

Florence Unified School District
High School
**Student Discipline Infraction Glossary &
Consequence Ranges**

2021-2022



Florence Unified School District
1000 S. Main St.
PO BOX 2850, Florence, AZ 85132

520-866-3500

<https://www.fusdaz.com>

Definitions, Laws & Policies

Student Conduct – FUSD Governing Board Policy JIC

“Students shall be expected to obey all policies and regulations focusing on student conduct adopted by the Board. Students shall not engage in any activities prohibited herein, nor shall they refuse to obey any order given by a member of the faculty or staff who is attempting to maintain public order. Any student who violates these policies and regulations may be subject to discipline up to expulsion, in addition to other civil and criminal prosecution. These punishments may be in addition to any customary discipline that the District presently dispenses. Local law enforcement shall be notified by the Superintendent regarding any suspected crime against a person or property that is a serious offense as defined in 13-604(V)(4), involves a deadly weapon or dangerous instrument or that could pose a threat of death or serious injury to employees, students or others on school property.”

Discipline Policy

Students at FUSD K-12 Schools have the right to a quality education, free from unnecessary disruptions and distractions. Effective and appropriate learning occurs more readily in a school/campus environment relatively free from behavioral problems. The entire school community (parents, students, school personnel and community members) shares responsibility for maintaining a positive campus climate. The administration, teaching staff, and other school personnel have the responsibility to determine when a student's behavior is inappropriate, disruptive, or in violation of school rules/regulations or policy. A.R.S. § 15-843 requires the Governing Board of this district to prescribe rules for the discipline, suspension and expulsion of pupils and those rules shall include procedures for dealing with pupils who have committed or who are believed to have committed a crime. See FUSD Governing Board Policies JIC Student Conduct and Board Regulations JK Student Discipline.

Due Process

Any student who is involved in disciplinary action is entitled to due process. A student whose behavior is alleged to be in violation of the school's rules may be referred to the administration. In every such incident, a written report/referral specifying the violation must be prepared by the person initiating the referral. The student will be informed of the charges against him/her. He/she will then have the opportunity to respond to these charges. The administration will then waive or assign the appropriate penalty as established by the discipline policy.

Off-Campus Behavior

A.R.S. § 15-843 requires the Governing Board of this district to prescribe rules for the discipline, suspension and expulsion of pupils, and those rules shall include procedures for dealing with pupils who have committed or who are believed to have committed a crime. This statute does not include any limitation that a student's crime need be committed on-campus for the student to be subject to discipline, suspension, or expulsion. See Op. Atty. Gen. No. 189-096. AG Opinion 189-096 on A.R.S 15-843 "makes no distinction as to the location of a crime a pupil committed or is believed to have committed". Thus, our district holds authority to discipline students whose presence in school is considered to be a threat to the moral well-being of other students or such conduct that interferes with the health, well-being, and safety of other students.

Violation of a Local, State, or Federal Law

In addition to school rules/regulations or policy, a student shall not violate any Federal, State, or Local law. A.R.S. 15-341 requires schools and school employees to report to local law enforcement any suspected crime against a person or property that is a serious offense or that involves a deadly weapon or dangerous instrument or serious physical injury and any conduct that poses threat of death or serious physical injury to employees, students or anyone on school property. A.R.S. 13-3620 requires school employees who reasonably believe that a minor has been the victim of child abuse, physical injury, or neglect to immediately make a report to law enforcement or Department of Child Safety.

Interviews, Searches, and Law Enforcement Notification

Pursuant Governing Board Policy JA, "FUSD's goals are to protect and observe the legal rights of students, to deal with students in matters of discipline in a just and constructive manner, and to provide for the safety, health, and welfare of students". Pursuant to Governing Board Policy JIH, "School officials may question students regarding matters incident to school without limitation." Police may be notified for specific infractions that may be in violation of the criminal code. Law enforcement officials or police may interview a student without a school official present and without parent contact if law enforcement deems it necessary.

