subsection 2.7).

2.14. Gambling.

Participating in games of chance for personal gain (i.e., dice, cards, trading cards, dominoes).

Actions taken may include, but are not limited to:

- a. Material may be confiscated.
- b. Conference with parents.
- c. Short-term suspension.
- d. Administration may involve the police. Legal action may be taken as appropriate.
- e. Long-term suspension and/or recommendation for expulsion for repeat violations.

2.15. Gang Affiliation and Activity.

Gangs that initiate, engage in or advocate activities that threaten the safety and well being of persons or property on school campuses are dangerous and conflict with the purposes for which the school is operated.

Symbols, gestures, or possession of paraphernalia associated with gangs or gang-like activity are prohibited.

Any student wearing, carrying, displaying gang paraphernalia, making gestures that symbolize gang membership, or causing an incident that disrupts the school program for others shall be subject to appropriate disciplinary action.

Actions taken may include, but are not limited to:

- a. Student may be isolated from others.
- b. Parents informed of conduct, policy and disciplinary procedures.
- c. Law enforcement officials may be notified. Legal action may be taken as appropriate.
- d. Suspension and/or expulsion. A conference with parents may be a condition for readmission.

2.16. Good Neighbor Policy.

Any infractions of the Student Code of Conduct in the neighborhood of the school during the regular school day or while waiting for district-provided transportation are prohibited. This includes inappropriate conduct while going to and from school as well as damage to a neighbor's property. A student may be disciplined by the school administration for these violations.

Actions taken may include, but are not limited to:

- a. Requiring student to clean or repair damaged property.
- b. Informing parents of conduct, policy and disciplinary procedures.

SECTION 2. DISCIPLINARY ACTIONS

- c. Requiring student to be accompanied by a parent or guardian while waiting for district-provided transportation or participating in any school sponsored activity.
- d. Suspension and/or expulsion. A conference with the principal and parents may be a condition for readmission.

2.17. Harassment.

Harassment occurs when an individual is subjected to treatment or to a school environment that is hostile or intimidating because of the individual's race, religion, creed, color, national origin, age, physical ability or condition, or gender.

Harassment can occur at any time during a school day, including conduct while going to or from school or during school related activities. The definition also includes any actions or treatment in the school environment which may cause the individual to be alarmed, concerned, or feel intimidated as a result of their occurrence and/or leads to the individual's perception of harassment.

Harassment includes:

Verbal Harassment: Derogatory comments or jokes, slurs, insults, epithets or threatening words spoken to another person, whether direct or by telephone, computer or any other medium of communication.

Physical Harassment: Unwanted physical touching, including hugging, kissing, fondling, patting, pinching, or any other unwanted physical conduct, assault, deliberate impeding or blocking of movements, or any intimidating interference with normal work or movement. Physical harassment includes stalking which shall be defined as any intentional following of a person by another in a time, place or manner which implies harassment.

Visual Harassment: Derogatory, demeaning or inflammatory posters, cartoons, calendars, written words, letters, notes, invitation, drawings, gestures or objects, or the display of any sexually suggestive objects. Such actions are also considered harassment when created and/or transmitted by computer, fax or any other medium of communication.

Actions taken may include, but are not limited to:

- a. Student may be isolated from others.
- b. Appropriate sources contacted for any needed medical assistance.
- c. Student may be required to make use of counseling services.
- d. Suspension from school premises and activities pending conference with parents. At the discretion of the principal, the conference may be made a condition for readmission.
- e. Administration may involve the police. Legal action may be taken as appropriate.
- f. Suspension and/or recommendation for expulsion.

For a more complete description of the district's hazing policy, please refer to Governing Board Policy JICFA/JFCF. Students may report hazing violations on form JFCF-E. That form is available in school offices.

2.18. Littering.

Trash or debris must be placed in the proper receptacles. Actions taken may include, but are not limited to:

- a. Picking up trash/debris and disposing of it properly.
- b. Compensation for damages or excessive custodial time.
- c. Repeated violations may result in a short-term suspension.

2.19. Off Campus Conduct.

School rules and other reasonable expectations for acceptable student behavior govern student conduct while off campus during the normal school day, including the student's conduct going to and from school, bus stops and school sponsored activities. A student may be disciplined by the school for any misconduct while off campus at specified times.

