

## DISCIPLINE

Discipline should not automatically be equated with punishment. Discipline is a structure within which students know and understand the limits of their behaviors and the accountability for the choices they make. The administration and teachers make every attempt to be clear about student behavior expectations and the possible consequences for not following these expectations. When a behavior problem arises with a student, we handle it accordingly. As a rule, the teachers manage the discipline of students under their supervision and enlist the help of the principal for more serious or repeated misbehavior.

Under the laws of “FERPA” (Family Education Rights and Privacy Act of 1977) WE CANNOT DISCLOSE ANY INFORMATION REGARDING DISCIPLINE OF A STUDENT TO ANYONE EXCEPT THE PARENTS/GUARDIANS OF THAT STUDENT. In accordance with in loco parentis and district policy (J-3400-JIH), principals have the right and responsibility to address student behavior and conference with the student without parents being present.

Breaking classroom, school, or district rules as well as any behavior which is inappropriate CAN result in any of the following disciplinary actions. (The age and past record of the student is always taken into account.)

- Warnings
- Losing privileges/exclusion from special events, parties, field trips, etc.
- “Time Out” or “detention” which can be held during snack recess and/or lunch/lunch recess
- Before or After school detention
- Parent contact
- Conference with teacher
- Conference with teacher and principal
- Conference with principal
- Conference with parent/teacher/principal
- Behavior contracts
- In school suspension
- Out of school at home suspension
- Long term suspension (Governing Board action)
- Expulsion (Governing Board action)
- Restitution (money, time, or work to make up for offense)
- Criminal actions will involve the LHC Police Department

## GLOSSARY OF PROHIBITED ACTIONS IN LHUSD#1

### Aggression

**Verbal Provocation:** Use of language or gestures that may incite another person or other people to fight.

**Minor Aggressive Act** Student engages in non-serious but inappropriate physical contact, i.e., hitting, poking [*pulling*] or pushing (SWIS™). Other behaviors that may be considered under this violation are running in the building, hallways, or corridors, pulling a chair out from underneath another person, or other behaviors that demonstrate low level hostile behaviors.

### Disorderly Conduct

[A.R.S. §13-2904. Disorderly conduct; classification:](#) A. A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:

1. Engages in fighting, violent or seriously disruptive behavior; or
2. Makes unreasonable noise; or
3. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person; or
4. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession; or
5. Refuses to obey a lawful order to disperse issued to maintain public safety in dangerous proximity to a fire, a hazard or any other emergency; or
6. Recklessly handles displays or discharges a deadly weapon or dangerous instrument. (Possession of a deadly weapon or dangerous instrument must also be reported as a weapon violation to ADE and to local law enforcement.

## Aggravated assault

[A.R.S. §13-1204. Aggravated assault](#); A person commits aggravated assault if the person commits assault as defined in section 13-1203 under any of the following circumstances:

1. If the person causes serious physical injury to another,
2. If the person uses a deadly weapon or dangerous instrument,
3. If the person commits the assault after entering the private home of another with the intent to commit the assault,
4. If the person is eighteen years of age or older and commits the assault upon a child the age of fifteen years or under,
5. If the person commits the assault knowing or having reason to know that the victim is a peace officer, or a person summoned and directed by the officer while engaged in the execution of any official duties,
6. If the person commits the assault knowing or having reason to know the victim is a teacher or other person employed by any school and the teacher or other employee is upon the grounds of a school or grounds adjacent to the school or is in any part of a building or vehicle used for school purposes, or any teacher or school nurse visiting a private home in the course of the teacher's or nurse's professional duties, or any teacher engaged in any authorized and organized classroom activity held on other than school grounds.

Other Aggression                      Defined by school district policy.

Recklessness                        Unintentional, careless behavior that may pose a safety or health risk for others.

## Endangerment

[A.R.S. §13-1201. Endangerment; classification](#):

- A. A person commits endangerment by recklessly endangering another person with a substantial risk of imminent death or physical injury.
- B. Endangerment involving a substantial risk of imminent death is a class 6 felony. In all other cases, it is a class 1 misdemeanor.

## Fighting

Mutual participation in an incident involving physical violence, where there is no major injury. (US Department of Education, Office of Safe and Drug-Free Schools Uniform Management Information and Reporting System guidelines, 10/06) Verbal confrontation alone does not constitute fighting.

## Assault

[A.R.S. §13-1203. Assault](#); A person commits assault by:

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

## Alcohol, Tobacco, and Other Drugs

### Alcohol Violation

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of intoxicating alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, school - sponsored events, and on school-sponsored transportation.

### Drug Violation

The unlawful use, cultivation, manufacture, distribution, sale, purchase, possession, transportation or importation of any controlled drug or narcotic substance or equipment and devices used for preparing or taking drugs or narcotics. Includes being under the influence of drugs at school, school-sponsored events and on school-sponsored transportation. Category includes over-the-counter medications if abused by the student. This category does not include tobacco or alcohol. "Drug" means any narcotic drug, dangerous drug, marijuana or peyote ([A.R.S. §13-3415](#)).

“Drug paraphernalia” means all equipment, products and materials of any kind which are used, intended for use or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body a drug in violation of this chapter ([A.R.S. §13-3415 F. 1.](#)).

### Tobacco Violation

The possession, use, distribution or sale of tobacco products on school grounds, at school-sponsored events and on school - sponsored transportation. ([Paraphrased from: A.R.S. §36-798.03](#))

A person who knowingly sells, gives or furnishes cigars, cigarettes or cigarette papers, smoking or chewing tobacco, to a minor, and a minor who buys, or has in his possession or knowingly accepts or receives from any person, cigars, cigarettes or cigarette papers, smoking or chewing tobacco of any kind, is guilty of a petty offense ([A.R.S. §13-3622](#)).