Pursuant Governing Board Policy JIH, "School officials have the right to search and seize property, including school property temporarily assigned to students, when there is reason to believe that some material or matter detrimental to health, safety, and welfare of the student(s) exists. Disrobing of a student is overly intrusive for purposes of most student searches and is improper without express concurrence from School District counsel.

Items provided by the District for storage (e.g., lockers, desks) or personal items are provided as a convenience to the student but remain the property of the school and are subject to its control and supervision. Students have no reasonable expectation of privacy, and lockers, desks, storage areas, et cetera, may be inspected at any time with or without reason, or with or without notice, by school personnel."

Arizona Revised Statutes

In addition to Arizona Revised Statutes (A.R.S.) cited elsewhere in this document, please refer to the following statutes related to school discipline.

15-840. Definitions of Expulsion and Suspension

15-843. Pupil disciplinary proceedings

Consequence Definitions

Consequences are listed from least to most severe. The phrase “up to” when used in combination with a consequence means that any consequences, or combination of consequences, less severe may be considered and/or implemented up to and including the consequence indicated. For example, “up to 3 days OSS” means that any combination of consequences, such as a behavior contract, ISS, campus service and OSS up to and including 3 days of OSS may be assigned.

School administration reserves the right to implement alternative consequences, where indicated.

Conference: Student receives verbal warning/advisement of behavior.

Contract: Student receives written warning/advisement of behavior.

Detention: Involves student serving detention during lunch, after school, or on a Saturday.

Campus Service: Student is assigned on-campus service tasks as restitution for behavior. Tasks include but are not limited to: collecting and disposing of litter, cleaning classrooms and/or common areas, cleaning windows, vacuuming, etc.

ISS: “In-School Suspension” involves student attending classes in a designated location on-campus, outside of the regular classroom. ISS may involve participation in additional activities such as campus service and directed reflection.

OSS: “Out-of-School Suspension” or “Short-Term Suspension” involves student being prohibited from entering any Florence Unified School District property for the duration of the suspension of ten or fewer days. Classwork must be completed off-campus.

LTS: “Long-Term Suspension” involves student being referred to a hearing before being prohibited from entering any Florence Unified School District property for the duration of a suspension that exceeds ten days. Student may be assigned to an alternative education program to continue coursework.

Expulsion: Involves student being referred to a hearing to be permanently prohibited from entering any Florence Unified School District property or attending classes through any FUSD school.

***Alternative to Suspension:** Policy JKD-EA provides FUSD the right to assign a student who is found to be in violation of the student code of conduct and receives a suspension to the district's alternative to suspension program located at Mountain Vista Academy for the duration of the suspension.

Student Conduct Violations and Consequences

Displayed below is a guide to the probable disciplinary measures that may be taken in the event of student misbehavior. Absence from the list of additional misbehaviors that may occur does not preclude disciplinary action from being taken for those misbehaviors, nor does it imply limitations to the disciplinary action. The actual discipline determined for a given violation will be based upon consideration of a variety of factors, which will include but are not limited to: the age of the student; the frequency, type, and magnitude of previous misbehaviors by the student; aggravating circumstances associated with the incident; the relative severity of the event; whether the student's behavior violated civil or criminal laws; the degree to which the incident interferes with the educational process; the extent of endangerment to the student, other persons, and property created by the event; special intellectual, psychological, emotional, environmental, and physical characteristics of the student; the student's attitude concerning the event; and the expressed intent concerning the student's own future behavior.

School administration reserves the right to implement alternative consequences, where indicated.

- * Indicates offenses that are reported to the Arizona Department of Education (ADE).
 ** Indicates offenses that are also reported to local law enforcement.