2.20. Skateboards, Rollerblades, and Scooters.

In order to protect the safety and well being of persons on campus, students shall not use or possess skateboards, rollerblades or motorized scooters on campus at any time.

Actions taken may include, but are not limited to:

- a. Confiscation of equipment.
- b. Involvement of local law enforcement officers.

SECTION 2. DISCIPLINARY ACTIONS

2.21. Telephone Messages.

Because of the disruptive impact on staff and the operations of the school, telephone messages for students will only be accepted in cases of emergency. If it is determined that a telephone message is not an emergency, the student's action will be considered deceptive (subsection 2.7).

2.22. Tobacco: Use, Possession, Sale and/or Distribution of Tobacco in Any Form on District Property and/or at School Sponsored Activities.

The Fowler Elementary School District strictly adheres to a tobacco free environment.

Actions taken may include, but are not limited to:

- a. Student shall be isolated from others.
- b. Material will be confiscated.
- c. Contact appropriate sources for any needed medical assistance
- d. Inform parents of conduct, policy and disciplinary procedures.
- e. Administration may involve the police.
- f. Suspension. Confirmed student enrollment in a district approved tobacco awareness/cessation program may be used to fulfill one day of suspension as determined by the administration.

2.23. Trespassing.

The unauthorized presence of students in areas closed to students. This also includes the unauthorized presence of students on a campus other than their own. Actions taken may include, but are not limited to:

- a. Informing parents of conduct, policy and disciplinary procedures.
- b. Administration may involve the police and legal action may be taken as appropriate.
- c. Suspension or expulsion. A conference with the principal and parents will be a condition for readmission.

2.24. Unauthorized Sales on District Property.

No student shall sell, offer for sale or take orders for any items without the prior written approval of the principal.

2.25. Vandalism.

Property damage including graffiti.

Depending upon the severity of the vandalism, actions taken may include, but are not limited to:

- a. Requirement to correct, clean up or repair the property.
- b. Requiring full restitution for damages to school property as per ARS §15-842(B.)
- c. Dropping student from co-curricular/extra curricular activities.
- d. Social probation.
- e. Referral of student to Special Education Department for psychological testing and appropriate follow-up treatment (i.e., psychiatric help, alternative program).
- f. Transferring student to another school or alternative program for a minimum of one semester.
- g. Suspension.
- h. Recommendation for expulsion hearing.
- i. Referring student to police department for criminal charges.
- j. Civil lawsuit pursuant to ARS §12-661.

2.26. Water Guns, Water Balloons, or Similar Items.

Items containing water or other solutions that disrupt the educational programs. Actions taken may include, but are not limited to:

- a. Student shall be isolated from others.
- b. Materials will be confiscated.
- c. Informing parents of conduct, policy and disciplinary procedures.
- d. Suspension from school premises and activities pending conference with parents. The conference may be made a condition for readmission.

2.27. Weapons (Dangerous & Deadly): Possession, Use, or Sale.

Dangerous Weapon is anything that under the circumstances in which it is used, carried, displayed, possessed, or attempted to be used or threatened to be used, is readily capable of causing injury or death. Dangerous weapons include deadly weapons. The term includes an explosive device and anything designed to represent or imitate an item or substance perceived by a reasonable person to be capable of causing injury or death, given the manner in which it is possessed, controlled, used, carried, displayed or threatened to be used.

SECTION 2. DISCIPLINARY ACTIONS

The term further includes a bladed device; club; blackjack or similar device; brass knuckles; rope or other garroting device; bullet or other projectile used to inflict, or capable of inflicting bodily harm; slingshot; air or gas powered shooting devices; other devices normally considered to be weapons of war, police work, criminal activity, or hunting; and any other normally safe device that has been altered or is utilized to cause or attempt to cause physical injury.

The term shall also include knives of any sort including pocket knives, scout or camping knives and all similar devices.

Deadly Weapon is anything designed for lethal use as defined by law. The term includes a firearm.

Firearm is any loaded or unloaded pistol, revolver, rifle or shotgun whether the projectile is expelled by gunpowder, pressurized air or other source.

