

AmeriSchools Academy

Parent and Student Handbook

**Dr. Reginald Barr
Chief Executive Officer**

**Copyright 1997, 1998, 1999, 2000, 2001, 2002,
2003, 2004, 2005, 2006, 2007, 2008, 2009, 2012, 2013 and 2014
by Reginald E. Barr**

**All rights reserved. No part of this book may be reproduced in any Form
or by any electronic or mechanical means including Information storage
and retrieval systems without permission**

**In writing from the publisher or copyright holder, except by a
reviewer who may quote brief passages in a review.**

**Permission to use individual selections should be Obtained
from the original publisher or Copyright holder.**

**The governing Board does not discriminate on the basis of race, color,
national origin, gender, age or disability in admission or access to, or
treatment or employment in its educational programs or activities.**

DEAR STUDENTS AND PARENTS:

WELCOME TO THE ACADEMY! The staff and governing Board take great pride in assisting your children to achieve academically, mature socially and emotionally. Each staff member provides a variety of creative teaching and learning opportunities, developing positive, mature and unique individuals. The learning community is challenged by the unknowns in the development of each child, believing that a constructive teaching and learning environment is one in which students, parents and staff work cooperatively, providing a positive and productive educational experience.

This Parent and Student Handbook addresses issues concerning policies and procedures that are critical in conducting schooling activities. Every student or parent will be informed of academic expectations and important rules for behavior.

If there are questions concerning educational practices or procedures, please call the administration of each school site or the Executive Office for an assured answer to your direct question.

The governing Board and staff look forward to sharing this exciting challenge together.

Sincerely,

Dr. Reginald Barr, Chief Executive Officer
May 2014

1.0 Instruction

1.1 Mission Statement

1.2 Premises for Schooling

- 1.2.1 Personal Rights and Non-discrimination**
- 1.2.2 Services for Homeless Children and Youth**
- 1.2.3 Academic Freedom**

1.3 Curriculum

1.4 Comprehensive Program of Instruction

- 1.4.1 Instruction (Grades K-8)**
- 1.4.2 Instruction (Grades 9-12)**

1.5 Academic Support Services

- 1.5.1 Course of Study**
- 1.5.2 Promotion and Graduation**
- 1.5.3 Community as Laboratory**
- 1.5.4 Special Education**
- 1.5.5 Disabilities Education Act (IDEA)**

1.6 Co-curricular Activities

- 1.6.1 Interscholastic Program**
- 1.6.2 Travel**
- 1.6.3 Insurance**

1.7 Student Service Providers

1.8 Instructional Policies

- 1.8.1 Calendar and Instructional Time**
- 1.8.2 Capacity Guidelines, Grouping for Instruction and Proof of Residence**
- 1.8.3 Instructional Resources and Internet**

- 1.8.4 Measures for Student Achievement Grading, Report Cards, Academic and Social Development**
- 1.8.5 Instructional Competencies**
- 1.9 Teaching Controversial Issues**
- 1.10 Plagiarism**
- 1.11 Instructional Use of Copyright Materials**

1.0 INSTRUCTION

1.1 MISSION STATEMENT

The instructional staff is dedicated to academic excellence through individualized instruction of a basic core curriculum supported by enrichment and acceleration. The primary goal is to teach cognitive and valuing skills through an integrated curriculum, utilizing continuous progress alternatives for instruction.

1.2 PREMISES FOR SCHOOLING

The instructional program is designed to attend to the complex facets of human potential. The focus of academic activities is the acknowledged opportunity to further the intellectual, physical, emotional and social growth of students. Participation in a dynamic society dictates that all students acquire adaptive skills regardless of personal abilities. Each staff member must maintain an abiding interest in the welfare of all students, with a particular concern for the successful attainment of survival skills. Such skills radiate from the basics for mathematics and literacy. Within the academic community, each staff member is expected to espouse cooperation and mutual respect for others.

1.2.1 PERSONAL RIGHTS AND NON-DISCRIMINATION

The administration and staff members are not to discriminate on the basis of race, color, national origin, gender, handicap, religion or age. This affirms a clear intent to comply with Title VI of the Civil Rights Act of 1964 (pertaining to race, color and national origin), Title IX of the Educational Amendments of 1972 (pertaining to sex equity), Section 504 of the Rehabilitation Act of 1973 (pertaining to handicap), Age Discrimination Act of 1975 (pertaining to age), Arizona Civil Rights Act or the Americans with Disabilities Act (ADA) and the 1991 Civil Rights Act (CRA).

1.2.2 SERVICES FOR HOMELESS CHILDREN AND YOUTH

The Board of Directors instructs the administration of each school site to accept the immediate enrollment of all homeless students and youth. All homeless students and youth are automatically eligible for any Title I or Supplemental Instruction services. All barriers including transportation, immunization, residency, birth certificate, school records and other documentation and guardianship are not to impede or interfere with student enrollment for student and youth identified as homeless, in compliance with McKinney-Vento Act.

The administration of each school site is instructed to refer preschool age siblings of homeless children and youth to appropriate Early Childhood programs including Head Start, Early Head Start and Even Start.

The Board instructs the Chief Executive Officer or designee to maintain a dispute resolution process where questions arise concerning the type and kind of services required by homeless children and youth so that these students may remain enrolled in the school of choice until any dispute is settled. The proceedings of the results of the dispute resolution process are to be conveyed in writing to the parents of homeless children and youth. This notice will include the parent's right to appeal the dispute decision to the appropriate state agency.

1.2.3 ACADEMIC FREEDOM

Freedom of individual conscience, association and expression is encouraged for both students and staff members. These elements of freedom support and safeguard the legitimate interests of the students and teachers, and in turn, exemplify the basic objectives of a democratic society. Personal responsibility within the institution for schooling is to be emphasized.

The exercise of academic freedom presumes that staff members are to neither overtly or covertly cause the interruption of instructional activities. This applies to all staff members interacting with individual students, groups and classes. Each staff member must be accountable for personal actions. Those failing to comply with this policy or the instructions of an immediate supervisor are subject to the complaint procedures set forth for action by the Board of Directors for AmeriSchools.

1.3 CURRICULUM

The curriculum is designed to foster academic excellence through continuous progress practices. The establishment of measurable pathways for instruction permits the assessment of academic standards that encompass family, community and cultural influences.

The objectives for instruction are written as a progression of skills to demonstrate the continuous progress of students. Such a curriculum illustrates the relationship, transition and articulation between learning communities, including teacher and parent. The curriculum is aligned with the essential skills outlined in the Arizona Academic Standards. Continuous assessment of the curriculum and the implications for future learning and teaching are important aspects of the curriculum model. The learner is at the very center of the curriculum. **The learner is the curriculum.**

1.4 COMPREHENSIVE PROGRAM OF INSTRUCTION

The program of instruction is designed to enable parents, community members and educators to assume responsible risks to create innovative and more flexible ways of educating children. This permits a committed community to address the needs of all students regardless of circumstance or condition.

Instructional goals address the issue of the institution as a building block in the life of the individual student. To do less is to ignore the reality of what is truly transpiring through teaching and learning. Institutional goals include, but are not limited to:

1. The maintenance of a school culture that is measurably dedicated to student success, with the demonstration of exemplary competencies in core academic subjects.
2. Support the articulation and maintenance of norms for institutional development and identity.
3. Maintain a student retention rate of 80% or more.
4. Create a secure drug/tobacco free environment for students, including medical marijuana and E-cigarettes which contain unknown ingredients or substances affecting the health of students or staff.
5. Foster spontaneity within the institution to favor change and opportunity.
6. Encourage formal and informal leadership among staff members.
7. Support a healthy yet competitive institutional environment.

1.4.1 INSTRUCTION (GRADES K-8)

The program goal for grades K-8 is to teach cognitive and valuing skills through an integrated curriculum. An analysis of research points toward a multi-age structured format as the best means to meet the individual student's instructional needs. This includes those students categorized as members of the general populace, or those at-risk or gifted. Each student is to have educational opportunities based on the teacher's evaluations; student's self-evaluation; and recognition of parent expectations. This collaborative approach enhances the opportunity to meet the expectations of both students and parents.

Laws supporting open enrollment and the availability of regular public or charter schools are the bedrock of educational choice. Choice is a concept designed to enhance the academic achievement of students. Student achievement is measurably enhanced by parents or guardians who support or implement initiatives to assure the progress for each student. The failure to implement or support the academic and social progress of students is a dereliction of parental responsibilities and may result in such disregard being reported to child protective services by school officials. **The failure of parents or guardians to disclose a student's pertinent educational history is sufficient grounds to deny enrollment, suspend a registration or administratively withdraw the student (e.g., required Special Education placement or disciplinary status).**

1.4.2 INSTRUCTION (GRADES 9-12)

The program goal for grades 9-12 is to direct consistent attention to a student's academic and social successes. The organization of the college preparatory program is a powerful contribution to this end, permitting each individual to function independently. Academic success is fostered by the independence of personal endeavors.

College preparatory instruction combines the Advanced Placement Program with comprehensive instruction to serve academically talented and highly motivated students. Such a plan requires high standards of achievement in subjects traditionally taught at the college entry level. Adhering to the goals of a cohesive liberal education, the following criteria are essential for academic success: (1) motivate students to fully develop academic talents and abilities; (2) provide for variations in student's needs and interest; (3) enhance student's awareness of both independence and diversity in the social, physical and educational environment; and (4) integrate the Advanced Placement Program with other enrichment opportunities, thus expanding curricular flexibility and options.

