

ACADEMY OF EXCELLENCE POLICY AND PROCEDURES

Governing Board Policies

Section A. Foundation and Basic Commitments

It is the policy of Academy of Excellence Charter Schools to maintain an employment and educational environment free from discrimination based on race, color, national origin, religion, age, disability, gender or sexual orientation. Discrimination based on race, color, national origin, religion, age, disability, and gender are also prohibited by one or more of the following federal and state laws: Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments Act of 1972, Americans with Disabilities Act of 1990, Rehabilitation Act of 1973, Age Discrimination in Employment Act, and the Arizona Civil Rights Act.

It shall be a violation of this policy for any Academy of Excellence Charter Schools employee, student, or member of the public while on District property or on official District business to discriminate or engage in conduct or communication which would constitute discrimination, as defined below.

AA. DEFINITION: Prohibited discrimination shall be defined as:

1. Discriminatory Conduct: Verbal, graphic, written or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her race, color, national origin, religion, age, disability, gender or sexual orientation, or that of his or her peers, co-workers or associates, and that:
 - a. Results in differential treatment because of race, color, national origin, religion, age, disability, gender or sexual orientation, (e.g., persons treated differently than similarly situated persons of a different or non-protected status with regard to a service, benefit or privilege); or
 - b. Has the purpose or effect of creating a hostile, intimidating or offensive employment or educational environment.
 - c. Such prohibited conduct includes, but is not limited to, the following: epithets, slurs, jokes, negative stereotyping, or threatening, derogatory, intimidating or hostile acts that relate to race, color, national origin, religion, age, disability, gender or sexual orientation; and, written or graphic material that denigrates or shows hostility or aversion toward an individual or group because of race, color, national origin, religion, age, disability, gender or sexual orientation.
 - d. A single incident may result in violation of this policy.
2. A substantiated charge against an individual shall subject the individual to discipline or sanctions as follows:
3. If the person alleged to have violated this policy is a staff member, possible discipline includes, but is not limited to, letters of reprimand, reassignment, and other disciplinary actions including suspension or job termination.
4. If the person alleged to have violated this policy is a student, possible discipline includes detention, suspension or expulsion, consistent with the Guidelines for Student Rights and Responsibilities.

AB. MISSION STATEMENT

The mission of Academy of Excellence charter schools is to educate all students, including at-risk students, to become a lifelong learner able to function successfully in a global society.

AC. VISION

The Academy of Excellence charter schools will become quality schools that are respected for high standards, outstanding performance, and excellence in student achievement- ensuring that each student:

- Has a safe, caring environment for learning.
- Is academically challenged, enriched, inspired; and
- Learns to be a self-sufficient, responsible citizen

AD. BELIEFS

- We believe the focus of all schools' activities should be on student learning.
- We believe that classroom instruction should be engaging and challenging for all students.
- We believe high expectations yield high results.
- We believe that shared responsibility for excellence in learning exists among students, educator, parents, community, and stakeholders.
- We believe that a safe, comfortable environment is conducive to student learning.
- We believe that all individuals have value, worth, and dignity.
- We believe all students can learn and be successful.
- We believe students are our priority.
- We believe quality education is essential for the survival and advancement of our society.
- We believe in the ongoing professional learning of all staff.
- We believe in research-based practices to guide instruction.
- We believe in continually expanding the use of technology within the classroom.
- We believe in an annual evaluation of all programs.
- We believe in the recruitment, hiring, and retention of the best possible faculty, staff, and administration.
- We believe all students are unique individuals and should be exposed to a differentiated instructional approach, according to their intellectual, social, physical, an emotional requirements.
- In order to serve a mobile population, we believe that schools must be sensitive to the needs of the community and to the changing needs of the learners as they develop educational priorities for student achievement.
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Section B: Board Governance and Operations

BA. Governing Board Office/Directors

1. Introduction

Generally, and with only a very few exceptions described in more detail in this policy below, activities of the Governing Board take place in the context of the meeting scheduled and held pursuant to the Arizona Open Meeting Law, A.R.S. § 38-431 *et. seq.* The role of the Governing Board is to establish District wide policy and direction and otherwise to direct the affairs of the District in the manner specified by law, with day-to-day management of the District primarily being the responsibility of District Administration.

A Governing Board member generally operates only as a member of the Board as a whole and within the confines of its Governing Board meeting. There are some instances where an individual Board member properly may request or require utilization of District resources outside of such a meeting.

The purpose of this policy is to describe which activities are authorized for individual Governing Board members so as to promote the cost-efficient and equitable operation of the District. For the purpose of this Governing Board policy, "use of district resources" means use of district equipment, materials, travel, rooms, facilities and efforts of district employees.

2. Guidelines

When engaged in individual activities such as correspondence, speaking engagements, or meeting with constituents or employees, individual Governing Board members may represent their personal opinions, but may not represent the Governing Board as a whole unless expressly authorized by the Board in an open meeting.

BB. Board Member Conflict of Interest

Notwithstanding any other provision of law, a Governing Board member shall be eligible to vote on any budgetary, personnel, or other question that comes before the Board, except that it shall be unlawful for a member to vote on a specific item that concerns the appointment, employment, or remuneration of such member or any person related to such member as a dependent as defined in A.R.S. §43-1001.

BC. Conflict of Interest

Any Board member or employee of the District who has, or whose relative has, a substantial interest in any contract, sale, purchase, or service to the District shall make known that interest in the official records of the District and shall refrain from voting upon or otherwise participating in any manner as a Board member or employee in such contract, sale, or purchase.

BD. Board Governance and Operations

1. Procedures for Board Members

Generally, the role of the Governing Board is to establish District policy. The daily management of the District is the responsibility of the District Administration.

In matters of procedure not covered by law or Board policy, *Robert's Rules of Order*, newly revised, current edition, published by Scott, Foresman and Co., for small boards may govern, except that all motions must be seconded, and all action items shall require a motion.

BE. Board Meeting Agenda Posting and Organization

Governing Board meeting agendas are available for public review at the time the governing board meeting notice is posted to the public body and the general public. Both the agenda and the meeting notice will be posted at least 24 hours prior to the meeting except in case of an actual emergency or a recessed and resumed meeting as described in A.R.S. 38-431.02(D) (E). The notices will be posted at the AOE administrative office.

BF. Executive Sessions:

Most governing board business is conducted in an open meeting as required by A.R.S. 38-341. An executive session, when the governing board will meet in private, may be scheduled as necessary by a majority vote of board members in attendance, during either a regular or special meeting. When an executive session is to be held, the notice must state the specific provision of law authorizing the executive session.

BG. Regular Meetings/ Special Meetings:

- Pledge Of Allegiance
- Superintendent's Report
- Board Member Activity Reports
- Call To The Audience
- Public Hearing
- Information Item(s)
- Consent Agenda
- Action Item(s)
- Study/Action Item(s)
- Study Item(s)
- Governing Board Policies
- Board Member Requests To Schedule Board Agenda Items

Section C: General School Administration

CA. Treatment of Confidential Information

It is the responsibility of all employees to protect against the unauthorized disclosure of confidential information.

This policy requires employees with access to student and employee information to refrain from sharing written, verbal or electronic information with others (both employees & non-employees) who do not require the information within the scope of their job or responsibility. This includes maintaining confidentiality in providing the student's or employee's name and/or any details that might identify the student or employee and relate him/her to a particular situation.

CB. Unauthorized Disclosure of Confidential Information

Unauthorized disclosure of confidential information will result in serious disciplinary action, up to and including termination. See Policy -- Discipline, Suspension, and Dismissal of Staff.

CC. Volunteers

Volunteers (adults or students) may never have access to any confidential information and may never be placed in a position to easily access the information.

Section D: Fiscal Management

DA. Budget Planning, Preparation and Schedules

Each school year the Superintendent shall prepare and disseminate a budget preparation schedule to accomplish all required budgetary actions for the following school year. This schedule will, as a minimum, provide specific dates for the accomplishment of all state-mandated actions.

DB. Purchasing Procedures

Academy of Excellence Charter Schools shall seek to maximize value to the extent practicable for each transaction. The Academy of Excellence charter Schools shall seek competitive bids or quotations for all purchases in accordance with the requirements of the appropriate sections of the Arizona Revised Statutes, the Arizona Department of Education School District Procurement Rules, and the Uniform System of Financial Records.

DC. Vendor/Contractor Relations

A contractor, subcontractor or vendor, or any employee of a contractor, subcontractor or vendor, who is contracted to provide services on a regular basis at an individual school shall obtain a valid fingerprint clearance card pursuant to A.R.S. §41-1758 *et seq.* The Superintendent or designee may exempt from the requirement to obtain a fingerprint clearance card a contractor, subcontractor, or vendor whom the Superintendent or designee has determined is not likely to have independent access or unsupervised contact with students as part of their normal job duties while performing services to

the school or to the school district. The exemption shall be given in writing and a copy filed in the District office.

DD. Salary Deductions

Deductions shall be made from the employee's salary in accordance with State and Federal laws and upon request of the employee as approved by the Board.

Section E: Support Services

EA. Reporting of Hazards/Warning Systems – Pesticide/Herbicide

1. Notification of Pesticide/Herbicide Use at School

Students, parents and staff will be notified, in accordance with State laws and guidelines issued by the Arizona State Board of Education, before pesticides/herbicides are used at District schools. This Governing Board Policy and accompanying Administrative Regulation will facilitate communication between schools, parents, and the community regarding pesticide/herbicide application.

2. Safety Drills

Instructions and practice in the evacuation of buildings in the event of an emergency shall be given during the first week of school and as often thereafter as may be required by city, county and/or state authorities.

EB. Authorized Use of School Material and Equipment

Academy of Excellence Charter Schools will not loan furniture or equipment to non-District personnel or individuals or non-school agencies except in the event of a disaster or emergency. School district employees who wish to use District furniture or equipment off school premises can do so if the following four conditions are met:

1. The use is only
 - a. for the purpose of work on specific school/class related projects.
 - b. for the purpose of staff development.
2. The project-related work or staff development cannot be done on site.
3. The furniture and/or equipment is not removed from the site for more than two weeks except upon presentation of reasonable justification of longer use, e.g., winter holidays and summer vacation.
4. Appropriate procedures are followed to check out the furniture or equipment.

EC. Student Transportation in School Buses

The Academy of Excellence buses are for the transportation of students and supervisory personnel, if needed, on established routes. However, parents, teachers and other authorized persons may be permitted to ride school buses when supervising students on scheduled field trips and excursions. For the safety of all school bus riders and others, the good conduct of students riding school buses is expected and required. Misbehavior is promptly reported to the school administrator who has the authority to suspend student school bus transportation privileges. Parents in such cases must be notified prior to suspension.

ED. Travel Per Diem

The Board authorizes the use of Maintenance and Operation funds for payment of per diem expenses to members of the Board in Board-approved travel status both within and without the boundaries of the District, and to employees in Board-approved travel status outside the boundaries of the District, based on the availability of budgeted funds and subject to regulations of the District as well as applicable law. Such per diem expenses shall not exceed the rates set out by the Uniform System of Financial Records.

EE. Free and Reduced – Price Food Services

An adequate, nourishing lunch shall be considered an essential part of the daily school program. The District goal is that no child shall go hungry.

1. A reimbursable meal is available to any student in the District who qualifies. The Food Service office will verify the need of each student through review of an application submitted in compliance with the Child Nutrition Act.
2. No child will be denied program benefits and services because of race, color, sex, handicap, religion or national origin. Students will not be identified in any way as participants in the reimbursement program.
3. Although their children may qualify for free or reduced price meals, parents who for any reason desire to pay a portion of the cost shall not be discouraged in these efforts. No fixed amounts will be specified.

Section F: Facility Planning and Development

FA. Closing Schools

School closures become necessary because of many factors. School size and location, operational costs, condition of building and grounds, average daily attendance, enrollment projections, safety, educational program development potential, proximity to other schools, reuse potential, and prior changes of attendance area are some factors which may designate a school as a candidate for closure.