Any toy or simulated weapon shall be considered the same as a weapon.

Any student, who uses, carries, displays, possesses or who knowingly assists another in using, displaying, carrying or possessing a dangerous weapon on district property or at district functions, shall be subject to the same disciplinary action as the student who is using, displaying or knowingly carrying or possessing the dangerous weapon.

Actions taken may include, but are not limited to:

- a. Student shall be isolated from others.
- b. Appropriate sources contacted for any needed medical assistance.
- c. Informing parents of conduct, policy and disciplinary procedures.
- d. Administration will involve the police. Legal action may be taken as appropriate
- e. Material will be confiscated and turned over to police.
- f. Suspension from school premises and activities for a period of up to ten days and/or pending conference with parents. At the discretion of the principal, the conference may be made a condition for readmission.
- g. Removing student from the regular school program or recommend for expulsion hearing.
- h. In cases where a student is in possession of a gun, unloaded or loaded, switchblade, and/or a knife with a blade which is 4" or longer in length, and brings such dangerous weapon on a school campus, there will be an automatic referral to the Governing Board for an expulsion hearing. This referral for an expulsion hearing may be in addition to any other discipline.

2.28. Withdrawn Student Status.

Once a student is withdrawn from the Fowler Elementary School District, the student is considered to be trespassing unless a visitor's pass has been obtained from the office.

SECTION 3. POSSIBLE ADMINISTRATIVE ACTIONS

AISI - Alternative In-School Instruction. The student is temporarily removed from one or more classes but remains at school during these class periods. This will be recorded.

Alternative Placement. A student may be reassigned to an alternative educational program if the student refuses to comply with rules or pursue the required course of study.

Informal Conference. A teacher, administrator or counselor talks with the student and comes to an agreement as to how the student will behave in the future.

Formal conference. A formal conference is held between one or more school officials and the student.

Parent Notification and/or Conference. Parents will receive notice of student discipline. A parent conference may be a condition of readmission following suspensions.

Intervention. Intervention may take the form of a short-term suspension combined with a counseling program in lieu of a long-term suspension.

Isolation. A student may be isolated from others if the administration determines that there is a present danger to the student or others.

Searches. Administrators may search students and seize property, including school property temporarily assigned to students, when there is reasonable suspicion that some material or item detrimental to the health, safety, and welfare of the student(s) may be in the student's possession or control. Searches may include a student's personal property such as backpacks or pockets. Any search will be reasonable in scope and not excessively intrusive considering the age, sex of the student, and nature of the infraction. Strip searches are prohibited.

Confiscation of Contraband. The administration may confiscate any materials which students are restricted from having at school. Illegal materials will be turned over to the police.

Special Education. The administration may refer the student to the multidisciplinary team for an evaluation which would include a behavioral component.

Short-Term Suspension. The administration may impose a suspension of ten school days or less. During the suspension, the student is not permitted on district property or at district functions.

Long-Term Suspension. The administration may recommend a suspension of 11 school days or more. Imposed by the superintendent or designee, the student is not permitted on district property or at district functions during the suspension.

Expulsion. Expulsion may be recommended by an administrator and imposed by the Governing Board following a hearing before the Board or its designated hearing officer. Only the Governing Board can expel a student. Upon expulsion, a student is not permitted on district property or at district functions unless the Governing Board has readmitted the student to school.

Social Probation. A student may be restricted from attending any social event sponsored by the school district.

Community Service. A student may be required to participate in a given number of hours of community service either on or off campus.

Restriction of Co-curricular/Extra Curricular Activities. A student may be restricted from participation in co-curricular and/or extra curricular activities for a given period of time.

Restitution. A student may be required to apologize for a certain behavior or to pay damages caused by behavior.

Police Intervention. The administration will involve the police, and file any necessary police reports, if a student is involved in any illegal activity or suspected illegal activity. The police may take appropriate action, including the arrest of the student.

Medical Assistance. Appropriate sources will be contacted if a student needs medical assistance.

SECTION 4. SCHOOL BUS RULES

Riding the school bus is a privilege. The school bus is considered to be an extension of the student's classroom. Inappropriate conduct at bus stops, on district vehicles, or in the process of boarding or exiting such vehicle may result in student disciplinary action including, but not limited to, denial of transportation privileges.