### Arson

#### Arson of a structure or property

[A.R.S. §13-1703. Arson of a structure or property:](#) A person commits arson of a structure or property by knowingly and unlawfully damaging a structure or property by knowingly causing a fire or explosion.

#### Arson of an occupied structure

[A.R.S. §13-1704 Arson of an occupied structure:](#) A person commits arson of an occupied structure by knowingly and unlawfully damaging an occupied structure by knowingly causing a fire or explosion.

[A.R.S. §13-1701, 2. Occupied structure](#) means any structure as defined in paragraph 4 in which one or more human beings either is or is likely to be present or so near as to be in equivalent danger at the time the fire or explosion occurs. The term includes any dwelling house, whether occupied, unoccupied or vacant.

### Attendance Policy Violation:

Violation of state, school district, or school policy relating to attendance.

### Tardy

Arriving at school or class after the scheduled start time.

### Leaving School Grounds without permission

Leaving school grounds or being in an “out-of-bounds” area during regular school hours without permission of the principal or principal designee. Students who leave without permission create a serious legal liability problem for the district.

### \*Unexcused Absence

When a student is not in attendance for an entire day and does not have an acceptable excuse.

### Truancy

The state of Arizona requirement for school attendance and definitions for truancy are as follows:

[A.R.S. §15-803. School attendance; exemptions; definitions:](#) A. It is unlawful for any child between six and sixteen years of age to fail to attend school during the hours school is in session, unless either: 1. The child is excused pursuant to A.R.S. §15-802, subsection D or A.R.S. §15-901, subsection A, paragraph 6, subdivision (c). 2. The child is accompanied by a parent or a person authorized by a parent. 3. The child is provided with instruction in a home school. B. A child who is habitually truant or who has excessive absences may be adjudicated an incorrigible child as defined in A.R.S. § 8-201. Absences may be considered excessive when the number of absent days exceeds ten per cent

of the number of required attendance days prescribed in A.R.S. §15-802, subsection B, paragraph 1. C. As used in this section: 1. "Habitually truant" means a truant child who is truant for at least five school days within a school year. 2. "Truant" means an unexcused absence for at least one class period during the day. 3. "Truant child" means a child who is between six and sixteen years of age and who is not in attendance at a public or private school during the hours that school is in session, unless excused as provided by this section

#### Other Attendance Violation

Defined by school district policy. Users can add other violations specific to their policies. For example, this line might be used to record truancy at the level that is required for county court referral.

#### Harassment, Threat, and Intimidation

##### \*Harassment, Nonsexual

[A.R.S. §13-2921. Harassment](#); classification; definition: A. A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person: 1. Anonymously or otherwise communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses. 2. Continues to follow another person in or about a public place for no legitimate purpose after being asked to desist. 3. Repeatedly commits an act or acts that harass another person. 4. Surveils or causes another person to surveil a person for no legitimate purpose. 5. On more than one occasion makes a false report to a law enforcement, credit or social service agency. 6. Interferes with the delivery of any public or regulated utility to a person.

Note: Bullying and Sexual Harassment are types of Harassment. Indicate harassment if the violation is not specifically Bullying or Sexual Harassment, or if the specific type of Harassment is not known.

##### \*Bullying

Bullying is repeated acts over time that involves a real or perceived imbalance of power with the more powerful child or group attacking those who are less powerful. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).

##### \*Threat or Intimidation

When a person indicates by word or conduct the intent to cause physical injury or serious damage to a person or their property. (Paraphrased from A.R.S. §13-1202)

[A.R.S. §13-1202. Threatening or intimidating](#): A. A person commits threatening or intimidating if the person threatens or intimidates by word or conduct: 1. To cause physical injury to another person or serious damage to the property of another; or 2. To cause, or in reckless disregard to causing, serious public inconvenience including, but not limited to, evacuation of a building, place of assembly or transportation facility; or 3. To cause physical injury to another person or damage to the property of another in order to promote, further or assist in the interests of or to cause, induce or solicit another person to participate in a criminal street gang, a criminal syndicate or a racketeering enterprise. B. Threatening or intimidating pursuant to subsection A, paragraph 1 or 2 is a class 1 misdemeanor, except that it is a class 6 felony if the offense is committed in retaliation for a victim's either reporting criminal activity or being involved in an organization, other than a law enforcement agency, that is established for the purpose of reporting or preventing criminal activity. Threatening or intimidating pursuant to subsection A, paragraph 3 is a class 4 felony.

#### Hazing

[A.R.S. §15-2301. Hazing prevention policies; definitions](#): B. Violations of hazing prevention policies adopted pursuant to this section do not include either of the following: 1. Customary athletic events, contests or competitions that are sponsored by an educational institution. 2. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program. C. For purposes of this section: 2. "Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply: (a) The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution. (b) The act contributes to a substantial risk of potential

physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation. 3. "Organization" means an athletic team, association, order, society, corps, cooperative, club or other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution

### **Lying, Cheating, Forgery or Plagiarism**

#### **Cheating**

Merriam Webster Dictionary Online:

1 : to deprive of something valuable by the use of deceit or fraud 2 : to influence or lead by deceit, trick, or artifice

#### **Forgery**

Merriam Webster Dictionary Online:

falsely and fraudulently making or altering a document

#### **Lying**

Merriam Webster Dictionary Online:

1 : to make an untrue statement with intent to deceive 2 : to create a false or misleading impression

#### **Plagiarism**

Merriam Webster Dictionary Online:

to steal and pass off the ideas or words of another as one's own

### **School Policies, Other Violations of:**

This category comprises misbehavior defined in district policy but not captured elsewhere.