Whenever a school closure may occur, the Director shall follow the process outlined in the Administrative Regulation of this Governing Board Policy. School closure will result from a thorough, systematic study of all factors which affect the continued life of a school. Students, parents, community members and staff shall have an opportunity to comment on any proposed school closure.

The exemplary contribution of a school facility to student instruction, parent involvement, and community life will be evaluated within the total instructional needs of all students.

Section G: STAFF HIRING/ PERSONNEL

Through its employee policies, the Governing Board wishes to establish conditions that will attract and retain the highest qualified personnel for all positions who will devote themselves to the education and welfare of students.

GA. Application for Position

Application for employment in the Academy of Excellence shall be in writing and on forms provided by the Administration. A personal interview is required of all applicants as prerequisite to employment.

It shall be the responsibility of the applicant to furnish accurate information and any falsification of either information and any falsification of either information or credentials shall be cause for dismissal or refusal to employ. For example, criminal checks will be made by the Director to verify responses to the criminal conviction section of the application form.

Race, creed, color, age, sex, religion, marital status, national origin or physical disability, except in situations where such disability will constitute an employment liability, shall not be considered in judging eligibility

GB. Personnel Policies

Through its employee policies, the Governing Board wishes to establish conditions that will attract and retain the highest qualified personnel for all positions who will devote themselves to the education and welfare of students.

Policies contained herein set forth provisions for initial and continuing employment of all personnel of the Academy of Excellence Charter Schools. In addition to policies established by the local Governing Board, the District shall comply with all applicable State and Federal laws and regulations.

These policies shall be administered by the Director. The Director shall be responsible for the appropriate recruitment, staffing, and employee relations of personnel of the Academy of Excellence Charter Schools and shall maintain a personnel file system required by the Arizona statutes and regulations. The Director shall be responsible for taking affirmative steps to project a positive image of the District and to enhance the recruitment of applicants.

The Director shall be responsible for meeting the requirements for qualifications, contracts, applicable state reports and all other regular requirements for personnel employment in the Academy of Excellence Charter Schools.

GC. Affirmative Action

The Academy of Excellence is committed to undertake affirmative action, which shall make effective equal employment opportunities for staff and applicants for employment. The District will actively pursue its affirmative action commitment to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, national origin, religion, age, disability, gender or sexual orientation. To attract a highly qualified diverse work force requires the identification of needs and systematic programs to recruit qualified candidates in all employment categories, which include but are not limited to the following:

1. Recruiting, hiring, assigning, promoting, demoting, compensating, benefit eligibility, training, and terminating persons in all job titles without regard to race, color, national origin, religion, age, disability, gender or sexual orientation.

GD. Staff Health - Communicable Disease

It is the policy of the Academy of Excellence Charter Schools to take reasonable and lawful measures to protect students and staff members from the transmission of communicable diseases. The District also has the responsibility to uphold the rights of affected individuals to privacy and confidentiality, to continue their employment, and to be treated in a nondiscriminatory manner.

GE. Staff Ethics

All employees of the Academy of Excellence are expected to maintain high standards in their work relationships. Employees acknowledge that the schools belong to the public they serve for providing educational opportunities to all. However, every employee assumes responsibility for providing leadership in the District, their work site, and the community. This responsibility requires the employee to maintain standards of exemplary conduct. Employee's actions will be viewed and appraised by the community, associates, and students. To these ends, the Board adopts the following statements of standards.

GF. The District Employee:

- Supports the Constitution of the United States, the Constitution of the State of Arizona, and all local, state, and national laws, and defends them against all enemies, foreign and domestic.
- Protects the civil and human rights of all individuals and upholds the principle of due process.
- Makes the well-being of students the fundamental value of all decision-making and actions.
- Complies with the Governing Board's policies, administrative regulations and District standards.
- Is a good steward of public funds.
- Fulfills professional responsibilities with honesty and integrity.
- Will not falsify, misuse, sell, transfer or access for personal use, records or data maintained by the school district.
- Never accepts gratuities or gifts that influence judgment in the exercise of professional duties.
- Avoids using position for personal gain through political, social, religious, economic, or other influence.
- Abides by copyright restrictions, security, or administration procedures for a test or assessment.
- Honors all contracts until fulfillment or release.
- Accepts academic degrees or professional certification only from appropriate licensed and accredited institutions.
- Keeps information deemed confidential in nature secure unless disclosure serves District purposes or when required by law.
- Pursues appropriate measures to correct any laws, policies, or regulations that are not consistent with sound educational goals.

GG. Staff Conduct

All employees of the Academy of Excellence are expected to conduct themselves in a manner consistent with effective and orderly education and to protect students and District property. No employee shall, by action or inaction, interfere with, or disrupt any District activity, or encourage any such disruption.

All employees shall at all times attempt to maintain order, abide by the policies, rules, and regulations of the District, and carry out all applicable orders issued by the Director.

The Academy of Excellence expects each professional and support staff member shall put forth every effort to promote a quality instructional program. In building a quality program, employees must meet certain expectations, which include, but are not limited to the following:

- Become familiar with, enforce and follow all Board policies, regulations, administrative procedures, standards, and other directions given by district administrators and state and federal laws as they affect the performance of job duties.
- Maintain courteous and professional relationships with pupils, parents/guardians, other employees of the district and all patrons of the District.
- Perform in accordance with the employee's current job description, performance goals, and authorized directives from supervisory authority.
- Transact all official business in a timely manner.
- Care for, properly use and protect school property.
- Shall not steal.
- Attend all required staff meetings called by district and school administration, unless excused.
- Report to work punctually and work all scheduled hours, notifying immediate supervisor as far in advance as possible, but before shift begins, whenever unable to report to work.
- Strive to acquire knowledge of new developments in the employee's field of work.
- Avoid excessive absenteeism.
- Immediately report all dangerous building conditions to the building supervisor and take action to rectify the situation and/or protect the safety of students and others if necessary.
- Properly supervise all students. All students must be under assigned adult supervision at all times during the school day and during any school activity. Except in an emergency, no employee will leave an assigned group unsupervised.
- Obey all safety rules and standards, including rules protecting the safety and welfare of students.
- Submit all required reports or paperwork at the time requested.
- Have completed daily lesson plans available if appropriate to the position.
- Refrain from conduct or speech that violates commonly accepted standards of the District and that, under present circumstances, has no redeeming social value.
- Employees shall not use language which is offensive or profane.
- Employee must not intimidate, threaten, coerce or abuse, either physically or mentally, another employee, patron or student.
- Employee shall not fail to notify a supervisor or a District representative, when an employee has knowledge, of unprofessional, prohibited, or criminal conduct involving an employee and/or a student.
- Employees will not make any sexual advance towards a pupil or child, verbal, written, or physical. Employees shall not engage in sexual activity, a romantic relationship, or dating of a pupil or child.
- Dress professionally and in a manner that will not interfere with the educational environment.
- Shall not use or possess any illegal drugs or substances.
- Employees will not use any time during the working day for campaigning purposes, unless allowed by law, nor shall employees use district resources for the purpose of influencing the outcome of elections.
- Refrain from using school contacts and privileges to promote sectarian religious views or selfish propaganda of any kind.

Failure to comply with this policy may subject the employee to disciplinary action, up to and including termination.

The Governing Board believes that all employees should dress in a professional manner, setting an example for workplace attire for the students AOE serves. The Governing Board recognizes that "professional" work attire will vary depending on the position held by the individual. Employees should wear attire suitable for the type of work they perform.

Attire shall be considered professionally appropriate if it does not disrupt the educational or workplace environment. While individual style will be recognized, there are minimum standards of grooming and attire to which employees must abide. All employees will comply with the minimum standards established for students not subject to a standardized dress code (uniforms).

GH. Minimum Standards

- All employees shall be neat and clean when reporting to work.
- Clothing shall be free from frays, holes, or tears and should not expose undergarments, buttocks, chests or midriffs.
- Clothing and exposed body art shall be free from
 - profanity,
 - obscene gestures,
 - sexually graphic pictures,
 - supportive references to alcohol, cigarettes, drugs or sexual activity
 - messages degrading others on the basis of race, color, religion, ancestry, national origin, gender, sexual orientation or disability.
- No gang related apparel or items are permitted.
- Dresses, slacks/Capri's or skirts (touch the top of the knee)
- Caps, hats, and sunglasses may be worn outside only.
- Shoes or sandals must be worn. Rubber/plastic flip-flops are not considered to be sandals.
- All employees will abide by all health and safety rules relating to their specific assignment. (Example: close-toed shoes for Bus Driver/ Custodial staff)

The Governing Board recognizes that all employees enjoy full rights of citizenship and liberty as guaranteed by the Constitutions of the United States and Arizona. However, individual freedom of expression of employees must be balanced with the impressionability of students. Accordingly,

- Religious symbols or emblems are permissible as long as they do not proselytize or disparage religion, and
- Clothing should be free of non-neutral political messages. ("VOTE" is permissible; "VOTE FOR SMITH!" is not)

GI. Staff Conduct With Students

Employees are expected to exercise general supervision over the conduct of students, not only while in the schoolroom, but also before and after school and during recess. At all times teachers and other staff members will accord students the dignity and respect that they deserve, and avoid purposely embarrassing any student.

All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with community standards and acceptable professional conduct.

Relationships between staff members and students, regardless of age, that include "dating," "courtship," "intimate" or "romantic involvement" are prohibited. These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and a direct violation of this and other district policies.

Staff/student relationships shall reflect mutual respect between staff members and students and shall support the dignity of the entire profession and educational process. Violations of this policy shall be considered serious and may result in severe disciplinary action up to and including immediate dismissal.

GJ. Gifts

Staff members may accept simple remembrances expressive of gratitude. However, employees should not encourage students, parents, and other patrons of the District to regularly bring them gifts. This shall not be interpreted as intended to discourage acts of generosity in unusual situations.

Staff members may give simple remembrances expressive of appreciation to students. However, staff members are cautioned that when doing so, they must do so equitably.

GK. Solicitations

A school employee's position in the District shall not be used to influence parents or students to purchase books or other merchandise, except for materials approved by the Superintendent or designee for use in the classroom.

Staff-member solicitation(s) of other employees, students, and/or parents for any profit, nonprofit, or charitable groups, institutions, or organizations must have the approval of the Superintendent or designee in advance.

GL. Suspected Crimes

Staff members are to immediately report to the site administrator any suspected crime

- against a person on school property, or
- against school property.

GM. Incidents of Abuse

Staff members who reasonably believe that a minor is or has been the victim of physical injury, abuse, child abuse, neglect, denial of medical care or nourishment are required by law to immediately report such suspicions to a peace officer or Child Protective Services. After making such a report, a staff member must inform his/her supervisor.

GN. Use of Physical Force

Any administrator, teacher, or other school employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order or protect the minor.

GO. Weapons Prohibition

No employee shall carry or possess a weapon, explosive device, knife with a blade of 2 ½ inches or more or any other dangerous or illegal instrument on District-owned premises unless he/she is a peace officer or has obtained specific authorization from the Superintendent. Potential consequences to employees of the District who violate these rules may include, but are not limited to:

- Removal from school grounds.
- Both civil and criminal sanctions, which may include, but are not limited to, criminal proceedings under Title 13, Chapter 29, Arizona Revised Statutes.
- Verbal or written warning.
- Written reprimand filed in the employee's official personnel file.
- Suspension without pay.
- Termination of employment.
- Having consideration given to any such violations in the determination of or establishment of any pay or salary adjustments in later contracts or employment.

GP. Substance-Free Workplace

It is the policy of Academy of Excellence (AOE) that each employee has a right to come to work and perform his or her job in an environment that is free from drugs and alcohol. It is in the interest of the District and the public that employees be able to perform their duties safely and efficiently.