1.5 ACADEMIC SUPPORT SERVICES

The generation of resources to accommodate and complement academic instruction is a primary responsibility of the Chief Executive Officer or designee. By using research outcomes to assist in the delivery of academic services, administrative support becomes a critical element in curricular innovation. **(See 1.7 Student Service Providers)**

1.5.1 COURSE OF STUDY

The course of study for instruction must be flexible and creative, offering a variety of academic options for success. Course descriptions are to be developed in cooperation with other staff members, with the Chief Executive Officer or designee responsible for the approval of all course changes.

1.5.2 PROMOTION AND GRADUATION

The mastery of academic standards as set forth by the Arizona State Board of Education is of the highest priority for each student. As a result, promotion and graduation requirements are standards based, adhering to statutory sources; A.R.S §15-101.8-9., A.R.S §15-701.01., A.R.S §15-521.1-5., A.R.S. 15-342.11. and rule R7-2-301. All standards are considered organic, changing from time to time according to either statute, state authorized rules or district authorized policies.

Board of Directors for AmeriSchools is authorized by statute, A.R.S. §15-342.11., The to review and approve or fail to approve the decisions of teachers to promote

a student in a common school to a grade or retain a student in a grade or to pass or fail a student in a course in high school. If the decision of a teacher is contested by the Board pursuant to this paragraph, the Board shall adopt a written finding that the student has either mastered, partially mastered or failed to master the academic standards at the appropriate grade level as measured by valid assessments and academic portfolio.

If the parent or legal guardian of a student in a common school contests the recommendation of a teacher or decision of the Board to promote or retain a student, the student and parent or legal guardian of the student has the burden of proof to demonstrate in a Special Meeting in Executive Session (closed meeting) the mastery of the academic standards, unless a parent or legal guardian of the student or the student, if emancipated, requests that the decision be conducted in an Open Meeting. The Board of Directors shall notify the teacher of the date, time and place of the Executive Session or Open Meeting. The Board shall adopt a written finding that the student has either mastered, partially mastered or failed to master the academic standards at the appropriate grade level as measured by valid assessments and academic portfolio.

All evidence including the decision of the Board of Directors shall be retained by the Board as part of a permanent record for any Special Meeting resolving decisions for the promotion or retention of students in a common school or to pass or fail a student in a course in high school.

1.5.3 COMMUNITY AS LABORATORY

The entire community is to be utilized as an educational laboratory for opportunities that enrich instructional alternatives. This is a broadly based community that includes the state, the region, the nation as well as international resources to benefit teaching and learning. To that end, students are able to enroll in classes or seminars of differing lengths of time for academic exploration, community exploration and personal mentoring. Community as Laboratory facilitates the enrichment of instruction.

1.5.4 SPECIAL EDUCATION

The Board has approved capacity guidelines for admission since each program, class, grade level or building serves differentiated instructional student needs. Capacity guidelines for Special Education admission are to total twelve (12) students or less for each campus. The multi-age continuous progress format for instruction is designed to meet the needs of students through “inclusion” rather than a restrictive “pull-out” setting. According to statute, new students are provided identification screening and evaluation within thirty (30) days of registration. Evaluation, referral and testing are to determine the status of each student, safeguarding the rights of students and parents. **(See 1.8.2 Capacity Guidelines)**

1.5.5 DISABILITIES EDUCATION ACT (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a federal law that protects the rights of students with disabilities, including but not limited to, testing materials, medical and health information, Individualized Education Programs progress reports, materials related to disciplinary actions, and mediation agreements. Such information is gathered from a number of sources, including the student's parents and staff of the school of attendance. Also, with parental permission, information may be gathered from additional pertinent sources, such as doctors and other health care providers. This information is collected to assure the child is identified, evaluated and provided a Free Appropriate Public Education in accordance with state and federal special education laws.

Each agency participating under Part B of IDEA must assure that at all stages of gathering, storing, retaining and disclosing education records to third parties that it complies with the federal confidentiality laws. In addition, the destruction of any education records of a child with a disability must be in accordance with IDEA regulatory requirements.

For additional information or to file a complaint, you may call the federal government at (202) 260-3887 (voice) or 1-800-877-8339 (TDD) OR the Arizona Department of Education (ADE/ESS) at (602) 542-4013. Or you may contact:

Family Policy Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-5901	Arizona Department of Education Exceptional Student Services 1535 W. Jefferson, BIN 24 Phoenix, Arizona 85007
---	--

This notice is available in English and Spanish on the ADE website at www.ade.az.gov/ess/resources under forms. For assistance in obtaining this notice in other languages, contact the ADE/ESS at the above phone/address.

1.6 CO-CURRICULAR ACTIVITIES

Co-curricular activities include student organizations as well as creative educational, recreational and social activities. Each principal is responsible to administer the supervision for all such organizations and activities to ensure conformance with appropriate policies. Student groups desiring to assemble for a common purpose are to do so with the express permission of the principal. Prior to granting such permission, the principal must conclude that proper supervision is to be maintained and that disruptive behavior or interference with teaching and learning is to be minimized.

Co-curricular activities may be defined in terms of skill attainment, structured so that learning outcomes can be recorded and assessed. In this circumstance,

academic credit may be rewarded since a student has achieved mandated levels for skill mastery as opposed to registered seat time for instruction.

Co-curricular activities, that stress skill development, include the United States Academic Decathlon, Science Olympiad and Odyssey of the Mind. Each is an example of academic participation and opportunity structured for either the secondary or elementary levels. Other equally demanding co-curricular activities include the Toastmasters for public speaking skills, National Geography Bee for demographic analysis, Scholastic Arts Competition for two and three dimensional art forms, state poetry contests for literary analysis and chess competition for critical thinking and organizational skills. The attainment of exit skills through co-curricular activities may result in the award of academic credit for participating students.

1.6.1 INTERSCHOLASTIC PROGRAM

The interscholastic program includes competitive activities for either individual group or team, involving more than one school and resulting in a championship, winner or rating. Each principal or activity sponsor is to be responsible for administering the organization and supervision of such activities.

1.6.2 TRAVEL

Travel provisions required to participate in Academy activities are the responsibility of the site principal. Regardless of the source of funding for an activity, the principal is to request approval by the Chief Executive Officer or designee for transportation or subsistence accommodations required by staff members, chaperones and students. Travel is defined as utilizing public or private transportation, including but not limited to school vans, city buses, light rail, airlines, leased vehicles, buses or conveyances used for water transport. Subsistence accommodations are defined as lodging or food service required during travel.

If a volunteer of majority age transports any student, the principal must verify the validity of insurance coverage and driver's license. A copy of the insurance is to be retained in the travel records indicating limits of liability no less than \$100/300,000. The driver's license is to be checked for validity by the Executive Office at www.servicearizona.com, including a verification check from the National Sex Offender Registry at <http://www.familywatchdog.us/>. There is no exception for this policy provision.

1.6.3 INSURANCE

The administration of athletic activities requires that all students have insurance coverage prior to participation. Such coverage is to be documented and recorded in the school records for each student before participation in practice sessions or

any interscholastic competition. Insurance coverage is to extend to liability, injury or accident that relates to participation in such activities as well as liability, injury or accident insurance while traveling to and from any activity, practice or competition.

1.7 STUDENT SERVICE PROVIDERS

The Board of Directors is to approve all contracts with entities providing student services. Such services may incorporate psychological assessment, exceptional student support and tutorial placement, and in turn, include independent entities that schedule inter-session and summer activities, before or after school programs and Saturday or holiday events. Each entity is responsible for lease payments, the administration of services, including liability insurance and any licenses required for the operation of activities.

There are two reasons to support independent service providers: (1) maintain a safe and secure environment by supervising children in the absence of parents, and (2) through creative activities or tutorial assistance to enrich a student's educational opportunities. The participation of students is voluntary, requiring the timely payment of required fees by parents to cover expenses incurred by student service providers.

All such providers performing these services (e.g., YMCA, Boys and Girls Club or selected co-curricular entities) are to maintain liability insurance coverage approved by the governing Board. All entities are independent of academic support and supplemental services maintained for the regular school program.

1.8 INSTRUCTIONAL POLICIES

The instructional policies directly relate to rules and statutes as well as governing Board directives affecting the administration, supervision and organization of instructional activities.

1.8.1 CALENDAR AND INSTRUCTIONAL TIME

The academic calendar and schedule of classes is organized to meet the number of instructional days prescribed by law. The approved academic calendar is divided into such grading periods as are set forth by the Chief Executive Officer or designee. Additional days may be designated for in-service or pre and post sessions for staff development. Parent conferences for students attending elementary grades are scheduled as a part of the academic calendar. Once the academic calendar and schedule of classes is adopted for each site by the Board of Directors and subsequently accepted by the Arizona Department of Education, such adoption is not to be modified except for an emergency or to correct an error. The academic calendar, including the length of the school day, is to meet

the standards prescribed by statute; to maximize the continuity of teaching and learning.