Aggression (JIC-STUDENT CONDUCT & JICK – STUDENT VIOLENCE)

Assault* ARS 13-1203 (JIC & JICK)

A person commits assault by:

1. Intentionally, knowingly or recklessly causing any physical injury to another person; or
2. Intentionally placing another person in reasonable apprehension of imminent physical injury; or
3. Knowingly touching another person with the intent to injure, insult or provoke such person.

Aggravated Assault ARS 13-1204 (JIC & JICK)**

A person commits aggravated assault if the person commits assault as prescribed by section 13-1203 under any of the following circumstances:

1. If the person causes serious physical injury to another.
2. If the person uses a deadly weapon or dangerous instrument.
3. If the person commits assault against a teacher or any other school employee.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------|--|
| 1st Offense | 10 days OSSS and possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS and referral to hearing officer, referral to law enforcement |

Disorderly Conduct (JIC & JK-R)

A.R.S. 13-2904 prohibits conduct where, with interest to disturb peace or quiet, a person (1) engages in fighting, violent or seriously disruptive behavior; (2) makes unreasonable noise, or; (3) uses abusive language or gestures to a person in a manner likely to provoke immediate physical retaliation. Board Regulation JK-R defines disorderly conduct as intentionally causing public inconvenience, annoyance or alarm, or recklessly creating a risk thereof by any of the following: fighting or engaging in violent behavior, making unreasonable noise, using abusive or obscene language or gestures, obstructing vehicular or pedestrian traffic, or creating a hazardous or physically offensive condition by any act that serves no legitimate purpose. **Law enforcement may be contacted if the disorderly conduct occurs to a degree which violates other students' or school employees' rights to a peaceful environment.**

If conduct occurs subsequent to other violations, consequences additional to those specified below may be assigned.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------|---|
| 1st Offense | Up to 3 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement |

Fighting (JIC & JICK)

Fighting includes mutual participation in an altercation involving physical violence or harm to one another. There is no one main offender.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer |

Recklessness (JIC)

Lack of proper caution: careless of consequences

Minor Aggressive Act (JIC)

A physical act that does not result in serious injury to another person.

Endangerment* ARS 13-1201 (JIC & JICK)

A person commits endangerment by recklessly endangering another person with a substantial risk of imminent death or physical injury.

Verbal Provocation (JIC)

Conduct by which one induces another to do a particular deed; the act of inducing rage, anger, or resentment in another person that may cause that person to engage in a violation of rules.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|---|
| 1st Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 10 days OSS, possible referral to hearing officer |

Alcohol, Tobacco, and Other Drugs (JICG – TOBACCO USE BY STUDENTS & JICH DRUG AND ALCOHOL USE BY STUDENTS)

Alcohol, Drugs, and Tobacco (Indicate violation: Alcohol, Tobacco* or Drug Violation including Inhalant*, Prescription Drugs** Over the Counter Drugs**, Illicit Drugs **, Drug Paraphernalia or Substance Represented as an Illicit Drug and indicate whether sale/distribution or intent to sell/distribute; use; possession or share)*

Alcohol* (JICH)

The violation of laws or ordinances prohibiting the manufacture, sale, distribution, intent to distribute, sharing purchase, transportation, possession, or use of intoxicating alcoholic beverages or substances represented as alcohol; this would include being intoxicated at school, school– sponsored events and on school–sponsored transportation. See Policies JIC, JICH.

Drugs A.R.S 13-3415 (JICH)**

Includes, but not limited to drug possession, sale, use, distribution, intent to distribute, sharing, being under the influence, drug paraphernalia, and imitations of illegal drugs. The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation, or importation of any controlled drug, narcotic substance or imitation drug will be treated as a drug violation. This includes off-campus use and being under the influence at school, on district property, at a school function, and on school- sponsored transportation. “Drugs” shall include but are not limited to: all dangerous controlled substances prohibited by law, imitation drugs, any prescription or over-the-counter drug, hallucinogenic substances and inhalants, except those for which permission to use in school has been granted pursuant to Board policy.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, possible referral to law enforcement |