### **Defiance, Disrespect Towards Authority, and Non-Compliance**

Student engages in refusal to follow directions, talks back, or delivers socially rude interactions (SWIS™)

### **Combustible**

Student is in possession of substance or object that is readily capable of causing bodily harm or property damage, i.e., matches, lighters, firecrackers, gasoline, and lighter fluid (SWIS™).

### **Contraband**

Items stated in school policy as prohibited because they may disrupt the learning environment.

### **Disruption**

Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior

### **Dress Code Violation**

Student wears clothing that does not fit within the dress code guidelines stated by school or district policy

### **Gambling**

To play games of chance for money or to bet a sum of money.

### Language, Inappropriate

Student delivers verbal messages that include swearing, name calling, or use of words in an inappropriate way

### Negative Group Affiliation

Specific attitudes and actions of a student affiliated with a negative group typically include most of the following:

- May or may not have a recognized leader.
- Do most things together, especially socially.
- Stick together on issues.
- Act bored, disinterested, or imposed upon by teacher ideas, suggestions, or requirements.
- Involve themselves in each other's problems; therefore, perpetuate each other's problems.
- Claim loyalty and righteousness if reprimanded. All the interference they cause is in the name of friendship.
- Likely to confront authority as a group when one member has been disciplined.
- Usually uncooperative, and possibly hostile.
- As a group, likely to be either very good or very poor students.
- Conduct themselves as though no other individuals exist in the school, including other students.
- Not objective. They turn-off to everything, sometimes without even knowing what they are doing.

### Parking Lot Violation

As defined by school policy.

### Public Display of Affection

Holding hands, kissing, sexual touching, or other displays of affection in violation of school policy

### Other Violation of School Policy

Defined by school district policy.

### School Threat

(Threat of destruction or harm) or Interference with or Disruption of an Educational Institution: Any threat (verbal, written, or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, causing damage to a school building or school property, or to harm students or staff (National Forum on Educational Statistics, Safety in Numbers).

### School Disruption

#### [A.R.S. §13-2911. Interference with or disruption of an educational institution:](#)

A. A person commits interference with or disruption of an educational institution by doing any of the following:

1. Intentionally, knowingly or recklessly interfering with or disrupting the normal operations of an educational institution by either: (a) Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution. (b) Threatening to cause damage to any educational institution, the property of any educational institution or the property of any employee or student of an educational institution.
2. Intentionally or knowingly entering or remaining on the property of any educational institution for the purpose of interfering with the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.
3. Intentionally or knowingly refusing to obey a lawful order given pursuant to subsection C of this section.

B. To constitute a violation of this section, the acts that are prohibited by subsection A, paragraph 1 of this section are not required to be directed at a specific individual, a specific educational institution or any specific property of an educational institution. J. For the purposes of this section:

3. "Interference with or disruption of" includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this paragraph, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered an interference or disruption.

### Bomb Threat

Threatening to cause harm using a bomb, dynamite, explosive, or arson-causing device.

### Chemical or Biological Threat

Threatening to cause harm using dangerous chemicals or biological agents.

### Fire Alarm Misuse

Intentionally ringing fire alarm when there is no fire.

### Other School Threat

The incident cannot be coded in one of the above categories but did involve a school threat.

### Sexual Offenses

Note: Consider age and developmentally appropriate behavior before using this category.

### Pornography

Pornography is the sexually explicit depiction of persons, in words or images, created with the primary, proximate aim, and reasonable hope, of eliciting significant sexual arousal on the part of the consumer of such materials.

### Indecent Exposure or Public Sexual Indecency

**13-1402. Indecent exposure; exception; classification:** A. A person commits indecent exposure if he or she exposes his or her genitals or anus or she exposes the areola or nipple of her breast or breasts and another person is present, and the defendant is reckless about whether the other person, as a reasonable person, would be offended or alarmed by the act. B. Indecent exposure does not include an act of breast-feeding by a mother.

**13-1403. Public sexual indecency; public sexual indecency to a minor; classifications:** A. A person commits public sexual indecency by intentionally or knowingly engaging in any of the following acts, if another person is present, and the defendant is reckless about whether such other person, as a reasonable person, would be offended or alarmed by the act: 1. An act of sexual contact. 2. An act of oral sexual contact. 3. An act of sexual intercourse. 4. An act of bestiality. B. A person commits public sexual indecency to a minor if the person intentionally or knowingly engages in any of the acts listed in subsection A and such person is reckless about whether a minor under the age of fifteen years is present.

### Harassment, Sexual

**U.S. Department of Education, Office of Civil Rights, Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, Title IX, January 2001:**

Sexual harassment is unwelcome conduct of a sexual nature that denies or limits a student's ability to participate in or to receive benefits, services, or opportunities in the school's program. It can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Because sexual harassment of students is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972, it is governed by this statute and corresponding guidance. Title IX applies to any public or private school receiving federal funding.

Does not include legitimate nonsexual touching or other nonsexual conduct, for example, a high school athletic coach hugging a student who made a goal or a kindergarten teacher's consoling hug for a child with a skinned knee.

