

GBEC-EA ©

EXHIBIT

**DRUG - FREE WORKPLACE**

**NOTICE TO EMPLOYEES**

YOU ARE HEREBY NOTIFIED that it is a violation of Policy GBEC for any employee to violate the law or District policy in the manufacture, distribution, dispensing, possession, or use, on or in the workplace, of alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or any other controlled substance, as defined in schedules I through V of section 202 of the Controlled Substances Act (21 U.S.C. 812) and as further defined by regulation at 21 C.F.R. 1308.11 through 1308.15.

*Workplace* includes any school building or any school premises and any school-owned vehicle or any other school-approved vehicle used to transport staff members or students to and from school or school activities or on school business. Off school property, the workplace includes any school-sponsored or school-approved activity, event, or function where students or staff members are under the jurisdiction of the District. In addition, the workplace shall include all property owned, leased, or used by the District for any educational or District business purpose.

YOU ARE FURTHER NOTIFIED that it is a condition of your employment that you will comply with Policy GBEC, and will notify your supervisor of your conviction under any criminal drug statute for a violation occurring in the workplace, not later than five (5) days after such conviction.

Any employee who violates the terms of the District's drug-free workplace policy in any manner is subject to discipline, which may include, but is not limited to, dismissal and/or referral for prosecution.

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I have been provided with two (2) copies of this **Notice to Employees** for my review and signature. I understand that a signed copy will be placed in my personnel file.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**GBEF ©  
STAFF USE OF DIGITAL COMMUNICATIONS  
AND ELECTRONIC DEVICES**

Social media is the use of web-based and mobile technologies to communicate through interactive dialogue. Social media technologies include but are not limited, to blogs, picture-sharing, vlogs, wall-postings, e-mail, instant messaging, music-sharing, crowdsourcing, voice over IP (VoIP), Facebook, LinkedIn, My Space, Twitter, You Tube, and any successor protocol to transmit information. Mobile technologies are any devices that: transmit sounds, images, texts, messages, videos, or electronic information; electronically records, plays, or stores information; or accesses the Internet, or private communication or information networks. Current examples are Smartphones such as BlackBerry, Android, iPhone, and other such mobile technologies and subsequent generations of these and related devices.

The Governing Board recognizes how web-based and mobile technologies are fundamentally changing opportunities to communicate with individuals or groups and how their use can empower the user and enhance discourse. The Board equally recognizes that the misuse of such technologies can be potentially damaging to the District, employees, students and the community. Accordingly, the Governing Board requires all employees to adhere to adopted policies and to utilize digital communications and electronic devices in a professional manner at all times.

The Board establishes the following parameters:

*District employees*

- shall adhere to all Governing Board policies related to technologies including but not limited to the use of District technology, copyright laws, student rights, parent rights, the Family Educational Rights and Privacy Act (FERPA), staff ethics, and staff-student relations;
- are responsible for the content of their posting on any form of technology through any form of communication;
- shall only use District controlled and approved technologies when communicating with students or parents;
- shall ensure that technologies used to communicate with students and District staff are maintained separate from personal technologies used to communicate with others;
- shall not use District owned or provided technologies to endorse or promote a product, a cause or a political position or candidate;
- in all instances must be aware of his/her association with the District and ensure the related content of any posting is consistent with how they wish to present themselves to colleagues, community members, parents and students;

- shall not use District logos or District intellectual property without the written approval of the Superintendent;
- shall use technologies to enhance and add value to communications with all recipients and be respectful of those with whom they communicate;
- shall immediately report all misuse or suspected misuse of technology to their direct supervisor/administrator who in turn will immediately report to the Superintendent;
- shall comply with all applicable records management parameters established by Arizona State Library, Archives and Public Records.

The Superintendent shall communicate the above to all employees of the District at the beginning of each school year and to newly hired employees as part of the hiring process.

The Superintendent shall establish which technologies are approved for use by employees to communicate with parents and students. Approved technologies shall be communicated to the Board and employees prior to the start of every school year, to newly elected Board members prior to taking office, and to newly hired employees as part of the hiring process.

The Superintendent shall determine which records retention and management guidelines as established by the Arizona State Library, Archives and Public Records are applicable to this Board policy and communicate these guidelines to the Board and employees prior to the start of every school year, to newly elected Board members prior to taking office, and newly hired employees as part of the hiring process.

Violations of this policy may result in disciplinary action up to and including termination and may constitute a violation of federal or state law in which case appropriate law enforcement shall be notified. The Superintendent shall report violations of this policy to the Board and shall make reports to the appropriate law enforcement agency when determined necessary.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[15-341](#)

[15-514](#)

CROSS REF.:

[GBEA](#) - Staff Ethics

[GBEB](#) - Staff Conduct

[GBEBB](#) - Staff Conduct With Students

[GCQF](#) - Discipline, Suspension, and Dismissal of Professional Staff Members

[GDQD](#) - Discipline, Suspension, and Dismissal of Support Staff Members

[IJNDB](#) - Use of Technology Resources in Instruction

[JIC](#) - Student Conduct

**GBI ©**  
**STAFF PARTICIPATION IN**  
**POLITICAL ACTIVITIES**

The Board recognizes the right of its employees, as citizens, to engage in political activity. However, school time, personnel, equipment, supplies, materials, buildings, or other resources may not be used to influence the outcomes of elections.

A staff member, a person acting on behalf of the District or a person who aids another person acting on behalf of the District shall be guided by the following:

A. No employee shall engage in political activities upon property under the jurisdiction of the Board. Employees in their individual capacities may exercise their political liberties on property leased from the school for that purpose.

B. The prohibition on the use of public resources to influence the outcome of bond, budget override and other tax-related elections includes the use of School District-focused promotional expenditures that occur after an election is called and through election day. This prohibition does not include routine School District communications which are messages or advertisements that are germane to the functions of the School District and that maintain frequency, scope and distribution consistent with past practices or are necessary for public safety.

C. Campaigning and other election activities must be done in off-duty hours, when not working in an official capacity or representing the District, and without the participation of District employees or students acting in the capacity of District or school representatives.

D. Invitations to participate in election activities on a given campus, except when extended by groups leasing or using school facilities, shall be permitted only when such invitations are to all candidates for the office. The rental use of District property by a private person or entity that may lawfully attempt to influence the outcome of an election is permitted if it does not occur at the same time and place as a related District-sponsored forum or debate.

E. Political circulars or petitions may not be posted or distributed in school.

F. The collection of campaign funds and/or the solicitation of campaign workers is prohibited on school property.

G. Students may not be given written materials to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.

H. Students may not be involved in writing, addressing or distribution of material intended to influence the outcome of an election or to advocate support for or opposition to pending or proposed legislation.

Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employee.

District employees who hold elective or appointive office are not entitled to time off from their school duties for reasons incident to such offices, except as such time may qualify under the leave policies of the Board.

The discussion and study of politics and political issues, when such discussion and study are appropriate to classroom studies, are not precluded under the provisions of this policy.

District employees shall be permitted time as provided in statute, if required, to vote in the primary or general election.

The District may distribute informational reports on a proposed budget override election as provided in A.R.S. [15-481](#) and on a proposed bond election as provided in A.R.S. [15-491](#) if those informational reports present factual information in a neutral manner, except for those arguments allowed under A.R.S. [15-481](#).

Nothing in this policy shall preclude the District from producing and distributing impartial information on elections other than District budget override elections or reporting on official actions of the Governing Board.

The District shall not make expenditures for literature associated with a campaign conducted by or for a District official.

Adopted: December 8, 2015

LEGAL REF.:

A.R.S.

[15-481](#)

[15-511](#)

[15-903](#)

[16-402](#)

A.G.O.

I15-002

**GCCA  
PROFESSIONAL / SUPPORT STAFF  
SICK LEAVE**

Sick leave for District personnel is a designated amount of compensated leave that is to be granted to a staff member who, through personal or family illness, injury, or quarantine, is unable to perform the duties assigned.

Each staff member shall be credited with a sick leave allowance at the rate of one day per month up to ten (10) or twelve (12) days, determined by the number of months employed:

Twelve (12) month employment	twelve (12) days
Ten (10) month employment	ten (10) days

The unused portion of such allowance shall accumulate to a maximum of one hundred twenty (120) days, at which time no more sick leave can be accumulated. As accumulated sick leave days are used and drop below one hundred twenty (120) days, an eligible employee may again accumulate sick leave up to the maximum limit.

When a staff member exhausts all days of accumulated sick leave, an unpaid leave of absence must be requested, pursuant to District policy.

Sick leave of any staff member who does not serve a full school year shall be prorated at the rate of one (1) day per month.

If an employee does not wish to return to her duties following childbirth, an extended leave of absence must be requested, consistent with existing District policy.