No employee shall unlawfully manufacture, distribute, dispense, possess or use a controlled substance, or be under the influence of a controlled substance, while on the job or in the workplace. Controlled substances of any kind are strictly prohibited except as lawfully prescribed by a physician. An employee can be considered under the influence when any substance controlled or prescribed interferes with the performance of their normal job functions. Any employee violating this policy will be subject to discipline, up to and including termination.

GQ. DEFINITIONS

- a. **Drug-Free Workplace** - a site for the performance of work in which employees are prohibited from engaging in the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance in accordance with the requirements of the Federal Drug-Free Workplace Act of 1988.
- b. **AOE Site/Workplace** - any building, land, or vehicle owned, leased, or used by Academy of Excellence. Includes any vehicle used to transport students to and from school or activities, and off school property during a school sponsored, school approved, or school related activity, event or function, such as a field trip or athletic event, where students are under the jurisdiction of the school district. Includes all locations where the employee is engaged in school or personal business on district premises whether the employee is on or off duty. Includes any other locations while on duty where AOE business is conducted, including traveling on AOE time to or from such work locations.

- c. **Controlled Substance** - any drug, substance, or immediate precursor in Schedules I through V of La. R.S. 40:964 or Section 202 of the Controlled Substances Act (21 U.S.C. 812). "Controlled substances" are specifically defined in federal law. They consist of two classes of drugs: 1) those commonly thought of as "illegal" drugs; and 2) certain medications if not being taken under a physician's prescription or according to a physician's orders, which the federal government has determined have a potential for abuse, or are potentially physically or psychologically addictive.
- d. **Criminal Drug Statute** - a criminal statute involving manufacture, distribution, dispensation, use, or possession of any controlled substance.
- e. **Conviction** - a finding of guilt (including a plea of nolo contendere) or imposition of sentences, or both, by any judicial body charged with the responsibility to determine violations of the federal or state criminal drug statutes.

GR. NOTIFICATION

Employees shall notify their supervisor of the employee's conviction under any criminal drug statute violation, criminal traffic violation or a violation that could suspend or revoke the driver's license, no later than five (5) days after such conviction. The supervisor is required to notify human resources.

GS. PROHIBITIONS

AOE explicitly prohibits:

1. The use, possession, solicitation for, manufacture, or sale of narcotics or other illegal drugs, alcohol, or prescription medication without a prescription on AOE property or any other location while on duty where AOE business is conducted, including traveling on AOE time to or from such locations.
2. Being impaired or under the influence of legal or illegal drugs or alcohol away from AOE or any other location, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk AOE's reputation.
3. Possession, use, solicitation for, manufacture, or sale of legal or illegal drugs or alcohol away from AOE or any other location, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk AOE's reputation.

GT. TESTING

AOE will conduct drug and/or alcohol testing under any of the following circumstances:

1. **FOR CAUSE TESTING:** AOE will require Bus Drivers and may ask an employee to submit to a drug test at any time it has reasonable suspicion that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, appearance, unusual conduct or behavior on the employee's part that suggests impairment or influence of drugs or alcohol, or excessive and unexplained absenteeism or tardiness.

A determination that reasonable suspicion exists will be based on specific observations as suggested above. Reasonable suspicions must be documented.

Supervisors that have reasonable suspicion to believe that an employee is impaired by reason of drugs or alcohol will immediately relieve the employee from his/her duties and direct the

employee to submit to a drug test. Refusal to submit to testing constitutes insubordination and will result in discipline up to and including immediate termination.

2. **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was injured, but also any employee who potentially contributed to the accident or injury event in any way.
3. **FAILURE TO SUBMIT TO TESTING**
Employees refusing to submit to the required tests will have the refusal documented by the supervisor. Refusal to submit to testing constitutes insubordination and will result in discipline up to and including immediate termination.

GU. Substance-Free Workplace

Supervisors that have reasonable grounds to believe that an employee is impaired by reason of drugs or alcohol will immediately relieve the employee from his/her duties and direct the employee to submit to an alcohol test and/or drug screen. When it appears that an employee is in immediate need of medical assistance, the supervisor will call 911 for an emergency medical response.

Reasonable grounds sufficient to require testing must be based on specific objectives and distinct facts or behaviors of probable drug and/or alcohol use. Reasonable grounds would include factors such as slurred speech, red eyes, dilated pupils, incoherence, unsteadiness, an odor of alcohol or marijuana, excessive absence or tardiness, carelessness, erratic behavior, inability to perform the job and other unexplained behavioral changes.

In non-emergency situations, when a supervisor has reasonable grounds for believing that an employee is physically impaired and unable to safely operate equipment or perform assigned duties, the supervisor shall immediately:

- Relieve the employee of his/her duties;
- Inquire as to whether the employee is using any prescription medication or is suffering from a known physical condition that might account for his/her actions or would make the employee a danger to himself or others in performing his/her job duties;
- Contact the Director/Supervisor, state the facts and reasonable grounds which cause the supervisor to believe that the employee is impaired or unable to perform assigned duties and receive direction as to whether to have the employee's condition evaluated;
- Should it be decided to have the employee tested, the Director will arrange for an immediate evaluation with a contracted clinic;
- The Supervisor or designee will transport the employee to the evaluation and will remain until the evaluation is complete. Employees will not be permitted to transport themselves;
- Should the employee refuse to be tested, the supervisor will advise the employee that by doing so he/she will be subject to discipline, up to and including dismissal. If the employee continues to refuse to be tested, the supervisor will arrange to have the employee driven home pending further action;
- The employee will not be permitted to return to work until released by the examining physician and contacted by the supervisor.

GV. Possession and Use of Tobacco Products by Staff Members

The Academy of Excellence Governing Board is concerned about the health of its employees and students, and recognizes the importance of adult role modeling for students during formative years.

Academy of Excellence is dedicated to providing a healthy, comfortable, and educationally productive environment for students, staff, and visitors.

The Surgeon General of the United States has concluded that involuntary smoking is a cause of disease, including lung cancer, in healthy nonsmokers. The simple separation of smokers and nonsmokers within the same airspace may reduce, but does not eliminate, the exposure of nonsmokers to environmental tobacco smoke.

The possession or use of tobacco products is strictly prohibited in the following locations: School grounds, buildings, parking lots, playing fields, School buses, and Off-campus School-sponsored events

AOE employees are prohibited from the use, or possession, of tobacco products while performing the duties of their positions away from District property. This includes, but is not limited to: Teachers, Staff supervising students on trips, etc., Volunteers on School sites, and Voluntary employees transporting children to and from a school activity (such as school excursions, etc.).

“Tobacco products” include pipe, cigarettes, cigarette papers, cigars, smokeless tobacco, and smoking tobacco.

Under the provisions of A.R.S. 36-798.03, a person who violates the prohibition is guilty of committing a petty offense. Failure to comply with this policy may subject the employee to disciplinary action, including termination.

GW. Staff Health and Safety

AOE shall seek to promote the safety of employees during working hours and assist them in the maintenance of good health through its overall safety program and various policies pertaining to school personnel. It encourages all employees to maintain good health and practice good health habits.

All full time employees shall be covered by workers' compensation insurance for any accident while on assignment, including an accident on school property or while on official business off school property. An employee must report any such accident to the supervisor's office immediately, reporting the time of the accident, persons involved, and how it happened.

GX. Bus Driver's Physical Examinations

All bus drivers including full-time, regular part-time and temporary part-time drivers shall be required to have a pre-employment physical examination including substance abuse testing. In

addition bus drivers shall be required to have a physical examination once every two years to obtain or renew an operator's permit. Throughout the year bus drivers could be subject to random drug screening. Annual visual evaluation shall be required.

GY. Food Service requirements

Food Service employees shall conform to and meet all minimum rules and regulations of Maricopa County governing the sanitation of restaurants. A valid food handler's card shall be required.

GGA. Personnel Records and Files

The District must maintain information about staff members for the daily administration of salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the Board's educational reporting requirements.

1. Official Personnel File

The District will maintain a complete and current official personnel file for each District employee in the Phoenix Office location. Employees may obtain one copy of their personnel file at no cost. Former employees may obtain a copy of their personnel file for a fee of @ \$.25 per page.

2. Other Personnel Records

The District will maintain in separate file records regarding payroll and benefits, medical and health records and required immigration form(s). Duplicates of these records and reasonable requests for research of these records are available to the employee for a fee as of \$.25 per page.

3. Confidential Information

Most information regarding personnel information and records are confidential and may only be shared as defined in the regulation.

4. Official Personnel File Content

A personnel file (hard copy and/or electronic) will be created for each employee. All important job-related documents should go in the file, including:

- Job description for the position
- Signed job application
- Offer of employment
- Transcripts
- Teaching or other credentials
- Hiring, promotion and transfer records (Personnel Action Forms – PARs)
- Receipt or signed acknowledgement of
 - Loyalty oath
 - Acceptable Use Policy
 - Confidentiality Policy
 - Discrimination Policy
 - Sexual Harassment Policy
 - Alcohol and Drug Policy
 - Child Abuse Policy

- Performance evaluations
- Disciplinary actions
- Any contract, written agreement, receipt, or acknowledgement between the employee and the employer
- Documents relating to the worker's separation from the District.

No evaluation or record of discipline may be placed in the personnel file unless it meets the following requirements:

- The document must be signed and dated by the person originating the document.
- The employee must have an opportunity for inspection of the information prior to placement in the employee's personnel file and the event will be documented.
- The employee will sign or initial the evaluation and any denial or explanation will become a part of his/her personnel file. If the employee refuses to sign or initial the document, this shall be noted by the administrator.

GGB. Retention of Official Personnel File

The District will retain the official personnel file for three years after the employee's separation from the District.

1. General Access to a Personnel File

All documents within a personnel file are confidential. The District will permit access to a personnel file to the following persons without consent of the employee about whom the file is maintained: Supervisor/Director. No other person may have access to a personnel file except under the following circumstances.

2. When the employee gives written consent to the release of his/her records. (The written consent must specify the records to be released and to whom they are to be released. Each request for consent must be handled separately.)
3. When lawfully subpoenaed or under court order.

GGC. Employee's Access to Personnel File

Each employee has the right to review the contents of his/her personnel file. The employee does not have the right to review references and recommendations provided to the District on a confidential basis.

- Employee may receive one copy of their personnel file without cost.
- Separated employees may receive a copy of their personnel files for a fee of \$20.

GGD. Personnel Records/Information for Payroll and Benefits Purposes

The District keeps information, records and documents collected by the District to handle an employee's payroll account and benefits account in a file separate from records noted above. Payroll files include, but are not limited to:

- IRS Form W-4
- Forms relating to employee benefits
- Forms providing next of kin and emergency contacts

The District limits access to this information to those persons involved in the payroll and benefits process.

- Employees requesting duplicate payroll information will be charged \$.25 a page.
- If research is needed to fulfill the employee's request a \$25 per hour charge will apply with a minimum of 15 minutes.

GGE. Personnel Records - Supervisor's Desk File

Supervisors may maintain an employee file in a locked cabinet. The file may include, but is not limited to:

- Notes on attendance or tardiness
- Complaints from customers and/or co-workers
- Awards or citations for excellent performance
- Documented conversations regarding performance

Note: Supervisors shall NOT include employee medical records in their desk file.

GGF. Other Personnel Records

Medical / Health Records: Workers' medical file/health records (disability, FMLA, others) will be maintained in a separate Human Resources file to protect confidentiality. The District limits access only to those who are involved in disability or FMLA management process.

Immigration Form I-9: The Immigration Reform and Control Act of 1986 prohibits employers from hiring aliens not legally eligible to work in the United States. The District complies with the provisions of the INS regulation by requiring employees of the District to complete an INS Form I-9. These forms are maintained in a separate file in Human Resources and are available for inspection only by the appropriate authorities as designated under the Act.

GGG. Health and Welfare Insurance Benefits

The Governing Board AOE shall authorize the Director to implement and coordinate a health and welfare insurance program for the benefit of its employees.