Relevant factors in determining whether behavior rises to the level of sexual harassment include:

- The degree to which the conduct affected one or more students' education
- The type, frequency and duration of the conduct
- The identity of and relationship between the alleged harasser and the subject or subjects of the harassment
- The number of individuals involved

- The age and sex of the alleged harasser and the subject or subjects of the harassment
- The size of the school, location of the incidents, and the context in which they occurred

**Technology, Improper use of**

Computer Defined by school district policy.  
 Network Infraction Defined by school district policy.  
 Telecommunication Defined by school district policy.  
 Device  
 Other Technology Defined by school district policy.

**Theft/ Extortion**

**A.R.S. §13-105.11** (See definition of Extortion, Burglary-First Degree and Armed Robbery below)

**Dangerous instrument:** Anything that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury.

Petty Theft	Arizona law does not differentiate between petty and grand theft but school administrators may want to consider thefts under \$100 as petty.
Theft	<p>Taking or attempting to take money or property belonging to another person or the school with the intent to permanently deprive the victim of his or her possessions.</p> <p><b><u>ARS §13-1802. Theft:</u></b> classification</p> <p>A. A person commits theft if, without lawful authority, the person knowingly:</p> <ol style="list-style-type: none"> <li>1. Controls property of another with the intent to deprive the other person of such property; or</li> <li>2. Converts for an unauthorized term or use services or property of another entrusted to the defendant or placed in the defendant's possession for a limited, authorized term or use; or</li> <li>3. Obtains services or property of another by means of any material misrepresentation with intent to deprive the other person of such property or services; or</li> <li>4. Comes into control of lost, mislaid or mis-delivered property of another under circumstances providing means of inquiry as to the true owner and appropriates such property to the person's own or another's use without reasonable efforts to notify the true owner; or</li> <li>5. Controls property of another knowing or having reason to know that the property was stolen; or</li> <li>6. Obtains services known to the defendant to be available only for compensation without paying or an agreement to pay the compensation or diverts another's services to the person's own or another's benefit without authority to do so.</li> </ol>
*Extortion	<p><b><u>ARS §13-1804. Theft by extortion; classification</u></b></p> <p>A. A person commits theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to do in the future any of the following:</p> <ol style="list-style-type: none"> <li>1. Cause physical injury to anyone by means of a deadly weapon or dangerous instrument.</li> <li>2. Cause physical injury to anyone except as provided in paragraph 1 of this subsection.</li> <li>3. Cause damage to property.</li> <li>4. Engage in other conduct constituting an offense.</li> <li>5. Accuse anyone of a crime or bring criminal charges against anyone.</li> <li>6. Expose a secret or an asserted fact, whether true or false, tending to subject anyone to hatred, contempt or ridicule or to impair the person's credit or business.</li> <li>7. Take or withhold action as a public servant or cause a public servant to take or withhold action.</li> <li>8. Cause anyone to part with any property.</li> </ol>

**Trespassing/ Vandalism**

**Trespassing:** To enter or remain on a public school campus or school board facility without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or **expulsion** and unauthorized persons who enter or remain on a campus or school board facility after being directed to leave by the chief administrator or designee of the facility, campus or function (SDFS Terms and Definitions).

**A.R.S. §13-1503. Criminal trespass in the second degree;** A person commits criminal trespass in the second degree by knowingly entering or remaining unlawfully in or on any nonresidential structure or in any fenced commercial yard.

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**Vandalism or Criminal Damage:** Willful destruction or defacement of school or personal property (National Forum



on Educational Statistics, Safety in Numbers).

**A.R.S. §13-1602. Criminal damage:** A person commits criminal damage by recklessly:  
 Defacing or damaging property of another person; or 2. Tampering with property of another person so as substantially to impair its function or value; or 3. Parking any vehicle in such a manner as to deprive livestock of access to the only reasonably available water. 4. Drawing or inscribing a message, slogan, sign or symbol that is made on any public or private building, structure or surface, except the ground, and that is made without permission of the owner.

Examples: Destroying school computer records, carving initials or words in desk top, spray painting on walls, or damaging vehicles.

Graffiti or Tagging	Writing on walls, drawings or words that are scratched, painted, or sprayed on walls or other surfaces in public places (MSN Encarta Online Dictionary).
*Vandalism of personal property	Willful destruction or defacement of personal property.
*Vandalism of school property	Willful destruction or defacement of school property.

**Weapons and Dangerous Items**

**A.R.S §13-3101. Definitions**

A. In this chapter, unless the context otherwise requires:

1. "Deadly weapon" means anything that is designed for lethal use. The term includes a firearm.
3. "Explosive" means any dynamite, nitroglycerine, black powder or other similar explosive material, including plastic explosives. Explosive does not include ammunition or ammunition components such as primers, percussion caps, smokeless powder, black powder and black powder substitutes used for hand loading purposes.
7. "Prohibited weapon" means, but does not include fireworks imported, distributed or used in compliance with state laws or local ordinances, any propellant, propellant actuated devices or propellant actuated industrial tools that are manufactured, imported or distributed for their intended purposes or a device that is commercially manufactured primarily for the purpose of illumination, including any of the following:
  - (a) Explosive, incendiary or poison gas:
    - (i) Bomb.
    - (ii) Grenade.
    - (iii) Rocket having a propellant charge of more than four ounces.
    - (iv) Mine.
  - (b) Device that is designed, made or adapted to muffle the report of a firearm.
  - (c) Firearm that is capable of shooting more than one shot automatically, without manual reloading, by a single function of the trigger.
  - (d) Rifle with a barrel length of less than sixteen inches, or shotgun with a barrel length of less than eighteen inches, or any firearm that is made from a rifle or shotgun and that, as modified, has an overall length of less than twenty-six inches.
  - (e) Instrument, including a nunchaku, that consists of two or more sticks, clubs, bars or rods to be used as handles, connected by a rope, cord, wire or chain, in the design of a weapon used in connection with the practice of a system of self-defense.
  - (f) Breakable container that contains a flammable liquid with a flash point of one hundred fifty degrees Fahrenheit or less and that has a wick or similar device capable of being ignited.
  - (g) Chemical or combination of chemicals, compounds or materials, including dry ice, that is placed in a sealed or unsealed container for the purpose of generating a gas to cause a mechanical failure, rupture or bursting of the container.
  - (h) Combination of parts or materials that is designed and intended for use in making or converting a device into an item set forth in subdivision (a) or (f) of this paragraph.