1.8.2 CAPACITY GUIDELINES, GROUPING FOR INSTRUCTION AND PROOF OF RESIDENCE

A.R.S. § 15-184(A-F) authorizes the charter holder to annually set capacity guidelines for instruction. A charter school may limit admission to pupils within a given age group or grade level; A.R.S. § Accordingly, A.R.S. § 15-825(J) instructs each school administration to verify proof of residence for each student prior to registration. The implementation of each statute is the responsibility of the school site principal.

All eligible students submitting a timely application are to be enrolled, unless the number of applications exceeds the capacity of a program, class, grade level or building. Capacity and grouping for instruction is determined by the skill attainment of students rather than the conditional placement by age and grade. The skill based, non-graded/multi-age inclusion model of instruction utilizes differentiated capacity guidelines for admissions, enrolling students with varying academic and social needs. **The capacity guidelines for Special Education admissions are to total twelve (12) students or less at each campus. The qualifications and training required by staff members are governed by the appropriate statute or regulation.**

1. The grouping of students for instruction utilizing capacity guidelines fosters the mission of the AmeriSchools' Learning Community.
2. The inclusion model of instruction utilizes differentiated capacity guidelines, totaling twelve (12) students or less for Special Education admissions at each school.
3. The appropriate placement for instruction by law requires that a parent present complete educational records, and in turn, provide proof of residence for each student at the time of registration.
4. Students with incomplete educational records and parents that fail to document proof of residence will be **wait-listed until capacity and residence requirements for registration are verified.**

1.8.3 INSTRUCTIONAL RESOURCES AND INTERNET

The selection, acquisition and inventory of instructional resources are to be governed by statutory provisions and related rules or regulations. The criteria used in the selection of resources include the cost, purpose, permanence, significance, readability and appeal to audience. Primary instructional resources are defined as sources of content utilized for instruction, including all media and the Internet. The principal for each site is responsible for the acquisition and

inventory of instructional materials, the supervision of Internet use and the enforcement of Internet policies.

1.8.4 MEASURES FOR STUDENT ACHIEVEMENT, GRADING, REPORT CARDS, ACADEMIC AND SOCIAL DEVELOPMENT

The purpose of grading students is to inform the learner and significant adults about the attainment of educational standards. The Chief Executive Officer or designee is responsible to establish grading policies congruent with the needs of the learner and the educational program. The singular most important grading practice is timely reporting that directly contributes to the improvement of teaching and learning.

The primary authority that governs the graduation and promotion of students is set forth in the Arizona Revised Statutes, Title 15 Education Code. Under the direction of the Chief Executive Officer or designee, teachers and administrators are to systematically follow the dictates of this authority as well as such rules provided by the State Board of Education and Board of Directors for AmeriSchools.

Each teacher is responsible for validating and recording the academic achievement of students, including the successful completion of course work, promotion and requirements for graduation A.R.S §15-521.I-5. This provides an opportunity to support the independence of intellectual endeavors. This ideal permits the individual learner a means to perform at a highly motivated level, resulting in positive achievement outcomes.

In an effort to address the issue of academic achievement of students, the Board of Directors adheres to statutory requirement set forth by Title 15 of the Arizona Education Code. **Any student failing to attain satisfactory progress during a nine-month sequence of time is to be referred for tutorial assistance. By law the non-attendance of a student is grounds for suspension. Parents failing to require the attendance of their children are guilty of a Class 3 Misdemeanor, A.R.S. §15-802.E.** Each student and parent or guardian is to be fully informed of the implication of academic performance and non-attendance for instruction.

A copy of this standard, or a summary, relating to a student's academic status is to be distributed or otherwise communicated by the principal or designee to all students and parents at the inception of each academic year or at the time a student is enrolled.

1.8.5 INSTRUCTIONAL COMPETENCIES

The attainment of an educational standard marks an achievement goal for each student, resulting from formal educational opportunity or from an incidental setting that is not associated with formal schooling. The instructional staff is not

to ignore a student's attainment of standards and is responsible for recording the attainment of standards regardless of time, site or activity.

1.9 TEACHING CONTROVERSIAL ISSUES

Differing values, beliefs and interests, characterize controversial Issues. The instruction of students about controversial issues must be framed by democratic concepts of academic freedom, permitting the definition of problems concerning a contemporary world. For instance, one sentence from the Declaration of Independence exemplifies the broad stoke of issues past and present, causing debate and opinion at the heart of controversial discourse.

“We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights that among these are life, liberty and the pursuit of happiness.”

The utility of this sentence is obvious, one week, one year or one decade may not hold sufficient time to skillfully examine the issues at odds with those held by another. For the learner in our society, it is critical that such issues be pursued.

The presentation and teaching about controversial issues is to adhere to guidelines approved by the governing Board in conformance with state law, rule or regulation. Such guidelines concerning controversial issues include the following:

1. Instruction and material is to be developmentally appropriate for the student, in line with state education standards.
2. The overarching goal is improved student achievement in academic subjects and the students' civic development, rather than seeking conclusions as to the correctness of a particular point of view.
3. Controversial content must be considerate of the values of the community, reflect sound professional judgment, and in turn, be communicated to the principal of the school and the Chief Executive Officer or designee.
4. Materials not to be used for instruction include, but are not limited to, the depictions of explicit sexual conduct, graphic violence, profanities, drug use or those that would divide the community along ethnic, racial or religious segments. Questions about whether a resource is controversial and acceptable for instruction is not a judgment call by the teacher alone, but one that must enlist the perspective of the principal and Chief Executive Officer or designee prior to the presentation of materials leading to the examination of issues. If there is any doubt about the acceptability of content by a staff member, error on the side of caution and refrain from

the use of material until a professional consensus concludes that sufficient criteria has been met to warrant use for instruction.

5. Teachers and staff members failing to comply with the aforementioned guidelines may result in suspension with pay, suspension without pay up to and including termination.

1.10 PLAGIARISM

The heart of intellectual endeavors is based on the fruit of the First Amendment, and in turn, provides critical substance for academic freedom. The integrity of academic pursuit is dependent upon the recognition of intellectual property rights of an author or creator. Plagiarism strikes at the basic freedoms and academic integrity as defined in Black's Law Dictionary, Fourth Edition, "plagiarism is the act of appropriating the literary composition of another, or parts of passages of another's writings, or the ideas or language of the same and passing them off as the product of one's own mind."

A student's work that incorporates the literary composition of another is committing an act of plagiarism. Academic standards are to be established by each teacher with the concurrence of the principal to address this ethical issue. The instructional goal is to impress upon each student that property rights are character issues that count for all members of society. The administration is to follow strict guidelines of due process to discipline a student accused of committing plagiarism.

1.11 INSTRUCTIONAL USE OF COPYRIGHT MATERIALS

Copyright law secures for the creator of an original work the right to perform, reproduce and distribute that product. Such copyright law is derived exclusively from the Constitution of the United States and as a general rule, lasts for not less than the lifetime of a creator plus fifty years. If a copyright has expired or is abandoned, the work maybe freely reproduced as public domain. Since individuals, students and staff alike, are liable for their actions, the copyright policy of the school expects strict adherence to the copyright law.

Failure of a staff member to abide by copyright prohibitions and willfully exceeding permissible limits may result in personal damages of up to \$100,000 per work. The governing Board requires full compliance with the copyright law restrictions and cannot defend a staff member's breach of the statute.

Copyright protection applies to the original expression of ideas, including:

- Architecture
- Drawings
- Electronic Media
- Web pages
- Software

- Art
 - Paintings
 - Drawings
 - Sculptures
 - Photographs
 - Choreographic works
- Audiovisual
 - Films
 - Videos
 - Screenplays
 - DVD
 - CD-ROM
- Documents in electronic form
- Literature
 - Poetry
 - Prose
 - Plays
- Music
 - Musical Notation
 - Song lyrics
 - Recorded Musical Performances

Copyright protection does not extend to works that are not creative or original or have entered the public domain and include:

- Mere facts or compilations of facts, such as a telephone book
- Titles (Trademark applies)
- Short phrases
- Logos (Trademark applies)
- Slogans (Trademark applies)
- Works created by the U.S. government
- Works in the public domain
- Works created by the Arizona state government

The “fair use” provision of the copyright law, permits reproduction of copyrighted works ***under certain conditions*** including criticism, commentary, news reporting, teaching (limited multiple copies for classroom use), scholarship or research. Please note that the concept of fair use provides an extremely ***limited*** exemption. Wholesale copying and the distribution of copyrighted work for instruction requires permission of the holder of the copyright. Works published before 1989 without the © symbol maybe freely copied. Works created after 1989 with or without the © symbol can be copied only with permission or in accord with the fair use exception. The governing Board expects full compliance with the copyright law by all staff members. For complete guidelines concerning copyright prohibitions, contact the executive office of the Chief Executive Officer or designee concerning the fair use doctrine. **(See Appendix 1-D and Appendix 1-E**

2.0 Students

2.1 Admission and Placement

- 2.1.1 Capacity
- 2.1.2 Induction, Placement and Continuum of Service
- 2.1.3 Review of Disciplinary Records
- 2.1.4 Measures of Academic Progress and Attendance
- 2.1.5 Application for Admission
- 2.1.6 Assignment for Instruction

2.2 Annual Notification to Parents Regarding Confidentiality of Student Educational Records

- 2.2.1 Inspection of Records
- 2.2.2 Request to Amend Records
- 2.2.3 Release of Records
- 2.2.4 Disabilities Education Act (IDEA)
- 2.2.5 Reports to Parents

2.3 Board Notification Policy and Emergency Responses for All-Hazard Events

- 2.3.1 Purpose for Hazard Events Notification Policy
- 2.3.2 Notification Policy
- 2.3.3 Notification Form
- 2.3.4 Criteria for Notification Policy Implementation
- 2.3.5 Notification of Hazard-Emergency Events
- 2.3.6 Notification System/Security Resources
- 2.3.7 Notification of Parent and Community

2.0 STUDENTS

2.1 ADMISSION AND PLACEMENT

Admission is NOT based upon ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability. Arizona state law requires that each student document residency upon registration.