Tobacco* A.R.S. 13-3622 (JICG)

The possession, use, distribution or intent to distribute or share cigarettes, tobacco products and/or vapor products or paraphernalia (including chargers, used or unused pods, boxes/containers, lighters, papers, vaping liquids, etc.) and/or the lighting, smoking, vaping or other use of cigarettes, vape devices or other tobacco products, and the chewing of tobacco is prohibited at school or any school sponsored activity or while on any school sponsored transportation vehicle. See Policy JICG.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------------|--|
| 1st Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |
| 3rd Offense | 10 days OSS, referral to hearing officer, possible referral to law enforcement |

Arson (ECAC – VANDALISM, JKD STUDENT SUSPENSION & JIC STUDENT CONDUCT)**

Any attempt to start or promote the continuation of any fire or explosion is prohibited; knowingly and unlawfully damaging school personal structure or property, either occupied* or unoccupied** by fire or explosion.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------------|---|
| 1st Offense | 10 days OSS, referral to hearing officer, referral to law enforcement |

Attendance Policy Violations (JE STUDENT ATTENDANCE, JE-R STUDENT ATTENDANCE REGULATIONS & JHB TRUANCY)

The right and privilege of attending public schools carries with it certain responsibilities on the part of both parents and students. Parents and students must recognize the direct relationship which exists between academic success and regular school attendance.

Excessive absences by our definition are 5 days in one quarter; 10 days in two quarters and 15 days in three quarters of the school year. The parent(s) of students with excessive absences may be referred to the Pinal County Court. Failure to meet this standard will lead to a loss of credit unless extenuating circumstances exist. Compliance is ultimately the responsibility of the student and his/her parents or guardians.

Unexcused Absence & Truancy (JE-R)

Failure to attend any assigned class or event at the assigned time and location, commonly known as “ditching” will be considered an unexcused absence. A.R.S. 15-803 defines “truancy” to mean an unexcused absence for at least one class period during the day. “Habitually truant” means a student who is truant for at least five school days in a school year. A student who is habitually truant, who has excessive absences, or other violation as defined by school district policy, may be adjudicated incorrigible.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Up to 3 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 4th Offense | Up to 10 days OSS, alternative consequence(s) as determined by administrator |
| 5th Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |

Leaving School Grounds without Permission (JE-R)

All students must sign out under the guidance of a school official and with the permission of a parent or guardian.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Up to 2 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |

Tardy/Attendance Violation (JE-R)

Tardiness is arriving late to class and is viewed as a disruption to the classroom environment. Students are expected to be in their seat and ready to learn by the end of the tardy bell.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Suspension |
|-------------|---|
| 1st Offense | One period ISS, tardy documented, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 1 day ISS, tardy documented, behavior contract, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 2 days ISS, tardy documented, alternative consequence(s) as determined by administrator |
| 4th Offense | Up to 3 days OSS, tardy documented, alternative consequence(s) as determined by administrator |

Harassment, Hazing, Threats, and Intimidation (JICK-STUDENT VIOLENCE/HARASSMENT/ INTIMIDATION/BULLYING, JICFA-HAZING, KFA-PUBLIC CONDUCT ON SCHOOL PROPERTY)

Harassment and Bullying* (JICK, KFA)

Physical or psychological abuse of another person by means of verbal or physical threats, intimidation, insults or other aggressive behavior in any form including electronically, any electronic means including social media, and include abuse based upon race, ethnicity, gender, religion or disability. Harassment may include, but is not limited to, Sexual*, Sexual with contact* or Non-sexual*.

Hazing* (JICK, KFA)

Forcing a person to risk or suffer physical or mental harm or degradation to join or remain in an organization. Also, insults and attacks via e-mail, text messaging or Internet social networks which substantially hinder another student’s health, safety, welfare, right to attend school or participate in school activities constitute harassment and bullying. Internet communications that cause problems between students on campus will be dealt with as a serious student discipline matter.