**Table 5-Report of Children with Disabilities Subject to Disciplinary Removal 2005-2006 School Year - Dangerous Weapon – A weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of causing death or serious bodily injury, except that such a term does NOT include a pocket knife with a blade of less than 2½ inches in length (18 U.S.C. Section 930(g) (2)).**

<p><b>**Firearm (Including Destructive Devices)</b></p>	<p><a href="#"><u>A.R.S §13-3111. Minors prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties; classification</u></a></p> <p>A. Except as provided in subsection B, an un-emancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the un-emancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.</p> <p><a href="#"><u>A.R.S. §13-3101. Definitions</u></a></p> <p>4. "Firearm" means any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. Firearm does not include a firearm in permanently inoperable condition.</p> <p>The following is paraphrased from: 18 USC 921  <b>Firearm:</b> Any weapon, including a starter gun, which will be or is designed to or may be readily converted to expel a projectile by the action of an explosive. This includes the frame or receiver of any such weapon, any firearm muffler or silencer or any destructive device. This definition does not include antique firearms.</p> <p><b>Other Firearms –Firearms other than handguns, rifles or shotguns including:</b>  Any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of any explosive;  The frame or receiver of any weapon described above;  Any firearm muffler or firearm silencer;  Any destructive device, which includes: Any explosive, incendiary, or poison gas  Bomb;  Grenade,  Rocket having a propellant charge of more than four ounces,  Missile having an explosive or incendiary charge of more than one-quarter ounce,  Mine or Similar device  Any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter (Continued on next page)  Any combination or parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled.  (This definition does not apply to items such as toy guns, cap guns, bb guns, and pellet guns.)  <b>Destructive Device:</b> A category of firearm that includes an explosive, combustible or poisonous gas. This includes bombs, grenades, mines and rockets. Any type of weapon (other than a shotgun or a shotgun shell which is generally recognized as particularly suitable for sporting purposes) which will, or which may be readily converted to expel a projectile by the action of an explosive or other propellant; and which has any barrel with a bore of more than one-half inch in diameter, and any combination of parts either designed or intended for use in converting any device into a destructive device or from which a destructive device may be readily assembled. The term “destructive device” shall not include any device which is designed or redesigned for use as a weapon.</p> <p><a href="#"><u>A.R.S. §13-105.11</u></a>  <b>Dangerous instrument:</b> Anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.</p>
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<b>**Firearms</b>	<b>Handgun or Pistol</b>	
	<b>Shotgun or Rifle</b>	
	<b>Starter Gun or Pistol</b>	
	<b>Destructive Device (Including Bombs and Grenade)</b>	
	<b>Other Firearm or Destructive Device</b>	
<b>**Other Weapons</b>	<b>Billy Club</b>	
	<b>Brass Knuckles</b>	
	<b>Knife with blade length at least 2.5 inches</b>	
	<b>Nunchakus</b>	
<b>*Dangerous Items<sup>1</sup></b>	<b>Air Soft Gun</b>	
	<b>B.B. Gun</b>	
	<b>Knife with blade length less than 2.5 inches</b>	
	<b>Laser Pointer</b>	
	<b>Letter Opener</b>	
	<b>Mace</b>	
	<b>Paintball Gun</b>	
	<b>Pellet Gun</b>	
	<b>Razor Blade or Box Cutter</b>	
	<b>Simulated Knife</b>	
	<b>Taser or Stun Gun</b>	
	<b>Tear Gas</b>	
	<b>Other Dangerous item</b>	
<b>Simulated Firearm</b>	<b>Any simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm or any object such as a stick or finger concealed under clothing and is being portrayed as a firearm.</b>	
<b>A dangerous item used to cause bodily injury to, threaten, or intimidate another person may be classified as a dangerous instrument. (See A.R.S. definition for dangerous instruments listed above) and must be reported to law enforcement.</b>		

## DISCIPLINARY ACTIONS

<b>No Action</b>	
<b>No Action Taken</b>	<b>No action was taken by the LEA in response to the incident.</b>
<b>Actions Within Due Process</b>	
<b>The right to <u>due process</u> in disciplinary proceedings is applicable in all instances where the behavior of the student is being evaluated for possible suspension or expulsion. The student must always be treated with fundamental fairness, has a right to be fully informed about his/her alleged breach of behavior and must be provided with an opportunity to respond to such charges.</b>	
<b>Appeal Review</b>	<b>When an appeal under Sec 615(k)(3) has been requested by either the parent or the LEA , the state or LEA shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing. IDEA 2004 [615(k)(4)(B)]</b>
<b>Disciplinary Hearing</b>	<b>An official meeting that is held to gather facts about a disciplinary action imposed on a student. This hearing is often done with a designated disciplinary hearing committee, one or more hearing officers, or school board</b>
<b>Individualized</b>	<b>The <a href="#">IDEA federal regulations</a> mandate that certain disciplinary actions by schools trigger the</b>