Students are to be admitted to the school as prescribed by statute, A.R.S. §15-184. The procedure for registration includes: (1) submitting the appropriate academic records and resident address for the perspective student; and (2) submitting an application prior to the beginning of the first day of school to assist setting capacity limits for the teaching and learning activities. After the opening of school deadline for registration and the determination of capacity limits, students are to be placed on a waiting list in chronological order, selected due to the withdrawal of another student registrant. Students returning to school in the second or any subsequent year and siblings of pupils currently enrolled are to have admissions priority over other applicants pursuant to statute.

2.1.1 CAPACITY

For student placement, each academic program, class, grade level or building occupied by students with varying instructional needs determines capacity limits. The Chief Executive Officer or designee is required to annually set capacity admission limits for each site prior to the start of each academic year. Reference A.R.S. §15-184 (A-F) and A.R.S. §15-184.C.

2.1.2 INDUCTION, PLACEMENT AND CONTINUUM OF SERVICE

An Induction process for the appropriate placement of students is essential in communicating to both the student and parent the academic and behavioral standards set by the Board. This process serves to communicate to the student that high standards are the norm. In this regard, each student and parent is to be informed during registration that the most recent interpretation of continuum of services relates not to the specific school site but to service providers available within the broader educational community, including such educational options as empowerment scholarship funds provided by A.R.S. §15-891, Arizona Scholarships for Pupils with Disabilities.

2.1.3 REVIEW OF DISCIPLINARY RECORDS

The A.R.S. 15-841 in its entirety, and Section 4155 of the Elementary and Secondary Act of 1965, 20 U.S.C. Section 7165 as amended by No Child Left Behind, sets forth the purpose for the administration of a local educational agency to review the disciplinary records of a student with regard to a suspension or expulsion prior to or following registration. This applies to any

private or public elementary school or secondary school for any student who is enrolled or seeks or intends or is instructed to enroll, on a full or part-time basis in the school and that forwarded educational records shall be utilized to clarify the actions or behaviors of a student for purposes of eligibility to enroll due to suspension or expulsion in a previous school. A review of the disciplinary records of a child may indicate that the student manifested an on-going and reckless disregard of other individual students resulting in numerous suspensions on a continuous basis causing an interference with or disruption of an educational institution. Such a behavioral record is grounds to refuse to enroll, suspend a student's registration or administratively withdraw a student for failure to fully disclose educational or disciplinary records during registration.

2.1.4 MEASURES OF ACADEMIC PROGRESS AND ATTENDANCE

Laws supporting open enrollment and the availability of regular public or charter schools are the bedrock of educational choice. Choice is a concept designed to enhance the academic achievement of students. Achievement is measurably affected by parents or guardians who support or implement initiatives to assure the progress for each student. The failure to support the academic and social progress of students is a dereliction of parental responsibilities and may result in such disregard being reported to child protective services by school officials. Additionally, the failure of parents or guardians to disclose a student's pertinent educational history (e.g., required Special Education placement or disciplinary status as herein prescribed) is sufficient grounds to deny enrollment or suspend a student's registration.

A student's absences may be considered excessive when the number of absent days exceeds ten percent (10%) of the number of required attendance days, A.R.S. §15-803.B. By law the non-attendance of a student is grounds for suspension. Parents failing to require the attendance of their children are guilty of a Class 3 Misdemeanor, A.R.S. §15-802.E. Each student and parent or guardian is to be fully informed of the implications of academic performance and non-attendance for instruction.

2.1.5 APPLICATION FOR ADMISSION

1. Admission is not based upon ethnicity, national origin, gender, income level, disabling conditions, proficiency in the English language or athletic ability. There are no tuition charges for instruction during the regular academic calendar.
2. Each year a student's parent or legal guardian is to submit an application to enroll for the following school year. The applicant is to be notified whether the application has been accepted, placed in a lottery or on a waiting list pending available capacity or rejected. If the application is

rejected, the reason for such determination is to be provided at the request of the parent or guardian.

3. A school may waive the application deadline if the number of students is lower than predicted.
4. Application forms are to be available in the administration office at each school site.

2.1.6 ASSIGNMENT FOR INSTRUCTION

All students are to be assigned to classes as determined by the principal for each school site. Requests by parents for changes are to be honored where possible, but teacher selection is to remain the prerogative of the principal and staff of each school.

2.2 NOTIFICATION TO PARENTS REGARDING CONFIDENTIALITY OF STUDENT EDUCATION RECORDS

The Family Educational Rights and Privacy Act (FERPA) is a Federal law that protects the privacy of student education records. FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

2.2.1 INSPECTION OF RECORDS

Parents or eligible students have the right to inspect and review the student's education records maintained by the school within 45 days of request made to the school administrator. Schools are not required to provide copies of records unless it is impossible for parents or eligible students to review the records without copies. Schools may charge a fee for copies.

2.2.2 REQUEST TO AMEND RECORDS

Parents or eligible students have the right to request in writing that a school correct records that they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.

2.2.3 RELEASE OF RECORDS

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions, the Chief Executive Officer or designee is responsible for determining those school officials with a legitimate educational interest, including the application and facilitation of the following definitions*:

- A school official is a person employed or contracted by the school to serve as an administrator, supervisor, teacher, or support staff member (including health staff, law enforcement personnel, attorney, auditor, or other similar role); a person serving on the school board; or a parent or student serving on an official committee or assisting another school official in performing his or her tasks;
- A legitimate educational interest means the review of records is necessary to fulfill a professional responsibility for school, including other schools to which a student is seeking to enroll; specified officials for audit or evaluation purposes; appropriate parties in connection with financial aid to a student; organizations conducting certain studies for or on behalf of the school; accrediting organizations; to comply with a judicial order or lawfully issued subpoena; appropriate officials in cases of health and safety emergencies; and state and local authorities, within a juvenile justice system, pursuant to specific State law.

2.2.4 DISABILITIES EDUCATION ACT (IDEA)

The Individuals with Disabilities Education Act (IDEA) is a federal law that protects the rights of students with disabilities. In addition to standard school records, for children with disabilities education records could include evaluation and testing materials, medical and health information, Individualized Education Programs and related notices and consents, progress reports, materials related to disciplinary actions, and mediation agreements. Such information is gathered from a number of sources, including the student's parents and staff of the school of attendance. Also, with parental permission, information may be gathered from additional pertinent sources, such as doctors and other health care providers. This information is collected to assure the child is identified, evaluated and provided a Free Appropriate Public Education in accordance with state and federal special education laws.

Each agency participating under Part B of IDEA must assure that at all stages of gathering, storing, retaining and disclosing education records to third parties that

*Negotiated definition with U.S.D.O.E. on August 22, 2006

it complies with the federal confidentiality laws. In addition, the destruction of any education records of a child with a disability must be in accordance with IDEA regulatory requirements.

For additional information or to file a complaint, you may call the federal government at (202) 260-3887 (voice) or 1-800-877-8339 (TDD) OR the Arizona Department of Education (ADE/ESS) at (602) 542-4013. Or you may contact:

Family Police Compliance Office U.S. Department of Education 400 Maryland Avenue, SW Washington, D.C. 20202-5901	Arizona Department of Education Exceptional Student Services 1535 W. Jefferson, BIN 24 Phoenix, AZ 85705
---	---

This notice is available in English and Spanish on the ADE website at www.ade.az.gov/ess/resources under forms. For assistance in obtaining this notice in other languages, contact the ADE/ESS at the above phone/address.

2.2.5 REPORTS TO PARENTS

Reports of student progress are submitted to parents at intervals determined by the Chief Executive Officer or designee.

2.3 BOARD NOTIFICATION POLICY AND EMERGENCY RESPONSES FOR ALL-HAZARD EVENTS AND INCIDENTS POSING THREATS TO THE SCHOOL COMMUNITY

2.3.1. PURPOSE FOR HAZARD EVENTS NOTIFICATION POLICY

Risk or the risk of threat in the consideration of child's safety is never to be ignored. Nor can the school community permit risk to be celebrated by anyone as a means to create discord or embellish a situation to ferment unrest within the schools or community-at-large. Each threat or risk of threat warrants the serious examination of known facts. Based upon the rule of reason and need for the peaceful resolution of conflict, all public safety personnel of each municipality and county have a critical role in identifying and categorizing incident threats to schools. As approved, this notification policy is formulated to attain a security threshold for accountability and transparency, responding to any threat concerning students, staff and property.