Intimidation* (JICK, KFA)

To frighten, compel, or deter by actual or implied threats. Deliberately intimidating students or staff members by violence, verbal or physical threats. This also includes racial and sexual insults and harassment.

Threatening Act* (Physical or verbal threat or electronic communication or intimidation) (JICK, KFA)

To unlawfully place another person in fear of bodily harm through verbal threats without displaying a weapon or subjecting the person to actual physical attack.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------|--|
| 1st Offense | Up to 6 days OSS, behavior contract/non-violence agreement, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |

Lying, Cheating, Forgery, or Plagiarism (JK- STUDENT DISCIPLINE)

Cheating/Plagiarism (JK)

Copying the work of others and submitting it as your own, obtaining unauthorized and undocumented material from the Internet, use of a cell phone for transmitting test items or other secured information, or securing teacher material or work in a dishonest or unauthorized way will render that submitted work/ test invalid.

IF A STUDENT IS CAUGHT CHEATING DURING A STATE TEST OR FINAL EXAM, CONSEQUENCES IN ADDITION TO THOSE LISTED BELOW MAY BE IMPOSED

Lying / Forgery (JK)

Attempt by the student to conceal from school officials or deliberately distort facts in order to mislead or give a false impression.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|--|
| 1st Offense | Up to 2 days ISS, behavior contract, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 4th Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |

Other Violations of School Policies (JIC-STUDENT CONDUCT, JICA STUDENT DRESS, JICF SECRET SOCIETIES/GANG ACTIVITY, KFA-PUBLIC CONDUCT ON SCHOOL PROPERTY)

Contraband (JIC)

If a properly conducted search yields illegal or contraband materials, such materials shall be turned over to the proper authorities.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|---|
| 1st Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 10 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | 10 days OSS, possible referral to hearing officer, possible referral to law enforcement |

Defiance/Disrespect Towards Authority/Non-Compliance (JIC, KFA)

Refusal to comply with reasonable requests of school personnel or refusal to obey classroom or school rules; more severe than disrespect: defiance may be verbal, symbolic or physical. Confronting with resistance or challenging the authority of school officials; failure to comply with a reasonable request by school officials constitutes insubordination or unwillingness to submit to the authority of school officials.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|---|
| 1st Offense | Up to 2 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 4th Offense | Up to 10 days OSS, possible referral to hearing officer |

Disruption (JIC, KFA)

Intentionally, knowingly, or recklessly interfering with or disrupting the normal operations of an educational institution as stated in ARS-13-2911.

If conduct occurs in conjunction with subsequent violations, additional consequences may be assigned, in addition to those specified below.

Disruptions that occur while student is serving a previously assigned consequence, such as ISS, will warrant more severe or progressive discipline.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|---|
| 1st Offense | Up to 3 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement |

Dress Code [Ref. pg.10 FUSD Student Handbook] (JICA)

Dressing in a manner that may result in a distraction or disruption of a safe environment is considered. Attire that suggests involvement in gang activity or any apparel that is suggestive, obscene, lewd, shows vulgar language or symbols, or shows symbols or language relating to or promoting sex, drugs, tobacco, weapons, violence, or alcohol on clothing or accessories are prohibited. Students should realize that brief and revealing clothing are not appropriate in school. Ultimately, administration/staff will determine the appropriateness of a student's apparel. Dress & Grooming code is detailed in the student handbook.