Upon request, the staff member shall inform the Superintendent of the following:

- A. Purpose for which sick leave is being taken.
- B. Expected date of return from sick leave.
- C. Where the staff member may be contacted during the leave.

**Use of Earned Paid  
Sick Time**

Earned paid sick time shall be provided to an employee by an employer for:

- A. An employee's mental or physical illness, injury or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; an employee's need for preventive medical care;
- B. Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or

treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care;

C. Reasons related to child care, domestic violence, sexual violence, abuse or stalking, and legal services as described in A.R.S. [23-373](#).

Earned paid sick time shall be provided upon the request of an employee. Such request may be made orally, in writing, by electronic means or by any other means acceptable to the employer. When possible, the request shall include the expected duration of the absence.

When the use of earned paid sick time is foreseeable, the employee shall make a good faith effort to provide notice of the need for such time to the employer in advance of the use of the earned paid sick time and shall make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt the operations of the employer.

An employer that requires notice of the need to use earned paid sick time where the need is not foreseeable shall provide a written policy that contains procedures for the employee to provide notice. An employer that has not provided to the employee a copy of its written policy for providing such notice shall not deny earned paid sick time to the employee based on non-compliance with such a policy.

An employer may not require, as a condition of an employee's taking earned paid sick time, that the employee search for or find a replacement worker to cover the hours during which the employee is using earned paid sick time.

Earned paid sick time may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time.

For earned paid sick time of three (3) or more consecutive work days, an employer may require reasonable documentation that the earned paid sick time has been used for a purpose covered by A, B, or C, above. Documentation signed by a health care professional indicating that earned paid sick time is necessary shall be considered reasonable documentation for purposes of this section

As defined in statute ([A.R.S. 23-371](#)), "family member" means:

A. Regardless of age, a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, a child to whom the employee stands *in loco parentis*, or an individual to whom the employee stood *in loco parentis* when the individual was a minor;

B. A biological, foster, stepparent or adoptive parent or legal guardian of an employee or an employee's spouse or domestic partner or a person who stood *in loco parentis* when the employee or employee's spouse or domestic partner was a minor child;



- C. A person to whom the employee is legally married under the laws of any state, or a domestic partner of an employee as registered under the laws of any state or political subdivision;
- D. A grandparent, grandchild or sibling (whether of a biological, foster, adoptive or step relationship) of the employee or the employee's spouse or domestic partner; or
- E. Any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

**Notice:**

- A. Employers shall give employees written notice of the following at the commencement of employment or by July 1, 2017, whichever is later: employees are entitled to earned paid sick time and the amount of earned paid sick time, the terms of its use guaranteed in statute, that retaliation against employees who request or use earned paid sick time is prohibited, that each employee has the right to file a complaint if earned paid sick time as required by statute is denied by the employer or the employee is subjected to retaliation for requesting or taking earned paid sick time, and the contact information for the commission where questions about rights and responsibilities under can be answered.
- B. The required notice required shall be in English, Spanish, and any language that is deemed appropriate by the Industrial Commission of Arizona.
- C. The amount of earned paid sick time available to the employee, the amount of earned paid sick time taken by the employee to date in the year and the amount of pay the employee has received as earned paid sick time shall be recorded in, or on an attachment to, the employee's regular paycheck.
- D. The Industrial Commission of Arizona shall create and make available to employers, in English, Spanish, and any language deemed appropriate by the commission, model notices that contain the information for employers' use in complying with the statute.
- E. Employer violation of the notice requirements shall be subject to a civil penalty as prescribed in A.R.S. [23-364](#).

**Accrual:**

- A. Employees of an employer with fifteen (15) or more employees shall accrue a minimum of one (1) hour of earned paid sick time for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than forty (40) hours of earned paid sick time per year, unless the employer selects a higher limit.
- B. Employees of an employer with fewer than fifteen (15) employees shall accrue a minimum of one hour of earned paid sick time for every thirty (30) hours worked, but employees shall not be entitled to accrue or use more than

twenty-four (24) hours of earned paid sick time per year, unless the employer selects a higher limit.

C. Earned paid sick time shall begin to accrue at the commencement of employment or on July 1, 2017, whichever is later. An employer may provide all earned paid sick time that an employee is expected to accrue in a year at the beginning of the year.

D. An employee may use earned paid sick time as it is accrued, except that an employer may require an employee hired after July 1, 2017, to wait until the ninetieth (90th) calendar day after commencing employment before using accrued earned paid sick time, unless otherwise permitted by the employer.

E. Employees who are exempt from overtime requirements under the Fair Labor Standards Act of 1938 (29 United States Code section 213(A)(1)) will be assumed to work forty (40) hours in each work week for purposes of earned paid sick time accrual unless their normal work week is less than forty (40) hours, in which case earned paid sick time accrues based upon that normal work week.

F. Earned paid sick time shall be carried over to the following year, subject to the limitations on usage indicated above for employees of employers with fifteen (15) or more employees and employees of employers with fewer than fifteen (15) employees. Alternatively, in lieu of carryover of unused earned paid sick time from one (1) year to the next, an employer may pay an employee for unused earned paid sick time at the end of a year and provide the employee with an amount of earned paid sick time that meets or exceeds the requirements in statute that is available for the employee's immediate use at the beginning of the subsequent year.

G. If an employee is transferred, but remains employed by the same employer, the employee is entitled to all earned paid sick time accrued and is entitled to use all earned paid sick time as provided in this section.

H. When there is a separation from employment and the employee is rehired within nine (9) months of separation by the same employer, previously accrued earned paid time that had not been used shall be reinstated. Further, the employee shall be entitled to use accrued earned paid sick time and accrue additional earned paid sick time at the re-commencement of employment.

I. When a different employer succeeds or takes the place of an existing employer, all employees of the original employer who remain employed by the successor employer are entitled to all earned paid sick time they accrued when employed by the original employer, and are entitled to use earned paid sick time previously accrued.

J. At its discretion, an employer may loan earned paid sick time to an employee in advance of accrual by such employee.

Any employer with a paid leave policy, such as a paid time off policy, who makes available an amount of paid leave sufficient to meet the accrual requirements of this section that may be used for the same purposes and under the same conditions as earned paid sick time under this article is not required to provide additional paid sick time.

Nothing in statute shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee's termination, resignation, retirement or other separation from employment for accrued earned paid sick time that has not been used.

***Sick-leave buyback:***

Certificated and Administrative employees in good standing who retire or voluntarily terminate their employment shall be compensated for unused accumulated sick leave, to a maximum of one hundred twenty (120) days as follows:

A. Certificated teachers with more than one hundred (100) days of sick leave may be compensated one hundred twenty dollars (\$120) per day, conditioned on the certificated person submitting a written request to the superintendent not less than ten (10) days prior to the date of final fiscal-year paycheck.

B. Classified Term-Contract Administrators may be compensated one hundred thirty dollars (\$130) per day, conditioned on the certificated person submitting a written request to the superintendent not less than ten (10) days prior to the date of final fiscal-year paycheck.

C. Certificated Administrators may be compensated one hundred forty-five dollars (\$145) per day, conditioned on the certificated person submitting a written request to Business office not less than ten (10) days prior to the date of final fiscal-year paycheck.

Support staff personnel in good standing may choose either of the following options:

A. Convert, on a day-per-day basis, each day of unused accumulated sick leave accrued during the District's current fiscal year into one (1) day of paid vacation to be taken during the month of June.

B. Accumulate unused sick leave days from year to year, to a maximum of one hundred twenty (120) days. At the time of retirement or voluntary termination, the employee will be compensated at the rate of fifty (50%) of the then current certificated substitute pay, conditioned on the support staff member submitting a written request to the Superintendent not less than twenty (20) days prior to the date of the final fiscal-year paycheck.

For the purposes of this policy, good standing means that the employee is not under disciplinary proceedings or being involuntarily terminated by the District, and that the employee's employment would otherwise be continued by the District absent the employee's voluntary election to retire or terminate employment.

The Superintendent may establish regulations necessary for implementation of this policy.

### **Retaliation Prohibited**

It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected in statute.

An employer shall not engage in retaliation or discriminate against an employee or former employee because the person has exercised protected rights. Such rights include but are not limited to the right to request or use earned paid sick time pursuant to the statute; the right to file a complaint with the commission or courts or inform any person about any employer's alleged violation; the right to participate in an investigation, hearing or proceeding or cooperate with or assist the commission in its investigations of alleged violations and the right to inform any person of his or her potential rights.

It shall be unlawful for an employer's absence control policy to count earned paid sick time taken as an absence that may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

Protections of this section shall apply to any person who mistakenly but in good faith alleges violations of this policy based on the supporting statutes.

Adopted: October 10, 2017

#### LEGAL REF.:

A.R.S.