GGH. Unauthorized Leave

Definition: Unauthorized leave is defined as non-performance of those duties and responsibilities assigned by the District and its representatives including all duties and responsibilities as defined by statute, rules and regulations of the State Board of Education, policies of the Board and administrative regulations of this school district. Such unauthorized leave may include but is not limited to refusals to provide service, unauthorized use of sick leave, unauthorized use of other leave benefits, non-attendance at required meetings or failure to perform supervisory functions at school-sponsored activities.

An employee is deemed to be on unauthorized leave at such time and on such occasions as the employee neglects required duties.

1. Disciplinary Action

Unauthorized leave shall constitute a breach of contract and, therefore, may result in the initiation of dismissal procedures, loss of salary or such disciplinary action as may be deemed appropriate.

GGI. Fingerprint Clearance

1. **Fingerprinting:** To ensure the safety of our students, all individuals who provide direct services to our students shall be fingerprinted as a condition of employment/ volunteering.
2. **Exceptions:**
 - a. Employees who, as a condition of certification, are required to have a valid fingerprint clearance card may submit a copy of that valid card in lieu of being fingerprinted. The fingerprint clearance card must remain valid at all times for the individual to remain employed by the District. If the certified employee is notified that the fingerprint clearance card has been suspended, the employee will have 30 days to provide proof of a valid fingerprint clearance or the employee will be subject to discipline up to and including termination.
 - b. Parent volunteers who are volunteering at their childrens' schools do not require fingerprinting.

GGJ. Performance Management and Evaluations

The Performance Management Process is a tool for administrators, supervisors and employees to align District, school, department, and personal goals and provide a consistent method for measuring an employee's performance.

The following process begins at the start of each fiscal/school year. The process will enhance the alignment between each individual employee's work and the accomplishment of school/department and District Strategic Goals. The process also institutionalizes regular communications toward established goals and an individual's performance.

The Performance Management Process is administered annually with each employee at each school and department through this three-step cycle:

1. **Performance Expectations** - Supervisors will articulate each employee's performance expectations and behaviors for the upcoming year. The written plan using the job description as a basis will describe the results expected and establish how each employee's performance will be measured and tracked. Employees will describe the support they will need to accomplish the goals and expectations.
2. **Monitor and Coach Performance** - Each supervisor will discuss their employee's performance regularly. Performance data should be presented by both the supervisor and the employee for review and discussion. Coaching may be used by a supervisor to clarify expectations and help an employee define their work or work through a problem or negative work habit. Expectations may be changed and rewritten to meet current circumstances.
3. **Evaluation** - At the end of the performance cycle, a formal, written Evaluation shall be conducted. The evaluation discussion shall include a follow-up on the Performance Expectations. Every employee shall complete a self-evaluation. The employee and supervisor will discuss the performance rating for the period and record the results on a performance management evaluation form. Progress on the employee's development plan and a discussion of future goals as the new performance cycle begins immediately. This form must be submitted for filing in the employee's official personnel record.

Section H: Instructional Program

HA. School Year/Day

The Academy of Excellence school year shall consist of at least 180 instructional days or its equivalent, as approved by the Superintendent of Public Instruction. The Board shall establish the school calendar each year after recommendations from the Administration.

The normal school day for the instruction of the students of Academy of Excellence shall be in accordance with Arizona Revised Statutes. Each instructional day shall consist of not less than the minimum amount of time prescribed in A.R.S. 15-901 for each respective program level. Each instructional day shall consist of not less than the minimum amount of time as identified below by grade levels. Kindergarten 356 hours/year

- First – Third (1 – 3) 712 hours/year
- Fourth – Sixth (4 – 6) 890 hours/year
- Seventh – Eighth (7 – 8) 1068 hours/year (Variance from this requirement may be sought under A.R.S. 15-861.)

HB. Passing Time, Lunch and Recess Periods

Lunch periods and recess periods may not be included as part of the instructional hours unless the student is a child with a disability and the child's individualized education program requires instruction during those periods and the specific reasons for such instruction are fully documented. Passing from class to class if maintained to a minimum, (the time it takes to go between the furthest classes) may be included as part of the instructional hours.

HC. School Closings

The Administration may close the schools, delay the opening of schools, or dismiss school early for emergency reasons and to protect the health and safety of students and staff members, shall prepare rules for the proper and timely notification of concerned persons in the event of such emergency closing, and shall in all cases inform the Board President as soon as possible.

HD. District Wellness Policy (See Wellness Policy)

The Academy of Excellence promotes wellness by supporting good nutrition and regular physical activity as part of the total learning environment. Wellness is defined as the dynamic state of achieving optimal well-being in all the dimensions of health: physical, mental/emotional, and social.

AOE supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. Schools contribute to the basic health status of children by facilitating learning through the support and promotion of good nutrition and physical activity. Improved health optimizes student performance potential.

AOE supports a work environment where employees are encouraged to embrace healthy lifestyle choices, educational resources are provided, and information about wellness activities is available so that employees can serve as good role models for students.

HE. Exceptional Education Programs

- **SPECIAL INSTRUCTIONAL PROGRAMS:** The Administration/Special Education Director shall develop procedures that provide educational opportunities for individuals with disabilities and that accomplish compliance with federal laws including the Individuals with Disabilities Education Act (IDEA), the Arizona revised statutes, and the lawful regulations of the State Board of Education.

HF. Text/Supplementary Materials Selection and Adoption Course of Study & Materials Selection

The Board will approve the course of study, the basic text materials including digital materials for each course, and all units recommended for credit under each general subject title prior to implementation of the course. The Board will also approve and adopt all new text and supplementary materials. Text material selection procedures shall provide for the appropriate involvement of staff members, students, parents and community members.

1. Library Materials Selection and Adoption

The school library program, an integral part of the total District curriculum, is the vehicle that provides opportunities for students to master information literacy skills and develop a lifelong interest in reading and learning. Every student must have access to a thoughtfully selected, integrated library collection that reflects the curriculum and the diverse needs of the school community.

2. Selection Objectives

School library materials will be selected to support and enrich a site's educational program. Materials will serve the breadth and depth of the curriculum, the instructional needs of the faculty, and the interests of the students. The obligations of the District are to provide library materials that meet the diversity needs of the District and reflect a wide range of reading abilities.

Library materials are defined as all print, non print and electronic resources (excluding textbooks and supplementary materials) used by students and teachers for the District's educational goals.

3. Use of Technology Resources in Instruction

Academy of Excellence provides electronic information services (EIS) to qualified students, teachers and other personnel who attend or who are employed by the District. Electronic information services include networks (e.g., LAN, WAN, Internet), databases, and any computer-accessible source of information, whether from hard drives, tapes, compact disks (CDs), floppy disks, or other electronic sources. The use of the services shall be in support of education, research, and the educational goals of the District. These resources are made available with the support and supervision of parents, teachers, and support staff.

To assure that the EIS is used in an appropriate manner and for the educational purposes intended, the District will require anyone who uses the EIS to follow its guidelines and procedures for appropriate use and abide by the policies and regulations of the District. Anyone who misuses,

abuses, or chooses not to follow the EIS guidelines and procedures and District policies and regulations will be denied access to the District's EIS and may be subject to disciplinary action.

HG. School Volunteers

Academy of Excellence values community and parent volunteers. Volunteers make many valuable contributions to the students and educational programs of the District. A volunteer program is approved subject to suitable rules, safeguards, and regulations as developed by the Director. The Administration shall promote appropriate recognition of volunteer services.

HH. Report Cards/Progress Reports

Each school must distribute copies of an annual report card, on the standard form provided by the State Department of Education, containing the descriptions and information required by statute.

The annual school report cards will be distributed to parents of pupils enrolled in the school no later than the last day of school of each fiscal year, and a summary of the contents shall be presented at an annual public meeting held at the school. Notice shall be given at least two (2) weeks prior to the public meeting, clearly stating the purposes, time, and place.

1. Student Progress Reports

It is essential that students' progress in school be fully communicated to their parents. AOE will report students' progress to the students and to their parents or guardians as appropriate. The reports will be clear, concise, and accurate, and will provide a basis of understanding among teachers, parents, and students for the benefit of the individual students. The Administration will develop progress report forms or cards in accordance with this policy.

The following specific requirements are established:

- Parents will be informed regularly, and at least four (4) times a year, as to the progress their children are making in school.
- Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration.
- Insofar as possible, distinctions will be made between a student's attitude and academic performance.
- At comparable levels, the school will strive for consistency in grading and reporting except as this is inappropriate for certain classes or certain students.
- When grades are given, school staff members will take particular care to explain to parents the meaning of marks and symbols as they apply to student achievement.
- When no grades are given but evaluation is made informally in terms of the student's own progress, such evaluation will be a realistic appraisal of the skills developed by the student.
- Reports of progress for students qualified for services under the Individuals with Disabilities Education Act (I.D.E.A.) shall be based on their progress in the general curriculum and shall address whether the progress is sufficient to enable the student to achieve the goals stated in the student's individualized education program (IEP) by the end of the school year.

2. **Homework**

Recognizing that the education of children is a cooperative enterprise between the home and the school, the Governing Board values the assignment of homework as an integral part of the learning process. Therefore, every school will develop a statement of homework procedures and expectations consistent with the following guidelines: The type and amount of homework to be assigned should be appropriate to students' grade level and general level of ability. Homework assignments should be specific and have clearly understood expectations. Homework should generally be used to introduce, reinforce or expand what is taught in the classroom.

3. **Promotion, Retention and Acceleration of Students**

Academy of Excellence charter Schools is dedicated to the continuous development of each student.

4. **Promotion**

Students shall progress through the grade levels by demonstrating growth in learning and by meeting and/or exceeding the grade-level standards/Core Curriculum established by the State and District. The standards that students must achieve shall include accomplishment in the areas of language arts, literature, mathematics, science, social studies, music, visual arts, health/physical education and foreign or native American language adopted by the State Board of Education. In addition to these standards, test scores, grades, teacher recommendations, and other pertinent data will be used to determine promotion.

5. **Retention**

Retention of students is a process that is followed when the teacher(s), in consultation with the parent, determines that the student has not demonstrated competency in meeting the standards, and it is in the best interest of the student. Though primary grades are suggested as the most appropriate time, retention may be considered at any grade level.

6. **Acceleration**

Acceleration is a process of double promotion or higher grade placement based on the student's learning ability, as well as:

- age,
- maturity,
- academic skills,
- self-confidence,
- grade level,
- behavior and
- other pertinent factors relating to the overall well-being of the student.

Acceleration will not apply to kindergarten and 1st grade students.

III. Promotion, Retention and Acceleration of Students

- a. **Elementary Program Promotion:** Students in grades kindergarten through fifth grade, elementary school, shall be promoted with the teachers' recommendations based on assessment and production of general readiness at each level described below. The general readiness shall include: demonstrated competency of required State and District standards, physical and social/emotional implications, attendance, and other factors which may be determined relevant to the individual consideration for each student.

- Kindergarten
 - Students who have demonstrated general readiness shall be admitted to first grade unless the parents/guardians and school team agree that the student shall continue in kindergarten for not more than one additional school year.
- Elementary
 - Students who have successfully demonstrated competency in State and District Standards will be promoted.
 - Attendance - a student shall be in attendance at least 90% of the total number of days the student is enrolled in the Tucson Unified School District.

b. Middle School Program Promotion

In the middle school, the student shall be promoted if the student receives teachers' recommendations based on assessment of general readiness in the following areas:

- Students meet or exceed the standards of the State and District assessments.
- Students shall demonstrate competency as defined by the State Board-adopted Standards, in the following required subject areas:
 - Language arts
 - Mathematics
 - Science
 - Social Studies
 - Fine Arts
 - Technology
 - Workplace Skills (Career & Technical Education)
 - Comprehensive Health and Physical Education
 - Foreign and Native Language
- Attendance - a student shall be in attendance at least 90% of the total number of days the student is enrolled in the Tucson Unified School District.

c. Retention

When circumstances indicate that retention is in the best interest of the student, the student will have individual consideration, and decisions will be made only after a careful study of facts relating to all phases of the student's growth and development. The student's academic achievement level and cognitive skills are important, but physical and social characteristics are also important factors for considerations. A decision should be based on sufficient data, collected over a period of time and motivated by a desire to place students in school programs where they will be the most successful.