Students must obtain appropriate clothing before being returned to attending regular classes. "Obtaining appropriate clothing" does not include covering the unapproved clothing with another item of clothing.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Conference, behavior contract, obtain proper clothing to be returned to class, otherwise finish the day in ISS |
| 2nd Offense | Up to 2 days ISS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 4th Offense | Please refer to violation "Defiance/Disrespect Towards Authority/Non-Compliance" |

Gambling (JIC)

Playing games for money or property, or betting on uncertain outcomes is prohibited. The use of dice for such purposes is strictly prohibited.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|---|
| 1st Offense | Up to 2 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 5 days OSS, alternative consequence(s) as determined by administrator |
| 4th Offense | Up to 10 days OSS, possible referral to hearing officer |

Gangs (Negative Group Affiliation) ** (JICF)

An ongoing loosely or highly organized association of three or more persons, whether formal or informal, has a common name, sign, symbol or color, whose members engage, either individually or collectively, in violent or other forms of illegal behavior.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|---|
| 1st Offense | Up to 10 days OSS, referral to law enforcement, possible referral to hearing officer, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to law enforcement, referral to hearing officer |

Public Display of Affection (JIC, KFA)

Any intimate physical contact in school or at any school related activity, on-site or off-site.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Conference, behavior contract, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days ISS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |

Verbal Abuse/Inappropriate Language (JIC, KFA)

Profanity, swearing and/or use of vulgar language, either directed or non-directed to an individual. Threats-Verbal/Physical Abuse A.R.S. 15-507. Insult or abuse of a student or any school official, including all teachers, clerical staff, custodians, and bus drivers, is considered a Class 3 misdemeanor.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 6 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |

School Threat (JIC-STUDENT CONDUCT, JICK – STUDENT VIOLENCE/HARASSMENT/ INTIMIDATION/BULLYING, KFA-PUBLIC CONDUCT ON SCHOOL PROPERTY)**

Bomb Threat, Chemical or Biological Threat**, Fire Alarm Misuse**, and False 911 Calls (JIC, JICK, KFA)**

The possession of fireworks of any variety or any explosive device is prohibited at school or school activities. Any variety of fireworks or explosive device detonated, or caused to be detonated, on campus or at school activities is prohibited. Any device that is designed to (or may readily be converted to) expel a projectile by the action of an explosive. This includes bombs, firecrackers, grenades, mines, rockets, missiles, pipe bombs, or similar devices that explode and are capable of causing bodily harm or property damage.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------|--|
| 1st Offense | 10 days OSS and referral to hearing officer |

Sexual Offenses (JIC-STUDENT CONDUCT, JICK- STUDENT VIOLENCE/HARASSMENT/ INTIMIDATION/ BULLYING, JICL-DATING ABUSE)

Pornography (JIC)

Printed or visual material containing the explicit description or display of sexual organs or activity.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, possible referral to law enforcement, |

Sexual Harassment*, Sexual Harassment with Contact (JIC, JICK, JICL)**

Unwelcome sexual advances, requests for sexual favors, and other unwelcome written, sexting, verbal or physical conduct of a sexual nature is prohibited. If a student believes he/she, or another student, has been subjected to sexual harassment, the student should report the behavior to a school administrator immediately.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, possible referral to law enforcement |

Sexting, Sexual Abuse**, or sexual contact with a minor**. (JIC, JICK, JICL,ACA)**

A.R.S § 8-309 Unlawful transmission or possession of explicit sexual material by minors is illegal: “It is unlawful for a juvenile to intentionally or knowingly use an electronic communication device to transmit or display a visual depiction of a minor that depicts explicit sexual material”. Use or possession of a visual depiction of a minor that depicts sexual material and is transmitted to another student(s) may be a CLASS 2 MISDEMEANOR.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|---|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, possible referral to law enforcement |

Technology, Improper Use of (IJNDB-USE OF TECHNOLOGY RESOURCES IN INSTRUCTION, JIC- STUDENT CONDUCT)

Cell phones and other electronic devices may only be used in the classroom or in any school buildings during non-class time or as an instructional tool under the direction of a teacher. Cell phones and electronic devices being used outside of these parameters are subject to confiscation. If family members have an urgent need to communicate with a student, they are advised to contact the front desk so that the student can be informed by school staff. Students bring these devices to school at their own risk. If a student has a cell phone or other electronic device on campus or on the bus and it is damaged or stolen, the school will not utilize administrative time to investigate the incident nor will the District take any financial responsibility for the cell phone or cell phone charges or for any other electronic device. Cell phones and electronic devices confiscated by school personnel can be retrieved by a parent from Administration.