Students receive permission to travel to and from school by bus when prior arrangements have been made between parents and the school. Parents must obtain prior permission from the administration for students not previously assigned to ride a bus, or a particular bus (i.e., to travel with a school friend).

Students on special-activity buses are under the direct supervision of the bus driver in cooperation with the sponsor(s). Students who do not conduct themselves properly will be denied the privilege of riding on special-activity buses.

School Bus Rules

At the bus stop and boarding the bus:

- Be on time.
- Middle school students must wear their student id's.
- Maintain orderly conduct at the bus stop.
- Line up in single file, with younger students in front, so they can board first.
- Wait until the bus comes to a complete stop before attempting to get on board.
- Board the bus quickly but without pushing.
- Never run onto the bus, as the steps or floor may be slippery. Use the handrail and place your foot squarely on the step.
- Go directly to your seat, sit straight, and face the front of the bus.

Conduct on the bus:

- The bus will not move until all are seated.
- Remain seated throughout the trip.
- Keep your books and parcels on your lap or under the seat or on the luggage rack.
- Keep the aisle clear.
- Do not talk to the driver except in an emergency.
- Do not do anything that might disturb the driver.
- Do not yell or talk in a loud manner.
- Do not put hands, arms, head, feet out the window.
- Do not open the windows without the driver's permission.
- Do not throw anything inside the bus or from the bus.
- Do not touch the emergency door, exit controls
 - or any of the bus safety equipment.
- Do not discard refuse in the bus.
- Do not eat or drink on the bus (plastic water bottles are permitted).
- Follow the driver's instructions.
- Talk quietly, using respectful language.
- No vulgar language is allowed.

Exit from the bus:

- Remain seated until the bus has reached its destination and has come to a complete stop.
- Do not push or crowd when leaving the bus.

Loss of Bus Privileges

Students may lose bus privileges immediately for serious safety infractions such as, but not limited to: fighting, destruction of property, use of a weapon, or making a dangerous threat while on the bus.

The length of time the student is ineligible to ride the bus will be determined by school administrators.

All bus suspensions are for AM and PM runs, as well as inter-sessions. Serious infractions at the end of the school year may carry over to the beginning of the next year.

Disciplinary Actions

- When a rider misbehaves, the driver will explain the need for good behavior.
- If the rider continues to violate the rules, the driver will make a written report to the principal.
- The principal will call the student into the office and warn the student that parents must be notified that bus privileges will be revoked if the behavior continues.
- The driver will report further misconduct to the principal. The student could be barred from the bus.
- Parents will be notified of the disciplinary action and how long it will last. The parent must assume the responsibility for transporting the child to and from school.
- A student who loses bus privileges will be refused transportation on all buses for the specified time.
- The driver has the authority to assign and reassign seat.

POSSIBLE MINIMUM CONSEQUENCE

LEVEL I

First Offense

Conference with student

Parent signs/returns ticket

Second Offense

Conference with parent (telephone or personal) and student (if parent fails to conference, then student will receive 3-day suspension of bus riding privileges—same as third offense)

Parent signs/returns ticket

Third Offense

3-day suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (telephone or personal) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 3 days)

Fourth Offense

7-day suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (telephone or personal) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 7 days)

Fifth Offense

30-day suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (**in person**) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 30 days)

Sixth Offense

Suspension of bus riding privileges for remainder of school year or for 4 months (carried over to next school year), whichever is greater

Parent signs/returns ticket

LEVEL II

First Offense

5-days suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (telephone or personal) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 5 days)

Second Offense

10-days suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (telephone or personal) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 10 days)

Third Offense

30-days suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (**in person**) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 30 days)

Fourth Offense

Suspension of bus riding privileges for remainder of school year or for 4 months (carried over to next school year), whichever is greater

Parent signs/returns ticket

LEVEL III

First Offense

10-days suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (**in person**) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 10 days)

Other District/Legal action as deemed appropriate

Second Offense

30-days suspension of bus riding privileges

Parent signs/returns ticket

Conference with parent (**in person**) and student (if parent fails to conference, then student will remain suspended until parent conferences, but not for less than 30 days)