Students not making adequate progress in meeting the State and District standards criteria will be identified as early in the school year and in their school career as practicable. When a student is identified as being at risk of retention, parents will be notified and the student will be provided additional opportunities in core academic areas to motivate and connect the students to school. Such opportunities may include, but are not limited to, tutorial programs, after-school programs, and/or summer school programs that may be required as conditions of promotion. Ongoing assessment of student progress will be a part of each intervention program.

d. **Teacher's Role in Retention**

The teacher(s) of each student will lead the intervention process, including the following:

- communicating and coordinating with the principal or principal designee.
- facilitating all interventions with all resources, i.e. counselors, tutors, etc.
- ongoing communication with the parent/guardian.
- documenting the interventions, tests and academic progress, discussions with parents and other resources. (Exhibit IKE-E2, Individual Quarterly Intervention Plan)
- making the final decision regarding promotion and retention.
- collaborating with the principal to meet with the parents, providing documentation and information regarding the retention decision.
- If the parent(s) appeals the final decision to the Governing Board, the teacher(s) will attend the appeal hearing and/or provide written records including the intervention documentation. Teacher(s) will be notified of the hearing date and of the Governing Board's decision.

e. **Elementary & Middle School Procedure for Retention**

At the end of the first grading period, each teacher will send to the principal a list of the students who are experiencing difficulty in their classes. At the earliest parent conference teacher and parents will develop an intervention plan, and this will be recorded in the student's cumulative folder.

Ongoing review of student's progress toward standards must continue throughout the year. The student who falls below expected grade level standards will be reviewed for retention consideration by the principal and staff members at least every four and one-half weeks (progress report time). Intervention plans will be reviewed, adjustments made and parent conferences scheduled. All decisions for retention shall be made with parent communication, multiple interventions and student counseling. Late entries should receive special consideration.

The final recommendation to retain will be made in consultation with the teacher/administrator and parent. Consultation with the principal and other staff members and involvement of parents in all steps of the retention process are vital.

f. **Acceleration**

In the first through the eighth grade levels, the teacher in consultation with the principal may recommend a student for acceleration (double promotion) into a higher grade level when high academic achievement is evident. Accelerated placements of students shall be discussed with the principal, parents, teacher(s) and assigned District personnel. Final decisions will be made by the principal, teacher and District personnel.

Acceleration shall be subject to the following minimum criteria:

- The parent/guardian of the student has filed a written statement with the principal of their child's school requesting an acceleration placement.
- The student has demonstrated that they exceed the state standards at their current grade level in all areas.
- The social maturity and emotional growth of the student are consistent with his/her advanced cognitive ability.

A letter of acceptance by the parent/guardian of an acceleration placement must be completed.

g. **Exceptional Education**

Special education students who do not meet regular promotion requirements must meet the course of study and promotion requirements for special education students consistent with the child's Individual Education Plan (IEP). The programs for such students may include adaptations and curriculum modifications.

Any special education student unable to meet regular academic requirements for promotion must meet the requirements of an alternative IEP program derived from the general curriculum, developed by an IEP team on an individual basis (A.A.C. R7-2-401).

Students placed in exceptional education will complete the course of study as prescribed and measured within that IEP. Course work will be presented at a level within the general curriculum commensurate with the student's ability. The student's permanent file shall identify the courses completed through special education; however, the student will receive the standard certificate of promotion.

Students' Individualized Education Plans (IEPs) contain goals and objectives that address primary areas of educational need. Progress toward goals and objectives are monitored on the same regular basis as general education students. IEPs are reviewed and revised through the IEP process no less frequently than annually, based on discussions regarding present levels of academic and functional performance and documented progress towards educational success within this plan. When retention is considered for a student with a current IEP, the Team will review the student's IEP and make appropriate recommendations to the school's administration.

HJ. English Language Learners

Achievements toward meeting standards will be based on student's improvement in areas of English Language Development (ELL) and core content in language arts and math as appropriate to the instructional program. Multiple assessments, including English Language Learner assessments, will be used in making the retention decision.

HK. Appeal Process

If the parent(s), after meeting with the principal and teacher(s) to review the documentation and decision, would like to appeal any promotion, retention, or final failing high school course grade decision to the Governing Board, they must submit to the Governing Board office a written appeal within 15 calendar days of the last day of school or end of the grading period (where appropriate).

The District will acknowledge receipt of the appeal request within 14 calendar days. Written notice of the date the Governing Board will hear the appeal will be provided to the parent(s) at least five (5) calendar days prior to the hearing.

In order to change the teacher(s) promotion, retention or failing grade decision, the burden of proof for whether or not the student has met the State standards lies with the parents or student of majority.

The Governing Board will provide a written decision to the parent(s) or student of majority within 7 calendar days after the appeal hearing.

HL. Guest Speakers

The Academy of Excellence Charter School believes that learning is promoted when students are presented with educational experiences that encourage critical thinking and the thoughtful consideration of the points of view of others. Recognizing that bringing speakers on campus enriches the education of the students attending school in the District, the Governing Board welcomes and encourages the participation of guest speakers who possess knowledge, skills, or personal experience that will contribute to a discourse concerning educational, historical or civic matters. Parents and guardians of AOE students are encouraged to serve as guest speakers at both school-wide assemblies and in classrooms.

The presentation of a guest speaker provides an opportunity for students to develop appropriate and courteous audience habits. Discussions that may reveal or lead to differences of opinion that do not disrupt the educational environment will be honored and respected as discussions that are appropriately within the scope of civic discourse in public education.

The presence of a guest speaker in a school or at an event does not imply endorsement of the opinions and views expressed by the speaker.

The responsible employee(s) shall not conduct a prior review of the guest speaker's speech or planned remarks, unless such a review is requested by the speaker. Provided it is requested by the guest speaker, responsible employees, in the exercise of their discretion, may offer advice or input regarding the speech or planned remarks.

1. Standards: Guest Speakers shall:

- Present a topic or subject area that is appropriate to the age and maturity of the student audience to be addressed and relevant to the enhancement of the students' educational development.
- Try to develop an appreciation for a subject area, topic, culture, or viewpoint and encourage critical thinking.
- Not use language intended to promote hatred, bigotry or animosity between groups of people, or segments of society.
- Be advised that advocacy on behalf of or in opposition to candidates, campaigns, or ballot measures is prohibited under State law.

HM. School Observances (Patriotic)

The following shall be adhered to regarding opening exercises and school programs as they pertain to customs and holidays:

- *Each student SHALL be provided with an opportunity to participate in the Pledge of Allegiance or other patriotic observance each day. (A.R.S. 15-506)*

Section J:

JA. Equal Educational Opportunities and Anti-Harassment

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district in an environment free from harassment.

- It is the school district's policy to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, gender, marital status, parental status, status with regard to public assistance, limited proficiency in English, disability, sexual orientation, age or any other reason not related to the student's individual capabilities. The school district also makes reasonable accommodations for students with disabilities.
- It is the policy of the Academy of Excellence to prohibit discriminatory harassment based on real or perceived race, color, creed, religion, national origin, gender, marital status, parental status, status with regard to public assistance, limited proficiency in English, disability, sexual orientation, age or on the basis of association with others identified by these categories.
- The District will not knowingly enter into agreements with any entity or any individual that discriminates against students or staff on the basis for any category listed above.
- This policy applies to all areas of education including academics, course work, community education, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- It is the responsibility of every school district employee and volunteer to conscientiously comply with this policy.

Complaints

- Any student, parent or guardian having any questions regarding this policy should discuss it with the Principal. In the absence of a specific designee, an inquiry or a complaint should be referred to the Arizona Department of Education.
- The Administration shall act to investigate all complaints of discriminatory or other harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against anyone who is found to have violated this policy.

JB Student Attendance

The Governing Board recognizes that not only is regular daily school attendance a major component of the learning experience and a requirement for academic success, it also impacts the funding of the District (a student below 94.5% attendance reduces funding). Accountability for learning begins with attendance. The Board also believes that regular attendance maximizes the student's interaction with his/her teachers and peers.

The emphasis of the attendance policy is on the importance of keeping students in school and providing access to the curriculum. To be successful in this endeavor, it is imperative that all members of the school community are aware of this policy, its purpose, procedures and the consequences for non-compliance.

The parents/guardians are charged by law with responsibility for their child's consistent school attendance. The school administrators will enforce the laws regarding attendance with consideration for the variables that affect children and families. The school administrators will place emphasis on the prevention and correction of the causes of absenteeism.

Students are expected to be in attendance one hundred percent (100%) of the time. Regular attendance is essential for success in school; therefore, absences shall be excused only for necessary and important reasons. Such reasons include illness, bereavement, other family emergencies, and observance of major religious holidays of the family's faith.

Teachers, attendance personnel, counselors, and principals shall inform all students and parents/guardians of the District's attendance policy. Students and parents/guardians shall also be updated regularly regarding any student's accumulated absences in any class every 4 ½ weeks.

1. **Attendance Guidelines**

- The goal of achieving maximum educational benefits requires regular daily attendance, classroom participation and study. Attendance will be taken by the teacher of record.
- Student's interaction and participation in instructional activity is required to evaluate student progress.
- All students must remain on the school campus during the entire school day unless parents/guardians provide notification prior to the leave.
- Parents/Guardians should notify the school prior to absence.
- Children under the age of 16 who are absent from school without parents'/guardians' permission may be considered truant and could be referred to a truant officer for further action.
- Children will be considered tardy when they are not in class at the time the bell rings.
- If a student is absent (excused or unexcused) from a class, the work must be made available to make-up and submitted within a reasonable time.
- Credit will be given for all make-up work due to an absence. The amount of credit may vary due to the timeliness of the work being submitted.
- School personnel and administrators will encourage parents/guardians to comply with Arizona attendance laws to ensure regular attendance and punctuality.

2. **Notification of absence from school**

- A Parent/Guardian should notify the school prior to the absence/tardy with a call, note or email that his/her child is unable to attend or will be late to school.
- The call, note or email must address the date/time and reason for the absence.
- In elementary and middle school when a student is absent from a class and/or day without excuse or without notice, (school has not been notified by the parent/guardian) the school, within two hours after the beginning of the first class, shall make reasonable effort to promptly telephone or notify the parents/guardians.
- However, the District, governing board members, and employees or agents of the District are not liable for failure to notify the parents/guardians, or other person who has custody of a student, of the student's absence from school as provided in A.R.S. § 15-807.

Section K: Student Admissions

KA: Entrance Age Requirements

- **Kindergarten & First Grade**

For admission to kindergarten, children must be five years of age prior to August 29 of the current school year. A kindergarten who fails to meet the age requirement and seeking to enter may be admitted under the following circumstances:

- The student has demonstrated developmental, academic and emotional grade level competency (aligned with Arizona State Standards) as evidenced by school records and verified by the receiving school.

1. **Primary School Responsibilities**

- Verify, document and maintain residency records of each student.
- Maintains, retains and manages the students electronic, demographic data, health records, and cum file.
- Manages the FTE count of the student.
- Allows for interscholastic play only at the primary school, but tracks the eligibility of all classes.
- Provides all IEP/504 services.

2. **Proof of Age Requirements**

The parent/guardian enrolling a student (except homeless students) in a AOE school for the first time will be asked to produce one (1) of the following proofs.

- A certified copy of the child's birth certificate.
- Other reliable proof of the student's identity and age (must include birth date), including the student's baptismal certificate, passport, a stamped application for a Social Security number, I94 with Federal stamp stating refugee status, or original school registration records, and an affidavit explaining the inability to provide the birth certificate.
- A letter from the authorized representative of an agency having custody of the student (pursuant to statute) certifying that the student has been placed in the custody of the agency as prescribed by law.

The school will retain in the student's file a photocopy of the documentation presented.