[15-187](#)

[15-502](#)

[23-363](#)

[23-364](#)

[23-371](#)

[23-372](#)

[23-373](#)

[23-374](#)

[23-375](#)

#### CROSS REF.:

[GCBA](#) - Professional Staff Salary Schedules

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PROFESSIONAL / SUPPORT STAFF  
MILITARY / LEGAL LEAVE**

The Board recognizes the fact that its employees have citizenship responsibilities, and, in order to make it possible for said employees to carry out their responsibilities to the city, county, state, or nation, the Board will grant leaves, in addition to jury duty, when an employee is called to attend field training services for the Military Reserve or National Guard and when an employee is a victim of a juvenile or adult crime exercising a right to be present at a proceeding as defined in statute.

When an employee receives notice that requires leave as delineated above, it is the responsibility of the employee to notify the Superintendent or principal.

**Jury Duty**

It is recognized by the Board that no employee is exempt from jury duty and that leaves of absence for such duty must be granted.

- Only the regular salary may be received by an employee on jury duty.
  - It is the responsibility of the employee to reimburse the District for jury duty pay when such payment is made directly to the employee. Failure to reimburse the District at the completion of the jury duty service will result in a full deduction equal to the number of contract days missed.
  - An employee excused from jury duty after being summoned shall report for regular duty as soon as possible. Failure to report for duty will result in a deduction equal to that portion of a contract day missed [A.R.S. [21-236](#)].

**Victim Leave**

Statute provides that an employer who has fifty (50) or more employees shall permit an employee leave if the employee is the victim of juvenile or adult crime and is exercising a right to be present at a proceeding as defined in A.R.S. [8-420](#) or [13-4439](#). Compensation may be provided if the employee has available vacation or to the extent other leave may be available by policy.

- An employee's accrued vacation, personal, sick or other applicable leave shall be used to the extent available by policy.
- If paid leave is unavailable, the employee must request an unpaid leave of absence in accord with policy.
- Before an employee may leave work for this purpose, the employee shall provide the employer with a copy of the form provided by law enforcement and if applicable a copy of the information the law enforcement agency provides the employee pursuant to either A.R.S. [8-386](#) or [13-4405](#).

- Leave for this purpose may be limited if the leave creates an undue hardship to the employer's business.

### **Military Leave**

- An employee who is a member of the Military Reserve or National Guard shall be entitled to leave of absence without loss of pay, time, or efficiency rating when engaged in field training [A.R.S. [26-168](#) and [38-610](#)].
- An employee who is a member of the uniformed service may use any vacation leave or other accumulated paid time off during their service, or may take unpaid leave of absence.
- The District must reemploy uniformed service members, as defined in 38 U.S.C. 4303, returning from a period of service, if the service member:
  - Was employed by the District.
  - Gave the District notice that he or she was leaving the job for service in the uniformed services, unless giving notice was precluded by military necessity or otherwise impossible or unreasonable.
  - Has a cumulative period of service in the uniformed services not exceeding five (5) years.
  - Was not released from service under dishonorable or other punitive conditions.
  - Has reported back to the District in a timely manner or has submitted a timely application for reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act.

Adopted: date of Manual adoption

#### LEGAL REF.:

A.R.S.

[8-386](#)

[8-420](#)

[13-4405](#)

[15-502](#)

[16-402](#)

[21-236](#)

[26-168](#)

[38-610](#)

A.G.O.

180-177

38 U.S.C. 4301 *et seq.*, Uniformed Services Employment and Reemployment Rights Act

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PROFESSIONAL / SUPPORT STAFF  
BEREAVEMENT LEAVE**

An employee may be granted, upon request to the Superintendent, up to five (5) days of leave per year, with pay, to be used in the event of death of an employee's family member as defined in Policy GCCA.

Extensions of bereavement leave may be granted upon personal request to the Superintendent. If approved, all such extensions of bereavement leave shall be deducted from the employee's accrued sick leave.

In the absence of any accumulated sick leave, and upon request, the Superintendent may approve an unpaid leave of absence for each day of extended bereavement leave used.

Adopted: April 10, 2018

LEGAL REF.:  
A.R.S.  
[15-502](#)

**GCL ©  
PROFESSIONAL STAFF  
SCHEDULES AND CALENDARS**

All professional staff members shall report to their duty stations on time each workday and shall, as scheduled, be available there until the designated time(s) they are scheduled to leave. The Superintendent may alter or extend the school day for meetings, special events, and activities.

Professional staff members are expected to be in their respective rooms or work areas as the schedule prescribes so that they may see students, parents, and/or attend to other duties as assigned. Family members are not allowed in teacher work areas during scheduled duty hours.

In order to ensure the safety of students and the security of school campuses, teachers may be assigned supervisory duty during the teaching day. These duty assignments shall be considered a regular part of a teacher's duties and shall be fulfilled accordingly.

Teachers will perform duties other than classroom teaching. Extra duty assignments will be made by the Superintendent.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[15-521](#)

CROSS REF.:

[GCMF](#) - Professional Staff Duties and Responsibilities

[JLIA](#) - Supervision of Students



**GBK ©**  
**STAFF GRIEVANCES**

Effective communication between District employees, the administrative staff, and the Board is essential for proper operation of the schools. The Governing Board, therefore, authorizes the Superintendent to establish a grievance procedure for employees as the prescribed means of resolving grievances at the earliest date and the lowest possible administrative level.

Such procedure shall provide for Board review of any grievance that cannot be resolved at the administrative level. In such instances, the affected individual may request that the Governing Board review the situation. Such request shall be in writing and shall contain the basis for the appeal, including the act or acts out of which the grievance arose, identification of the Board policies and/or administrative regulations involved, and the remedy sought. Within five (5) working days following notification of the Superintendent's decision, any written request for appeal shall be submitted to the Superintendent for transmittal to the Board. The Governing Board, at a time of its choosing, shall review the grievance and issue a response within fifteen (15) working days following such review.

The decision of the Governing Board is final.

Adopted: date of Manual adoption

LEGAL REF.:  
A.R.S.  
[38-532](#)

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REGULATION

## STAFF GRIEVANCES

### Definitions

A *grievance* is a complaint by a District employee alleging a violation or misinterpretation, as to the employee, of any District policy or regulation that directly and specifically governs the employee's terms and conditions of employment. The term *grievance* shall not apply to any matter for which the method of review is prescribed by law, or the Governing Board is without authority to act. The suspension or dismissal of employees is covered by statute and, therefore, is not a grievable matter. Assignment, reassignment, or transfer of an employee to another position or duties is not grievable beyond the Superintendent unless there is a reduction in compensation or the Superintendent requests that it go to the Board.

A *grievant* shall be any employee of the District filing a grievance.

*Terms and conditions of employment* means the hours of employment, the compensation therefore, including fringe benefits, and the employer's personnel policies directly affecting the employee. In the case of professional employees, the term does not include educational policies of the District. A *day* is any day during which the District conducts business. The *immediate supervisor* is the lowest-level administrator having line supervisory authority over the grievant.

### Informal Level

Before filing a formal written grievance, the grievant must attempt to resolve the matter by one (1) or more informal conferences with the immediate supervisor. The first of these informal conferences must be conducted within ten (10) days after the employee knew, or should have known, of the act or omission giving rise to the grievance. A second or any subsequent conference must occur within five (5) days after the initial informal conference, or any subsequent conference.

### Formal Level

**Level I.** Within fifteen (15) days after the employee knew, or should have known, of the act or omission giving rise to the grievance, the grievant must present the grievance in writing to the Superintendent.

The grievance shall be a clear, concise statement of the circumstances giving rise to the grievance, a citation of the specific article, section, and paragraph of the policy or regulation that directly and specifically governs the employee's terms and conditions of employment that are alleged to have been violated, the decision rendered at the informal conference, and the specific remedy sought.

The Superintendent shall communicate a decision to the employee in writing within five (5) days after receiving the grievance.

Within the above time limits either party may request a personal conference to attempt to resolve the matter.

**Level II.** If the grievant is not satisfied with the decision at Level I, the grievant may, within five (5) days, submit an appeal in writing to the Superintendent for consideration by the Governing

The appeal shall include a copy of the original grievance, the decision rendered, and a clear, concise statement of the reasons for the appeal. Either the grievant or the Superintendent may request a personal conference within the above time limits.

### **General Provisions**

**Section 1.** Failure at any step of this procedure to appeal a grievance to the next step within the specified time limits shall be deemed an acceptance of the decision rendered at that step, and there shall be no further right of appeal. Failure to file a grievance within fifteen (15) days after the employee knew, or should have known, of the circumstances upon which the grievance is based shall constitute a waiver of that grievance.