<p>Education Program (IEP) Team Meeting</p>	<p>need for an <a href="#">IEP team meeting</a> when:</p> <ul style="list-style-type: none"> <li>• A student is suspended for ten consecutive days in a school year;</li> <li>• A student is considered for expulsion.</li> </ul> <p>The IDEA regulations are not fully included here, but in brief, they require that, IEP team meetings held to address disciplinary issues must perform these tasks:</p> <ul style="list-style-type: none"> <li>• Review the child's IEP to determine if it contains all of the <a href="#">required parts</a>.</li> <li>• Determine if the IEP is appropriate, given the child's behavioral needs.</li> <li>• If the IEP is not appropriate, the team must develop appropriate <a href="#">goals</a>, objectives, a <a href="#">behavior intervention plan</a>, and support services such as counseling, referral to area mental health services, or other appropriate service to address any deficient areas on the plan.</li> <li>• Determine if the educational setting is appropriate for the child. Does he need a more structured environment, an alternative program, day treatment, or other program? If the setting is not appropriate, the team must provide an appropriate placement.</li> <li>• Determine if the child's behavior is related to his disability. If the child's behavior is related to his disability, schools are not to continue suspending or expelling the student without providing special education services that are required by the IEP. Instead, they must focus on providing an appropriate program to accommodate the disability. Schools are required to provide a full continuum of educational placements to meet a broad range of needs. (About.com: Learning Disabilities)</li> </ul> <p>Schools must ensure that regardless of suspensions or expulsions:</p> <ul style="list-style-type: none"> <li>• Special education students receive the same services that regular education students receive during suspension or expulsion;</li> <li>• Special education services receive services required by the IEP; and</li> <li>• Services are provided in appropriate settings.</li> </ul> <p>Special circumstances exist when students are disciplined for weapons, assault with serious bodily injury, or drugs and different rules will apply.</p>
<p>Manifestation Determination</p>	<p>Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child's IEP team (as determined by the parent and the LEA) must review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine:</p> <p>If the conduct in question was caused by, or had a direct and substantial relationship to the child's disability; or</p> <p>If the conduct in question was the direct result of the LEA's failure to implement the IEP. (OSEP)</p>
<p>Placement Review Committee</p>	<p><a href="#">ARS 15-841. Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee</a></p> <p>J. Each school shall establish a placement review committee to determine the placement of a pupil if a teacher refuses to readmit the pupil to the teacher's class and to make recommendations to the governing board regarding the readmission of expelled pupils. The process for determining the placement of a pupil in a new class or replacement in the existing class shall not exceed three business days from the date the pupil was first removed from the existing class. The principal shall not return a pupil to the classroom from which the pupil was removed without the teacher's consent unless the committee determines that the return of the pupil to that classroom is the best or only practicable alternative. The committee shall be composed of two teachers who are employed at the school and who are selected by the faculty members of the school and one administrator who is employed by the school and who is selected by the principal. The faculty members of the school shall select a third teacher to serve as an alternate member of the committee. If the teacher who refuses to readmit the pupil is a member of the committee, that teacher shall be excused from participating in the determination of the pupil's readmission and the alternate teacher member shall replace that teacher on the committee until the conclusion of all matters relating to that pupil's readmission.</p>
<p>Board Review</p>	<p>School boards have the right to review student disciplinary actions imposed by a disciplinary hearing committee.</p>

**Removals**

Any instance in which a child is removed from his/her educational placement for disciplinary purposes, including in-school suspension, out-of-school suspension, expulsion, removal by school personnel to an interim alternative educational setting for drug or weapon offenses or serious bodily injury, and removal by hearing officer for likely injury to self or others. USED Office of Special Education Programs (OSEP)

**Expulsion****ARS 15-840. Definitions**

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

**ARS 15-841. Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee**

B. A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in section 13-105, use or possession of a gun, or excessive absenteeism. A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in section 15-802. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.

G. A school district or charter school shall expel from school for a period of not less than one year a pupil who is determined to have brought a firearm to a school within the jurisdiction of the school district or the charter school, except that the school district or charter school may modify this expulsion requirement for a pupil on a case by case basis. This subsection shall be construed consistently with the requirements of the individuals with disabilities education act (20 United States Code sections 1400 through 1420).

*Expulsion with Services	The student was expelled from and is no longer enrolled in his or her regular school setting. Arrangements made for the provision of educational services.
*Expulsion without Services	The student was expelled from and is no longer enrolled in his or her regular school setting. Total cessation of educational services.

**Suspension**

**ARS 15-840. Definitions 2.** "Suspension" means the temporary withdrawal of the privilege of attending a school for a specified period of time.

*In School Suspension	Instances in which a child is temporarily removed from his/her regular classroom(s) for disciplinary purposes but remains under the direct supervision of school personnel. Direct supervision means school personnel are physically in the same location as students under their supervision.(OSEP)
*Out of School Suspension	Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes to another setting (e.g., home, behavior center). (OSEP)
*Long Term Suspension	Instances in which a child is temporarily removed from his/her regular school for disciplinary purposes for a period of eleven days or more. (OSEP)
*Short Term Suspension	Instances in which a child is temporarily removed from his/her regular class. This includes both removals in which no IEP services are provided because the removal is 10 days or less as well as removals in which the child continue to receive services according his or her IEP. (OSEP)
*Suspension With Services	Instances in which a child is suspended and receives educational services.
*Suspension Without Services	Instances in which a child is suspended and does not receive educational services.