The parent, guardian, or surrogate will be given thirty (30) days to provide documentation requested as listed above. If documentation is not provided within 30 days, a certified letter will be sent to notify the parent, guardian, or surrogate that unless the documentation is provided within ten (10) days, the local law enforcement agency will be notified. All documentation including notices to local law enforcement shall be maintained in the students cum folder.

The school must immediately report to the local law enforcement authorities any documents used to enroll a student that appear to be inaccurate or suspicious in form or content.

3. **Student Withdrawal from School/Dropouts**

A student who may or must withdraw from school must complete a withdrawal form. The withdrawal form shall state the reason for withdrawal. The withdrawal form will be signed by the parent and principal or designee from the school. Documentation will be maintained in the former student's file. Documentation of efforts to contact families shall be included in files when students and their families do not complete a withdrawal form

4. **Reasons for withdrawal may include:**

- Parents/Guardians requesting the withdrawal of students.
- Expulsion or long-term suspension by the Board.

5. Grades and Credit for Students Leaving

Any student in Grades K-8 leaving AOE before the end of a school year will have available for the next school's request a report card with appropriate qualifying remarks through the last day of attendance by the teacher and Administrator.

A student withdrawing from school prior to the end of a grading period and/or course term will receive a grade for work completed to date, but credit will be based on:

- Demonstrated competency in the specified State Standards.
- Completed required class work.
- Completion of the final exam/assessment with a passing score.

The teacher will provide every opportunity for a student to make-up class work; assessments and final exam to demonstrate competency in the course State Standards.

6. Withdrawal by Administrative Action

A student may be removed from a class at any time by administrative action following appropriate due process. The grades and credit will be determined on the basis of the quantity and quality of work completed at the time of withdrawal. The student may complete the course work in an alternative setting.

Upon withdrawal, the student shall return all School property through the office of the school that was attended.

KB: Assignment of Students to Classes and Grade Levels

1. Students from Accredited Schools

New students entering from public, parochial and private schools accredited by a recognized accrediting agency or organization shall be placed in grades and classes on the basis of their grade placement/credits in the school from which they are transferring.

2. Students from Home School

The school administration, through academic achievement tests and other necessary evaluation measures, shall determine the appropriate grade level/credit status of students transferring from home schools or private schools that are not accredited.

Assessment protocol, which may include achievement tests and observations, may be required for appropriate grade placement and awarding of credit when a student enrolls from a home school or a non-accredited school. After such assessments and/or observations, the student shall be placed at the grade level and awarded credit as deemed most appropriate by the District in consultation with the child's parent or legal guardian.

3. Student Records

Within five (5) days after enrolling a transfer student, the school must request directly from the student's previous school a certified copy of the student's cumulative student education records.

4. **Assignment of students to classes**

Assignment of a student to classes (classroom or subjects) shall be made based upon the student's grade-level assignment, completion of any prerequisites, attainment of grade level standards, and any classroom limitations or class-size guidelines, in that order.

Section L: Admission of Homeless Students

This policy is intended to direct compliance with Arizona State Laws and Arizona Administrative Code and the McKinney-Vento Homeless Education Assistance Improvements Act of 2001 and should be read as consistent with those documents.

Academy of Excellence Charter Schools will comply with the above laws by:

- The school shall immediately admit the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, immunizations, proof of residency, birth certificate, or other documentation.
- The school shall ensure that homeless children are not stigmatized or segregated on the basis of their status as homeless.
- The school shall immediately contact the school last attended by the student to obtain relevant academic, medical, and other records.
- If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the County Department of health Services.

1. **Definitions**

The term "homeless students" means individuals who lack a fixed, regular, and adequate nighttime residence and includes:

- students who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory students who qualify as homeless because the children are living in circumstances described above.

2. **Liaison for Homeless Students**

The Director is the liaison for homeless students who will carry out duties as assigned. Among those duties will be the responsibility to coordinate activities and programs in the best interest of homeless students that will include but not be limited to establishment of procedures to:

- continue the student's education in the school of origin for the duration of homelessness;
- in any case in which a family becomes homeless between academic years or during an academic year; or

- for the remainder of the academic year, if the student becomes permanently housed during an academic year.
- Enroll the student in any public school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.

3. **Admission Disputes**

If a dispute arises over enrollment in a school:

- the student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the liaison for homeless students, Director, who shall carry out the dispute resolution process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the liaison for homeless students, Director, shall ensure that the student is immediately enrolled in school pending resolution of the dispute.

SECTION M: Equal Educational Opportunities and Anti-Harassment

The purpose of this policy is to ensure that equal educational opportunity is provided for all students of the school district in an environment free from harassment.

- It is the school district's policy to provide equal educational opportunity for all students. The school district does not unlawfully discriminate on the basis of race, color, creed, religion, national origin, gender, marital status, parental status, status with regard to public assistance, limited proficiency in English, disability, sexual orientation, age or any other reason not related to the student's individual capabilities. The school district also makes reasonable accommodations for students with disabilities.
- It is the policy of the Academy of Excellence Charter Schools to prohibit discriminatory harassment based on real or perceived race, color, creed, religion, national origin, gender, marital status, parental status, status with regard to public assistance, limited proficiency in English, disability, sexual orientation, age or on the basis of association with others identified by these categories.
- AOE will not knowingly enter into agreements with any entity or any individual that discriminates against students or staff on the basis for any category listed above.
- This policy applies to all areas of education including academics, course work, community education, co-curricular and extracurricular activities, or other rights or privileges of enrollment.
- It is the responsibility of every school employee and volunteer to conscientiously comply with this policy.

1. **Complaints**

- Any student, parent or guardian having any questions regarding this policy should discuss it with the Director. The School shall act to investigate all complaints of discriminatory or other harassment, formal or informal, verbal or written, and to discipline or take other appropriate action against anyone who is found to have violated this policy.

SECTION N: Communicable Disease - Student

The Governing Board recognizes the right of each student to an education. The Board also recognizes its obligations in protecting the health, safety, and welfare of all students and employees of the district. Therefore, the right of each student to receive an education by attending school shall be protected as long as that attendance does not jeopardize the health, safety, or welfare of the particular student, of other students, or of employees.

NA. Immunization of Students

Students attending grades K-8 must be immunized as required by state law. A student shall not be allowed to attend school without submitted documentary proof of immunizations to the school administrator unless the student is exempted from immunization pursuant to state law. AOE will cooperate with county and state health departments in programs of immunization. Parent permission will be secured before a student is permitted to participate in such immunization programs.

Students who do not meet the requirements for immunization, or the specific exemptions allowed by state or federal law, shall not be allowed to enter school or, if they are enrolled in school, may be removed from school, as authorized by ARS 15-872.

Parents or guardians of students who are not allowed to attend school due to their lack of immunizations may be subject to truancy proceedings, pursuant to ARS 15-803.

NB. Definition of Compliance

As of February 14, 2006, state law requires immunization against the following diseases:

- Diphtheria
- Tetanus
- Pertussis (Whooping Cough)
- Poliomyelitis (Polio)
- Rubeola (Measles)
- Mumps
- Rubella (German Measles)
- Hepatitis B
- Haemophilus Influenzae b (Hib)
- Varicella (Chicken Pox)

NC. Communicable Diseases

Any student with, or recovering from, a communicable disease shall be excluded from school to protect his/her own welfare and to protect other students from illness until the period of contagion is passed or until a physician recommends a return, in accordance with state and county laws.

Schools shall forbid attendance by any students lacking proof of immunization or immunity against any of the immunization-preventable diseases as determined by the State Department of Health Services or local health department during periods of outbreaks of the diseases for which immunity is lacking. The

announcement of an outbreak of disease and the length of the period of communicability shall be as declared by the state or local health department.

Parents will be requested to provide a history of the communicable diseases for each student and such records will be kept by the District.

ND. Communicable disease outbreak of measles/mumps

1. According to the Maricopa County Health Department, one confirmed case of measles or mumps is considered an outbreak. Test results are received after two weeks for mumps. Confirmation of measles requires less time. Outbreak control measures for measles/mumps are as follows:
2. All students without one dose of documented MMR vaccine are suspended until they are immunized or until the risk period is over, which is 26 days after the onset of the last case.
3. A second dose of MMR will be required for all students.
4. All parents must be notified of the outbreak.
5. Adult staff will be treated the same as students. Adults are considered immune only if they were born before 1957, they have laboratory evidence of immunity, or they have documented MMR.

NE. Communicable Diseases (Acquired Immune Deficiency Syndrome-human immunodeficiency virus)

The District will not exclude an infected student from school or school functions solely due to HIV infection.

1. **Confidentiality**

All employees shall adhere to AOE's Confidentiality Policy and Regulations. School personnel informed of the student's HIV infection on a "need to know" basis shall maintain that information as confidential. Any school staff member who violates confidentiality shall be subject to appropriate disciplinary measures.

NF. Head Lice Policy

It is recognized that head lice infestations are considered by public health as a nuisance condition. The Governing Board of AOE believes it is necessary to remain pro-active in the management of head lice in the following three areas. Students will be removed from the classroom and sent home with the parents for treatment when they are infested with head lice or viable nits. Students will be readmitted after they have been adequately treated at home.

- Preventing the transmission of head lice
 - Notification of an infestation
 - Proper treatment of an infestation
-
- Students will A standardized management of head lice is an effort to keep children in school lice and nit free.

- Personnel will screen classrooms when head lice are detected and assist the parents with directions for treatment. A student will be sent home for treatment of head lice if there is evidence of live lice and/or viable nits (eggs) ¼ inch or closer to the scalp.
 - A letter with shampooing and combing instructions will be given to parents upon detection of head lice.
 - Student will be re-checked for any viable nits and/or live lice on return to school.
 - In most cases, students should be able to complete treatment and return to school within five days. Parents of any students who are kept out of school for more than five (5) days due to unreasonable delay in obtaining and completing treatment may be subject to truancy proceedings.
 - The entire class of the student as well as siblings and their classes will be screened if live lice and/or viable nits are detected.
- Students with chronic conditions will be addressed with pro active interactions to assist the individual families. Identified classrooms may be screened on a scheduled basis for early detection and follow up.
- The student will not be denied re-admittance to school if nits (eggs) are present ¼ inch or further out on the shaft of the hair.

NG. Administering Medicines to Students

Under certain circumstances, when it is necessary for a student to take medicine during school hours, the District health service providers will arrange for the administration of such medicine if the following requirements are met:

- The school will need written permission from the parent to allow the school or the student to administer prescription medicine.
- In exceptional circumstances, over-the-counter medication and treatment may be given without specific parental permission. However, the Administration must be contacted and specifically verify the need for over-the-counter medication, without waiting for parental authorization, and efforts to contact the parents or guardian of the student shall continue, even after the giving of the medication, until the parent or guardian is reached.
- Appropriate forms are available from the school office.
- The medicine must come to the school office in the prescription container. If it is over-the-counter medication, it must be in the original container and accompanied by a physician's authorization, unless it falls within the categories of over-the-counter medication allowed by regulation for short-term administration without requiring a physician's authorization.
- Additionally, students may self-administer medication as allowed by state law.
- Parents of students with diabetes shall annually submit a diabetes management plan.
- Voluntary Diabetes Care Assistants, as described in A.R.S. §15-344.01, and/or Trained Diabetes Personnel (American Diabetes Association), shall be trained to administer emergency medications to students with diabetes.

AOE reserves the right to disallow the use or administration of any medication on school premises if the threat of abuse or misuse of the medicine may pose a risk of harm to a member or members of the student population.

NH. Reporting Child Abuse/Child Protection

It is the policy of the Board/Administration that AOE will comply with the Child Protection Act.

Any school official or employee who reasonably believes that a minor is or has been subjected to abuse or neglect or who has observed the child being subjected to circumstances or conditions which may reasonably result in abuse or neglect, shall immediately upon receiving such information make a report to the appropriate authorities.

Minor, child, youth, or juvenile means an individual who is under the age of eighteen (18) years.