Other District/Legal action as deemed appropriate

Third Offense

Suspension of bus riding privileges for remainder of school year or for 4 months (carried over to next school year), whichever is greater

Other District/Legal action as deemed appropriate

Parent signs/returns ticket

All students in Fowler Elementary School District No. 45 who ride buses are subject to policies and regulations designed to provide safe transportation. These policies and regulations (contained in Governing Board Policy EEAE, EEAE-E, and EEAD-R) are available for review on campuses and at the District Office. Any behavior which distracts the driver is considered a serious hazard to the safe operation of the bus, and as such jeopardizes the safety of all passengers, the driver, and others. **Please remember that riding the bus is a privilege, not a right**, and as such the consequences of misconduct could result in your child being denied transportation. Furthermore, be advised that a student suspended from riding the bus is also prohibited from riding buses on field trips and for other activities, and may therefore be denied the opportunity to participate on such trips. Suspension of bus riding privileges does not relieve parents of the responsibility of sending a child to school. Section 15-805 (a) AZ Revised Statutes reads – Every person who has custody of a child between the ages of six and sixteen years shall send the child to a public school for the full time school is in session within the district which the child resides. Each of these rules is considered extremely crucial to the safe operation of our school buses, and has been established by the School Governing Board under Policy EEAE and in accordance with Article 1, Chapter 9, Title 17, Arizona State Administrative Code, as a way to protect all children. It is therefore imperative that your child follow these rules.

SECTION 5. ATTENDANCE REGULATIONS

Arizona law requires students between the ages of six and sixteen to attend school (ARS §15-802A). The right and privilege of attending public school carries with it certain responsibilities on the part of both parents and students.

Attendance. School attendance is ultimately the responsibility of the student and his/her family. Students should remain out of school only when absolutely necessary, as much of the classroom activity cannot be made up. The benefit of lectures, discussion and participation is lost forever to those who are absent. It must be emphasized that regular attendance is the key to much of the success a student may gain from his/her educational program. No student may be excused from class by a parent and still remain on campus. Excessive absences may require a doctor's note for readmission to classes.

It is the responsibility of school personnel to keep the parents informed of actions that might have a detrimental effect upon the educational growth of individual students.

Individual schools will develop programs to encourage responsible attendance, taking into account their varying student populations and their varying resources. Such programs will include regular sharing of attendance data with the parents of students whose attendance is poor.

Definitions:

Tardy is defined as arriving after the start of the regular school day, at the assigned location ready for classroom activity. Tardiness is also defined as arriving after the start of the class period at the assigned location ready for classroom activity. The teacher must admit all tardy students upon arrival to class.

Absence is defined as a student not being present in his/her assigned classroom during the assigned period.

Single Period Absence is defined as missing one scheduled class period. No absence will be excused without the student first checking out of the office and returning with written verification of an appointment (i.e., medical, dental or legal).

Unexcused Absence is defined as the student's nonattendance in one or more class periods, which has not been excused by a parent according to the procedures listed below. No student may be excused from class by a parent and still remain on campus.

Excused Absence is defined as the student's nonattendance in one or more class periods, which has been excused by a parent. An excessive number of excused absences may result in the removal from classes or referral to the courts. Excused absences shall also include any school-sponsored event that causes students to miss class (such as field trips, early dismissal for athletics, etc.).

It is unlawful for any child between the ages of six and sixteen to fail to attend school during the hours school is in session, unless there is a valid reason. The child will be considered truant when there is not a good reason for missing school. Determination of what constitutes "good or valid reason" shall be at the discretion of the administration.

If a parent fails to ensure that the child attends school, they are guilty of a Class III misdemeanor. When the parent does not provide a valid excuse for the child's absence, a law enforcement officer may cite the student, parent or guardian for violating the state truancy law (ARS §15-802, §15-803).

Truant is defined as a student who is absent from school without a valid reason.

Habitual Truancy. A habitually truant child is a child between the ages of six and sixteen who has five days of unexcused absences within a single school year (ARS §15-803, C1). A student who is habitually truant from school may be issued a criminal citation. The administration will attempt to notify the parents that the citation may be issued and the parent will be required to appear in court with the student.