**Other Removals or Reassignments**

*Removal by students IEP team to an Interim Alternative Educational Setting	<p>Interim Alternative Educational Setting – An appropriate setting determined by the child’s IEP team in which the child is placed for no more than 45 school days. This setting enables the child to continue to receive educational services and participate in the general education curriculum (although in another setting) and to progress toward meeting the goals set out in the IEP. As appropriate, the setting includes a functional behavioral assessment and behavioral intervention services and modifications to address the behavior violation so that it does not recur.</p> <p>A unilateral removal is an instance in which school personnel (not the IEP team) order the removal of children with disabilities from their current educational placement to an appropriate interim alternative educational setting for not more than 45 school days. The IEP team is responsible for determining the interim alternative educational setting. Unilateral removals do NOT include</p>
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	<b>decisions by the IEP team to change a student's placement. (OSEP)</b>
<b>*Removal by hearing officer for likely injury to self or others</b>	<b>Those instances in which an impartial hearing officer orders the removal of children with disabilities from their current educational placement to an appropriate alternative educational setting for not more than 45 school days based on the hearing officer's determination that maintaining the child's current placement is substantially likely to result in injury to the child or others. The IEP team is responsible for determining the interim alternative educational setting. (OSEP)</b>
<b>*Reassignment to a Different Class</b>	<b>Student removed by school administration from one class and placed in another class with a different instructor</b>
<b>*Reassignment to Another School within District</b>	<b>The student was reassigned to another school facility or program within the district that allowed him/her to continue to participate in the general curriculum at a school setting, including students receiving prescribed special education services who continued to receive these services.</b>
<b>Action Completed in One Day</b>	
<b>Confiscation of Contraband</b>	<b>Taking away an item(s) defined as prohibited by school or district policy.</b>
<b>Demerit</b>	<b>A mark against a student for misconduct, as defined by district policy</b>
<b>Drug Test</b>	<b>A drug test is commonly a technical examination of urine, semen, blood, sweat, or oral fluid samples to determine the presence or absence of specified drugs or their metabolized traces (Wikipedia).</b>
<b>*Law Enforcement Contacted</b>	<b>Local law enforcement agency contacted by school or district officials. This includes contacting of school resource officer (SRO).</b>
<b>Parent Conference</b>	<b>School administrator formally meets with the parent or guardian of the student.</b>
<b>Parent Notification</b>	<b>Parent or guardian is contacted by phone, personal contact, letter or certified letter.</b>
<b>Referred to Outside Agency</b>	<b>Student is provided information for additional services within the community and it is suggested that the student seek the identified services.</b>
<b>Student Conference</b>	<b>School administrator formally meets with the student.</b>
<b>Student Verbal Apology</b>	<b>An oral expression of contrition and remorse for something done wrong.</b>
<b>Student Written Apology</b>	<b>A written expression of contrition and remorse for something done wrong.</b>
<b>Warning</b>	<b>A verbal or written notification to the student of inappropriate behavior or actions on the part of the student and the potential consequences if it is repeated.</b>
<b>Withdrawal from School</b>	<b>Student withdraws from school prior to action being imposed or completed.</b>
<b>Other Action Completed in One Day</b>	
<b>Action Completed in One or More Days</b>	
<b>Behavior Contract</b>	<b>A written agreement between a school official, student and often a parent, that includes how the student will behave and what the appropriate consequence or reinforce will be for compliance or non-compliance.</b>
<b>Behavior Intervention Group: Anger Management Group</b>	<b>Individualized or group counseling that provides the participant with a safe, supportive environment that enables them to learn: when their anger is harmful versus when it is beneficial what triggers their anger how they typically respond when angry and the resulting consequences alternate ways for expressing their anger more appropriately</b>

	strategies for managing their anger including self-talk, personal time-outs, problem solving, and relaxation techniques (Paraphrased from Wiktionary)
<b>Behavior Intervention Group: Drug Prevention Group</b>	A facilitated discussion among a group of people where the primary focus of the facilitator is to reduce the likelihood that group participants will be involved with illicit or illegal drugs.
<b>Behavior Intervention Group: Other Group</b>	Defined by the Local Education Agency (LEA).
<b>Behavior Intervention Plan</b>	A written, specific, purposeful and organized plan which describes positive behavioral interventions and other strategies that will be implemented to address goals for a student's social, emotional and behavioral development. (National Association of Social Workers)
<b>Community Service</b>	Unpaid work that benefits the school, neighborhood, or community in meaningful ways by providing necessary and productive labor, ideally providing students with an opportunity to learn a variety of skills and give back to the community in a meaningful way. (Community Service as an Alternative to Suspension toolkit – University of Arizona)
<b>Detention</b>	A form of punishment in which students are made to stay in class at a break or at school outside of normal school hours
<b>Functional Behavioral Assessment</b>	A comprehensive and individualized strategy to identify the purpose or function of a student's problem behavior(s); develop and implement a plan to modify variables that maintain the problem behavior; and teach appropriate replacement behaviors using positive interventions. (OSEP)
<b>Meeting with School Counselor</b>	School counselor formally meets with the student.
<b>Peer Mediation</b>	<p>The goal of peer mediation is to reduce conflict and provide children with problem-solving skills. Trained peer mediators create a safe atmosphere, allowing disputing students to tell their stories and assisting them in working out a mutually acceptable agreement. Since a solution is not forced on the students, the disputants feel empowered to take responsibility for their actions and to deal constructively with their immediate and future disagreements.</p> <p>The conflicts that lend themselves to peer mediation include interpersonal disputes like friendship issues, verbal harassment, spreading rumors, physical aggression, or other bullying behaviors. Assault or other criminal activities are not referred for peer mediation.</p> <p>Peer mediators are trained students who are taught communication and mediation skills. The youngest peer mediators in most programs are fourth graders, although younger students have been trained in some schools. Trained mediators reportedly exhibit increased self-control, self-confidence, and problem-solving skills which they use not only at school, but at home and with friends outside of school. Both mediators and disputants learn to communicate more effectively and solve problems without violence (Leah Davies, M.Ed., Solutions Through Peer Mediation)</p>
<b>Privileges Suspended</b>	For a specified period of time, the student is not a recipient of privileges (such as using the parking lot, attending school sponsored events, participating in extracurricular activities etc).
<b>Restitution</b>	Repaying or compensating for loss or damage. (Webster's II New College Dictionary)
<b>Saturday School</b>	A student is required to attend a structured classroom setting on Saturday for a predetermined length of time.
<b>Teen Court</b>	Teen Court is a unique justice program for first time offenders of misdemeanor crimes. It is designed to give youth who have broken the law and admitted their guilt, a second chance. Those who are accepted into the program must go "to a sentencing trial" in a real courtroom with teens serving as prosecuting and defense attorneys. An adult judge presides and a teen jury determines the sentence, which includes mandatory community service and jury duty in future Teen Courts. Upon successful completion of the program charges against the defendant are dismissed (Colorado Springs, Teen Court)
<b>Threat Assessment</b>	A process that involves identifying, assessing, and managing individuals that might pose a risk of violence to identified or identifiable target (U.S. Secret Service & U.S. Department of Education, Threat Assessment in Schools).