1. Definition of Child Abuse and Neglect

- Abuse means the infliction or allowing of physical injury, impairment of bodily function, or disfigurement.
- Physical abuse includes non-accidental physical injuries such as bruises, broken bones, burns, cuts or other injuries.
- Abuse shall include inflicting or allowing sexual abuse, sexual conduct with a minor, sexual assault, molestation of a child, commercial sexual exploitation of a minor, sexual exploitation of a minor, incest, or child prostitution.
- Neglect includes a denial or deprivation of necessary care of illness or injury. Neglect may also include leaving children unsupervised or alone, locked in or out of the house, or without adequate clothing, food, or shelter. Allowing children to live in unsanitary conditions which could be a health hazard may also be considered neglect.
- Emotional abuse of a child is evidenced by severe anxiety, depression, withdrawal or untoward aggressive behavior, as diagnosed by a medical doctor or psychologist, and caused by the acts or omissions of the parent, guardian or caretaker.
- Exploitation includes use of a child by a parent, guardian or caretaker for material gain.
- Abandonment includes the failure of the parent, guardian or caretaker to provide reasonable support and to maintain regular contact with the child, including providing normal supervision, when such failure is intentional and continues for an indefinite period.
- Abuses classified by statute as “reportable offenses” are:
 - Indecent exposure [A.R.S. 13-1402]
 - Public sexual indecency [A.R.S. 13-1403]
 - Sexual abuse [A.R.S. 13-1404]
 - Sexual conduct with a minor [A.R.S. 13-1405]
 - Sexual assault [A.R.S. 13-1406]
 - Molestation of a child [A.R.S. 13-1410]
 - Furnishing items that are harmful to a child via the internet [A.R.S. 13-3506.01]
 - Surreptitious photographing, videotaping, filming, or digitally recording of a minor [A.R.S. 13-3019]
 - Incest [A.R.S. 13-3608]
 - Child prostitution [A.R.S. 13-3212]

Section O: Rights and Responsibilities

Academy of Excellence Charter Schools believe that educating a student in collaboration with the student, staff and parent. To support this collaboration we realize that each party has rights and responsibilities. The

following identification of these rights and responsibilities is a general list to provide guidelines, with the intention of not being comprehensive or all-inclusive. (*See Student/Parent/Teacher/School Compacts*)

OA. Students

1. Care of School Property by Students

Each student is expected to take pride in the physical appearance of the school. Teachers and students should be observant at all times to prevent damage or destruction of school property. Any marking or marring of school property should be reported to the office at once.

No student shall damage or deface any property belonging to the District. The type of discipline that may be imposed for damage to school property by students depends upon the circumstances. Students may be subject to discipline for willful damage or destruction of school property.

If any minors engage in conduct that results in damage to District property, the District may institute formal charges for the purpose of having the court order the minors, or their parents, to make full or partial restitution to the District in accordance with law.

2. Student Dress

The Board recognizes its obligation to provide schools in which the health, safety, and welfare of the students who attend those schools are given paramount consideration, and where a positive learning environment must be maintained.

The Board is aware of its obligations to make every effort to minimize the opportunities for student distraction and/or disruption in the schools under its jurisdiction.

The Governing Board specifies the standards of dress and grooming that promote a safe school setting conducive to a positive learning environment. This policy provides school administrators, teachers, and parents with clear expectations regarding acceptable and appropriate apparel and appearance so that rules of dress and discipline can be enforced consistently.

The Governing Board has adopted of school uniforms as the appropriate dress. (*See Student Handbook*)

OB. Hazing/Bullying

It is the goal of AOE to maintain a safe learning environment for students and staff that is free from hazing. Hazing activities of any type are contrary to the educational goals of the School District and are prohibited at all times.

1. **Definition:** “Hazing” means committing an act against a student or coercing a student into committing an act that creates a risk of harm to a person, in order for the student to be initiated into or affiliated with a “student organization” or for any other purpose. The term hazing includes, but is not limited to:
 - Any type of physical brutality such as whipping, beating, striking, branding, electronic shocking, or placing a harmful substance on the body.

- Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics, or other activities that subject the student to a risk of harm or that adversely affect the mental or physical health or safety of the student.
- Any activity involving the consumption of alcoholic beverages, drugs, tobacco products, or any other food, liquid, or substance that subjects the student to a risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects a student to undue mental stress, embarrassment, shame, or humiliation that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves violation of city ordinance, state or federal law, or School District policies or regulations.

No student, teacher, administrator, volunteer, contractor or other employee of the School District shall plan, direct, encourage, aid, or engage in hazing.

No teacher, administrator, volunteer, contractor or other employee of the School District shall permit, condone, or tolerate hazing.

Apparent permission or consent by a person being hazed does not lessen the prohibitions contained in this policy.

This policy applies to behavior that occurs on or off school property to include before, during, and after school hours.

The School District representative will investigate all complaints (formal or informal, verbal or written) of hazing and will discipline or take appropriate action against any student or other school staff who is found to have violated this policy.

- Any instance of reported or observed hazing which includes possible child abuse or violations of statutes known to the staff member shall be treated in accord with statutory requirements and be reported to a law enforcement agency.

OC. Tobacco Use by Students

Possession or use of tobacco products by students on District property, in District vehicles and at school-sponsored events (whether on or off District property) is prohibited at all times.

1. Definitions

- Tobacco is defined to include any lit or unlit cigarette, cigar, pipe, blunt, bidi, clove cigarette and any other tobacco product, and spit tobacco, also known as smokeless tobacco, dip, chew, and snuff, in any form.
- Tobacco use includes smoking which means carrying or having in one's possession a lighted cigarette, cigar, pipe or other object giving off or containing any substance giving off smoke and chewing spit tobacco.
- Use means the chewing, lighting, smoking and any other usage of any tobacco product.

2. Consequences

Consequences for students engaging in the prohibited behavior will be provided in accordance with the District's student discipline policy. Disciplinary actions for the possession or use of

tobacco or similar products may include, but are not limited to, suspension of the student from school or a recommendation for expulsion when there is evidence of repeated and continuous violation of this policy.

OD. Drug and Alcohol Use by Students

The non-medical use, possession, or sale of drugs on school property or at school events is prohibited.

1. Definitions

- Non-medical is “a purpose other than the prevention, treatment, or cure of an illness or disabling condition” consistent with accepted practices of the medical profession.
- For purpose of this policy - drugs shall include, but not be limited to
 - All dangerous controlled substances prohibited by law
 - All alcoholic beverages
 - Any prescription or over-the-counter drug, except those for which permission to use in school has been granted pursuant to Board policy
 - Hallucinogenic substances
 - Inhalants

2. Consequences

Students who violate the provisions of this policy

- may be subject to warning, reprimand, probation, suspension, or expulsion, in accordance with the District's student disciplinary policies.
- may be subject to removal from school property and may be subject to prosecution in accordance with the provisions of the law.

OE. Weapons In School

No student shall carry or possess a weapon or simulated weapon on school premises without authorization by a school administrator. No student shall use or threaten to use a weapon or simulated weapon to disrupt any activity of the District.

Any employee who observes any person in possession of a weapon or simulated weapon on school premises shall immediately report the matter to the school administrator. A school administrator who observes or receives a report of a student possessing a weapon on school premises shall immediately take appropriate safety and disciplinary actions in accordance with District policies and shall immediately report a violation of this policy to a peace officer, pursuant to A.R.S. 15-515, if the weapon is a deadly weapon or the student is a minor in possession of a firearm.

A student who violates this policy by carrying or possessing a firearm shall be placed in an alternative education program for a period of not less than one (1) year, suspended for a period of not less than one (1) year, or expelled and not be readmitted within a one-year period, if ever. The Governing Board, in its sole discretion, may modify the one-year duration of such disciplinary action on a case-by-case basis.

A student who violates this policy by any means other than carrying or possessing a firearm shall be subject to disciplinary action, including but not limited to expulsion. Disciplinary action against a student with one (1) or more disabilities shall be applied on a case-by-case basis in accordance with District policies and state and federal special education laws.

1. Definitions: Weapon means any of the following:

- A firearm
 - A knife, other than a folding pocket knife with a blade length of not more than 2-1/2 inches that cannot be locked in an open position.
 - A destructive device
 - A dangerous instrument
2. Simulated weapon means an instrument displayed or represented as a weapon.
 3. 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 firearm muffler or silencer
 - Any explosive, incendiary, poison gas, bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive charge of more than one-fourth (1/4) ounce, mine, or similar device.
 - Any combination of parts that could be readily assembled to form a firearm.
 4. Destructive device means:
 - Any device other than a firearm that will, or 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.
 5. Dangerous instrument means anything other than a firearm, knife, or destructive device that is carried or possessed by a student for the purpose of being used or being available for use to cause death or inflict serious physical injury.
 6. School premises means the school, school grounds, school buses, or any premises, grounds, or vehicles used for school purposes and includes premises where school-sponsored events (for example, athletic games and competitions, music competitions, etc.) are held away from District property.
 7. Deadly weapon means any weapon designed for lethal use, including a firearm.

Section P: Use of Cell Phones and Other Electronic Signaling Devices:

Academy of Excellence does not allow students to carry cell phones and/or other electronic signaling devices on school grounds and at school events or activities. Any use of cell phones and/or electronic signaling devices during the school day and/or instruction time is considered a disruption of the educational environment and will result in an appropriate disciplinary action.

Section Q: Parental Involvement in Education

Parent involvement is fundamental and necessary. This involvement determines the influence towards the academic success of every student in the Academy of Excellence Charter Schools. It is also a valuable component of the new law (No Child Left Behind). In keeping with this belief, the Board recognizes the need for a constructive partnership between the school and parents that provides for two-way communication and fosters educational support for students and parents.

QA: Principals, Teachers and Support Staff will: (See Parent/School Compact)

- Consult with and encourage parents to share in school planning and in the setting of objectives through school committees and school council.
- Help parents understand the educational process and their role in supporting student achievement.
- Establish a plan for parent participation in the schools, which is designed to improve parent and teacher cooperation in such areas as homework, attendance and discipline.
- Provide an opportunity for parents to learn about the course of study for their children and review learning materials.
- Provide a means for parents who object to any learning material or activity on the basis that it is harmful may withdraw their children from the activity or from the class or program in which the material is used.
- Welcome families respectfully and will provide a sincere and welcoming environment.
- Provide communication between school and home that is regular, two-way and meaningful.
- Inform parents about grade level expectations to include grade level Standards and Performance Objectives. This information should be shared with students.
- Inform parents of policies regarding homework, discipline, attendance and other issues of importance to students, parents and the school.
- Inform parents of school choices within the district, including but not limited to, information on open enrollment and choice programs.
- Each school will respect and support all families when they might need to express themselves in their native language, carrying out the translations in English, thus giving equal participation to all the parents in the different scenarios.
- Provide opportunities for parents to be informed about their student's progress toward attaining proficiency on state and district academic standards. Information will explain how the student's progress will be measured and how parents will be informed of such progress.
- Encourage formal organizations for parents at each school.

Section R: Public's Right to Know/Freedom of Information

Individuals who wish to review or receive copies of public documents in the possession of the school district should complete a written request. The Director is designated as the Custodian Of Records for all documents which have previously been received and processed by the Office of the Governing Board, and should receive requests for those documents.

District publications are exempt from the requirements of this Administrative Regulation.

Requests for reviewing and/or receiving copies of public documents will be accepted during normal business hours.