**Section 2.** The filing or pendency of any grievance under the provisions of this policy shall in no way operate to impede, delay, or interfere with the jurisdiction of the Governing Board or the Superintendent.

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EXHIBIT

**STAFF GRIEVANCES**

LEVEL I

GRIEVANCE FORM A

**FORMAL GRIEVANCE PRESENTATION**

To be completed by grievant within five (5) days after the last informal conference but no later than fifteen (15) days after the employee knew or should have known of the act or omission giving rise to the grievance.

Date of last Grievant \_\_\_\_\_ Informal presentation \_\_\_\_\_

School \_\_\_\_\_ Immediate supervisor \_\_\_\_\_

Assignment \_\_\_\_\_

Policy or regulation alleged to have been violated \_\_\_\_\_

**Statement of grievance:**

**Action requested:**

\_\_\_\_\_  
Signature of grievant

**GBK-EB ©**

EXHIBIT

**STAFF GRIEVANCES**

LEVEL II

GRIEVANCE FORM B

**DECISION OF SUPERINTENDENT**

To be completed by the Superintendent within five (5) days.

Grievant \_\_\_\_\_

Date of formal grievance presentation \_\_\_\_\_

Date appeal received by Superintendent \_\_\_\_\_

Date hearing held by Superintendent (optional) \_\_\_\_\_

**Decision of Superintendent  
and reasons therefore:**

Date of decision \_\_\_\_\_  
\_\_\_\_\_  
(Signature of Superintendent)

Grievant's response [to be completed by grievant within five (5) days after the decision]:

- I accept the above decision of the Superintendent.
- I hereby appeal to the Governing Board for a review of this grievance (Level II).

Date of response \_\_\_\_\_  
\_\_\_\_\_  
(Signature of grievant)

GBK-EC ©

EXHIBIT

**STAFF GRIEVANCES**

LEVEL III (Final Action)

GRIEVANCE FORM C

**REVIEW BY GOVERNING BOARD**

Grievant \_\_\_\_\_

Date of formal grievance receipt \_\_\_\_\_

- The attached grievance is hereby appealed to the Governing Board for a review.

**Detail reasons for nonacceptance of grievance decision at Level II and any relief sought:**

Date appeal received by Governing Board \_\_\_\_\_

**BOARD RESPONSE:**

- The Board affirms the Superintendent's response.
- Board rejects the Superintendent's response.
- Board modifies the Superintendent's response as follows:

**[TO BE COMPLETED WITHIN FIFTEEN (15) DAYS OF REVIEW]**



**GDQD ©  
DISCIPLINE, SUSPENSION, AND  
DISMISSAL OF  
SUPPORT STAFF MEMBERS**

**(Discipline)**

**Minor Disciplinary Action**

A support staff member may be disciplined for any conduct that, in the judgment of the District, is inappropriate. Minor disciplinary action includes, without limitation thereto, verbal or written reprimands, suspension with pay, or suspension without pay for a period of five (5) days or less. Minor disciplinary action shall be imposed by the support staff member's supervisor. A support staff member who wishes to object to a minor disciplinary action shall submit a written complaint to the supervisor's superior within five (5) work days of receiving notice of the disciplinary action. The supervisor's superior will review the complaint and may confer with the support staff member, the supervisor, and such other persons as the supervisor's superior deems necessary. The decision of the supervisor's superior will be final.

**Suspension without Pay for  
More than Five Days**

***At-will employees.*** The employment of an at-will employee may be suspended without pay for a period of more than five (5) days by action of the Superintendent for any conduct by the employee that, in the judgment of the Superintendent, is inappropriate. Before suspending an at-will employee, the Superintendent will inform the employee of intent to suspend the employee and will give the employee an informal opportunity to explain why, in the employee's opinion, the suspension should not be imposed. The Superintendent's decision will be final.

***Term employees.*** The employment of a term employee may be suspended without pay for a period of more than five (5) days by action of the Superintendent for any conduct that, in the judgment of the Superintendent, is inappropriate. If the Superintendent intends to suspend a term employee without pay for more than five (5) days, the notice and hearing procedures prescribed for the dismissal of term employees shall be followed, except that the hearing officer shall be designated by the Superintendent and the findings of the hearing officer shall be a final decision. At the Superintendent's option, the Superintendent may request that the Governing Board act as the hearing officer. If the hearing officer or the Governing Board finds that there is not cause to suspend the employee without pay for more than five (5) days, the Superintendent may, after reviewing the findings, impose minor disciplinary action.

**Dismissal**

***At-will employees.*** The employment of an at-will employee may be terminated by action of the Governing Board for any reason, or for no reason, with or without



advance notice, as the Governing Board desires. If the Superintendent recommends that the Governing Board terminate an at-will employee, the recommendation shall be submitted to the Governing Board in writing and a copy of the recommendation shall be delivered to the employee. The at-will employee may submit to the Governing Board prior to the Board meeting a written response to the recommendation. If the at-will employee chooses to attend the Board meeting when the recommendation is considered, the Governing Board may, in its discretion, permit the employee to address the Governing Board concerning only the recommendation.

**Term employees.** The employment of a term employee may be terminated for cause by action of the Governing Board at any time prior to the expiration of the term of employment. For the purposes of this provision, *cause* means any conduct that, in the judgment of the District, is detrimental to the interests of the District or its personnel or students and shall include, without limitation thereto, the following:

- Absence without leave
- Abuse of leave
- Alcohol or drug impairment
- Child abuse or molestation of a weapon on school grounds
- Discourteous treatment of the public school property
- Dishonesty
- Excessive absenteeism
- Fraud in securing employment supervisor
- Improper attitude policy or regulation
- Incompetence or inefficiency
- Insubordination
- Neglect of duty
- Unauthorized possession
- Unauthorized use of
- Unlawful conduct
- Use of illegal drugs
- Violation of a directive of a
- Violation of a District

If the Superintendent recommends termination of a term employee, a copy of the recommendation shall be delivered to the employee. The employee may request a hearing within five (5) work days after receipt of the recommendation. If a hearing is requested, the Superintendent shall deliver a written notice of the time and place of the hearing and a written statement that gives the reasons for the recommendation, a list of persons whom the Superintendent expects to testify in support of the recommendation (together with a brief summary of what each person is expected to say), and a general description of any other evidence that the Superintendent at the time believes may be presented at the hearing in support of the recommendation.

The hearing shall be conducted by the Governing Board or by a person designated by the Governing Board within not less than five (5) work days and not more than thirty (30) calendar days after a request for hearing is submitted by the employee. The

date of the hearing may be postponed by stipulation of the employee and the District, or by and in the sole discretion of the Governing Board or the hearing officer, or at the request of the aggrieved employee or the District for such reason or reasons as the Governing Board or hearing officer may deem appropriate.

The employee may be represented at the hearing by counsel, at the employee's expense. The employee shall have the opportunity to present witnesses and to cross-examine any witnesses presented by the District. Formal rules of evidence shall not apply. A record of the hearing shall be made by use of a mechanical device.

If a hearing officer is used, the hearing officer shall prepare a written statement of findings as to whether there is cause for termination of the employee and submit it to the Governing Board within ten (10) work days after the conclusion of the hearing. The Governing Board shall review the written statement and, if desired, the record, and the Governing Board's decision whether to accept the findings and whether to terminate employment or to impose other discipline shall be a final decision.

If the Governing Board conducts the hearing, it shall render a decision within ten (10) days after the conclusion of the hearing.

### **General Matters**

Failure to object to a disciplinary action or take other action within the time limitations set forth in this policy shall mean that the employee does not wish to pursue the matter further. Complaints filed after the expiration of the applicable time limitation will not be considered.

The filing or pendency of a complaint or other form of grievance pursuant to this policy shall in no way limit or delay action taken by the supervisor or the Superintendent authorized by this policy to take such action.

A complaint relating to minor disciplinary action, suspension without pay for more than five (5) days, or dismissal shall not be processed as a grievance.

None of the procedures of this policy shall alter the status of an at-will employee.

This policy does not apply to:

- Any administrative recommendation or Governing Board action, discussion, or consideration involving the nonrenewal of a term employee.
- Ratings, comments, and recommendations made in the course of an evaluation of a support staff member.
- The decision of the Superintendent to place a support staff member on administrative leave.
- Counseling of or directives to a support staff member regarding future conduct.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[13-2911](#)

[15-341](#)

[15-502](#)

[41-770](#)

CROSS REF.:

[DKA](#) - Payroll Procedures/Schedules

**JLF ©  
REPORTING CHILD ABUSE /  
CHILD PROTECTION**

Any school personnel or any other person who has responsibility for the care or treatment of a minor and who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted upon the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature or who reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant who is protected under A.R.S. [36-2281](#) shall immediately report or cause reports to be made of such information to a peace officer or to the Child Protective Services (CPS) of the Department of Economic Security, except if the report concerns a person who does not have care, custody, or control of the minor, the report shall be made to a peace officer only. Such reports shall be made immediately either electronically or by telephone.