2.3.2 NOTIFICATION POLICY

Based upon Federal Emergency Management Agency, (FEMA) comprehensive preparedness guide, the Parent Notification Policy is adopted by the Board of Directors as part of the Emergency Response Plan (ERP) for the charter system of schools. As an effort to provide guidelines enhancing communication opportunities between families and the schools, the Board is utilizing the Parent

Notification Policy as a response to threats as identified in the Emergency Planning and Incident Management Program. This initiative provides for the timely notification of all parents of any event that is a threat to the security of students. As circumstances warrant, all communication media is to be utilized as a resource to broadcast information about incident threats.

2.3.3 NOTIFICATION FORM

The Parent Notification Form included in this document is to be distributed prior to the beginning of each academic year, providing critical contact information (1.2., telephone numbers, e-mail addresses, etc.) to inform parents of potential or actual incident threats. Without exception, parents are to provide contact sources so that school personnel can effectively communicate with parents concerning the safety of their children.

2.3.4 CRITERIA GOVERNING NOTIFICATION OF PARENTS AND THE COMMUNITY

A Parent Notification Policy is to be implemented based on the following criteria:

- **Incident (a situation that is minor in scope, with limited potential effect upon the school)**

Notification of permissible facts is to be provided to the parents concerning the incident/situation.

- **Emergency (a situation that is large in scope, being more severe in actual or potential effect upon the school)**

Notification of permissible facts is to be provided to the parents following a thorough assessment of the incident/situation.

- **Disaster (a situation involving a threat with significant casualties or extensive property damage, each being beyond the capability of the local government due to limited resources)**

Notification to the parent of permissible facts is to be an immediate communication of the incident/situation.

2.3.5 NOTIFICATION OF HAZARD-EMERGENCY EVENTS

The Board recognizes that it is impossible to identify all hazards that may be included in any notification. The intent of this policy is to inform parents of human-caused events considered as criminal or violent behavior, whether caused by a student, staff or third-party. Notification includes intruder issues, civil

unrest, weapons discharge or any act of terrorism, individual directed threats of violence or harm, causing reasonable fear of physical harm to a specific individual or individuals. The notification of permissible facts for any incident is to be fully communicated to parents. The analysis of a technological hazard (i.e., hazardous materials released) or a natural hazard (i.e., earthquake is to be included in the scope of hazards covered by this policy. Due to the nature of technological and natural hazards, the immediate evacuation of students is demanded. The severity of these hazards may result in notification being impractical or untimely. (Refer to key areas of incident management)

2.3.6 NOTIFICATION SYSTEM/SECURITY RESOURCES

Security/system resources in the system of schools include both an internal and external means to communicate with students or parents. Each resource component for security purposes provides an enhanced environment for safety, defining a more secure school environment.

Internal Resources (Campus Site Specific)

- Intercom system for internal communication connects all classrooms and the office at any time throughout the instructional day, including the before and after school programs. This system can be utilized to target a single classroom or a campus-wide broadcast.
- Security approved fencing for each campus site, providing un-obstructed views for monitoring purposes. Security measures for each school site are to be reviewed annually by public safety officials.
- Security cameras and a DVD recording device provides visual coverage of each school site, utilizing a security screen that is monitored by the staff for security purposes, including a magnetic door lock system.

External Resources (Community Site Specific)

- Alert Solutions as an Internet communications program is to serve as a primary notification system, complementing any other notice of incident/threats, including voicemail, text, message or e-mail.
- A 911 speed-dial is to be utilized at each school for immediate access to public safety officials. A phone tree, list-serve and the web-site for each campus facilitates the effective and timely notification of each parent.

2.3.7 NOTIFICATION OF PARENTS AND COMMUNITY

The purpose in providing factual information about an incident/threat is to advise parents and the community of the nature of a threat. Due to information protected

by law and any potential investigation by public safety officials, notification content may be limited, prohibited or embargoed as to a specific individual or group identified as the source of a threat. In consideration of these potential restrictions, this policy is formulated to provide as much significant information as possible within a timely frame of reference.

3.0 Standards for Student Behavior

3.1 Attendance

3.1.1 Attendance Policy: Excused and Unexcused

3.1.2 Release of Student

3.1.3 Attendance: Release for Religious Instruction

3.2 Student Conduct

3.2.1 Distribution of Rules for Student Conduct

3.2.2 Physical Assault (Bullying) by Students

3.2.3 Corporal Punishment

3.2.4 Student Conduct within the School Community

3.2.5 Cellular Telephones, Electronic Signaling
Devices, Memory Storage Devices and Personal Computer Policy

3.2.6 Gang Association or Activity

3.2.7 Sexual Harassment

3.2.8 Drug and Alcohol Abuse Prevention: Drug and Smoke Free
Campus Sites

3.2.9 Drug and Alcohol Testing

3.2.10 Locker Security and Inspection

3.2.11 Student Dress and Grooming Standards

3.2.12 Vehicular Parking and Driving Authority

3.2.13 Damage to School Property

3.2.14 Student Activities

3.2.15 School Books and Supplies

3.3 Due Process and Discipline

3.3.1 Disciplinary Measures

3.3.2 Weapons Prohibition

3.3.3 Application for Admittance Following Expulsion

3.3.4 Administering Medicine to Students

3.4 Child Abuse Reporting

3.5 Health Initiatives and Disease Control

3.5.1 Students with Chronic Health Conditions

3.5.2 Identification of Chronic Health Conditions

- 3.5.3 Coursework for Students with Chronic Health Conditions

- 3.6 Notification Environmental Protection Agency Asbestos Inspection and Management Plan Availability by Campus Site

- 3.7 Supervision of Students

- 3.8 Student Information and Privacy Rights

3.0 STANDARDS FOR STUDENT BEHAVIOR

3.1 ATTENDANCE

As prescribed by law, the parent or guardian is charged with the responsibility for the student's attendance at school. Parents are requested to inform the school of anticipated absences.

Students may be temporarily excused from attendance under the rules and regulations prescribed by the Chief Executive Officer or designee and approved by the Board of Directors. Students failing to complete assigned course work due to a lack of attendance are to earn grades according to the standards set by the teacher of record. Students absent due to health problems are to be provided every opportunity to complete academic assignments.

3.1.1 ATTENDANCE POLICY: EXCUSED AND UNEXCUSED

For complete attendance stipulations refer to Chapter 1, Admission and Placement. To receive academic credit according to state law, ninety percent (90%) attendance for a student is required in each assigned class. Classes missed due to approved activities are excluded. Principals are authorized to excuse additional absences for extended illness, injury or extenuating circumstances upon satisfactory verification by a physician. In such cases, students are expected to make-up missed work in a timely manner to receive credit. On time arrival to begin the academic day and a prompt pick-up at dismissal significantly contributes to an increased measure of safety for each student.

Truancy, defined as confirmed unexcused absence from any class, study hall or other activity scheduled as part of the regular academic day, is to result in disciplinary action, notification of parents, probable loss of credit and referral to the local law enforcement agency. Parents failing to require the attendance of their children are guilty of a Class 3 Misdemeanor, A.R.S. §15-802.E.

The following procedures are to be followed to report a student's absence. Parents are to contact the school office personnel as early as possible for each day if the absence. On returning to school, each student must present a note signed by the parent or guardian stating the date and reason for non-attendance.

3.1.2 RELEASE OF STUDENT

Written consent provided by parent or guardian and filed with the principal of the school is required for the release of students attending grades K through 8. For students in grades 9 through 12, leaving an educational site at any time other than that prescribed by the administration requires oral or written consent of a

parent or guardian. Students may be periodically excused from a classroom for reasons relating to personal hygiene and referrals for nursing assistance or care.

3.1.3 ATTENDANCE: RELEASE FOR RELIGIOUS INSTRUCTION

The school may accommodate religious instruction upon written consent of the parent, legal guardian or the student, if emancipated.

The parent written request includes: (1) the time and date(s) that the student is to leave the school; (2) the location where instruction is to take place; and (3) acknowledge the school is not responsible for student security while off campus. For purposes of this section, the school is not in session during non-instructional time, including before and after school as well as lunch periods.

3.2 STUDENT CONDUCT

The Chief Executive Officer or designee is to direct the establishment of rules for student conduct. Such rules are to be published as AmeriSchools web-site documents. All rules are to conform to state statutes to maintain an appropriate environment for learning. Copies of content are to be made available to the Board for review and approval each year prior to authorization for publication or web-site distribution.

3.2.1 DISTRIBUTION OF RULES FOR STUDENT CONDUCT

This policy, or a summary thereof, and the administrative procedures relating to student conduct are to be distributed or otherwise communicated by the principal or designee to all students and parents at the inception of each academic year.

3.2.2 PHYSICAL ASSAULT (BULLYING) BY STUDENTS

Unauthorized touching or outright physical assault of a student on campus or at events under the jurisdiction of the school, are to be reported in a timely manner to the principal of the site, the Chief Executive Officer or designee and the police of the appropriate jurisdiction. Following an appropriate report to police required by law, the principal is to investigate each charge to substantiate the nature of the offense and the seriousness of alleged acts. Upon reasonable validation of the charges, the principal in consultation and direction of the Chief Executive Officer or designee is to apply appropriate disciplinary measures and report the findings to local civil authorities as prescribed by law.

Nothing in this policy is intended to preclude staff members from acting as individuals in filing criminal charges at their discretion.