1. Requests will be evaluated and a response will be provided in a reasonable time and will be scheduled so as not to interfere with the normal and necessary operation and functions of the District.
2. Inspection and review of Requests for Public Documents forms and the requested documents themselves may be made by the Governing Board and appropriate administrators prior to fulfilling the request.
3. The District will charge fifty cents (\$0.50) per page. Payment by the requesting party is due upon receipt of the public documents. A minimum charge for commercial requests is five dollars (\$5.00).
4. The following documents are public records which are normally available to a requesting party:
 - a. Records of actual expenditure of public monies;
 - b. Information which memorializes an official transaction or reflects the official activities of public agencies, officials or employees. This would include Board Agenda items, Governing

- Board agendas, all supporting documents available to the Governing Board in open meeting, and Governing Board minutes;
 - c. Governing Board Policies and Administrative Regulations;
 - d. Orders, pleadings and other court documents once filed in court and documents which are recorded with the County Recorder;
 - e. Compilation of statistics and other official records about the District which are received from other governmental entities.
5. The following documents are protected from disclosure by statute, Attorney General Opinions, and common law:
 - a. Individual student records, except directory information when a parent/legal guardian has not withheld consent to release information;
 - b. Communications between attorney and client;
 - c. Personnel records generally, except those documents dealing with financial information;
 - d. Documents involving civil or criminal investigations if disclosure will seriously impair or hinder the investigation;
 - e. Discussions, records and minutes of Governing Board executive sessions;
 - f. Records and information transcripts of a school doctor, nurse, certified psychologist, social worker, counselor or teacher as they relate to students;
 - g. Information which, if disclosed would defeat the competitive bidding process. Once bids are opened, information should be available for inspection or request. Such information as trade secrets and financial statement of contractors submitting bids may be withheld.
 6. Documents which are requested will be evaluated in terms of established standards of privacy, confidentiality, impact on the effectiveness of the school district in the performance of its duties, detriment to the best interest of the School, and the harmful effect on the official duties of the School.
 7. Community members may use the process described in Governing Board Policy, Public Concerns and Complaints, to appeal any decision made pursuant to this policy.
 8. Requests to review or receive copies of public documents which are requested by a Governing Board should have the request for documents memorialized as official business in the committee's minutes.

Section S: Community Use of School Facilities

The Academy of Excellence welcomes public and private organizations to use school buildings and grounds for a reasonable fee or in-kind payment to cover cost of operation and wages. The District does reserve the right to review and deny use of facilities for events that may not be in accordance with restrictions listed in Governing Board Policy, Public Conduct on School Property and, Visitors to Schools. AOE in compliance with the Civil Rights Act of 1964, does not discriminate on the basis of race, color, national origin, sex, religion, disability or age. AOE reserves the right to rent facilities that may not be in full compliance for public use or when the renter has special requirements the District cannot reasonably accommodate.

The District, with the approval of the Governing Board, shall charge a fee equivalent to fair market value for the lease of school property, if the lessee uses the school property for a commercial use. AOE may extend special rates to certain groups that directly serve AOE students and their community.

Section T: Public Conduct on School Property

No person shall engage in conduct that may cause interference with or disruption of a school or educational program. Interference with or disruption of a school or educational program includes any act that might reasonably lead to the evacuation or closure of any property of a school or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this policy, an actual evacuation,

closure, postponement, cancellation or suspension is not required for the act to be considered interference or disruption.

1. A person commits interference with or disruption of a school or educational program by doing any of the following:
 - Intentionally, knowingly or recklessly interfering with or disruption of the normal operations of an a school or educational program by either:
 - Threatening to cause physical injury to any employee or student of a school or educational program or any person on the property of a school or educational program.
 - Threatening to cause damage to the District, the property of the District, or the property of any person attending the District.
 - Intentionally or knowingly entering or remaining on the property of a school or educational program for the purpose of interfering with or denying lawful use of the property to others.
 - Intentionally or knowingly refusing to obey a lawful order given by the Director/Administrator or a person designated to maintain order.
 - The above identified acts need not be directed at a specific individual, the District, or specific property of the District to constitute a violation of this policy.
2. Restitution for any financial loss caused by a violation of the policy may be required. Furthermore, an individual who interferes with or disrupts an educational institution is subject to misdemeanor or felony charges as provided in A.R.S. 13-2911.
3. A person may also not interfere with or disrupt the District function by committing any of the following:
 - Any conduct intended to obstruct, disrupt, or interfere with teaching, research, service, administrative, or disciplinary functions or any activity sponsored or approved by this Board.
 - Physical or verbal abuse or threat of harm to any person on property owned or controlled by the District or at supervised functions sponsored by the District.
 - Forceful or unauthorized entry to or occupation of District facilities, including both buildings and grounds.
 - Illicit use, possession, distribution, or sale of tobacco, alcohol, drugs, other controlled substances, or other illegal contraband on District property or at school-sponsored functions.
 - Use of speech or language that is offensive or inappropriate to the limited forum of the public school educational environment.
 - Failure to comply with the lawful directions of District officials or other law enforcement officers acting in performance of their duties, and failure to identify oneself to such officials or officers when lawfully requested to do so.
 - Knowing violation of a District policy and regulation. Proof that an alleged violator has a reasonable opportunity to become aware of such policies and regulations shall be sufficient proof that the violation was done knowingly.
 - Any conduct constituting an infraction of any federal, state, or city law or policy or regulation of the Board.
 - Carrying or possessing a weapon on school grounds unless the individual is a peace officer or has obtained specific authorization from the appropriate school administrator.

TA. Additional Requirements of the General Public

The definition of general public is anyone who does not come under the definition of student, faculty member, staff member, or employee.

- No person shall visit or audit a classroom or other school activity, nor shall any person come upon or remain upon school premises, without approval by the principal or the principal's authorized representative. Nor shall any person conduct or attempt to conduct any activity on school premises without prior approval by the Director/Administrator authorized representative.
- Any member of the general public considered by the Director, or a person authorized by the Director, to be in violation of these rules shall be instructed to leave the property of the District. Failure to obey the instruction may subject the person to criminal proceedings pursuant to A.R.S. 13-2911 and to any other applicable civil or criminal proceedings, or to tribal ordinance.
- Persons attending special functions shall confine themselves to the specific part of the facility assigned for the function as described in the permit.
- Persons who engage in disorderly conduct of any kind may be subject to removal and exclusion from the facility.
- The use of facilities shall be granted only for legitimate purposes. Therefore, the permit holder shall assume full responsibility for any unlawful act committed during the exercise of the permit.
- No person shall sell, solicit or receive an order for, display for sale, deliver for value, peddle, or traffic in, any goods, wares or merchandise whatsoever on any public street or alley within three hundred (300) feet of a school site between the hours of 7:00 a.m. and 5:00 p.m. on Mondays, Tuesdays, Wednesdays, Thursdays or Fridays, except during legal holidays or school holidays when such holidays fall on those days.

Section U: Charitable Solicitations

The Governing Board supports both the principle of voluntary charitable giving and the principle of fair and reasonable access of charitable organizations to employees and students of the District for the purpose of soliciting voluntary charitable contributions.

Charitable organizations seeking to solicit funds from students or staff shall complete an application with all required documentation. This request is submitted to the Director for review. The Director may make a recommendation to the Governing Board for possible approval.

This policy allows:

- Employees the opportunity and convenience of contributing through payroll deduction or direct contributions.
- Employees to retain focus in the educational environment and the workplace.
- That the contributions collected are used to provide direct health and human welfare services to the greatest number of Greater Phoenix residents.

A charitable organization is approved for a maximum of five (5) years with the opportunity to renew by completing the application and providing up-to-date information. Yearly updates are required.

Section W: Visitors to School

It is the policy of the Governing Board to encourage parents and other interested citizens to visit schools and classrooms as long as such visits do not disrupt school operations or interfere with the educational process. Parents, citizens and members of the governing board shall have reasonable access to observe classes,

activities and functions at the schools upon advance notice to, and authorization by, the building principal or designee.

In order to ensure that no unauthorized persons enter buildings and that the educational process or other school operations are not disrupted, all visitors to the schools shall report to the school office when entering, and must receive authorization before visiting other parts of the building. This requirement does not apply when visitors are attending an athletic event or other school program in areas typically used for large group assembly such as gymnasiums and auditoriums, or when parents are attending activities clearly for the purpose of parent involvement such as an open house or parent-teacher conferences.

Visitors whose purpose is to influence or solicit students shall not be permitted on the school grounds unless the Director or designee has determined that the visit furthers the educational program of the District or the career or educational aspirations of the student.

To promote the general health, welfare, and well being of all who enter school property, and pursuant to state law, smoking, chewing, or any use of tobacco products by staff, students, or visitors is prohibited on all school property. No visitor shall carry or possess a weapon, explosive device, knife (with a blade of 2 ½ inches or more) or any other dangerous or illegal instrument on District-owned premises unless he/she is a peace officer or has obtained specific authorization from the Director/Administrator. Persons violating the criminal law by using, selling, or distributing any controlled substance on school grounds, on school buses transporting students, or within 1,000 feet of the perimeter of the school grounds shall be subject to enhanced criminal penalties.

The District prohibits all registered sex offenders from property owned by the School District, as well as any property that is immediately adjacent to property owned by the District, and from attending any District sponsored activity or event.

AOE employees, vendors, and contractors visiting a school site must wear their employee badge at all times and register with the office when arriving.

Unauthorized persons shall not loiter on school property at any time. All districts employees are expected to help enforce the loitering rule and state law that prohibits loitering and interfering with normal school activities by informing the administration of suspected loitering. Law enforcement shall be called if persons violating this policy refuse to comply.

Section X: Education Agency Relations

XA. Administration of Student Surveys

The purpose of this policy is to comply with the federal law for the collection and reporting of certain information by means of student surveys. This information that will be collected relates to student attitudes and behaviors on topics such as school safety, substance use and the prevalence of risky attitudes or behaviors, particularly with respect to alcohol and drug abuse. In addition, these surveys also may collect information on general health practices and human sexuality.

AOE cooperates with individuals and agencies in conducting student surveys. The student surveys may be conducted as determined necessary by the school district. Surveys, analyses and evaluations

conducted as part of any program funded through the U. S. Department of Education must comply with 20 U.S.C. § 1232h.

XB. Protection of Pupil Rights Amendment (PPRA)

PPRA governs the administration to students of a survey, analysis, or evaluation that concerns one or more of the following eight protected areas.

1. political affiliations or beliefs of the student or the student's parent;
2. mental or psychological problems of the student or the student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of other individuals with whom respondents have close family relationships;
6. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
7. religious practices, affiliations, or beliefs of the student or student's parent; or
8. income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

XC. Student Surveys in General

- Student surveys will be conducted anonymously and in an indiscernible fashion.
- No mechanism will be used for personally or individually identifying the participating student in any way. No personally or individually identifiable record will be maintained of a student returning a survey.
- All surveys must be approved by Accountability and Research.
- Accountability and Research may choose not to approve any survey that seeks probing personal and/or sensitive information that could result in identifying the survey participant, or is discriminatory in nature based on age, race, color, gender, disability, sexual orientation, religion, or national origin.
- If the survey is in conflict with Board Policy and Regulation, the Director/Administrator may also choose not to approve the survey.
- The school administrator to be involved with the study may decline to proceed with the study, if it is believed that the survey would cause an unwarranted use of staff or student time, or if it would create unfavorable parent or community reaction.
- No survey will be admitted without the prior written consent of the parent before students take the survey.
- The parents have the right to inspect, upon request within a reasonable period of time, surveys and other supplementary material such as teacher manuals, films, or tapes which may be used in connection with any survey, analysis or evaluation.

XD. Parent Notification

Parents will be notified of this policy annually at the beginning of the school year and within a reasonable period of time if any substantive change is made to this policy.

The notice will provide parents the opportunity to opt out of participation in the following activities:

- Activities involving collection, disclosure, or use of personal information collected from students for the purpose of marketing or for selling that information, or otherwise providing that information to others for that purpose.
- Any nonemergency invasive physical examination or screening that is required as a condition of attendance, administered by the school and scheduled by the school in advance, and not necessary to protect the immediate health and safety of the student or other students.
 - "Invasive physical examination" means any medical examination that involves the exposure of private body parts, or act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- The notice provisions shall not be construed to preempt applicable provisions of state law that require parental notification and do not apply to any physical examination or screening that is permitted or required by applicable state law, including physical examinations or screenings that are permitted without parental notification.