The Arizona Department of Economic Security, Division of Children, Youth and Families, has determined that all mandated reporters may now electronically submit non-emergency reports via a secure online reporting website. Non-emergency reports are those in which a child is not at immediate risk of abuse or neglect that could result in serious harm. Mandated reporters will be able to submit non-emergency reports twenty-four (24) hours a day without wait times.

All reports made via the online website will *require the person making the report (reporting source) to provide contact information*. A representative from the Child Abuse Hotline may contact the source for additional information, if necessary. This process will make it more convenient to meet the mandated reporting requirements and help ensure child safety.

All *emergency situations* where a child faces an immediate risk of abuse or neglect that could result in serious harm must still be reported by calling 911 or 1-888-SOS-CHILD (1-888-767-2445). If a reporting source is unsure as to whether or not the report is an emergency situation, the reporting source should call the Child Abuse Hotline to make a report.

Any concerns for the safety of a child due to abuse, neglect or abandonment, must be reported, by:

Calling 1-888-SOS-CHILD (1-888-767-2445),

TDD: 602-530-1831 (1-800-530-1831), or

Submitting non-emergency concerns via the Online Reporting Service for Mandated Reporters at [https://www.azdes.gov/dcyf/cps/mandated\\_reporters/](https://www.azdes.gov/dcyf/cps/mandated_reporters/) (effective November 2013).

Pursuant to A.R.S. [13-3620](#), such reports shall contain:

- The names and addresses of the minor, the parents, or the person or persons having custody of such minor, if known.
- The minor's age and the nature and extent of the minor's abuse, child abuse, or physical injuries or neglect, including any evidence of previous abuse, child abuse, physical injury or neglect.
- Any other information that such person believes might be helpful in establishing the cause of the abuse, child abuse, physical injury or neglect.

A person who furnishes a report, information, or records required or authorized under Arizona Revised Statutes or a person who participates in a judicial or administrative proceeding or investigation resulting from a report, information or records required or authorized under Arizona Revised Statutes is immune from any civil or criminal liability by reason of that action unless such person has acted with malice or unless such person has been charged with or is suspected of abusing or neglecting the child or children in question.

A report is not required under A.R.S. [13-3620](#) for conduct prescribed by A.R.S. [13-1404](#) and [13-1405](#) if the conduct involves only minors who are fourteen (14), fifteen (15), sixteen (16) or seventeen (17) years of age and there is nothing to indicate that the conduct is other than consensual.

A report is not required if a minor is of elementary school age, the physical injury occurs accidentally in the course of typical playground activity during a school day, occurs on the premises of the school that the minor attends and is reported to the legal parent or guardian of the minor and the school maintains a written record of the incident. The school will maintain a written record of the physical injury as part of the student's health file as required by Arizona State Library, Archives and Public Records (ASLAPR).

A person who fails to report abuse as provided in A.R.S. [13-3620](#) is guilty of a class 1 misdemeanor, except if the failure to report involves a reportable offense, the person is guilty of a class 6 felony.

Any certificated person or Governing Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the Department of Education has engaged in conduct involving minors that would be subject to the reporting requirements of A.R.S. [13-3620](#) shall report or cause reports to be made to the Department of Education in writing as soon as is reasonably practicable but not later than three (3) business days after the person first suspects or receives an allegation of the conduct.

Any school employee who has orally reported to CPS or a peace officer a reasonable belief of an offense to a minor must provide written notification to the principal of the oral report not later than the next workday following the making of the report.

Adopted: date of Manual adoption

LEGAL REF.:

A.R.S.

[8-201](#)

[13-1404](#) *et seq.*

[13-1410](#)

[13-3019](#)

[13-3212](#)

[13-3506](#)

[13-3506.01](#)

[13-3552](#)

[13-3553](#)

[13-3608](#)

[13-3619](#)

[13-3620](#)

[13-3623](#)

[15-514](#)

[46-451](#)

[46-454](#)

CROSS REF.:

[GBEB](#) - Staff Conduct

[GBEBB](#) - Staff Conduct With Students

[JKA](#) - Corporal Punishment

**JLIA ©  
SUPERVISION OF STUDENTS**

When students are in school, engaging in school-sponsored activities, or traveling to and from school on school buses, they are expected to obey all school rules. The District is required to provide reasonable supervision over all students engaged in school-sponsored activities.

Supervision shall include being within a reasonable proximity of the students. Teachers shall exercise supervision as appropriate from the commencement of the school day, before classes begin, during class sessions, during lunch periods, between classes, and at any other time when performing teaching or related duties on behalf of the school.

If a teacher must leave the proximity of the students, then the teacher shall make a good faith effort to obtain a school employee to supervise the students. In no case shall the teacher leave students unsupervised if there is a reasonable possibility that harm to students or property will result from the students being left unattended.

School administrators, teachers, and other staff members will ensure that anyone who wishes to contact a student during the school day is doing so for proper reasons.

Adopted: December 8, 2015

LEGAL REF.:

A.R.S.

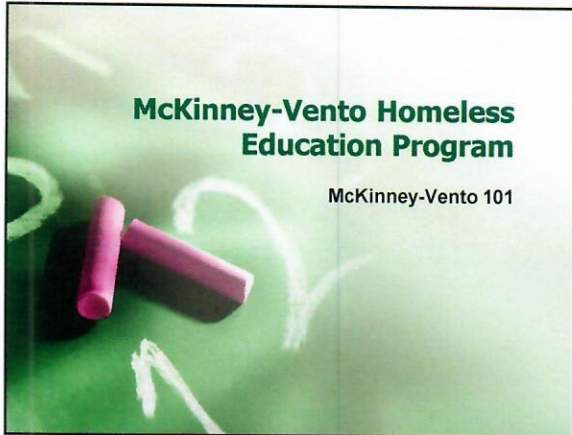
[15-341](#)

[15-502](#)

[15-521](#)







## McKinney-Vento Homeless Education Program

McKinney-Vento 101

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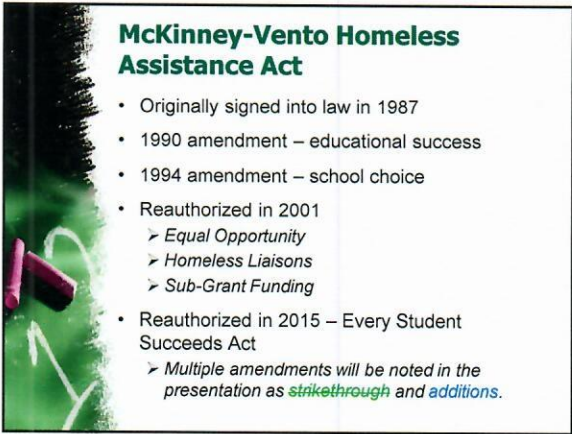
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## McKinney-Vento Homeless Assistance Act

- Originally signed into law in 1987
- 1990 amendment – educational success
- 1994 amendment – school choice
- Reauthorized in 2001
  - *Equal Opportunity*
  - *Homeless Liaisons*
  - *Sub-Grant Funding*
- Reauthorized in 2015 – Every Student Succeeds Act
  - *Multiple amendments will be noted in the presentation as ~~strikethrough~~ and additions.*

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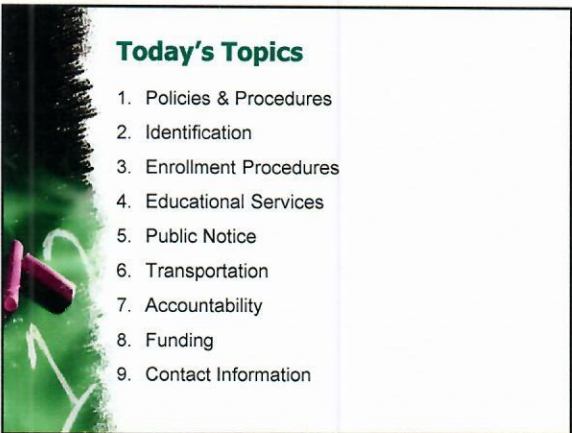
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## Today's Topics

1. Policies & Procedures
2. Identification
3. Enrollment Procedures
4. Educational Services
5. Public Notice
6. Transportation
7. Accountability
8. Funding
9. Contact Information