3.2.3 CORPORAL PUNISHMENT

The use of corporal punishment is not permitted, being governed by the rules of the State Board of Education.

3.2.4 STUDENT CONDUCT WITHIN THE SCHOOL COMMUNITY

School rules and other reasonable expectations for acceptable student behavior are extended to include student conduct while going to and from the school, while off campus during the normal day or attending events on or off campus after the academic day ends. Student conduct includes the responsibility to observe the privacy rights of others while using social media on the Internet, observing traffic and pedestrian laws and conducting one's self in a safe manner within the community as referenced in Section 5.2.8 of this chapter. Failure to comply may result in disciplinary action, according to this policy or statute.

3.2.5 CELLULAR TELEPHONES, ELECTRONIC SIGNALING DEVICES, MEMORY STORAGE DEVICES AND PERSONAL COMPUTER POLICY

The purpose of this policy is to set reasonable expectations for student behavior, recognizing that open enrollment and school choice legislation dictates that education is a privilege extended to each student. A student's failure to observe this policy may result in the possession of electronic devices being denied.

Exceptions to this policy may be instituted by a formal request to the Chief Executive Officer or designee for consideration by the governing Board.

Student possession and use of electronic devices, including but not limited to, cellular phone, pagers, electronic signaling devices, memory storage devices and personal computers on school grounds, at school-sponsored activities and while under the supervision and control of school district employees is a privilege which shall be permitted only under the circumstances described herein.

- At no time shall any student operate a cellular phone or other electronic device with video capabilities in a locker room, bathroom or other location on or off the school site during instructional activities where such operation may violate the privacy right of another person.
- A student may only use a cellular phone, a pager and other electronic signaling devices at the discretion of the principal for each school site whether before school activities begin or following the completion of school activities.
- A student's possession or use of a personal computer and memory storage device during instructional activities, either on or off of a campus,

is prohibited without written authorization from the Chief Executive Officer or designee or designee. Memory storage devices include, but are not limited to; flash drives, CD-ROMS and floppy discs.

- Unauthorized use or possession of devices covered under this policy constitutes a disruption of the learning environment and subjects the student to disciplinary action up to and including long-term suspension, permanent expulsion or administrative withdrawal. School officials, including classroom teachers, may confiscate any device when there is belief that this policy or other governing Board policies have been violated.

The implementation of this policy is not discretionary, demanding the utmost support by each staff member to fully protect against any potential disruption of the learning environment.

- Electronic devices with memory capabilities may be electronically searched when ***reasonable suspicion*** exists that the device has been used to store or transmit words or images that:
 - Are obscene, threatening or defamatory
 - Are in violation of state, federal, or local laws
 - Are in violation of a provision of the student handbook and Board policy
 - Represent an activity that constitutes an interference or disruption of the educational function of the school
 - Indicate the device has been connected, or an attempt has been made to connect, to any Computer Network without prior documented approval from the Chief Executive Officer or designee
 - Contain district information which may be temporarily or permanently confidential

3.2.6 GANG ASSOCIATION OR ACTIVITY

For the purposes of student discipline, a gang may have the following characteristics, but are not limited to, a group of three or more persons who (1) have a name; (2) claim a territory; (3) have rivals/enemies; (4) interact together to the exclusion of others; and (5) exhibit behavior often associated with criminal activity that interferes with the peaceful conduct of other students or individuals.

The governing Board has established zero tolerance for gang behavior that initiates, advocates or promotes activities which threaten the safety or well-being of persons or property or which disrupts the educational environment. Any student wearing, carrying or displaying gang clothing, symbols or paraphernalia; exhibiting behavior or gestures which symbolize gang membership; causing and/or participating in activities which intimidate or adversely affect the educational pursuits of another student or the orderly operation of the school is

conclusive grounds to administratively withdraw the student or place the student on a required mandatory suspension for ninety (90) days as a threshold disciplinary measure and up to one (1) year, depending on the situational facts and category of infraction.

3.2.7 SEXUAL HARASSMENT

Any staff member violating the rights of another person through sexual harassment is subject to discipline, including but not limited to, a written reprimand, suspension without pay, reassignment or dismissal and the reporting of such incidents to the appropriate legal authority.

Any student engaging in sexual harassment of another student or staff member is subject to discipline under the Code of Conduct. Any student seeking relief from sexual harassment is encouraged to make a timely oral or written report of the incident to any staff member. Under this policy, sexual harassment is defined as follows:

Unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitutes sexual harassment when such conduct has the purpose or effect of interfering with the schooling experience or creating an intimidating, hostile or offensive environment.

Any person alleging sexual harassment is to request that the Chief Executive Officer or designee conduct a thorough and impartial investigation. The investigation is to be completed within five (5) working days after the request is received. All aspects of the complaint and inquiry are confidential, protecting the rights of all persons involved.

Staff members or students alleging the occurrence of sexual harassment or any witness to an alleged incident is to cooperate with such an investigation. Any individual alleging sexual harassment or any witness is to be protected to the highest degree against acts of intimidation or discrimination. Any act of retaliation is cause for discipline, protecting the Civil Rights of any victim or person accused of sexual harassment.

Following an investigation, the Chief Executive Officer or designee is to act promptly, resolving the complaint. If harassment has occurred, the Chief Executive Officer or designee is to institute appropriate disciplinary action, including but not limited to, the following consequences; the suspension of the student(s), dismissal of the staff member(s), including the reporting of such incidents for appropriate legal recourse. The Chief Executive Officer or designee is to make students and staff members fully aware of this policy.

3.2.8 DRUG AND ALCOHOL ABUSE PREVENTION: DRUG AND SMOKE FREE CAMPUS SITES

The prevention of drug and alcohol use is an important aspect of the school's health curriculum and policies. Each school site is a drug and tobacco free campus. Accordingly, students and adults are not permitted to use tobacco, alcohol, medical marijuana or E-Cigarettes on campus during functions or in school vehicles. The governing Board strives to assist all members of the learning community to understand the immediate and long-term consequences of substance abuse. A successful preventative program can yield abundant rewards. Eliminating drug-related disruptions to the learning environment and the community will greatly contribute to fewer health problems, higher productivity, better academic performance for students and their families and the promise of a healthier, brighter future.

3.2.9 DRUG AND ALCOHOL TESTING

Drug Testing of Students

The Board of Directors reserves the right to test students for the use of drugs or alcohol. The signature of the parent and the student on the Student Drug-Testing Informed Consent Form is a precondition for registration of a student and for participation in academic and extra-curricular or after school activities.

The drug testing procedures will be the same as described in Section 2 and 3 below, being based on a reasonable suspicion of illegal drug or alcohol possession or use. All drug records will be kept confidential and separate from any educational records.

Drug Testing of Students Pursuant to a Reasonable Suspicion of Illegal Drug or Alcohol Possession or Use

The Board reserves the right to test for the illegal use of drugs or alcohol when there is a **reasonable suspicion** that a student is in possession of prohibited drugs or alcohol, has engaged in the illegal use of drugs or alcohol or is under the influence of drugs or alcohol while on school property or in attendance at a school sponsored event.

1. Definition of Reasonable Suspicion

Reasonable suspicion is the belief in the existence of facts warranting the conclusion that an illegal act is being or has been committed. Specific to the drug and alcohol testing policy, the determination that reasonable suspicion exists is based on specific, contemporaneous, articulable observations and sensory responses relating to the behavior, speech,

smell/odor or appearance of a student while participating in school activities or in attendance at a school sponsored event.

Reasonable suspicion may be based on a communication received from any person or agency wherein the reported content relates to recent use or possession and that the source, known or anonymous, confides reliable and credible information.

Physical, sensory responses or behaviors constitute grounds for **reasonable suspicion**, including but not limited to, refusal to take a drug test, slurred speech or smell/odor of alcohol or drugs on breath or body or clothing of person, glazed eyes, inability to walk a straight line, staggering, drowsiness, incoherent conversation, physical or verbal altercation, possession of drug paraphernalia, unexplained deterioration of academic or physical performance, excessive or pattern of absenteeism and other unusual or erratic behavior.

2. Drug Testing Procedures

Drug testing is to be initiated and based on federally approved **chain of custody** procedures that ensure **accuracy** and **confidentiality**.

- a. First, a student is assigned a certified drug collection agency employee of the same gender to obtain either samples of urine, hair or oral fluids.
- b. Second, a private restroom or stall is set-aside as a secure area to collect the selected student's specimen.
- c. Third, the specimen is labeled in the student's presence prior to the submission of the sample for analysis.

The laboratory is to report negative results to the school principal and Chief Executive Officer or designee within 24 hours after receiving the specimen. Negative testing results are to be communicated to the student's parents by the school principal.

All non-negative (positive) test results are to be communicated directly to the school principal and an independent contract physician as a certified Medical Review Officer (MRO). The Officer is to inform parents of any non-negative test outcomes. As a licensed physician and an expert in drug and alcohol testing based on federal regulations governing such procedures, the Officer is responsible to ensure the integrity of the drug tests. For non-negative (positive) test results, the Officer is to consult with the student and the student's parents, giving each an opportunity to provide evidence that there is a justifiable reason for the test outcomes. If

a parent cannot produce legal justification, the Officer is to rule the specimen to be positive and report such finding to the principal and Chief Executive Officer or designee. If the Officer determines that the test results were due to a properly prescribed drug, and not an illegal substance, the test results are to be reported as negative.