Students are required to surrender cell phones to ANY staff member who requests it. Failure to surrender a cell phone will result in administrative discipline. School Administration reserves the right to search a student’s cell phone, as long as the search is “justified at its inception and reasonable in scope.”¹ Any student who refuses to submit to such a search is subject to disciplinary action for violating Board policies JIC Student Conduct and JK-RA Student Discipline.

¹ 469 U.S. at 342. The Court has further elaborated that this “reasonable suspicion” standard is met if there is a “moderate chance” of finding evidence of wrongdoing. *Safford Unified School District #1 v. Redding*, 557 U.S. ___, No. 08–479, slip op. at 5 (2009).

The school is not responsible for the storage, inventory, or safekeeping of any confiscated item, including but not limited to electronic devices.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Phone confiscated, returned to student at end of day, behavior contract, alternative consequence(s) as determined by administrator |
| 2nd Offense | Phone confiscated, returned to parent at end of day, up to 2 days ISS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Phone confiscated, returned to parent at end of day, up to 5 days ISS, alternative consequence(s) as determined by administrator |
| 4th Offense | Phone confiscated, returned to parent at end of day, up to 3 days OSS, alternative consequence(s) as determined by administrator |

Computer, Network Infraction, Telecommunication Device (IJNDB, JIC)

FUSD network (including but not limited to Internet, computers, laptops, printers, etc.) is to allow students to conduct school business or activities. Tampering or “hacking” any FUSD resources is prohibited. Intentional damage or misuse of network will not be tolerated. Sharing passwords or logging in for someone else is prohibited. Intentional creation or spreading of computer viruses will not be tolerated. See FUSD Acceptable Use Policy for more information.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------------|--|
| 1st Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |
| 3rd Offense | 10 days OSS, referral to hearing officer |

Photographs and Video (IJNDB, JIC)

Use of cell phones and electronic devices to photograph, videotape, or digitally record another person on school property or at school events without authorization by an administrator is prohibited. If a student is found taking photographs in violation of this rule, the device used may be confiscated and a disciplinary consequence will follow. Accessing, submitting, transmitting, posting, publishing, forwarding, downloading, scanning or displaying materials that are defamatory, abusive, obscene, vulgar, sexually explicit, or sexually suggestive or acts of violence is prohibited.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, alternative consequence(s) as determined by administrator |

Theft (JIC – STUDENT DISCIPLINE, JICK-STUDENT VIOLENCE/HARASSMENT/INTIMIDATION/BULLYING, JICI WEAPONS IN SCHOOL)**Burglary** (JIC, JICK)**

Breaking into and entering a building with the intent to steal.

Theft (JIC, JICK)

The unlawful taking, carrying, leaving or riding away with property of another person without threat, violence, or bodily harm. This also includes possession or sale or attempted sale of another's property. Any personal property including instruments (music, electronic, etc.) or other materials for classroom use brought onto campus is at the risk of the owner. The school is not responsible for personal property brought onto FUSD K-8 or High School campuses.

If a student loses or reports personal property as stolen, schools/District are not financially responsible. School administrators will not make attempts to locate students' personal property.

| Occurrence | Range of Minimum to Maximum Consequences Restitution – Expulsion |
|-------------|--|
| 1st Offense | Restitution of items stolen or equivalent dollar amount, up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Restitution of items stolen or equivalent dollar amount, up to 5 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Restitution of items stolen or equivalent dollar amount, up to 10 days OSS, possible referral to hearing officer |

Extortion* (JIC, JICK)

Asking for or demanding money or something of value from another person in return for protection or in connection with a threat.