School Procedures and Discipline. Each school will publish rules for parental reporting of student absences specific to their sites. Penalties for excessive pupil absenteeism may include failure in a subject, failure to pass a grade, suspension from school or expulsion (ARS §15-843, B1).

Open Enrollment Students. Attendance must be regular and punctual for open enrollment students. Unacceptable patterns of attendance will be cause for revocation of open enrollment admission status.

Grades. Grades in a course will not be reduced *per se* by excused absences from the class. However, since absences will affect the learning of the student and the interaction during class discussions, the overall evaluation of the student may be affected adversely. The absent student is expected to make up his/her schoolwork. Tardiness may affect classroom participation credit.

SECTION 6. STUDENT CONCERNS, COMPLAINTS, AND GRIEVANCES

A student who complains or grieves regarding constitutional rights, equal access to programs, discrimination, harassment, or personal safety issues may complain directly to the school administrator or to a professional staff member (Board Policy JII).

Process for Student Grievance

The individual receiving the student complaint must retrieve sufficient detail from the student to complete the form designated for such purpose. Middle school and high school students shall file complaints on their own behalf. A parent may initiate the complaint process on behalf of an elementary student.

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

When a professional staff member receives the information, the staff member will transmit it to the school administrator not later than the next school day following the day the staff member receives the complaint. If the complaint/grievance involves the school administrator, the professional staff member shall forward the complaint/grievance to the next administrative level.

At a minimum, the complaint shall contain the identifying information on the complainant and such specificity of names, places and times as to permit an investigation to be conducted. The written complaint should contain a requested solution and the submissions should be signed and attested to by the complainant. However, an unsigned form will be processed in the same manner as a signed form.

The complaint/grievance will be investigated by the school administrator or a supervising administrator.

The procedures to be followed are:

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

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

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

Where disciplinary action is necessary, district policies shall be followed.

SECTION 7. SUSPENSION, EXPULSION and APPEAL PROCEDURE

The Governing Board regards the use of out-of-school suspension and expulsion as an extraordinary step which shall be utilized only when other means of bringing acceptable behavior have failed, or the nature of the offense is so serious it endangers the health, welfare, or safety of other students or school personnel.

Schoolwork missed due to suspension must be made up, but full credit may not be given.

Suspension

Definition: The temporary withdrawal of the privilege of attending a school for a specified period of time.

Short Term Suspension -one hour to ten days.

Long Term Suspension - eleven days or more.

Authority to Suspend - A site administrator has the authority to suspend a student pursuant to this code. (ARS 15-843 D. 4)

SECTION 7. SUSPENSION, EXPULSION and APPEAL PROCEDURE

Short Term Suspension Procedures

Regular Education Students:

If a decision is made to suspend:

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.

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

Step 2. 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.

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.

Special Education Students:

Short-term suspension may be used for special education students for disciplinary reasons on the same basis as for a regular education student. (A short-term suspension is not considered a change of placement.)

Short Term Suspension Appeal

No appeal is available from a short-term suspension.

Long Term Suspension Procedures

Regular Education Students

If the student offense is one that could result in suspension of over ten days, in addition to Steps 1 and 2 of the Short Term Suspension Procedures, a formal hearing will be arranged and conducted by a hearing officer or by the Superintendent.

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:

- a. The charges and the rule or regulation violated.
- b. The extent of the punishment to be considered.
- c. The date, time, and place of the formal hearing.
- d. A designation of the District's witnesses.
- e. That the student may present witnesses.
- f. That the student may be represented by counsel.
- g. If a hearing officer has been designated, the name of the hearing officer.

A formal hearing will be held, during which the student will be informed of the following:

- a. Students, parents or legal guardians and legal counsel may attend any executive session pertaining to the proposed disciplinary action. They may have access to the minutes and testimony of such session or may record such a session at the parent's or legal guardian's expense.
- b. The student is entitled to a statement of the charges and the rule or regulation violated.
- c. The student may be represented by counsel, without prejudice.
- d. The student may present witnesses.
- e. The student or counsel may cross-examine witnesses presented by the District.
- f. The burden of proof of the offense lies with the District.
- g. The hearing must be recorded on tape. Parents may tape record the hearing at their own expense.
- h. The District has the right to cross-examine witnesses, and may be represented by an attorney.