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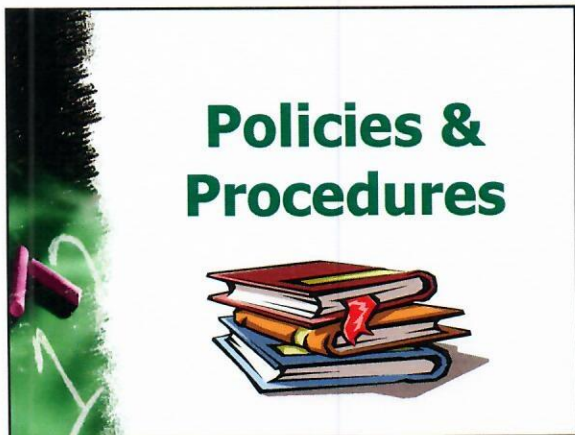
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## Policies & Procedures

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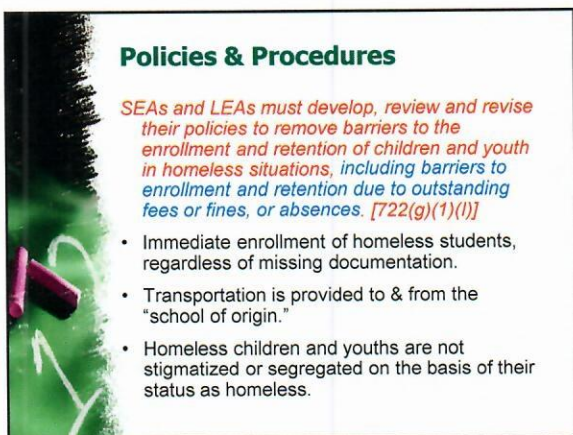
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### Policies & Procedures

*SEAs and LEAs must develop, review and revise their policies to remove barriers to the enrollment and retention of children and youth in homeless situations, including barriers to enrollment and retention due to outstanding fees or fines, or absences. [722(g)(1)(I)]*

- Immediate enrollment of homeless students, regardless of missing documentation.
- Transportation is provided to & from the "school of origin."
- Homeless children and youths are not stigmatized or segregated on the basis of their status as homeless.

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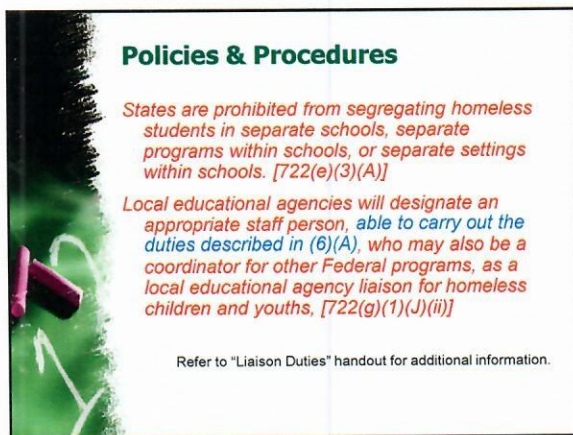
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### Policies & Procedures

*States are prohibited from segregating homeless students in separate schools, separate programs within schools, or separate settings within schools. [722(e)(3)(A)]*

*Local educational agencies will designate an appropriate staff person, able to carry out the duties described in (6)(A), who may also be a coordinator for other Federal programs, as a local educational agency liaison for homeless children and youths, [722(g)(1)(J)(ii)]*

Refer to "Liaison Duties" handout for additional information.

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**Policies & Procedures**



A graphic showing a question mark inside a blue circle, with a chalkboard background and a pink eraser.

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**Identification**



An illustration of three people (two adults and one child) looking at a large document or map, with a magnifying glass over one section.

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**Identification**

*Each local education agency liaison for homeless children and youths shall ensure that ...*

*(i) homeless children and youths are identified by school personnel through outreach and through coordination activities with other entities and agencies... [722(g)(6)(A)(i)]*

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**Identification**

*The term 'homeless children and youth' (A) means individuals who lack a **fixed, regular, and adequate** nighttime residence. [725(2)(A)]*

- **Fixed** – one that is stationary, permanent, and not subject to change
- **Regular** – one which is used on a regular (i.e. nightly) basis
- **Adequate** – one that is sufficient for meeting both the physical and psychological needs typically met in home environments.

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**Identification**

- Housing is (1) **temporary** and (2) due to **hardship**
- OR
- Housing is substandard or considered inadequate within the context
- OR
- Unaccompanied Youth

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**Identification**

*The term 'homeless children and youth' (A) Includes –*

*(i) Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or similar reason; are living in motels, hotels, trailer parks, or camp grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or ~~are awaiting foster care placement.~~*

The deletion of "or are awaiting foster care placement" goes into effect on December 10, 2016

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### Identification

(ii) Children and youths 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.

(iii) Children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and

(iv) Migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).

[725(2)(A-B)(i-iv)]

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### Identification

The term 'unaccompanied youth' includes a homeless child or youth not in the physical custody of a parent or guardian. [725(6)]

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### Identification Strategies

- Enrollment procedures
  - Questionnaire
  - Interviews
- Building awareness with all staff
  - Bus drivers
  - Teachers
  - Cafeteria workers
  - Etc.
- Coordination with agencies
  - CPS
  - Police
  - Shelters
  - Refugee Resettlement

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### Identification

Undocumented children and youth have the same right to attend public primary and secondary schools as U.S. citizens and are covered by the McKinney-Vento Act to the same extent as other children and youth.

*Plyler v. Doe* [457 U.S. 202 (1982)]

"It is well established that states cannot exclude children who are undocumented immigrants from public schools, *Plyler v. Doe*, 457 U.S. 202 (1982), and Proposition 200 does not attempt to do so."

- AG I04-010  
<http://www.ag.state.az.us/opinions/2004.html>

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	Total HCY	Doubled Up	Sheltered	Hotel/Motel	Unsheltered	Unknown
SY 2007-2008	21,381	64.7%	25%	4.7%	1.9%	3.7%
SY 2008-2009	25,263	66.9%	24.9%	3.8%	4.4%	N/A
SY 2009-2010	30,815	73%	21%	3%	3%	N/A
SY 2010-2011	31,312	72%	22%	3%	3%	N/A
SY 2011-2012	31,683	72%	21%	4%	3%	N/A
SY 2012-2013	30,934	67%	25%	5%	3%	N/A
SY 2013-2014	29,763	65%	28%	4%	3%	N/A
SY 2014-2015	29,537	64%	28%	5%	3%	N/A
SY 2015-2016	??	??	??	??	??	??

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### Identification

- Primary Nighttime Residence Definitions:
  - **Sheltered:** Students living in temporary shelters, such as homeless shelters, domestic violence shelters, or transitional housing programs, or temporary foster care placements.
  - **Doubled Up:** Students temporarily sharing the housing of other persons (friend or relatives) due to loss of housing, economic hardship, or a similar reason.
  - **Unsheltered:** Student living in abandoned buildings, campgrounds, and vehicles, inadequate trailer parks, bus and train stations, substandard housing or abandoned in the hospital.
  - **Hotel/Motel:** Students temporarily living in a hotel or motel due to lack of alternative adequate accommodations.

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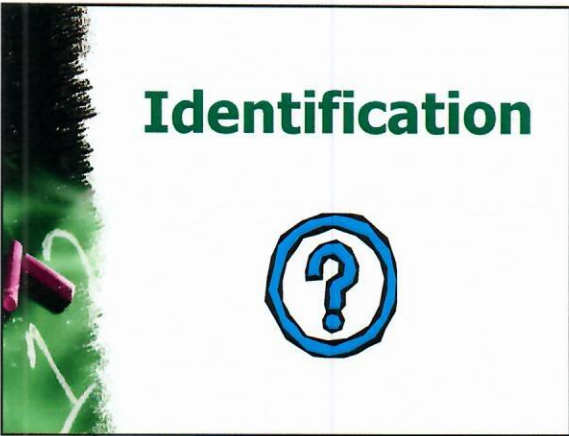
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## Identification



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## Enrollment



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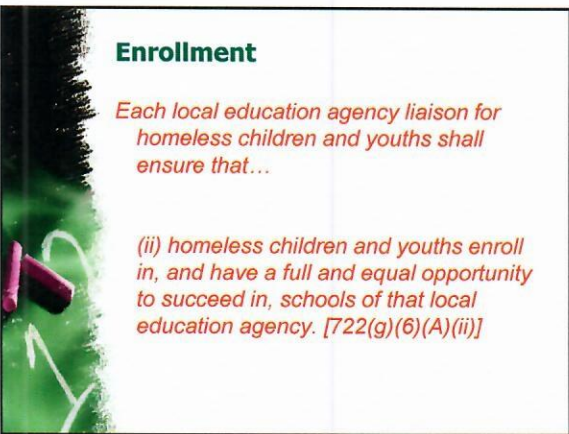
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### Enrollment

*Each local education agency liaison for homeless children and youths shall ensure that...*

*(ii) homeless children and youths enroll in, and have a full and equal opportunity to succeed in, schools of that local education agency. [722(g)(6)(A)(ii)]*

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**Enrollment**

- Immediate
- Even without
  - Birth certificates
    - Not required, per ARS 15-828
  - School records
    - Not required, per ARS 15-828
  - Immunization
    - Exempt for 5 calendar days, per ARS 15-872 subsection H
- *Children and youth have the right to enroll in school immediately, even if they do not have required documents, such as school records, medical records, proof of residency, or other documents are unable to produce records normally required for enrollment, such as previous academic records, records of immunizations and other required health records, proof of residency, or other documentation; or has missed application or enrollment deadlines during any period of homelessness.*

*[722(g)(3)(C)(i)-(i)]*

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**Enrollment**

Enroll students immediately and then follow up on details, disputes, etc.