3. Appeal of Testing Results

A parent may request a second test based on the student's unused specimen or testing sample stored at the testing laboratory of record.

The parent may request the names of other approved laboratories, if there is a preference that a different laboratory conducts the second test. Parents are responsible for all associated costs incurred to conduct a second test.

Whether based on tests results or pursuant to a **reasonable suspicion** of drug or alcohol possession or use, students will be subject to discipline pursuant to consequences deemed appropriate, including short-term, long-term or expulsion of the student. Positive test results will be reported to law enforcement authorities as prescribed by Arizona Revised Statute §13-3411 (F), which requires school officials to report the possession, use, sale or transfer of marijuana, peyote, prescription drugs, dangerous drugs or narcotic drugs or manufacture of dangerous drugs in a Drug-Free School Zone to local law enforcement.

3.2.10 LOCKER SECURITY AND INSPECTION

Lockers, if provided for student use, are school property and remain at all times under the control of the governing Board. Students are expected to assume responsibility for the security and content of the lockers. At any time, an inspection of lockers may be conducted for any reason without notice, without student consent and without a search warrant.

3.2.11 STUDENT DRESS AND GROOMING STANDARDS

Standards for dress and grooming are to be maintained to assure that instruction is not disrupted or negatively affected. Student dress and grooming at sponsored activities and social events is not to disrupt or detract from the purpose of the event. A dress code, event by event, is to be established and incorporated in the rules of conduct for each school site by the site principal.

3.2.12 VEHICULAR PARKING AND DRIVING AUTHORITY

The Board of Directors reserves the right to authorize all vehicular parking and driving by students, parents, visitors and staff members for each campus site. The use of a vehicle on campus is a conditional privilege, predicated on rules of

safety that are to be administered by each site principal or designee. The principal's driving and parking authority, includes but is not limited to, prescribing the number of passengers for each vehicle, determining the conduct of safe driving behaviors as well as the authority to assign parking regulations and areas for passenger drop-off and departure. Any person failing to follow prescribed rules of etiquette, or vehicular parking and driving regulations while on campus is to have such privileges revoked for failure to comply with reasonable standards of decorum and safety.

3.2.13 DAMAGE TO SCHOOL PROPERTY

According to statute, A.R.S. 15-842, any student cutting, defacing or otherwise injuring any school property may be suspended or expelled at the discretion of the Board. In this regard, the Board is to instruct the Chief Executive Officer or designee to inform the parents or guardians of students of the consequences for injury to school property and that parents are liable for all damages. Liability extends to all costs associated with the damage or injury and repair or replacement of school property, including but not limited to, the breaching of mechanical mechanisms for locks and depositories, passwords for programmed systems of instruction and records, security systems maintained for the health, welfare and security of students, staff members, administration and governing Board as well as proprietary information critical to the operation of the schools.

3.2.14 STUDENT ACTIVITIES

A program of activities appropriate for the age, academic and social maturity of students is to be organized at each site under the direction of the site principal.

3.2.15 SCHOOL BOOKS AND SUPPLIES

The school is to provide textbooks, subject matter materials and supplementary books as prescribed by law or legal opinion. Other supplies may be made available for purchase.

Students using school purchased texts, software and supplementary books are responsible for loss or damage. If additional copies of such materials are required, the student must reimburse the school for the cost.

3.3 DUE PROCESS AND DISCIPLINE

Students referred for disciplinary action are to be provided the benefit of due process as prescribed by law. In each case, a referral notice is to be prepared by the staff member initiating the action. This written report is to include the name of the student, date of the inappropriate behavior and a brief statement by the staff member describing the incident.

Standards governing the implementation of disciplinary measures for students include: (1) violating a policy of the Board of Directors or administrative rule; or (2) engaging in conduct that a reasonable person would believe to be wrong. In all cases, the authority to suspend a student for more than three (3) days is vested with the Chief Executive Officer or designee. A principal may suspend a student for three days or less. Every suspension is to be reported to the Chief Executive Officer or designee within five (5) days. As the agent of the Board, required written notification to the Chief Executive Officer or designee is deemed as notice to the Board.

For purposes of this policy, "parents" are deemed the individuals with whom the student legally resides during the academic year. Technical errors made in the application of this discipline policy are not grounds for invalidating discipline that is imposed.

3.3.1 DISCIPLINARY MEASURES

A variety of disciplinary measures are to be used to maintain a safe and constructive educational environment for each student. Disciplinary proceedings are designed to provide the student with appropriate choices for the future. Board disciplinary policies are designed to utilize a number of informal measures before formal disciplinary action is taken. Disciplinary measures for special education and disabled students are provided in Section 5.5.8 of the AmeriSchools Policy Handbook.

The application of any discipline measure is not sequential, but based upon the most appropriate consequence in a given situation. The following disciplinary measures may be applied for misbehavior of students:

Redirection - Given by a staff member to re-focus the student's attention and activity in a more positive direction.

Time Out - Temporary removal from one assigned physical site to another for reflection and self-evaluation by the student. This is intended to be a period of time when the student has an opportunity to plan to change disruptive behavior to constructive behavior.

Community Service - Students contribute public service by performing supervised activities relating to the well-being of the community.

Parent Contact - Communication between the parent and the academic community is vital. In the event that formal disciplinary action needs to be taken, the parent is to be notified in advance of such action when reasonable and appropriate.

Parent Conference - A meeting between the parent, administration and other involved staff members to discuss disciplinary issues, agreeing upon a behavior plan for the student.

Student Conference - A meeting between the student, administration and other involved staff members to discuss disciplinary issues, agreeing upon a behavior plan for the student.

In-House Suspension - Students are to be temporarily removed from activities or class for a designated period of time as determined at a conference with parents. The student is to be placed in a supervised learning environment separate from that of other students.

Behavior Intervention Plan - An intervention plan written with parents, the student, administration and other staff members identifying specific behaviors and specific consequences.

Suspension - A period of time removing the student from all classes and activities. This action is taken when other disciplinary measures are exhausted or found to be inappropriate in a given situation.

The administration may initiate a short-term suspension of a student for up to three (3) consecutive school days due to the violation of selected rules, policies and procedures. A student is to be suspended for additional days by the Chief Executive Officer or designee if other disciplinary measures are either exhausted or deemed inappropriate in a given situation. Homework and class assignments are to be made available during the suspension period, with the student remaining away from the campus and all school activities.

A Board policy of zero tolerance concerning selected behaviors or infractions by students relates to the application of long-term suspension. **Such infractions include weapons, alcohol, tobacco or E-Cigarettes and drug prohibitions and verbal or physical assaults, invading the personal privacy (use of cell phone or electronic devices) of another student or staff member, gang association or activity or sexual harassment are sufficient grounds to administratively withdraw the student or place the student on a required mandatory suspension for ninety (90) days as a threshold disciplinary measure and up to one (1) year, depending on the situational facts and category of infraction.** The student must remain off campus and is not to participate in school activities.

Expulsion - Expulsion is defined as the permanent withdrawal of the privilege of attending a school. As part of the decision to expel, the student is reserved the right to apply for admittance after ninety (90) days or in the case of weapon violations, one year (18 United States Code 921). The Board or Chief Executive Officer or designee may establish other conditions for student compliance before

admittance is considered. During the expulsion, the student is to remain off campus and away from all school activities.

3.3.2 WEAPONS PROHIBITIONS

No student is to carry or possess a weapon or simulated weapon on school premises or at school functions, whether or not such use or threat of use occurs on or in close proximity to the premises of the school. Any staff member observing a student in possession of a weapon or simulated weapon on school premises is to immediately report the matter to the site principal. Any staff member observing or receiving a report of a student possessing a weapon on the school premises is to take appropriate safety and disciplinary measures in accordance with these policies, immediately reporting any violation to a peace officer.

A student carrying or possessing a firearm or using or threatening to use a weapon or simulated weapon is in jeopardy of one of the following: (1) suspension for a period of not less than one year; or (2) expelled and not readmitted within a one year period, if ever.

The Gun Free Schools Act of 1994, 20 United States Code 8921 (b)(1), requires that students be expelled from school for not less than one year for bringing a weapon to campus. Additionally, Congress determined that students with disabilities who are suspended or expelled for possessing firearms on campus must be provided special education services during the time of disciplinary removal, Individuals with Disabilities Act, 20 U.S.C.A. 1415 (e)(3)(A).

For infractions other than weapons prohibitions, the Chief Executive Officer or designee may modify the one-year duration of any disciplinary action on a case-by-case basis.

Weapon means the following:

- A firearm.
- A knife, other than a folding pocket knife that has a blade length of not more than 2-1/2 inches or that does not have a mechanism by which the blade can be locked in an open position (regardless of blade length).
- A destructive device.
- A dangerous instrument.
- A deadly weapon as defined in A.R.S. § 13-105.

Simulated weapon means an instrument displayed or represented as a weapon.

Firearm means any of the following:

- Any loaded or unloaded gun that will, that is designed to or that may readily be converted to expel a projectile by the action of an explosive.
- The frame or receiver of any such firearm.
- Any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive charge of more than one-fourth ounce, mine, or similar device.
- Any combination of parts that could be readily assembled to form a firearm.