Robbery (JIC, JICK)**

Taking or attempting to take anything of value that is owned by another person or organization, by force, or threat of force, or by putting the victim in fear.

Armed Robbery (JIC, JICK, JICI)**

Robbery with the use of a weapon.

| Occurrence | Range of Minimum to Maximum Consequences Behavior Contract – Expulsion |
|-------------|---|
| 1st Offense | 10 days OSS, referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |

Trespassing (JIC-STUDENT DISCIPLINE)

Trespassing (JIC)

The unauthorized presence of any student on a campus other than his/her own. If a student is suspended off campus for disciplinary reasons he/she is prohibited from being on his/her campus during the suspension. If the student refuses to leave upon request, it is a violation of state law and law enforcement may be contacted for assistance.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, referral to law enforcement, alternative consequence(s) as determined by administrator |

Loitering/Unauthorized Entry (JIC)

Knowingly and/or willingly being in an area that is prohibited or not authorized by a staff member; any attempt to or entry into any unauthorized fenced area, building, or student locker.

| Occurrence | Range of Minimum to Maximum Consequences Conference – Expulsion |
|-------------|--|
| 1st Offense | Up to 2 days ISS, alternative consequence(s) as determined by administrator |
| 2nd Offense | Up to 3 days OSS, alternative consequence(s) as determined by administrator |
| 3rd Offense | Up to 10 days OSS, possible referral to hearing officer, alternative consequence(s) as determined by administrator |

Vandalism or Criminal Damage (JIC-STUDENT DISCIPLINE, KFA-STUDENT CONDUCT ON SCHOOL PROPERTY)

The willful or malicious damage or destruction, defacing, or otherwise damaging in any way personal property without consent. This includes bombing, arson, graffiti, computer hacking and other acts that cause property or personal damage.

| Occurrence | Range of Minimum to Maximum Consequences Restitution – Expulsion |
|-------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, referral to law enforcement, alternative consequence(s) as determined by administrator |

Weapons and Dangerous Items (JIC-STUDENT DISCIPLINE, JICI-WEAPONS IN SCHOOL)**

Guns/Firearms (JICI)**

Any weapon or simulated weapon designed to expel a projectile by an explosive used to inflict bodily harm when used on campus or during school sponsored activities in a manner such as to cause injury or to intimidate others. Typical instruments are defined, but not limited to: rifles, pistols, pellet guns, BB guns, “air soft” or any other propelled weapon, or similar weapons. May be real or simulated; may be operable or inoperable, loaded or unloaded.

Knives (JIC, JICI)**

Any sharp or bladed instrument possessed or used to inflict bodily harm or intimidate a person. May be operable or inoperable. A knife with a blade length of 2.5 inches or more will be considered a weapon.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------|--|
| 1st Offense | 10 days OSS, referral to hearing officer, referral to law enforcement, alternative consequence(s) as determined by administrator |

Other Weapons* (JIC, JICI)

Any dangerous instrument possessed or used to inflict harm or intimidate a person. Other Weapons** include Billy Club, Brass Knuckles, Nunchucks.

Dangerous Items* (JIC, JICI)

Include: Airsoft gun, B.B. Gun, Knife with blade less than 2.5 inches, Laser Pointer, Letter Opener, Mace, Razor Blade or Box Cutter, Taser or Stun Gun, Simulated Knife, Simulated firearm, tear gas, matches, lighters etc. May be real or simulated: may be operable or inoperable.

| Occurrence | Range of Minimum to Maximum Consequences Suspension – Expulsion |
|-------------------|--|
| 1st Offense | Up to 10 days OSS, possible referral to hearing officer, possible referral to law enforcement, alternative consequence(s) as determined by administrator |
| 2nd Offense | 10 days OSS, referral to hearing officer, referral to law enforcement, alternative consequence(s) as determined by administrator |

-End of Document-

###