*If a student does not have immunizations, or immunization or medical records, the liaison must immediately assist in obtaining them, and the student must be enrolled in school in the interim. [722(g)(3)(C)(iii)]*

*Enrolling schools must obtain school records from the previous school, and students must be enrolled in school while records are obtained. [722(g)(3)(C)(ii)]*

*Schools must maintain records for students who are homeless so they are available quickly. [722(g)(3)(D)]*

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**Enrollment**

- School Selection
  - *Parent or Guardian Choice*
    - School of Origin
    - School of Residency

Note: Charters DO HAVE "School of Origin" responsibilities.

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**Enrollment**

- School Selection
  - School of Origin
    - *The term school of origin' means the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled, including preschool. [722(g)(3)(G)(i)(i)]*
    - *When the child or youth completes the final grade level served by the school of origin, as described in clause (i), the term "school of origin" shall include the designated receiving school at the next grade level for all feeder schools. [722(g)(3)(i)(ii)]*
  - School of Residency
    - The school designated for the attendance area in which the student currently resides.

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**Enrollment School Selection**

The diagram illustrates four school selection scenarios. 'Permanent Housing' is shown with a house icon. 'School of Origin' is shown with a schoolhouse icon. 'ABC Shelter' is shown with a shelter icon. 'School of Residency' is shown with a schoolhouse icon. A large circle encloses the 'School of Origin' and 'ABC Shelter' options, indicating a specific selection rule for these categories.

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**Enrollment**

**School Stability**

*Local Educational Agencies (LEAs) must keep students in homeless situations in their school of origin, to the extent feasible, unless it is against the parent's or guardian's wishes.*

*In determining best interest, the LEA shall:*

- *Presume that keeping the student in the school of origin is in the student's best interest.*
  - *Unless contrary to the request of the parent, guardian, or unaccompanied youth.*
- *Consider student-centered factors, including the impact of mobility on achievement, education, health, and safety.*
- *Give priority to the parent's/guardian's request.*
- *Give priority to the youth's request (in the case of an unaccompanied youth). [722(g)(3)(B)(i-ii)]*

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**Enrollment**

School Stability

- *Students can stay in their school of origin the entire time they are homeless, **and until the end of any academic year in which they move into permanent housing.***  
*[722(g)(3)(A)(i)] [722(g)(3)(A)(i)(II)]*

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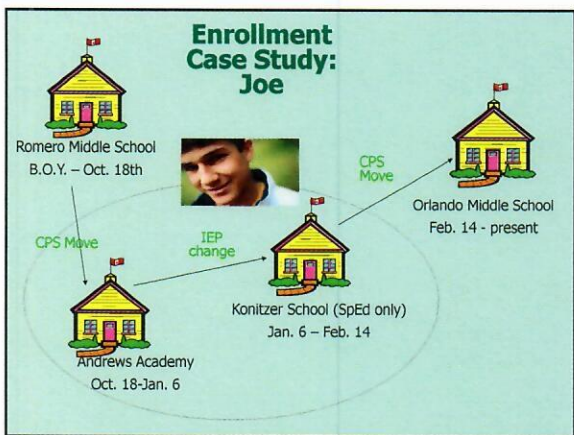
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**Enrollment**

- **Dispute Resolution**
  - The student must be immediately admitted to the school of choice while the dispute is being resolved.
  - Liaisons must ensure unaccompanied youth are immediately enrolled while the dispute is being resolved.
  - Whenever a dispute arises, the parent or guardian must be provided with written explanation of the school's decision, including the right to appeal the decision.
  - Liaisons must inform unaccompanied youth of their right to appeal the school's decision.
  - The school must refer the child, youth, parent, or guardian to the school liaison to carry out the dispute resolution process as expeditiously as possible.

Arizona's State Plan, Item #3

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**Enrollment**

- State Level Appeal

If dissatisfied with the resolution, he/she may appeal the decision to the state level.

The appellant must submit a written "State Level Notice of Appeal" and copy of the LEA's decision to the Homeless Education Coordinator no later than seven (7) work days after receiving written notification of the district level or inter-district decision.

<http://www.azed.gov/populations-projects/home/homeless/dispute-resolution/>

Copies of all paperwork filed with the Homeless Education Coordinator shall be provided to all other parties to the proceeding.

Within seven (7) work days, convene a panel of at least two (2) Arizona Department of Education employees. This panel shall review the entire record of the dispute, including any written statements submitted, and make a determination based on the child or youth's best interest.

The determination of the panel shall be final.

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**Enrollment**




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**Educational Services**




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**Educational Services**

*Each local education agency liaison for homeless children and youths, designated under paragraph (1)(j)(ii), shall ensure that—*

*Homeless families, children, and youths have access to and receive educational services for which such families, children, and youths are eligible, including Head Start and Even Start programs early intervention (IDEA Part C) and preschool programs administered by the local educational agency, and referrals to health care services, dental services, mental health services, and other appropriate services; [722(g)(6)(A)(iii)]*

*Homeless families and homeless children and youths receive referrals to health care service, dental services, mental health services and substance abuse services, housing services, and other appropriate services. [722(g)(6)(A)(iv)]*

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**Educational Services**

- Title I
  - *A child or youth who is homeless and is attending any school in the district is automatically eligible for Title I services. [1115(b)(2)(E)]*
    - This includes support services and supplemental educational programs such as tutoring, summer school, preschool, etc.
- Free and Reduced Breakfast/Lunch
  - For LEAs with National School Lunch Programs
  - As of 2002, USDA policy permits liaisons to obtain free school meals for students by providing a list of names of students experiencing homelessness with dates.
  - This became law with The Child Nutrition and WIC Reauthorization Act of 2004
  - [http://naehcy.org/dl/usda\\_sp4.pdf](http://naehcy.org/dl/usda_sp4.pdf)

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**Educational Services**

- English Acquisition Services/ELL
- Migrant
- Gifted
- Counseling
- Head Start
  - *Liaisons must ensure that families and children receive Head Start programs and preschool programs. [722(g)(6)(A)(iii)]*
- Preschool
- Special Education (if eligible)

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**Statewide Services**

- <http://www.arizonaselfhelp.org>

**Arizona Self Help.org**  
A project by Arizona Community Action Association

- <http://www.azfoodbanks.org/>

**Association of Arizona Food Banks**

- <http://www.cir.org>

**Arizona 2-1-1**  
Get Connected. Get Answers.  
Community Information and Referral Services

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**Educational Services**



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**Public Notice**



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**Public Notice**

*Each local education agency liaison for homeless children and youths, designated under paragraph (1)(j)(ii), shall ensure that –*

*The parents or guardians of homeless children and youths are informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children; [722(g)(6)(A)(v)]*

*Public notice of the educational rights of homeless children and youths is disseminated in locations frequented by parents or guardians of where such children and youths, and unaccompanied youth, receive services under this Act such as including schools, family shelters, public libraries, and soup kitchens, in a manner and form understandable to the parents and guardians of homeless children and youths, and unaccompanied youths; [722(g)(6)(A)(vi)]*

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**Public Notice**

- ADE Requirements
  - Once Upon Enrollment
  - **Twice Annually**
    - Posters
    - Newsletters
    - Pamphlet
    - Handbook
    - Website
  - In schools & in community
  - Notification needs to be made to all parents not just the homeless parents.

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**Public Notice**

Available in English & Spanish from:  
<http://www.serve.org/nche/products.php>

**INFORMATION FOR PARENTS**



**INFORMATION FOR SCHOOL-AGE YOUTH**



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**Public Notice**




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**Transportation**




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**Transportation**

*Each local education agency liaison for homeless children and youths, designated under paragraph (1)(j)(ii), shall ensure that –*

*The parent or guardian of a homeless child or youth, and any unaccompanied youth, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school that is selected...*  
 [722(g)(6)(A)(viii)]

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**Transportation**

- Provided to and from the School of Origin
  - If feasible (in the "best interest" of the student)
  - At request of parent/guardian/youth
- Local educational agencies (LEAs) must provide students experiencing homelessness with transportation to and from their school of origin, at a parent's or guardian's request, including until the end of the year when the student obtains permanent housing.