Destructive device means:

- Any device other than a firearm that will, is designed to or may be readily converted to expel a projectile by any means of propulsion, such as a BB/pellet gun, slingshot, bow or crossbow.
- Any collection of parts that could be readily assembled to form a destructive device.

Dangerous instrument means:

- Any device other than a firearm, knife or destructive device that is carried or possessed by a student to detonate or be used or being available for use to mechanically, chemically, or electronically invade the privacy of another person.
- Any combination of devices that are carried or possessed by a student to infringe on the constitutional rights of such persons or to cause death or inflict serious physical injury or emotional harm.

Premises means:

- The school, school grounds, school transportation vehicles or any premises, grounds or vehicles used for school purposes.
- Bus stops, airline terminals light rail stations, railroad stations and premises where school-sponsored events (e.g., athletic games and competitions, music competitions, etc.) are held away from school property.

Deadly weapon means any mechanism designed for lethal use, including a firearm as defined in A.R.S. §13-105.

3.3.3 APPLICATION FOR ADMITTANCE FOLLOWING EXPULSION

An expelled student may apply for admittance to the school by making a written request to the governing Board through the Chief Executive Officer or designee. The Board has the prerogative to deny or stipulate appropriate conditions for admittance.

The student's application for admittance is to provide evidence indicating a resolution of all problems that resulted in the expulsion. Supporting statements from persons other than the parent(s) or student may be included with the application.

The Board is not required to hold a hearing for any application for admittance to school. The Chief Executive Officer or designee on behalf of the Board is to respond in writing within sixty (60) calendar days to the request for admittance.

3.3.4 ADMINISTERING MEDICINE TO STUDENTS

Medications may be administered during the academic day. Every effort must be made for the student to receive medication at home. Medications administered during the academic day must be delivered to the site in a properly labeled prescription container with the student's name, current date, doctor's name, name of medication, dosage and frequency of administration. Over-the-counter medications must be in the original manufacturer's container. An authorization form provided by the school must be completed and signed by a parent/guardian prior to the administration of a prescription or non-prescription medication. One dose may be administered based on a verbal or a handwritten parent request.

A designated member of the staff is to administer all medications. Prescription medications are to be administered at the time indicated on the label and as directed by the written instructions.

During field trips or community exploration, the administration of medications to students is the responsibility of the supervising staff member when designated by the site principal. The supervising staff is to receive medications for students in proper containers from the parent(s) on the day of the activity.

3.4 CHILD ABUSE REPORTING

Any staff member who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted on the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature is to immediately report or cause reports to be made of this information to a peace officer or to the Arizona Department of Child Safety, except if the report

concerns a person who does not have care, custody or control of the minor, the report is to be made to a peace officer only.

Each school participates in the Arizona Early Intervention Program (AzEIP) and provides educational assistance to support families of children with disabilities or special developmental needs, birth to age twenty-two. To enhance and promote a child's growth, each principal is to serve as a source of information relating to student study and special education services available to parents.

3.5 HEALTH INITIATIVES AND DISEASE CONTROL

Each school participates in the Arizona Early Intervention Program (AzEIP) and provides educational assistance to support families of children with disabilities or special developmental needs, birth to age twenty-two. To enhance and promote a child's growth, each principal is to serve as a source of information relating to student study and special education services available to parents.

KidsCare is Arizona's health plan for children who are not covered by medical insurance. The maintenance of high standards for health and nutrition contribute to each child's academic progress, enhancing the ability to benefit and participate in the general curriculum. The site principal is responsible for the dissemination of information concerning KidsCare.

The governing Board through a selected designee is to inform and instruct school site principals, staff members, and parents and students, if appropriate, concerning the incidence of communicable disease, whether a singular case or having epidemic potential. The transmission of communicable disease is best remedied by the isolation of those individuals with a confirmed diagnosis. Required student home study for assigned course work is to be implemented if recommended by a health practitioner. The source of guidance for the implementation of **best health practices** as a course of action is the national Center for Disease Control (CDC) or the county and state health departments. The most important consideration for the control of communicable of disease is the timely communication and implementation of best health practices.

3.5.1 STUDENTS WITH CHRONIC HEALTH CONDITIONS

Students are expected to attend the school as prescribed by law unless a health condition poses a threat of contagion to others or is so debilitating as to be a threat to the person's well-being, as confirmed by medical certification as described herein. Students who are absent due to chronic health conditions are to be provided with homework assignments during absences. Assignments are to be modified as deemed appropriate. No student certified as having a chronic health condition is to be penalized for absences due solely to the chronic health condition. Academic credit is to be given for completed course requirements.

Students with chronic health conditions are to obtain written medical certification from a licensed physician (M.D. or D.O.) indicating that the student has an illness or disease, or has had an accident, which interferes with or will impact regular school attendance. Homework assignments by definition are those assignments that can be completed at home, (e.g., programmed learning or independent study materials).

3.5.2 IDENTIFICATION OF CHRONIC HEALTH CONDITIONS

Registration or other relevant data, including but not limited to, data used to screen students for referral to special education programs, are to be reviewed to identify students having chronic health conditions. Students are to be identified or referred by staff personnel or parents at any time during the academic year. All referrals by the staff are to be routed to the site principal who is to contact the parent/guardian as indicated herein.

The parent/guardian is responsible to provide written medical certification, as defined above, to the school within one week after receipt of a referral request. Failure to provide such certification may result in the suspension of the student by the administration until required documentation is provided. If the medical certification reveals a student with a chronic health condition, the principal is to contact the student's parent to determine appropriate methods for delivery and return of homework assignments and convenient times for telephone or other consultation with the staff member to clarify assignments. The confidentiality of the student's medical condition and record is a primary responsibility of all staff members.

An updated (current) medical certification from a licensed physician is to be obtained at least once each school year to verify that the student continues to have a chronic health condition. Such certification is to be submitted at any time to re-evaluate the student.

If the student is identified as having a chronic health condition and absences are projected to total three months or more during an academic year, the student is to be referred for homebound services. Empowerment scholarship funds provided by A.R.S. §15-891, Arizona Scholarships for Pupils with Disabilities, provides an alternative resource for students having chronic health conditions.

3.5.3 COURSEWORK FOR STUDENTS WITH CHRONIC HEALTH CONDITIONS

The staff is to maintain records to verify that coursework assignments are provided and that the completed assignments are returned. Regular classroom assignments are to be modified so that full credit may be attained. Modification of regular course requirements for students with chronic health conditions is to be made with the approval of the parent, physician and site principal.

Registration forms, enrollment data and attendance registers are to indicate students with chronic health conditions in order to document attendance adjustments as prescribed by statute.

3.6 NOTIFICATION OF ENVIRONMENTAL PROTECTION AGENCY ASBESTOS INSPECTION AND MANAGEMENT PLAN AVAILABILITY BY CAMPUS SITE

This information is provided in the Parent and Student Handbook as a Public Notice of AHERA Bulk Asbestos Inspection & Management Plan requirement, with documents available for inspection at each campus site as indicated, including an updating of annual training and inspection requirements, conducted by Gary A. LeBlanc, Superintendent.

According to statute, Allen Environmental Services submitted an Asbestos Hazard Emergency Response Act (AHERA) Bulk Asbestos Inspection and Management Plan report for the AmeriSchools Camelback Campus, Phoenix, Country Club Campus, Tucson and Yuma-North and Yuma-South Campus. This report meets the requirements set forth in the Environmental Protection Agency (EPA) regulation 40 CFR 763.85 (b).

Allen Environmental Services performed the AHERA Inspection of the schools, providing a Management Plan for each campus site. The fieldwork for the AHERA Inspection & Management Plan was performed by Jerry A. Denton, an accredited EPA Building Inspector and Management Planner, sampling and analyzing suspect materials in existing structures. Samples collected using AHERA Protocols were delivered to A.E.S.L. Environmental Laboratory of Tempe, Arizona for analysis by Polarized Light Microscopy (PLM). No asbestos was detected at either of the four campus sites. AESL Environmental Laboratory is accredited by the National Voluntary Laboratory Accreditation Program (NVLASP). All Management Plans are available at each campus site, Phoenix, Tucson and Yuma, as well as the Executive Office in Tucson.

3.7 SUPERVISION OF STUDENTS

Each site principal is to establish plans and procedures to preserve the health and safety of students and staff as well as maintain positive student conduct or behavior. Such plans are to include the monitoring of students by staff members during student assemblies and other activities on campus.

Additionally, the principal is to establish and advise staff members of emergency procedures. Each plan is to be reviewed and approved by the Chief Executive Officer or designee. Statutory citations for the code of conduct for students are to be incorporated in the Student and Parent Handbook. A complete review of these citations is to be an annual exercise for all students and staff members.

3.8 STUDENT INFORMATION AND PRIVACY RIGHTS

Student directory information is not to be made available to non-school groups or organizations without parent permission. The site principal may authorize the release of lists to universities or colleges when such release is clearly in the best interests of students.

Where applicable, the Board will comply with the provisions of the Family Educational Rights and Privacy Act (FERPA) and the Protection of Pupil Rights Amendment (PPRA), which govern the confidentiality and release of student information and the performance of school-sponsored physical examinations and screenings, respectively.