SECTION 7. SUSPENSION, EXPULSION and APPEAL PROCEDURE

Special Education Students:

If a special education student is recommended for a suspension of more than ten (10) days during the school year, a manifestation determination conference must be held. Such conference shall be for the purpose of determining whether or not the offense is a manifestation of the student's disability.

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.

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.

The student may be given a change in placement to an interim alternative educational setting for not more than forty-five (45) days, in accordance with federal law and regulation, if the removal is for 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 and to continue to receive those services and modifications described in the child's current Individual Education Plan. (Policy JKD, JKD-R)

Long Term Suspension Appeal

Regular Education Students:

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 Governing 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.

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.

Special Education Students:

No direct appeal is available from the multi-disciplinary conference. If a long-term suspension is imposed, however, the student may follow the appeal procedures for the regular education student and include in the appeal any objections to the procedure followed at the multidisciplinary conference or to the decision thereof.

The decision of the Board is final concerning any appeals.

- a. All cases of suspension involving at least one full day shall be reported weekly to the superintendent.
- b. Suspension days will be counted starting on the day the student is denied participation in school activities.
- c. The day the student is removed from school should be counted as a day of suspension providing he/she was denied class participation for more than one-half of his/her scheduled classes.
- d. Times when school is not officially scheduled are not to be counted as part of the suspension.

Expulsion

Expulsion is the permanent withdrawal of the privilege of attending a school unless the governing board reinstates the privilege of attending the school.

Regular Education Students:

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.

Step 2: If the Superintendent concurs with the recommendation, it shall be forwarded to the Governing Board.

SECTION 7. SUSPENSION, EXPULSION and APPEAL PROCEDURE

Step 3. In each case in which a recommendation for expulsion receives approval by the Superintendent, the Governing Board will meet in executive session:

- a. To determine whether the nature of the accusations against the student justify an expulsion hearing,
- b. To determine whether the hearing will be held before the Governing Board or before a hearing officer,
- c. To designate a hearing officer if one will be used, and
- d. 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 this initial executive session.

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

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:

- a. A statement of the charges and the rule or regulation violated.
- b. The extent of the punishment to be considered.
- c. The date, time, and place of the formal hearing.
- d. A designation of the District's witnesses.
- e. That the student may present witnesses.
- f. That the student may be represented by counsel.
- g. 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.
- h. Copies of policy JKE and A.R.S.15-840 and 15-843 unless previously provided in connection with the same infraction.

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

- a. 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 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.
- b. The student is entitled to a statement of the charges and the rule or regulation violated.
- c. The student may be represented by counsel, without prejudice.
- d. The student may present witnesses.
- e. The student or counsel may cross-examine witnesses represented by the District.
- f. The burden of proof of the offense lies with the District.
- g. 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.
- h. The District has the right to cross-examine witnesses, and may be represented by an attorney.
- i. 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.
- j. 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.

Step 7: A formal hearing will be held:

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

- a. Only one 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 session whether the hearing will be in executive session.
- b. More than one 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.

SECTION 7. SUSPENSION, EXPULSION AND APPEAL PROCEDURE

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

- a. 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:

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

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.

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 in Education Act (IDEA) may only be expelled in accordance with the provisions of that law and accompanying regulations. The District may be required under federal law to continue to provide services in an alternative setting.

Re-admittance Procedure

A student expelled from the District may request re-admittance 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 re-admittance. The application for re-admittance 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 additional semesters).

The application must:

- a. Be written and directed to the attention of the Governing Board.
- b. 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:
 1. An appreciation by the student of the severity and inappropriateness of the student's prior misconduct.
 2. That such misconduct or similar misconduct will not be repeated.
 3. A description of the student's activities since the expulsion.
 4. Support of the student's application for readmission.
- c. Be filed in the Superintendent's office.

The Governing Board shall meet in executive session to consider an initial application for re-admission.

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 re-admit the student.

The Governing Board, in its sole discretion, shall determine whether the student should be re-admitted, 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.

SECTION 7. SUSPENSION, EXPULSION AND APPEAL PROCEDURE

The Governing Board's decision is final.

A student may file more than one 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.