[722(g)(1)(J)(iii)]

Note: Charters have School of Origin responsibilities

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**Transportation**

- School of Origin & School of Residency are dually responsible.

*If the homeless child's or youth's living arrangements in the area served by the local educational agency of origin terminate and the child or youth, though continuing his or her education in the school of origin, begins living in an area served by another local educational agency, the local educational agency of origin and the local educational agency in which the homeless child or youth is living shall agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the local educational agencies are unable to agree upon such method, the responsibility and costs for transportation shall be shared equally.*

[722(g)(1)(J)(iii)(II)]

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**Transportation**

The method of transportation is an LEA decision, but it must be appropriate for the student and family.

- School bus
- Smaller school bus
- Public bus passes or tokens
- Reimburse parent for mileage
- Activity vans
- Taxi service
- Van service

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# Transportation



A graphic featuring a green chalkboard background with a question mark icon in a blue circle. The word "Transportation" is written in green at the top. A pink chalk stick is visible on the left side.

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# Accountability



A graphic featuring a green chalkboard background with a collage of words related to accountability, including "ACCOUNTABILITY", "Motivated", "Seal Starter", "Leadership", "Integrity", "Values", "Innovation", "Collaboration", "Communication", "Teamwork", "Results", "Ownership", "Accountability", "Integrity", "Values", "Innovation", "Collaboration", "Communication", "Teamwork", "Results", "Ownership". The word "ACCOUNTABILITY" is prominently displayed in the center. A pink chalk stick is visible on the left side.

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# Accountability

- Data Collection
  - All LEAs
    - Number of Homeless Children & Youth
    - Primary Nighttime Residence
      - Do not use "Unknown"

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**Accountability**

- ADE ESEA 6-Year Compliance Monitoring
  - ALEAT Cycle 1 & 4: All compliance areas
    - Homeless Education Policy
      - Current LEA Homeless Education Policy which includes required components: Immediate Enrollment; HCY are not stigmatized or segregated; and transportation is provided at parent request.
    - Homeless Education Liaison
      - HCY Public Notice Locations (Template)
      - HCY Reservation of Funds (Template)
      - Identification Procedure
      - Staff Training on Homeless (Template)
    - Homeless Education Dispute Procedure
      - Current LEA Dispute Resolution Procedure. Template available as starting point in development of the LEA dispute resolution procedure.

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**Accountability**



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**Funding**



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**Funding**

McKinney-Vento Sub Grants

Title IA Set-Asides

General Funds

	<u>McKinney-Vento Grant Awards</u>
FY02	\$ 578,982.00
FY03	\$ 828,784.00
FY04	\$ 827,848.00
FY05	\$1,111,293.00
FY06	\$1,215,871.00
FY07	\$1,262,092.00
FY08	\$1,245,604.00
FY09	\$1,187,280.00
FY10 Stim	\$1,618,216.00
FY10	\$1,494,986.00
FY 11	\$1,364,296.00
FY 12	\$1,402,919.00
FY 13	\$1,330,033.00
FY 14	\$1,372,486.00
FY 15	\$1,422,929.00
FY 16	\$1,416,334.00
FY 17	\$1,519,858.00




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**Funding**

- Title I-A Set-Asides
  - LEAs are required to set aside .5% (half of a percent) of their Title I allocations, or \$100, whichever is greater, to meet the needs of HCY.

*A local educational agency shall reserve such funds as are necessary under this part to provide services comparable to those provided to children in schools funded under this part to serve homeless children who do not attend participating schools, including providing educationally related support services to children in shelters and other locations where children may live; [1113(c)(3)(A)]*

<http://www.azed.gov/populations-projects/home/homeless/ade-guidance/>




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**Funding**






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**Contact Information**

**Frank Migali, MBA**  
State Director for Homeless Education  
1535 W. Jefferson, Bin #14  
Phoenix, AZ 85007  
(602) 542-4963  
**1-855-711-3231**  
[frank.migali@azed.gov](mailto:frank.migali@azed.gov)  
[homeless@azed.gov](mailto:homeless@azed.gov)

**Web Page:**

- Law & Guidance
- Dispute Resolution Process
- Database of Local Liaisons

<http://www.azed.gov/populations-projects/home/homeless/>

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# Office Discipline Referral Process

**“The student is not an interruption of our work, the student is the purpose of our work.” -William W. Purkey**

*“Teachers must be careful that they do not make a mountain out of a molehill. They must manage and evaluate a situation correctly. If the situation warrants a discipline referral, then the student should be sent to the office. A teacher should never send a student to the office simply because they “need a break” or “don’t want to deal with it”. Students must be held accountable for their actions. However, complete reliance on the principal for handling all discipline issues is indicative of a failure to effectively manage a classroom on the teacher’s part.*

*It is important to note that it works the opposite way as well. If a teacher never sends a student to the office, then they are not taking full advantage of the resources available to them. A teacher should never refuse to send a student to the office simply because they are worried about what their principal thinks” Derrick Meador, [www.thoughtco.com](http://www.thoughtco.com)*

## Definition Guidelines

**Minor** – Discipline incident that can be handled by the teacher and does not warrant a discipline referral to the office.

**Major** – Discipline incident of such severity that administrative intervention is warranted.

**Crisis** – Incidents that require immediate response from administration, crisis team, entire staff, and/or community support.

# Examples of Behaviors by Severity

## Minor

Jumping in class  
Chewing gum  
Toys  
Disrupt classroom  
Horseplay  
Running in the hall  
Playing in the bathroom  
Talking in class  
Passing Notes  
Failure to follow class procedures  
Failure to bring materials to class  
Petty conflicts between students  
Cheating on assignments  
Disrespect towards adult

## Major

Fighting  
Cursing  
Bullying  
Harassment  
Cheating repeatedly or on exams  
Theft  
Obscene pictures/Literature  
Vandalism  
Smoking  
Possession of smoking materials or tobacco  
Possession of fireworks, matches, lighter  
Verbal Abuse of adults or students  
Defiance/ Disrespect (repeatedly)  
Threats

## Crisis

Fighting  
Flammables  
Weapons  
Drugs  
Intruder  
Bomb Threat

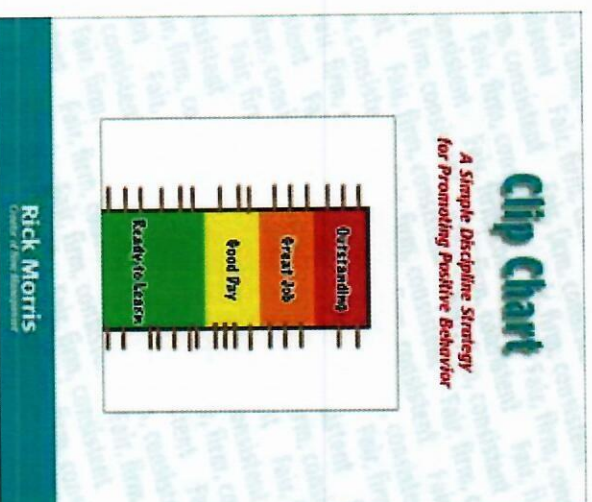
## Handling Minor Disciplinary Offenses

The following offenses should be handled by the teachers themselves. In most cases retraining the students in procedures will be sufficient, though establishing and following through with classrooms consequences will help reinforce and minimize re-occurrences. A student should not be sent to the office for violating a single offense in the minor category. These offenses are assumed to be of a minor nature. It is important to note that one of these minor issues can become major when it recurs on a regular basis. If this is the case and the teacher has exhausted discipline techniques including **contact of parents**, they should go ahead and refer them to the office.

If the offenses are continuous and repeating, the teacher must note in the referral that this is a repeat offense and that parents have already been contacted.

## Handling Major and Crisis Disciplinary Offenses

Major and Crisis Offenses result in an automatic referral to the office for discipline - **NO EXCEPTIONS.**





# Is this a major incident?

**No**

1<sup>st</sup> offense  
Verbal feedback-warning

2<sup>nd</sup> offense (Same Behavior)  
Continue with Intervention  
And consequences

3<sup>rd</sup> Offense (Same Behavior)  
Contact Parent

4<sup>th</sup> Offense (within 2 weeks)  
Follow Referral Process to Office

**Yes**

Write Referral  
Fill out all information/specify parent has been  
Contacted and student consequences received

Administration will follow-up  
With course of action and/or consequences

1. Parent contacted
2. Teacher provided with administrative action
3. Incident recorded in data management system

**DOCUMENT EVERYTHING**