<b>Work Detail</b>	<b>Assignment for a predetermined length of time to a specific clean up or public service duty.</b>
<b>Other Action Completed in One or More Days</b>	
<b>Victim Related Actions</b>	
<b>Meeting with School Counselor</b>	School counselor formally meets with the student.
<b>Referred to Outside Agency</b>	Student is provided information for additional services within the community and it is suggested that the student seek the identified services.
<b>Victim Notified of Right to Transfer</b>	
<b>Other Action</b>	

**DISTRICT DISCIPLINE MATRIX**

<b>PROBLEM</b>	<b>MINIMUM CONSEQUENCES</b>	<b>MAXIMUM CONSEQUENCES</b>
<b>Alteration of Record</b>	Parent Conference/Suspension Possible Police Involvement	Expulsion
<b>Arson</b>	Suspension Police Involvement	Expulsion
<b>Bus Violation</b>	Parent Notification Detention	Suspension of Bus Privileges/Expulsion
<b>Cell Phone violation</b>	Student Conference/Parent Notification	Loss of Privilege to have cell phone
<b>Disorderly conduct, Profanity, Obscene Behavior</b>	Parent Notification/Detention Possible Police Involvement	Expulsion
<b>Disrespect/Noncompliance</b>	Detention/Suspension	Suspension/Expulsion
<b>Dress Code Violation</b>	Student Conference	Suspension
<b>Drug/Alcohol Violation</b>	Suspension Police Involvement	Expulsion
<b>Explosive Device Violation</b>	Parent Conference/Detention/Expulsion Police Involvement	Expulsion
<b>Extortion</b>	Parent Conference/Detention/Expulsion Possible Police Involvement	Expulsion
<b>Fighting</b>	Student Conference Possible Police Involvement	Expulsion
<b>Forgery</b>	Parent Notification/Detention/Suspension Possible Police Involvement	Expulsion
<b>Gambling</b>	Student Conference Possible Police Involvement	Expulsion
<b>Inappropriate Language</b>	Parent Notification/Detention	Expulsion
<b>Insubordination</b>	Detention	Expulsion
<b>Intimidation</b>	Parent notification/Detention	Expulsion
<b>Leaving Campus without permission</b>	Parent Notification/Detention Possible Police Involvement	Expulsion
<b>Loitering</b>	Student Conference Possible Police Involvement	Expulsion
<b>Lying</b>	Student Conference/Detention	Expulsion
<b>Physical Assault</b>	Parent Notification/Detention Police Involvement	Expulsion
<b>Possession of Drug including Tobacco Paraphernalia</b>	Parent Conference/Suspension Police Involvement	Expulsion
<b>Scholastic Dishonesty</b>	Parent Conference/Loss of Credit	Expulsion
<b>Substance abuse/paraphernalia</b>	Parent conference/Suspension	Expulsion



	<b>Police Involvement</b>	
<b>Tardiness</b>	<b>Student Conference</b>	<b>Detention</b>
<b>Technology device</b>	<b>Student conference/parent notification</b>	<b>Loss of privilege to use device</b>
<b>Theft</b>	<b>Parent Notification/Suspension Possible Police Involvement</b>	<b>Expulsion</b>
<b>Threats/Verbal Abuse</b>	<b>Student Conference/Detention/Suspension Possible Police Involvement</b>	<b>Expulsion</b>
<b>Trespassing</b>	<b>Student Conference Possible Police Involvement</b>	<b>Expulsion</b>
<b>Truancy</b>	<b>Suspension Possible Police Involvement</b>	<b>Expulsion</b>
<b>Unauthorized Presence in Hall or on Campus</b>	<b>Student Conference Possible Police Involvement</b>	<b>Suspension/Expulsion</b>
<b>Vandalism</b>	<b>Restitution/Detention Possible Police Involvement</b>	<b>Expulsion</b>
<b>Verbal/Physical Assault on non-student</b>	<b>Parent Conference/Suspension Possible Police Involvement</b>	<b>Expulsion</b>
<b>Weapon Violation</b>	<b>Parent conference/Detention/Suspension/ Expulsion Possible Police Involvement</b>	<b>Expulsion</b>