Readmission 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 issued, 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.

SECTION 8. INTERNET USE GUIDELINES AND AGREEMENT

Fowler Elementary School District #45

Please read this document carefully. When signed by you and your parent or guardian on the signature page of this document (page 26), it becomes an agreement between you and the Fowler Elementary School District #45. Your signature indicates that you and your parents agree to abide by the conditions and guidelines established herein.

Terms and Conditions

These policies shall apply to students who use computers or access network resources available from the Fowler Elementary School District.

Personal Responsibility

I will report any misuse of the information service to a parent, teacher, or the system administrator, as appropriate. I understand that many services and products are available for a fee and acknowledge the responsibility for any expenses incurred without District authorization.

Privileges

The use of district computers and network resources is a privilege, not a right, and may be revoked at any time.

Consequences

Infractions may result in termination of access privileges. It may also result in the suspension and/or expulsion of the student.

Services

The District specifically denies any responsibility for the accuracy of information. While the District will make an effort to ensure access to proper materials, the user has ultimate responsibility for how the electronic information service (EIS) is used and bears the risk of reliance on the information obtained.

The District is not responsible for any service interruptions, changes, or consequences resulting from system use, even if these arise from situations under the control of the District.

Acceptable Use

1. I will use computers and network resources for educational purposes only. I understand that using chat rooms, non-academic interactive games, E-mail, news groups, or credit card purchases is prohibited.
2. I agree not to submit, publish, display, or retrieve any defamatory, inaccurate, abusive, obscene, profane, threatening, sexually-oriented, racially-offensive, or illegal material.
3. I will abide by all copyright regulations.
4. I will not reveal my password (if I have one), nor will I attempt to discover the password of others.
5. I will not reveal personal information, such as home address or phone number, of myself or others.
6. I will not use the network in any way that would disrupt the use of the network by others.
7. I understand that many services and products are available for a fee and acknowledge the responsibility for any expenses incurred without District authorization.
8. I will not use the network to earn money.
9. I will follow the District's code of conduct.
10. I will not attempt to harm, modify or destroy hardware or software, or interfere with system security.

DEFINITION OF TERMS

AISI: Alternative In-School Instruction. The student is temporarily removed from one or more classes but remains at school during these class periods. This will be recorded.

A.R.S.: Arizona Revised Statutes.

DISTRICT: The Fowler Elementary School District #45.

DISTRICT EMPLOYEES: Persons hired by the District in any capacity, full-time or part-time, including volunteers who have been asked to assist with the educational operations of the District.

EXPULSION: The permanent withdrawal of the privilege of attending a Fowler School District school, unless reinstated by the Governing Board.

GOVERNING BOARD: Members of the community elected to serve a four-year term on the district's school board. In the Fowler Elementary School District #45, there are 3 people who serve on the Governing Board.

PARENT/GUARDIAN: Either parent (unless parental rights have been judicially limited or severed) or a legal guardian as established by a court of law. "Parent" as used in this Student Code of Conduct shall include both a natural and/or adoptive parent and a legal guardian.

PROPERTY: All property owned or leased by the Fowler Elementary School District #45.

PUBLIC: All persons other than district students and employees.

STUDENT: Any person, either a minor or an adult, who is enrolled in the educational programs of the district.

SUSPENSION: The temporary withdrawal of the privilege of attending classes for a specified period of time.

Fowler Elementary School District #45

District Office
1617 South 67th Avenue
Phoenix, Arizona 85043-2113
623-707-4500

Western Valley Child Care Center
6250 W. Durango
Phoenix, AZ 85043

Fowler Elementary School
6707 W. Van Buren St.
Phoenix, AZ 85043

Sunridge Elementary School
6244 W. Roosevelt St.
Phoenix, AZ 85043

Sun Canyon Elementary School
8150 W. Durango
Phoenix, AZ 85043

Western Valley Elementary School
6250 W. Durango
Phoenix, AZ 85043

Tuscano Elementary School
3850 S. 79th Avenue
Phoenix, AZ 85043

Santa Maria Middle School
7250 W. Lower Buckeye Rd.
Phoenix, AZ 85043

Western Valley Middle School
6250 W. Durango
Phoenix, AZ 85043

Notes: