Student Handbook

Dean of Students – Michelle Irvine

Leading Edge Academy Online (LEAO)

Resource Center/Learning Lab
Gilbert - 707 W Ray Rd Suite 1A Gilbert, AZ 85296 (Office Located Here)
(480) 257-5362

MISSION STATEMENT

Leading Edge Academy will develop lifelong learners who lead with character and achieve academic excellence by educating the whole child and fostering community and parental partnerships.

Core Values:

- Character above all else
- Fiscal sustainability
- Academic excellence
- Staff fit and focus
- Safe atmosphere
- Whole child

NETWORK ADMINISTRATION

President - Delmer Geesey
Executive Director – Lori Anderson

NETWORK OFFICE
633 E. Ray Road, Ste. 132
Gilbert, AZ 85296
480-633-0414

LEAD CHARTER SCHOOL BOARD

Delmer Geesey
Cindy Stark
Tim Hall
Vicky Schildgen
Dr. Gerry Slemmer

Regular School Board meetings are held six to eight times a year. Meeting notices are posted at the Network office and at www.leadingedgeacademy.com in the Resources>Notices/Policies section 24 hours in advance.

Welcome Parents and Students:

We are looking forward to an exciting and productive new school year with students and families. This Student Handbook is a resource for some of the basic information that students and parents will need during the school year. The handbook is divided into three sections:

Section I - General Policies and Procedures
This contains information all students and parents will need to respond to school-related issues. This section also describes school operations and requirements.

Section II – Gilbert Learning Lab Policies and Procedures
This section outlines policies and processes for our Resource Rooms.

Section III – Student Code of Conduct
All students and parents must review this section. After the Student Code of Conduct is reviewed, please sign and submit the last page of the handbook to their Assistant Teacher. Isn't this done in Synergy?

Please note that the term "the student's parent" is used to refer to the parent or legal guardian.

Both students and parents must be familiar with the Student Code of Conduct. Please be aware that the handbook is updated yearly, however, policy adoption and revision may occur throughout the year. Changes in policy that may affect handbook provisions are made by the School Board in open meetings, which are publicized locally.

We strongly recommend that parents review the entire handbook with their student(s) and keep it as a reference during this school year. Questions about any of the material in this handbook should be directed to the school office.

LEAO looks forward to a great school year serving students and families.

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SECTION I

I. GENERAL POLICIES & PROCEDURES

A. REGISTRATION/ADMISSIONS

Enrollment in Leading Edge Academy Online

To enroll, go to www.leadingedgeacademy.com and select, "Enroll Now." This will direct users to LEA's fully online enrollment application. Please choose Leading Edge Academy Online as the campus of choice when enrolling. Pay special attention to the school year. Leading Edge Academy -will not admit students who have been expelled or are in the process of being expelled from a previous school. If it is discovered that a student has been previously expelled, the student's enrollment may be terminated. LEAO will request official transcripts/report cards from the previous school as well as discipline records; however, to ensure proper placement, it is helpful if a transcript and/or most recent report card or a promotion certificate from the previous school is provided.

Newly enrolled students will begin online courses in SPLP on a predetermined start date after registration and an orientation meeting are completed with the principal/academic advisor. Start dates are scheduled on preselected dates during 1st and 2nd semester. Start dates determine the number of courses newly enrolled students will be assigned. Final determination of a student's course load is assigned by the principal/academic advisor. Start date calendars are available at the LEAO office or digitally upon request.

Student Records

Parents have reasonable access to their student's school records. School employees observe confidentiality of student records and recognize that only important, factual information should be in permanent records. Parents requesting copies of a student's school records should provide the request in writing. All requests for educational records will be handled according to state and federal regulations.

Change of Address and Telephone Number(s)

It is very important that parents update their personal information in ParentVUE as soon as possible if a student's address, telephone number or emergency contact changes during the school year.

Withdrawal from School

The Faculty and Administration encourages all students to remain in school. Students who are having problems are advised to see the Advisor or Administrator for guidance. A student under age 18 may be withdrawn from school only by a parent/legal guardian. The school requests notice from the parent at least three (3) days in advance so that records and documents may be prepared. A withdrawal form may be obtained by the parent from the school office and must be turned in along with all school property before the student will be withdrawn.

Custody

In most cases, parents shall be given reasonable access to their student(s) at school and to their student's official school records. Exceptions to this will be made in cases where there are court orders restricting the rights of one parent to access a student and/or the student's official school records. It shall be the responsibility of the parent who has a court order restricting the rights of the other parent to notify school officials of the conditions and to provide school officials with a current copy of the court order. In cases in which a person other than the parent has been granted guardianship, the legal guardian shall be responsible for notifying

school officials of the conditions of the guardianship and for providing school officials with all pertinent written documentation or changes.

B. ATTENDANCE POLICIES

Attendance Policy

Students at LEAO are expected to meet the following weekly attendance requirements outlined in the charts below:

Grades K-3 - Average 26 hours per Week

	Monday	Tuesday	Wednesday	Thursday	Friday
ELA/Reading	2.5 hours	2.5 hours	2.5 hours	2.5 hours	2.5 hours
Math	1 hour	1 hour	1 hour	1 hour	1 hour
Science/Social Studies	Science: 30 min	SS: 30 min	Science: 30 min	SS: 30 min	
PE/Art	PE: 30 min		Art: 30 min		
Enrichment*	1 hour	1 hour	1 hour	1 hour	1 hour

*Enrichment includes: Amira, iReady, IXL, Typing Practice and Offline Reading Practice

Grades 4-6 - Average 25 Hours per Week

	Monday	Tuesday	Wednesday	Thursday	Friday
ELA/Reading	1.5 hours	1.5 hours	1.5 hours	1.5 hours	1.5 hours
Math	1 hour	1 hour	1 hour	1 hour	1 hour
Science	30 min	30 min	30 min	30 min	30 min
Social Studies	30 min	30 min	30 min	30 min	30 min
PE/Art	PE: 30 min	Art: 30 min	PE: 30 min	Art: 30 min	Choice
Enrichment*	1 hour	1 hour	1 hour	1 hour	1 hour

*Enrichment includes: iReady, IXL, Typing Practice and Offline Reading Practice

Grades 7-11th- Average 33 Hours per Week

Students in Grades 7-11 are required to take a minimum of 6 courses.

	Monday	Tuesday	Wednesday	Thursday	Friday
English Language Arts	1 hour	1 hour	1 hour	1 hour	1 hour
Math	1 hour	1 hour	1 hour	1 hour	1 hour
Science	1 hour	1 hour	1 hour	1 hour	1 hour

Social Studies	1 hour	1 hour	1 hour	1 hour	1 hour
Elective 1	1 hour	1 hour	1 hour	1 hour	1 hour
Elective 2	1 hour	1 hour	1 hour	1 hour	1 hour
Enrichment*	30 min	30 min	30 min	30 min	30 min

*Enrichment includes: IXL, Typing Practice and Offline Reading Practice

Grade 12th- Average 25 Hours per Week (5 hours of instruction per day)
Students are required to take a minimum of 4 courses.

	Monday	Tuesday	Wednesday	Thursday	Friday
English Language Arts	1 hour	1 hour	1 hour	1 hour	1 hour
Math	1 hour	1 hour	1 hour	1 hour	1 hour
Social Studies	1 hour	1 hour	1 hour	1 hour	1 hour
Science or Elective	1 hour	1 hour	1 hour	1 hour	1 hour
Enrichment*	1 hour	1 hour	1 hour	1 hour	1 hour

*Enrichment includes: IXL, Typing Practice and Offline Reading Practice

Our recommendation is that students work on their courses Monday-Friday when teachers are available to assist with instructional needs. However, students who are enrolled at an online school are able to work on their courses at times that best suit their needs. In order to be considered a full time student in the online program, students must meet the average weekly requirements per the attendance guidelines for an Arizona Online Instruction (AOI) school pursuant to A.R.S. § 15.808 by the Arizona Department of Education. Failure to consistently meet these requirements weekly will result in a student being placed on an Academic Contract. Parameters of an Academic Contract include required synchronous sessions weekly and may require the student to attend in person support at our Learning Lab Monday-Thursday.

Attendance Attestation Requirements:

By choosing LEAO, parents are required to **Update and Submit** attendance into ParentVUE on a **weekly** basis. Attendance should be submitted no later than every **Sunday** once students have completed their coursework for the week. Attendance minutes must be attested for each course and should match at a minimum the recommended minutes listed above.

Attendance minutes are not just time the student spends within the SchoolsPLP platform, but also any educational hours. Educational hours include: SchoolsPLP coursework, Amira, iReady, typing practice, IXL, athletics/sports, offline reading, field trips, museum trips, library trips, educational videos, etc.

Attendance Law:

It is state law that after ten (10) consecutive "inactive school days" or school days where a student has not logged into Schools PLP, they **will be withdrawn** unless a parent/guardian has made an alternate plan with the Principal or Academic Advisor. Students absent for ten (10) consecutive school days, except for excused absences, shall be withdrawn from the school pursuant to A.R.S. 15-901 (A)(2). Student Attendance Legal References: A.R.S. 15-346, 15-771, 15-802, 15-803B, 15-804, 15-805, 15-806, 15-807, 15-826, 15-843, 15-872, and 15-873.

Underperforming Policy:

The process for evaluating and managing pupils with declining academic achievement consistent with A.R.S. § 15-808(G) which states, "If the academic achievement of a pupil declines while the pupil is participating in Arizona online instruction, the pupil's parents, the pupil's teachers and the principal or head teacher of the school shall confer to evaluate whether the pupil should be allowed to continue to participate in Arizona online instruction" is as follows:

Timeline	Procedure(s)	Persons Responsible
Enrollment	Student Onboarding Process Orientation Meeting Newly enrolled students and parents must participate in an orientation meeting (virtual or in person) with the principal/academic advisor prior to receiving login credentials. Students must participate in an Onboarding Meeting with LEAO's Instructional Assistant prior to beginning coursework.	Student Parent/Guardian Principal/Academic Advisor Instructional Assistant
Four weeks after enrollment	Students with failing grades reported to the Principal or Academic Advisor. Course Fail Alert sent to students and parent by Success Coach, individual conference scheduled with student, Academic Success Plan created with student and uploaded to documents in SIS.	Student Parent/Guardian Teachers Success Coach Principal/Academic Advisor
Mid Semester Progress Report	Students who continue to fail at mid-semester will be reported to the Principal or Academic Advisor. The student and parent will conference with teachers and administration and an Academic Contract will be issued. The Academic Contract will detail a timeline for the student to receive passing grades with instructional support. If the student fails by the end date on the Academic Contract, the student will be withdrawn from school. Document will be uploaded to SIS.	Student Parent/Guardian Teachers Success Coach Principal/Academic Advisor
Final Semester Grade/End Date of Academic Contract	Student passes courses: If a student placed on an Academic Contract passes all assigned courses, student will continue enrollment and will be monitored in the following	Student Parent/Guardian Teachers Success Coach

	semester by teachers and staff. Student fails courses: If a student does not meet the requirements as stated in the Academic Contract, student will be withdrawn from the school. School administration will offer an Exit Conference to the student/parent to discuss student placement/program.	Principal/Academic Advisor

All students at Leading Edge Academy Online are highly encouraged to attend our Gilbert Learning Lab, especially when struggling with course content. Students placed on an Academic Success Plan or Academic Contract may be required to attend the Learning Lab, per administration discretion and family conference determination.

C. ACADEMICS

General Academic Information:

Internet/Computer Access Requirement, Software and SchoolsPLP
In order for a student to stay on track with their coursework, internet and computer access is a requirement. In order for students to complete mandatory benchmark testing virtually, students will need to have a personal device with Windows 10 installed. If a device is not available, please contact the LEAO office. Students who work in person at the Learning Lab will be provided a school laptop to complete their work while in attendance.

Accessing Grades
Through SchoolsPLP and ParentVUE LEAO maintains a continuous system for informing parents of the status of their student's progress in a course.

SchoolsPLP: Parents can view up to the minute grades by accessing their student's SchoolsPLP account. The student's grades are listed on the main screen and also by clicking on the Report Card tab. Parents are encouraged to check their student's grades daily on SchoolsPLP.

ParentVUE: Mid-semester Progress Report Grades and Final Semester Grades will be posted in ParentVUE. Parents and students are highly encouraged to opt into email/text notifications in SPLP. After opt in, parents and students will receive an email and/or text notification any time a new message is sent by their student's teacher team or the principal in SPLP.

Report Cards
Report cards are issued in January for the fall semester and June for the spring semester. Parents are encouraged to contact the course instructor for any clarification on grades throughout the semester and to check grades daily via SchoolsPLP.

Course Progression
9-12th students are allowed to progress to the next core course with a minimum grade of "D." Should a student earn any grade below a "D," they will be required to repeat the core course or take summer school as Credit Recovery prior to moving on to the next core course.

8th Grade Promotion

Students must pass their classes with a "D" or better in order to be promoted to the next grade level. In addition, a Civics exam may be administered beginning in 8th grade to students that is required for high school graduation. Once students pass, they will not be required to retake the Civics test necessary for high school graduation.

Grading Scale:

Percentage	Letter Grade	Grade Points
97-100	A+	4.0
93-96	A	4.0
90-92	A-	4.0
87-89	B+	3.0
83-86	B	3.0
80-82	B-	3.0
77-79	C+	2.0
73-76	C	2.0
70-72	C-	2.0
67-69	D+	1.0
65-66	D	1.0
0-64	F	0

Grading Key:

A=Work of excellent quality
B=Above average work
C=Average work
D=Below average work
F=Failing work, no credit

E=Excellent
S=Satisfactory
N=Needs improvement
U=Unsatisfactory, no credit
I=Incomplete*
P=Non-competitive grade

* An Incomplete grade must be made up within two (2) weeks or it becomes an "F." A "W/F" is the equivalent of an "F."

Grade Clarification:

A passing grade shall be determined on a cumulative basis, from the beginning of instruction to the recording of a transcript grade. Withdraw/Fail (W/F) grades and grades received in all other courses for which the student is responsible will be used in determining a student's GPA.

State Testing:

All students are required to take Assessments as required by the Arizona Department of Education. **Per AOI State Statue, all students, grades 3-9th & 11th, are required to participate in State Testing as outlined below.** All students must complete State Testing Assessments **in person**. LEAO will inform families of testing days and times as early as possible to ensure parents are able to make arrangements. The testing calendar is available at the LEAO office or digitally upon request.

AASA (Arizona's Academic Standards Assessment): Students in grades 3-8 will be tested in Reading, Writing and Math. Additional testing is required for students in grade 3; they will also take an Oral Reading Fluency test.

Arizona Science Assessment (AzSci): Students in grades 5, 8 and 11 will take a standards-based assessment that measures student proficiency of the Arizona Academic Content Standard in Science.

ACT Aspire: Students in grade 9 will take the ACT Aspire to prepare for the ACT in grade 11.

ACT: Students in grade 11 will take the ACT. Students are not required to submit their scores to a college or university, but they are required to take the ACT.

100% in person participation in the above listed tests is required by the state. Consistent with A.R.S. § 15-808 (B), "if a pupil fails to comply with the testing requirements and the school administers the tests pursuant to this subsection to less than ninety-five percent of the pupils in Arizona online instruction, the pupil shall not be allowed to participate in Arizona online instruction."

Other Mandatory Assessments:

English Language Learners (AZELLA)- Arizona law requires that children with a home language other than English be assessed using the Arizona English Language Learner Assessment (AZELLA) for proficiency in oral language, reading comprehension, and written communication. Following parent/guardian notification, students who are identified as limited English proficient may receive various forms of instructional support focused on English acquisition. Leading Edge Academy offers an English Language Learning Program to serve students who need assistance in learning English. Full inclusion of English Language Learners is practiced.

Benchmark Testing (NWEA MAPS):

All students attending a Leading Edge Academy Network school are **required** to participate in NWEA MAPS benchmark assessments three times a year. The benchmark testing data informs teacher instruction. All student data is kept confidentially between the school and families. LEAO students will participate in NWEA benchmark assessments virtually, with camera function enabled. **Failure to participate in NWEA MAPS benchmark testing by the deadline will result in course failure. Students may also lose access to work on their courses if they miss their initial test session, until they have made up their session.**

Mid-Semester Live Assessments: Consistent with A.R.S. § 15-808 (H) "to ensure the academic integrity of pupils who participate in online instruction, Arizona online instruction shall include multiple diverse assessment measures [...]." All students attending LEAO are required to participate in a mid-semester live assessment (in person at the Learning Lab or virtually with camera function enabled) once per semester in core courses (English, Math, Social Studies, & Science). **Failure to participate in a live assessment by the deadline will result in course failure.**

High School Academic Information:

Courses and Credits

The online curriculum provides an array of core and elective courses for grades 9-12. Each course offers Arizona Common Core standards-aligned content that incorporates Universal Design for Learning (UDL) principles with Quality Standards for online courses. This lesson structure promotes academic success in an online learning environment. Courses are a semester in length and worth one-half (.5) credit towards graduation.

Leading Edge Academy Online – Graduation Requirements

Curriculum Area	Leading Edge Academy Online Graduation Requirements
English	4 credits
Math	4 credits
Science	3 Lab Science Credits *Must include at least three of the four areas: Chemistry, Physics, Earth and Biological sciences.*
Social Studies	3 credits
Physical Education	1 credit
CTE/Fine Arts	1 credit
Electives	4 credits
World Languages	2 credits
Total Credits Required	**22 credits**
Additional Requirements	Civics Test-passing score of 70% CPR Requirement

*LEAO's High School Diploma is fully compliant with Arizona University Entrance Requirements

Students are required to earn no less than **22 credits** in the following subject areas:

- **English** (4 credits) – This requirement will be met by completing one credit each of English 9, English 10, English 11 and English 12. ENG101 AND ENG102 may also be used to satisfy the requirement for H English 11 or English 12.
- **Math** (4 credits) – The requirement will be met by earning four credits in math, one of which must be Algebra II.
- **Social Studies** (3 credits) – This requirement will be met by completing one credit of World History, one credit of US/Arizona History, one-half credit of Economics, and one-half credit of US/Arizona Government.
- **Science** (3 credits) – This requirement will be met by earning three credits in science, one of which must be Lab Biology.
- **Physical Education** (1 credit) – This requirement is met by successfully completing one credit of Physical Education.
- **Career and Technical Education (CTE) or Fine Arts** (1 credit) – This requirement will be met by completing one credit in either CTE or Fine Arts. Courses taken at EVIT will meet the CTE requirement.
- **Electives** (4 credits) – This requirement will be met by completing any four credits of elective course offerings. A maximum of one unit of elective will be allowed for teacher aide, office assistant, and other programs of this type.
- **World Languages** (2 credits) – This requirement will be met by completing two world language courses (same language) OR Students may choose to take one year of concurrent enrollment courses to complete their world language requirement.

Credit Recovery:

Students who have failed a course may take a Credit Recovery course. Credit Recovery courses allow pre-testing. If a student can demonstrate they know the content of a specific unit, they can test out of it, thus reducing the extra hours of work and eliminating content for which they already have knowledge.

Grade Replacement:

If a student is on track with their credits, he or she may choose to retake a course to strive for a better grade; grade replacement. The student will receive a repeat tag on his/her transcript, with the highest letter grade awarded informing the student's GPA.

Acceleration:

LEAO students in grades 9-12 may choose to take additional courses each year, resulting in early graduation. Accelerated pathway students must meet the following eligibility requirements.

- Good academic standing:
    a. 9th grade-AASA Proficient & A letter grade in all core classes 8th grade year OR cumulative unweighted GPA 3.5 or higher Semester 1 of high school
    b. 10-12th grade-cumulative unweighted GPA 3.5 or higher
- Positive attendance record
- No behavioral or discipline contracts or issues

Diplomas are awarded upon commencement. Students approved for acceleration must complete and submit an Early Graduation Plan to the principal/academic advisor. Acceleration pathway/early graduation students must participate in state testing and NWEA MAPS benchmark testing requirements regardless of expected graduation requirements completion date.

If a student desires to pursue acceleration but does not meet the above requirements, LEAO highly encourages students to meet with the principal/academic advisor to determine a future pathway for acceleration.

Recommended Testing:

PSAT- The PSAT is highly recommended for college bound students; however, it is not required. Students typically take the PSAT during their sophomore and/or junior year during the fall. To be considered for the National Merit Scholarship, the PSAT/NMSQT must be taken during a student's junior year.

SAT- The SAT is highly recommended for college bound students. Students typically take the SAT during the spring of their junior year or fall of their senior year.

CTE Certification Exams-Students enrolled in an LEAO CTE certification course are highly encouraged to participate in certification exam administration at the culmination of the course. Students who successfully pass a CTE certification exam for a CTE course offered at LEAO are eligible for exam reimbursement (this does not apply to EVIT/CAC exams or exams taken for courses outside of LEA). Contact LEAO for more information.

Concurrent Enrollment:

Students at LEAO are encouraged to take advantage of Concurrent Enrollment at various colleges and technical schools around the state, including EVIT, Central Arizona College, Rio Salado Community College, and Grand Canyon University. In order to be approved for Concurrent Enrollment, students must meet the following eligibility requirements and be approved by either the Principal or Academic Advisor.

- Eligibility: Students must meet the following prerequisites:
    a. 11^{th} and 12^{th} grade students at grade level with an unweighted GPA of 3.0 or higher (Concurrent Enrollment), unweighted GPA of 2.0 or higher (EVIT Program)
    b. 10^{th} grade students at grade level with an unweighted GPA of 3.25 or higher-considered on a case by case basis
    c. Have successfully, to date, met all graduation requirements
    d. Have no behavioral or discipline contracts or issues

e. Exhibit maturity and the desire to experience higher education

- Application Process and Approval
  Teacher and Principal will guide students and parents through the application process
  a. Complete eligibility-two step application process
  b. Verified students are eligible to enroll in EVIT/College courses
  c. Student/Parent completes the enrollment process for EVIT and/or the college/school of choice
  d. Students take any required placement exams for Math or English courses
  e. Students attend an orientation, if applicable
- Concurrent Enrollment Status and Credit
  Students are considered concurrently enrolled while taking courses at LEAO and a college or technical school. Concurrently enrolled students must:
  a. Be enrolled in a minimum of four LEAO courses
  b. Meet the college or school registration and admission requirements
  c. Maintain a minimum 3.0 GPA at LEAO while enrolled concurrently
  d. Submit midterm and final grades (transcript) to LEAO
  e. Submit tuition payment receipt to LEAO if seeking reimbursement
  f. Maintain a minimum grade of "C" in each college class.

**LEAO students may enroll and receive reimbursement for up to two college courses per semester, with a total of four courses per year. Failure to meet the above expectations may affect reimbursement.

- Credit Equivalents
  In compliance with the Arizona Department of Education, high school credit will be awarded as follows for college course credits:

Number of College Course Credits	*High School Credits Awarded*
3 units or credits	½ unit or credit

Concurrent Enrollment within Leading Edge Academy:

With academic approval, LEAO students in grades 9-12 may enroll in elective courses at one of our other Leading Edge Academy Schools if the course is not offered through LEAO. LEAO students must meet the academic, dress code, and behavior expectations of that campus.

Schedule Change Procedures:
A student has the first two weeks (10 days) of each semester to make schedule changes for elective courses. If after week two a schedule change is needed due to a special circumstance, the Academic Advisor will decide if there is enough time in the semester for the student to adequately finish the new course. Course withdrawals after the 10 day drop deadline will incur a "W/F" on transcripts.

Advising:
Advising services are provided by the Academic Advisor or Principal to assist students in course selections and course changes. It is highly recommended for both parents and students to meet with the Academic Advisor at least yearly.

Summer School:

Students may enroll in summer school and take one yearlong course or two semester courses during the month of June. Students may be assigned Summer Session due to credit deficiency or to retake a course for grade replacement. Students must obtain approval from the principal/academic advisor to take a summer school course for the purpose of acceleration. Non-current students that register for LEAO's Summer School Program will be responsible for paying course fees. Contact LEAO for more information regarding Summer School Program fees.

SECTION II

I. RESOURCE ROOM POLICIES & PROCEDURES

A. RESOURCE ROOM STUDENT EXPECTATIONS

Behavior Guidelines:

- Students must not share their log-in information with another student.
- Students must not gain access to another student's work station or use their log-in information.
- Students that are caught viewing other sites will have their computer profile restricted and not be able to use search engines to assist them.
- Students should not help other students during quizzes, tests, or exams.
- Students should not message other students either from their workstation or any other electronic device on them. (Cyber bullying is not tolerated and is grounds for removal from the Learning Lab)
- Students should not be disruptive in the Learning Lab, either verbally or visually.

Arrival and Departure From Gilbert Learning Lab (GLL):

Students should arrive at the Learning Lab during the designated hours of Monday - Thursday 8am - 3pm. Students should be picked up or depart the campus by the time the Learning Lab is closed. Staff is not able to provide supervision outside of these hours.

Check-In/Check-Out Procedures:
Students returning to/leaving from the GLL during the day must check in and out with staff. Students who do not comply with this procedure may not be allowed to return to the GLL.

B. LEARNING LAB POLICIES

Faculty and Staff Authority:
Arizona law authorizes school employees to act "in loco parentis" (in place of parents). Therefore, all students are subject to the authority of all Faculty and Staff members during the regular school day and while attending any school function. Any student who is insubordinate or disrespectful to a Faculty or Staff member or violates generally accepted rules of good citizenship and behavior will be referred for disciplinary action. Students should comply with reasonable requests made by Faculty, Staff, and Administration.

Off-Campus Lunch:

LEAO students in Grades 9-12 with documented parent approval, may receive the privilege of off-campus lunch. This is a privilege and may be revoked by the Administration as necessary due to absences, disciplinary issues, tardiness, or various other reasons.

Students must abide by the following guidelines for off-campus lunch:

a. No current discipline issues.
b. No driving or riding in a student vehicle.
c. Return to the Learning Lab on time, NO exceptions.
d. **Only** visit the authorized local stores and restaurants as posted at each site.
e. Always use the crosswalk to cross the street.
f. Follow school rules and regulations while off campus.

LEAO students in grades K-8 may not leave the GLL for lunch. The student may bring a prepared lunch.

Failure to abide by these guidelines may result in the immediate loss of the off-campus lunch privilege for the student or entire student body. Off-campus lunch will be evaluated throughout the semester to determine the success of the privilege. Should LEAO receive any complaints from the restaurants, stores, or tenants of local businesses, the off-campus lunch privilege will immediately be evaluated and possibly discontinued indefinitely.

Visitors:

All visitors must check in at the school office and wear a visitor's badge while on campus. Upon entering a school building, visitors will be asked to present a government issued ID such as a Driver's License, which can be scanned into our Raptor Security System. The Raptor system checks visitor's name and date of birth for comparison with a national database of registered sex offenders. No other data from the ID is gathered or recorded and the information is not shared with any outside agency. Once entry is approved, Raptor will issue a badge that identifies the visitor, the date, and the purpose of their visit. A visitor's badge will not be necessary for those who visit our schools simply to drop off an item in the office or pick up paperwork. It will only be needed for someone who is planning on entering through the office doors during school hours. See the visitor's policy in Appendix H

Telephone Usage:

The GLL phones are not available for personal calls . Students will be allowed to use the GLL phone for calls that are an emergency in nature or to accept calls from parents that are emergency in nature.

Electronic Devices:

Cell phones may be in a student's possession on campus; however, **cell phones are to be turned off during testing time (i.e.: final exams, quizzes, tests, benchmark and state testing).** Students are to keep their cell phones in backpacks, purses, or pockets during instructional time unless they are using their device to listen to music. Electronic devices will be confiscated from any student found to be out of compliance with this policy.

Students are permitted to possess electronic devices at school, but must be used appropriately and for educational purposes only. Any use of electronic devices, for taking photos, audio or visual recordings or instant messaging for nonacademic purposes during school hours is prohibited. Violating this policy will result in the confiscation of the electronic device and possible further consequences, including possible police involvement. Students **choosing to bring** electronic devices, including cell phones, to school do so at the risk of confiscation, theft, or damage; LEAO and Staff are not responsible for any

damage to missing or stolen electronic devices. The first time a phone or electronic device is confiscated, the student may return at the end of the day and retrieve it from the Staff member that confiscated the device. The second time a phone or electronic device is confiscated, the student must pick it up from the Principal at the end of the school day. The third time a phone or electronic device is confiscated, the student's parent or guardian will have to come to school to retrieve the phone or device.

Lost and Found:

LEAO and its employees are not responsible for lost or stolen property; however, a student should report lost and/or stolen items immediately. Any found items should be taken to the Teacher immediately. Lost and found items are kept in the GLL. Students should check with the Teacher if they have lost anything. It is recommended that all books and valuable items, such as calculators, purses, wallets, instruments, electronic devices, yearbooks, etc., be carried in a backpack and remain in students' possession at all times. At the end of each semester, unclaimed items will be donated to charity.

Skateboards, Rollerblades, Scooters, Bicycles and Heelys:

Students may use the above listed modes of transportation to ride to the GLL. Once at school, these items are either to be stored by the student or placed in a designated place (i.e., bike racks). Students are not to use any of the above on the school campus, except with the permission of the school Administration.

Pets:

Pets are NOT allowed on campus under any circumstances. Service animals are allowed on campus pursuant to the school's policy located in Appendix F.

School Facilities: Use/Pest Control/Vandalism:

Use by Students Before and After School

Certain areas of the resource room may be accessible to students before and after school for specific purposes. Students are required to remain in the area where their activity is scheduled to take place. Unless the Teacher or Sponsor overseeing the activity gives permission, a student will not be permitted to go to another area of the building or campus.

Pest Control

The school periodically applies pesticides inside buildings. Except in an emergency, signs will be posted 48 hours before application. Parents who want to be notified prior to pesticide application inside their student's school assignment area may contact the LEAO office or the Teacher at the Resource Room.

Vandalism

To ensure that school facilities can serve those for whom they are intended – both this year and in the coming years – littering, defacing, or damaging school property is not tolerated. Students will be required to pay for damages they cause and will be subject to criminal proceedings as well as disciplinary consequences in accordance with the Student Code of Conduct.

Learning Lab Use of Technology and Electronic Devices:

Students are allowed, under adult supervision, to make use of available technology in the GLL. Each user is required to use the computer privilege in support of education or research and must be consistent with the educational objectives of the school and courses.

Students will receive log-in information and a password after students and parents have acknowledged they have read the Student Handbook. The computer they have access to in the GLL is school property; therefore, every student will be held accountable if they access inappropriate sites, such as e-mail accounts, social media, and bank account information or make purchases online (which are all prohibited). Students are susceptible to other students gaining information from their workstation. LEAO has taken precautions to minimize this by giving individual student log-in accounts; however, if a student fails to log out when they leave, their workstation is left open on their profile. At no time should students share their individual student log-in personal information over the internet while using a school computer.

Student Fees:

Materials that are part of the educational program are provided with state and local funds at no charge to a student. A student, however, is expected to provide his or her own pencils, paper, erasers, and notebooks and may be required to pay certain other fees or deposits, including:

a. Costs of materials for a course project that a student will keep.
b. Membership dues in extracurricular activities, and/or student organizations and admission fees to extracurricular activities.
c. Security deposits.
d. Voluntarily purchased pictures, publications, yearbooks, etc.
e. Cap, tassel, and gown for graduation.

Access to Materials:

Students are expected to have access to the Internet and Microsoft Word outside of school, whether at home, a public library, family or friend's home, etc., to work on assignments for school. Access is available in the LEAO Learning Lab; however, students must make arrangements before or after school or during lunch.

C. CITIZENSHIP AND CHARACTER PROGRAM

One of the goals of LEAO is to assist students in the development of responsible attitudes and behaviors. This includes preparing students for adult citizenship and ethical issues, as well as preparing them for careers and higher education. For these reasons, it is important for the school to teach character attributes, ethics, citizenship, and community service in conjunction with academics.

Citizenship and Character Guidelines for Students and Parents

Students are expected to follow the following guidelines:

a. Log in every school day.
b. Come to school on time (if attending GLL)
c. Come to school with necessary materials.
d. Do their own work when independent work is required.
e. Exercise reasonable care for school property.
f. Show respect to others.

g. Maintain good behavior; exercise good conduct.

To promote this program, LEAO students will participate in seminars based on character and ethics.

Community Service:

As part of LEAO's commitment to developing responsible citizens, students will be provided with opportunities to participate in a community service event each semester. Events will be developed by a committee of Staff with the goal of connecting to various organizations within the community to provide organizations with assistance and provide students an opportunity to assist and share their talents.

D. ACTIVITIES

To participate in extracurricular activities, students must have a passing grade in all the courses on their schedules. Grades are reported through progress reports and report cards. If a student receives a failing grade, they will be declared ineligible on the day following issuance of progress reports or report cards. If a student was ineligible and all courses are passed on the new report, they will become eligible on the Monday after issuance of that report. Final ineligibility decisions rest with the Administration.

Any student whose general behavior presents a problem or jeopardizes general character expectations will be restricted from participation in extracurricular activities until such time that his or her behavior warrants reinstatement.

Music played at Leading Edge Academy Online must adhere to the school's educational mission. All music played during any school function must be school appropriate. The music played at dances and sporting events must not be vulgar, offensive, obscene or libelous; demean others on the basis of race, color, religion, creed, national origin, gender, sexual orientation, or disability; or promote alcohol, drug use or violence.

E. FIELD TRIPS

Student field trips are considered a privilege at LEAO. Administration or Teachers may deny a student's participation in a field trip because of inappropriate behavior or discipline issues. Although the school will have a field trip permission form on file for most students, 24-48 hours notice will be given for field trips within the Phoenix-metro area. If a field trip exceeds regular school hours, a separate permission slip will be sent home and must be signed and returned for a student to participate prior to the field trip. **Students will not be allowed to call home on the day of the field trip to receive parental permission.** Parents may contact the campus Administrator for additional information on field trip procedures. Students must follow the "Safe Student Transportation" guidelines while on a field trip in school transportation or in a passenger car of parents/guardians, school personnel, and/or chaperones.

Incentive Field Trips:

Incentive field trips may be offered as a reward for hard work and self-discipline, as well as demonstrating positive character traits. It is the philosophy of LEAO to reward students for their diligence and character, as students are committed to the academic rigor of our program. This is also an opportunity to build community amongst students, Faculty, and Staff. Only students who meet the requirements will be eligible to attend. Students who are not eligible are expected to attend school as if it were a regular school day.

Eligibility:

a. Grade of "C-" or better in all courses.
b. All courses must be "On Target."
c. No behavior issues for the current semester of the field trip.
d. No suspensions for the semester.
e. Final approval is at the discretion of the Principal.

Safe Student Transportation Expected Student Behavior

1. Obey the driver at all times.
2. Be at the designated pick-up location 10 minutes prior to the scheduled pick-up time in the morning. Be on time to the designated pick-up location in the afternoon.
3. Stand at a safe distance from the curb or street.
4. Be courteous and respectful to the driver and other passengers.
5. When crossing the street, always cross in front of the vehicle.
6. Always use the steps and handrail when boarding and leaving the school vehicle.
7. Be seated quickly and quietly in your seat. Remain seated facing forward in your seat while the vehicle is moving. The aisle is not to be blocked at any time.
8. Always identify yourself when asked by the driver.
9. No eating, drinking (expect water in plastic bottles), smoking, chewing gum or spitting inside the vehicle.
10. Keep hands, arms, head, and all objects inside the vehicle at all times.
11. Seat belts must be fastened at all times.
12. Talk in normal tones; loud, rude, vulgar, or obscene language is prohibited.
13. Keep the vehicle clean and free of damage.
14. State law prohibits the following items on school transportation: alcoholic beverages, dangerous or narcotic substances, legally prohibited substances, animals, insects, reptiles, weapons, glass items, smoke or stink bombs, explosives, fireworks, tobacco, and other dangerous objects.
15. All items carried by the student (i.e. band instruments, athletic equipment, backpacks, etc.) must be under their control at all times, and must be carried in the lap, between seats or properly secured in a vacant seat. Instruments cannot occupy needed seating space or aisles.
16. Skateboards, scooters, and roller skates/blades are not allowed on the school vehicle.
17. Students are permitted to leave the vehicle only at the designated stops. Any changes require a parent/legal guardian's written request, approved by the school Administrator.
18. Students are permitted to ride only the assigned vehicle. Any exceptions must be requested in writing by the student's parent or legal guardian and approved by a school official.
19. Remain seated while the vehicle is in motion **and until it comes to a complete stop.**

These expectations are taken from various regulatory sources, including federal regulations and laws, Arizona state laws and regulations, DPS regulations and LEAD Charter Schools' policies.

F. ATHLETICS

LEAO students may be able to participate in extracurricular activities and athletics at LEA schools, such as Leading Edge Academy Gilbert Early College. Students participating in extracurricular activities are reminded that they are representatives of LEAO. As such, they are expected to conduct themselves in a manner that will reflect the highest credit to themselves and the Network. Students participating in or attending athletic events or school activities are expected to follow school discipline guidelines at all times.

SECTION III

II. STUDENT CODE OF CONDUCT

A. RESPONSIBILITIES OF STUDENTS

Student responsibilities include regular online attendance, conscientious effort in course work, and conformance to school rules and regulations. Most importantly, students share with the Administration and Faculty a responsibility to develop a climate within the school that is conducive to wholesome learning and living. No student has the right to interfere with the education of their fellow students. It is the responsibility of each student to respect the rights of Teachers, students, Administrators, and all others who are involved in the educational environment. Students should express their ideas and opinions in a respectful manner.

It is the responsibility of the student to:

1. Obey School Rules in Addition to State and Local Laws:
   Students have a responsibility to know all rules and regulations for student behavior and appearance, and obey rules and regulations in order to provide a safe and positive learning environment. In addition, students have a responsibility to be aware of and comply with state and local laws.
2. Cooperate with School Staff:
   Students have a responsibility to cooperate with school staff, authorities, and peers, as well as be willing to volunteer information in matters relating to the health, safety, and welfare of the school community and the protection of students and school property.
3. Respect the Rights of Others:
   Students have a right to an education without interference from others.
4. Attend School:
   Students have a responsibility to attend school daily and to be on time.
5. Complete Work Assignments:
   Students are responsible for staying on target with their online coursework.
6. Be Prepared for School:
   Students have a responsibility to bring to school any necessary books and materials that may be required to actively participate in course assignments and/or activities.
7. Respect School Property:
   Students have a responsibility to respect and to protect all school property, materials, and equipment.
8. Show Respect:
   Students have a responsibility to demonstrate respect for other students, Faculty, Staff, parents, community members, and themselves.

B. SCHOOLWIDE EXPECTATIONS

Expectation #1:

All students will respect and obey the law. Any illegal activity occurring during school hours, within the vicinity of the school (defined as a three mile radius) or while participating in any school activities/functions, will be met with zero tolerance, resulting in immediate suspension or expulsion. These illegal activities include, but are not limited to; possession or use of tobacco or alcohol, activities related in any way to purchase, use, or possession of drugs, gang related activities, possession of

weapons or abuse. Behaviors that promote substance abuse, the use of violence, etc. are also prohibited.

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

Expectation #2:

All students will respect the property of others. Theft, vandalism, or any other mistreatment of property belonging to others, including the school, will result in consequences. These consequences may range from informal conference to expulsion, and may include restitution of stolen and damaged items or police involvement when necessary.

Expectation #3:

All students will respect the ideas, beliefs, cultures, and individual differences of others. Students engaging in verbal abuse, intimidation, harassment, discrimination, disrespect of authority, fighting, profanity, obscene behavior, extortion, gang-related activities, or students provoking, instigating, or generating conflict will receive consequences ranging from an informal conference to expulsion based on attitude, severity, and prior history. Gang activity includes but is not limited to inappropriate verbal comments, physical gestures, behavior, and possession of gang paraphernalia or clothing used to promote or advertise gangs. *Any student that displays gang activity/involvement will be immediately suspended and may be recommended for expulsion.* Gang activity or involvement may include flashing of gang signs, inappropriate verbal comments or physical gestures, gang clothing colors or symbols worn on the body or symbols or gang words drawn on books or materials.

Expectation #4:

All students will respect the privilege of education. Tardiness, unexcused absences, plagiarism, lying, cheating, dress code violation, public displays of affection, possession of pornography, inappropriate sexual behaviors, depictions of nudity, etc., or any form of academic misconduct will result in consequences ranging from an informal conference to expulsion based on attitude, severity, and prior history.

C. USE OF TECHNOLOGY & ELECTRONIC DEVICES

Students are allowed, under adult supervision, to make use of available technology such as video equipment, computer labs, and Internet access. Each user is required to use the computer privilege in support of education or research and must be consistent with the educational objectives of the school and courses.

Access is a privilege – not a right. LEAO will provide an educational setting for use, but cannot be held responsible for student violations of set standards. Activities that shall be considered inappropriate shall include, but not be limited to, unauthorized use of technology such as downloading any information without permission; accessing music, video and game sites; visiting social networking sites, such as Facebook or Tumblr; as well as possession and/or display of vulgar, profane or obscene material. Students are never allowed to use another person's log-in password to gain access to a school's computer. Loss of user privileges, disciplinary action, and/or legal action will be taken for

improper use and violation of rules and standards. Students who do not sign up for usage may limit their accessibility to resource materials.

Wireless Internet access is available on campus. Should a student bring their laptop to campus with Teacher and/or Administrator approval, they should abide by the set guidelines for e-mail and Internet usage. Again, loss of privileges and/or disciplinary action will be taken for improper use and violation of guidelines. Internet access is available for educational purposes ONLY.

Internet Protocol:

- Be polite, using appropriate language and pictures in messages to others. Inappropriate language, illegal activities, and downloading inappropriate materials are prohibited.
- Respect and maintain user privacy. Do not reveal any personal addresses or phone numbers. Assume that all communication and information accessible through the network are private property. Copyright infringement is prohibited and illegal.
- Guard network security. Use the network appropriately in such a way that will not disrupt the use of the network by others.
- Damaging computers, computer systems, or computer networks is prohibited and will not be tolerated. If laptops/computers are found damaged (i.e., vandalized, downloaded viruses, etc.), students are responsible for the cost to repair or replace the computer(s).

D. ACADEMIC MISCONDUCT OR CHEATING

Cheating on schoolwork is presenting the work of another as one's own. This includes:

a. Copying a quiz, test, or examination; copying an assignment or other work to be assessed, homework assignment, in-class assignment, etc.
b. Inappropriate collaboration on work to be assessed.
c. The use of "cheat sheets" or other forms of facsimile visual prompt.
d. Obtaining examinations, term papers, and essays from other sources, including electronic devices, with the intent to deceive.
e. Viewing a video/reading a summary of a book rather than reading a book.
f. Plagiarism is the representation of another's words, thoughts, or ideas as one's own. While it is expected that a student who is writing will use information from sources other than personal experience, appropriate acknowledgment of such sources is required.
   Plagiarism includes:
   - Using a direct quotation without citing the source.
   - Paraphrasing the ideas, interpretation, or expressions of another without giving credit.
   - Failing to acknowledge or document sources.

The offenses for cheating and/or plagiarism are kept on record and will be considered for the student's entire high school enrollment.

E. DISCIPLINE PROCEDURES AND CONSEQUENCES

School rules are designed to protect all students. To protect the rights of all students, it is important that parents and students understand the consequences of misbehavior.

The following contains a list of common and/or serious student conduct violations, along with a range of consequences. This list is not meant to be exhaustive. The intention to commit prohibited conduct may subject the student to the same discipline as an actual violation.

The violations and actions listed are meant as guidelines to promote consistency of discipline and are not intended to limit the school's ability to discipline students.

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
Absences and/or Tardies	A student must be in attendance a minimum of ninety (90) percent of each semester per class period.	Conference	Receive an 'F' in the course
Academic Misconduct/ Cheating/Plagiarism	Knowingly using information or property of another, or knowingly sharing academic information to gain an unfair advantage.	Conference/Zero on Assignment/ Detention	Short Term Suspension
*Alcohol (use, possession, under the influence)	The 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	Short Term Suspension	Expulsion
*Alcohol (sale or distribution)	The sale or distribution of alcohol on school grounds or during a school event.	Long Term Suspension	Expulsion
**Arson	Damaging a structure or property by knowingly causing a fire or explosion. (A.R.S. §13-1703)	Suspension	Expulsion
*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. (A.R.S. §13-1203)	Suspension	Expulsion
Bus/Transportation Misconduct	All students who ride the bus are subject to policies and regulations designed to provide safe transportation. Any behavior which distracts the driver is considered a serious hazard to the safe operation of the bus and jeopardizes the safety of all passengers, the driver, and others. Riding the bus or van is a privilege, not a right, and the consequences of misconduct could result in the student being denied transportation. Suspension of bus riding privileges does not relieve parents of the responsibility of sending a child to school.	Conference/Detention/Loss of Bus Privileges	Short Term Suspension

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
**Assault (aggravated)	An assault accompanied by circumstances that make the situation severe, such as the use of a deadly weapon or dangerous instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, the victim is a peace officer or a school employee engaging in a school-related activity. (A.R.S. §13-1204)	Suspension	Expulsion
**Bomb Threat	Threatening to cause harm using a bomb, dynamite, explosive, or arson-causing devise.	Short Term Suspension	Expulsion
*Bullying/Cyber Bulling	Repeated acts over time that involve a real or perceived imbalance of power with the more powerful child or group of attacking those who are less powerful. Bullying can be physical in form, verbal, or psychological. Cyber-bullying includes bullying through the use of technology.	Mediation/ Conference	Expulsion
*Burglary or Breaking and Entering	Entering or remaining unlawfully in or on school property with the intent to commit any theft of any felony therein. (A.R.S. §131507)	Restitution/ Conference/ Detention	Expulsion
**Burglary (first degree)	A person commits burglary in the first degree if such person knowingly possesses explosives, a deadly weapon or a dangerous instrument in the course of committing any theft of any felony. (A.R.S. §13-1508)	Short Term Suspension	Expulsion
Class Violation	Students are responsible for following all class policies, rules, and procedures as outlined by the teacher.	Detention	Short Term Suspension
*Chemical or Biological Threat	Threatening to cause harm using dangerous chemicals or biological agents.	Suspension	Expulsion
Contraband	Items stated in school policy as prohibited because they may disrupt the learning environment.	Confiscation/ Conference	Suspension
Contract Violation	Failure to comply with the guidance of an agreed upon contract.	Conference/Short Term Suspension	Long Term Suspension
*Dangerous Instrument/Device	Any device that under the circumstances in which it is used, attempted to be used, or threatened to	Short Term Suspension	Expulsion

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
	be used is readily capable of causing death or serious physical injury.		
Detention Violation	Failure to serve an assigned detention.	Detention/Short Term Suspension	Long Term Suspension
Disorderly Conduct	Any act which substantially disrupts the orderly conduct of a school function; behavior which substantially disrupts the orderly learning environment; or poses a threat to the health, safety, and/or welfare of students, staff, or others. (A.R.S. §132904)	Demerit/ Suspension	Long Term Suspension
Disrespect	Treating personnel or any others with contempt or rudeness	Conference/ Demerit	Long Term Suspension
Disruption	Creating disturbances in class, on campus, or at school-sponsored events. Continual or repeated disruptions may warrant more severe consequences. (A.R.A. § 13-2911)	Conference/ Demerit	Long Term Suspension
Dress Code Violation	Clothing that does not fit within the dress code guidelines stated in school and/or Network policy.	Change of Clothes/Demerit	Short Term Suspension
Drug Paraphernalia	Any apparatus or equipment used or capable of being used in absorbing or consuming a drug.	Short Term Suspension	Expulsion
**Drugs (use, possession, under the influence)	Chemical substances, narcotics, prescription medications, inhalants, controlled substances, or substances that students represent to be chemical substances, narcotics, or controlled substances.	Short Term Suspension	Expulsion
*Drugs (over the counter)	Over the counter non-prescription pharmaceuticals fall into this definition, unless the student has complied with the school's policy for such medication. The term "drugs" includes anything that looks like drugs.	Short Term Suspension	Expulsion
*Drugs (sale or distribution)	Sale, distribution, or intent to sell drugs including over the counter drugs as defined above.	Long Term Suspension	Expulsion
Electronic Devices	Misuse of cell phones, media players or other electronic items, whether operational or non-operational.	Confiscation	Short Term Suspension
*Endangerment	Recklessly or intentionally creating a risk of injury or imminent injury or death to another.	Detention/Short Term Suspension	Expulsion

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
	Consequence depends on the potential severity of harm. This includes provoking or antagonizing a fight.		
*Extortion	The act of knowingly obtaining or seeking to obtain property or services, or causing or seeking to cause another to act in a manner by means of a threat to do any of the following: (1) cause physical injury; (2) cause damage to property; (3) engage in illegal conduct; or (4) make false accusations.	Detention/Short Term Suspension	Long Term Suspension
Failure to Follow School Rules	Students are responsible for following all school policies, rules, and procedures as outlined by the school.	Conference/Detention	Short Term Suspension
Failure to Follow Test Taking Procedures	Failure to comply with the rules, policies, or procedures for assessments or compromising the integrity of the test taking environment.	Detention/Short Term Suspension	Long Term Suspension
Failure to Return School Documents	Failure to return requested school documents.	Demerit/Detention	Short Term Suspension
*Fighting/Mutual Combat	Students shall not fight, push, intimidate or otherwise abuse other students.	Short Term Suspension	Expulsion
**Fire Alarm Misuse	Intentionally ringing a fire alarm when there is no fire.	Short Term Suspension	Expulsion
**Firearm	Students are prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties; classification. (A.R.S. §13-3111)	Long Term Suspension	Expulsion
Fireworks	Students are prohibited from possessing or using fireworks or explosive devices on school property.	Short Term Suspension	Long Term Suspension
Forgery/Falsification	The act of falsely or fraudulently marking or altering a document or a verbal, written, or electronic communication, or any verbal or written communication that is knowingly false or fraudulent (i.e., dishonesty or lying).	Detention/Short Term Suspension	Long Term Suspension
Gambling	Playing games of chance for money or to bet a sum of money.	Detention/Short Term Suspension	Long Term Suspension
Gang Activity	Any student wearing, carrying, or displaying gang clothing/paraphernalia or exhibiting behavior or gestures which symbolize gang membership, or causing and/or participating in activities which intimidate or adversely affect the	Detention/Short Term Suspension	Long Term Suspension

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
	educational activities of another student, or the orderly operation of the school.		
Good Neighbor Policy	School rules and other reasonable expectations for acceptable student behavior are extended to include student conduct while going to and from school and off campus during the normal school day. This includes a student's conduct during lunch hour or released periods. Inclusive in this is loitering and smoking on adjacent property of the school. Violations of conduct by students in this manner may result in disciplinary action. (A.R.S. §13-2905.A.5)	Detention	Long Term Suspension
*Harassment/Hazing /Threat/Intimidation	The persistent or repeated annoying or tormenting of another person. To frighten, compel, or deter by actual or implied threats. This includes, but is not limited to, bullying. (A.R.A. §15-2301)	Mediation/Demerit	Expulsion
Inappropriate Language/Gestures	The use of profanity or any derogatory language stated publicly.	Detention/Short Term Suspension	Long Term Suspension
Inappropriate Language to an Adult	The use of profanity or any derogatory language towards a staff member.	Detention/Short Term Suspension	Expulsion
Insubordination/Defiance/Non-Compliance	Intentionally resisting or disregarding the authority of school personnel. Failure to comply with the reasonable request of a staff member.	Conference/ Demerit	Expulsion
Leaving Campus without Authorization	Leaving school grounds or being in an "out-of-bounds" area during regular school hours without permission of the principal or principal designee.	Detention	Short Term Suspension
Loitering	Remaining in a location for no obvious reason.	Detention	Short Term Suspension
Minor Aggressive Act	The behavior of rough boisterous play or tussles, minor confrontations, pushing and/or shoving.	Detention/Short Term Suspension	Long Term Suspension
*Other School Threat	An incident that cannot be coded in one of the other categories, but did involve a school threat.	Mediation	Expulsion
Pass Violation	Use of a pass for reasons other than specified.	Detention	Short Term Suspension

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
*Physical Abuse of Staff Member	Students shall not intimidate or physically abuse staff. (A.R.S. §15-507) School personnel may use reasonable physical force to protect themselves, other personnel, students, school and personal property. (A.R.S. §15-843)	Long Term Suspension	Expulsion
Pornography	The use or possession of pictures, devices or electronic images that offends or disturbs the educational environment.	Detention	Expulsion
Public Display of Affection	Kissing, hugging, fondling or touching in public.	Warning/Demerit	Short Term Suspension
**Robbery	Taking, or attempting to take, any property of another from his person or immediate presence and against his/her will. Such person threatens or uses force against any person with intent either to coerce surrender of property, or to prevent resistance to such person taking or retaining property.	Short Term Suspension/ Restitution	Expulsion/ Restitution
*Robbery (Armed)	Armed with a deadly weapon or a simulated deadly weapon. Uses or threatens to use a deadly weapon or dangerous instrument or a simulated deadly weapon.	Long Term Suspension	Expulsion
**Sexual Abuse	For definition, refer to A.R.S. §13-1404, A.R.S. §13-1405, and A.R.S. §13-1410.	Short Term Suspension	Expulsion
**Sexual Assault	For definition, refer to A.R.S. §13-1406	Long Term Suspension	Expulsion
**Sexual Harassment	Discrimination based on gender that includes unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature made by one individual to another. (Sexual: of, relating to, affecting, or typical of sex, the sexes, or the sex organs and their functions. Implying or symbolizing erotic desire or activity.)	Short Term Suspension	Expulsion
**Sexual Harassment with Contact	Sexual harassment that includes unwanted physical contact of non-sexual body parts.	Short Term Suspension	Expulsion
Sexual Misconduct	The use of verbal, written, electronic or physical actions or any language that is sexually demeaning. This violation	Short Term Suspension	Expulsion

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
	includes, but is not limited to, indecent exposure, consensual participation in any sexual act involving physical contact, lewd comments, touching private areas, de-pantsing, pulling another's underclothing, possession or distribution of pornographic materials.		
Simulated Weapon	An instrument displayed or represented as a weapon.	Short Term Suspension	Long Term Suspension
Tardy	Failure to be at a designated location at a specified time.	Demerit/Detention	Short Term Suspension
Technology Misuse/Computer Tampering	Failure to use hardware, software, electronic devices, web pages and networks for the intended educational use or in a manner that causes disruption at a campus or any Network facility. This includes the unauthorized access of any computer, computer system, or network.	Conference/ Detention	Long Term Suspension
*Theft	Taking property that belongs to another without personal confrontation, threat, violence, or bodily harm. Theft does not include confiscation by school authorities of property not permitted at the school. NOTE: In the event of theft or damage, personal items brought to school, such as musical instruments, radios, etc., are not covered by network insurance.	Short Term Suspension/ Restitution	Long Term Suspension/ Restitution
*Tobacco	Refers to smoking tobacco (e.g. cigarettes, cigars), smokeless tobacco (e.g. dip, chew, snuff, simulated tobacco, electronic cigarette and smokeless cigarette, or twist). NOTE: Possession of tobacco products on a K-12 public, charter, or private school grounds, buildings, parking lots, playing fields and vehicles, is a petty criminal offense. "Petty" offense is punishable by a fine of up to $300. (A.R.S. §36-798)	Short Term Suspension	Long Term Suspension
*Tobacco Paraphernalia	Any apparatus or equipment used, or capable of being used, in consuming tobacco. Examples include, but are not limited to, rolling papers, matches, and lighters.	Short Term Suspension	Long Term Suspension

Consequences for Student Misconduct **Note:** Administration will exercise discretion when determining consequences and may assign a more or less severe consequence than outlined in the guidelines below.			
Infraction	**Definition**	**Minimum Action**	**Maximum Action**
Trespassing	Occurs when a person(s) enters upon, or in, school property without legal justification or without the implied or actual permission of the administration. (A.R.S. §15-841)	Short Term Suspension	Long Term Suspension
Truancy/Unexcused Absence	The failure of a student to attend his or her scheduled class at the prescribed time and place, or leaving class before the prescribed ending time without authorization.	Detention	Short Term Suspension
*Vandalism/ Destruction of School Property	Willful destruction or defacement of school or personal property.	Short Term Suspension/ Restitution	Expulsion/ Restitution
Vehicle Violation	Improper driving or parking of a vehicle on school property without permission, and/or parking in prohibited areas.	Revocation of Parking Privileges	Long Term Suspension
**Weapons	Any item that may cause harm to another person, including but not limited to, a bomb, firearm, other firearm, gun, revolver, pistol, dagger, dirk, stiletto, knife of any size, iron bar, brass knuckles, chains, billy clubs, Chinese starts, or any incendiary devices. (A.R.S. §13-3102(11))	Long Term Suspension	Expulsion
**Weapons (sale or distribution)	Sale of the above weapons.	Long Term Suspension	Expulsion

Per AZ Safe Regulations:
A single asterisk (*) indicates the violation is reported to the Arizona Department of Education.

A double asterisk (**) must be reported to law enforcement and is reported to the Arizona Department of Education.

Any act that violates the law may result in Law Enforcement involvement, in which case the Administrator will make every effort to contact the parent/guardian unless Law Enforcement Personnel indicate otherwise.

Students who have been long-term suspended or expelled from LEAO or who have withdrawn pending disciplinary action may not attend school functions or return to the school campus at any time. Doing so may result in Law Enforcement involvement.

F. POSSIBLE CONSEQUENCES FOR PROHIBITED CONDUCT

Conference: The student meets with school Officials. The student shall be asked to correct the misbehavior. A conference could result in loss of privileges, detention, Friday School, or work detail. This conference may be documented.

Restitution: Payment to the appropriate authority for damage or loss of property.

Teacher Involvement: Teachers shall be involved in the implementation and enforcement of the Network's disciplinary rules to the extent deemed necessary and appropriate to the situation. Teachers shall have the authority to temporarily remove disruptive students from their classes.

Parent Involvement: The student's parent is notified by telephone, personal contact, or written notification. A conference may be held with the student, the parent and appropriate school personnel and other individuals concerned. This conference will be documented.

In-School Suspension: The student is removed from the Resource Room setting for one or more days and is assigned to a location isolated from other classmates. They will work on coursework during these day(s) and will receive credit for the missed assignments. The parent will be notified.

Short-Term Suspension: The student is removed from school for a period of up to three (3) consecutive days or less. They must complete all missed assignments, but they may not receive credit. The school Principal and/or Designee may impose a short-term suspension. The student's parent is notified by telephone and written notice that the student is subject to suspension. A short-term suspension of 3 days or less is not subject to appeal.

Long-Term Suspension: The student is removed from school for a period of up to 10 consecutive days or more. The school Principal and/or Designee may impose a long-term suspension. The student's parent is notified by telephone and written notice that the student is subject to suspension.

Expulsion: The student is denied the opportunity to attend any school in the Network by the Governing Board. This decision is not subject to appeal.

G. SCHOOL-RELATED CRIMINAL AND CIVIL LAWS

Parent Liability: Upon complaint of the Governing Board, the parents of minors who have damaged school property shall be held liable for all damage caused by their children.

Abuse of School Employee: It is a violation of the law for a person to knowingly abuse a school employee on school grounds or while the employee is engaged in the performance of school-related duties.

Aggravated Assault: A person commits aggravated assault if such person commits the assault knowing or having reason to know the victim is a school employee engaged in the performance of school-related activities.

Interference with the Peaceful Conduct of an Educational Institution: A person commits interference with the peaceful conduct of educational institutions by knowingly:

- Going upon or remaining upon the property of any educational institution in violation of any rule of such institution or for the purpose of interfering with the lawful use of such property by others or in such manner as to deny or interfere with the lawful use of such property.
- Refusing to obey a lawful order given by school Officials.

A student who is determined to have threatened an education institution **shall** be expelled from school for at least one (1) year except that the school may modify this expulsion requirement for a pupil on a case-by-case basis and may reassign a pupil subject to expulsion to an alternative education program is the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat. The school may require the student's parent(s) to participate in mediation, community service, restitution or other programs with the student as a condition to the reassignment of the pupil to an alternative education program.

Possession, Use or Sale of Drugs On or Near School Grounds (Drug-Free Zone): It is unlawful for a person to intentionally be present with one or more persons within 300 feet of a school or its accompanying grounds, or to be present on any public property within 1000 feet of a school or its accompanying grounds, or a school bus stop to possess, use, or sell marijuana, a dangerous drug, or a narcotic drug. It is unlawful for a person to intentionally be present on a school bus to possess, use, or sell marijuana, a dangerous drug, or a narcotic drug.

Drug and Alcohol Use by Students

The term "drug abuse" includes non-medical use, possession, sale or purchase of all dangerous controlled substances prohibited by law, alcohol, hallucinogenic substances and inhalants, being under the influence of drugs or alcohol, possession of drug paraphernalia, and/or intent or attempt to do any of the aforementioned. All school employees and students are responsible for reporting suspected instances of drug abuse to the Principal. The appropriate Law Enforcement Authorities shall be contacted in instances involving drug abuse. An attempt will be made to contact parent/legal guardian in instances involving drug abuse.

Attempted or actual drug abuse, which includes possession of, use of, or purchase of, shall subject a student to the following disciplinary action:

- A three to ten-day suspension by school Administration ranging to expulsion.
- Any offense that occurs after a first offense shall be considered "continued open defiance of authority" and "continued disruptive or disorderly behavior," which may be subject to expulsion.
- A student who is apprehended for selling drugs/alcohol on a school campus shall be subject to expulsion.

Medical Prescription Drugs and Over-the-Counter Medical Drugs

A student who needs access to medical prescription drugs in school shall leave them with the school Health Assistant. The parent must deliver the medication in its original container to the school Health Assistant. Permission and written directions from a physician concerning the medication shall be left with the school Health Assistant. Students who are in possession and/or under the influence of prescription or over-the-counter drugs, and who have not followed the directions described above may be suspended for up to ten days. More serious consequences could result when it is determined that a student who is in possession and/or under the influence of prescription or over-the-counter drugs is participating in a situation where there is a higher degree of involvement (i.e., quantity of drugs, type of drugs).

Students who distribute prescription drugs to others shall be considered as distributing drugs for non-medical purposes and shall be subject to a minimum ten days suspension. More serious discipline, including expulsion, can be imposed depending on the circumstances or situation.

Reasonable efforts shall be made to notify a student's parent(s)/legal guardian(s) that the school Principal or another Administrator has questioned the student regarding violation of the school's drug/alcohol abuse policy.

Efforts to prevent future drug/alcohol abuse by students who have returned to school following disciplinary action for drug/alcohol abuse may include, but not necessarily be limited to the following:

- Conference with campus Administration.
- Behavior contracts as outlined by school Administration.
- Referral to substance abuse prevention programs.

A student may be required to undergo alcohol or drug screening if there is a reasonable suspicion of substance abuse. A positive test result or a student's refusal to submit to such a test may result in suspension or expulsion.

Medical Marijuana

The conditions which follow are applicable to a student who holds an identification as a medical marijuana cardholder issued by the Arizona Department of Health Services for the medical use of marijuana as set out in the Arizona Revised Statutes (A.R.S.).

Leading Edge Academy will not refuse to enroll a student or otherwise penalize a student for being a medical marijuana cardholder unless failure to do so would cause the school to lose a monetary or licensing benefit under federal law or regulations.

A student medical marijuana cardholder shall not possess or engage in the use of marijuana on school property, in a school vehicle, or at a school-sponsored event. A student medical marijuana cardholder is subject to, without bias, the same code of conduct and disciplinary standards applicable to all school students.

If school officials have a reasonable believe a student may be under the influence, in possession of or distributing medical marijuana in a manner not authorized by the medical marijuana statutes law enforcement authorities will be informed.

H. DISCIPLINE PROCEDURES

The GLL Teacher handles most minor disciplinary problems. Minor misbehaviors may include, but are not limited to such things as eating or drinking during class (with the exception of water), chewing gum, not following directions given by the Teacher, disturbing others, violating dress code, not being prepared for class (including missing homework assignments), or not putting forth academic effort. These misbehaviors may result in a detention, loss or privileges or referral to an administrator at the Teacher's discretion or based on chronic misbehaviors.

I. SCOPE OF SCHOOL'S AUTHORITY

Policies and regulations pertaining to student conduct are extended to include, but not limited to:

- School campus.
- In LEAO or LEA Network vehicles. Off campus during the normal school day, including release periods, field trips, sporting events, etc.
- At school events or any off campus conduct that causes a significant disruption back on the campus.

Failure to obey school policy, regulations, rules, and other reasonable expectations for acceptable student conduct will result in disciplinary action. Teachers and LEAO Staff shall be involved in the implementation and enforcement of the school's disciplinary rules to the extent deemed necessary and appropriate to the situation. Teachers shall have the authority to temporarily remove disruptive students from their classes.

Legal References for Student Conduct:
A.R.S. 13-2911, 15-341, 15-507, 15-521, 15-841, 15-842 and 15-843

J. STUDENT DRESS CODE

Each year parents ask for guidelines as they help students select appropriate attire for school. LEAO is a College Prep school that promotes academics and character development. It is our belief that school pride, morale, and image are influenced by the general appearance of our students. Additionally, the school establishes high standards of personal conduct so that each student's attire promotes a positive, safe, healthy atmosphere within our school. It is the goal of the school to prepare students for jobs and careers after high school, where dress codes are prevalent. Students must recognize that brief and revealing clothing or attire with offensive messages is not appropriate apparel in school.

Guidelines include, but are not limited to:

1. Shirts and tops should be long-sleeved, short-sleeved or regular sleeveless; no tanks are allowed and tops may not expose midriffs or be too low cut in the front, back, or under the arms. Halter tops, tanks, razorback tops, tube tops, strapless garments, and shirts with spaghetti straps are not appropriate. No straps from undergarments should be visible. Dresses may be sleeveless but must not be strapless, halter, razorback, or have spaghetti straps and must be no shorter than 3 inches from the kneecap. Clothing may not be made of sheer fabric.
2. Shorts for girls must be no shorter than 3 inches from the kneecap, which would include Bermuda shorts, walking shorts or longer jean shorts. Skirts and dresses must not be shorter than 3 inches from the kneecap.
3. Students shall not wear clothing that contains messages that are vulgar, offensive, obscene, or libelous; that demean others on the basis of race, color, religion, creed, national origin, gender, sexual orientation, or disability; that promote alcohol or drug use or violence; or that are otherwise contrary to the school's educational mission.

4. Students shall not wear pants/jeans that, when fastened, sag or fit below the waist. All pants/jeans must fit around the waist and be properly fastened so that no undergarments are showing.
5. Students may not wear pajama pants, form-fitting "work-out" pants, or sweatpants. PE uniforms, worn during PE are an exception. Exceptions may also be made for designated spirit days.
6. Any attire or grooming deemed to be gang related is prohibited when such attire or grooming creates an atmosphere of threat, intimidation, or undue pressure or disrupts the educational environment/process or interferes with curriculum goals or educational objectives.
7. Also NO:
   a. Tattered and torn clothing, including jeans/denim.
   b. Hats (all) and hats that are altered from their original forms. This includes both boys and girls.
   c. Tank tops of any kind including underwear.
   d. Trench coats.
   e. Hairnets, bandanas, and do-rags.
   f. Clothing that references drug/alcohol markings.
   g. Clothing that displays inappropriate messages.
8. Shoes must be worn at all times on campus according to state law and for student safety. Slippers or house shoes are NOT acceptable footwear. Shoes must have a thick sole.
9. With the exception of a small stud affixed to a student's nose, body piercings, including facial piercings, may not be visible while a student is on campus. This includes any part of the metal. Students will be asked to remove any piercings that are visible the entire time they are on campus. Earrings are allowed, but not in excess.
10. Jewelry should be modest.
11. No physical tattoos are allowed on the neck, head, or face. Tattoos, including temporary ones, must have school appropriate content, if visible. If the content is not school appropriate (i.e. references to drugs, alcohol, inappropriate words, etc.), it must be covered at all times.
12. Hair should be neat and clean with no Mohawks, faux hawks, long spikes, or brightly unnatural hair colors (blues, greens, pinks, purples, some shades of red, yellow, orange, etc.) Exceptions may be granted for plays, parties, or spirit days. Hair may not be disruptive to the learning environment.
13. Facial hair must be neat and well-trimmed.
14. Make-up should be worn with modesty.
15. No costumes may be worn except for designated spirit days.
16. Clothing, backpacks, binders, or other accessories, jewelry, or bracelets with symbols or negative messages are not allowed at school. Jewelry and ornamental accessories such as chains, wallet chains, spiked collars, or spiked wristbands are NOT allowed, as they present a safety hazard to self and/or others.

School Administrators will make the final decision regarding appropriateness of any student's appearance.

Students and their parents/guardians have the responsibility to be aware of the school's dress code and conform to these requirements. LEAO may add other restrictions if the school Administration deems it necessary. If a student or parent has any questions about whether specific attire or accessories are in compliance with the dress code, they should contact the Administration prior to wearing such attire or accessories to ensure compliance. Parents may be called to bring a change of clothes if their student is violating dress code policies.

Any student violating this policy is subject to disciplinary action including, but not limited to, warning, parent conference, school detention, in-school suspension, or off-campus suspension. In addition, the

student will remove the garment or accessory and replace it with an appropriate alternative provided by the school, student, or parent, depending upon the circumstances.

K. Health Services

Emergency Medical Treatment & Information

If a student should feel ill while at the Resource Room, it is important that they let the Learning Lab Teachers know before phoning a parent or leaving campus. First aid is the only treatment given to students at school. In case of an emergency, the parent will be contacted. If a parent, guardian or anyone from the student's Emergency Contact Information cannot be reached, the school may call paramedics, who may decide that the student needs to go to the hospital and an ambulance should be called. The cost of this service, if any, is the parent's responsibility.

Any medication that students must take during school hours, including over-the-counter or prescription medication must be registered with the Learning Lab Teacher. No student may carry any medication on campus. The only exception would be in the case of inhalers and emergency epinephrine but only with the appropriate paperwork on file with the Resource Room and special clearance given prior to the students carrying medication on their person.

State regulations prohibit a school Health Assistant from treating an ill or injured student. If your student becomes ill or is injured, you or your emergency contact will be called. The parent or designee must promptly pick up the student who is ill or injured as we have limited space in the Learning Lab.

NOTE: If your child's health changes at any time throughout the school year, please let the school Principal know. If you need to update your student's emergency contact information, please do so in ParentVUE as soon as possible.

Medication at School

In order to comply with state guidelines, the following policies on dispensing medications to students during school hours have been implemented:

a. Whether a prescription or an over-the-counter drug, the medication must come in the original container. Your pharmacist should be willing to provide two medicine vials – one for school and one for home – if necessary.
b. Medication must have the student's identification on the vial.
c. Do NOT send medication to school with your student. All medications are to be brought in by the parent/guardian.
d. Parents/Guardians must complete a medical consent form before school personnel can administer medications.
e. All medications will be kept in a locked cabinet in the Learning Lab

Diabetes Policy

In accordance with Arizona Revised Statute 15-344.01, the management of students with diabetes in the classroom, on School grounds and at school-sponsored activities shall be in compliance with this policy. Students attending Leading Edge Academy with diabetes shall have a Diabetes Medical Management Plan (DMMP) on file with the School and the DMMP shall be updated and submitted annually.

The DMMP shall:

- Be provided by the Parent or Guardian;

- Be signed by the appropriately licensed health professional or nurse practitioner;
- Authorize the student to carry appropriate medications and monitoring equipment;
- Acknowledge that the student is capable of self-administering medications and equipment;
- Specify a method to dispose of equipment and medications in a manner agreed on by the parent or guardian and the School; and
- List the medications, monitoring equipment, and nutritional needs that are medically appropriate for the student to self-administer and that have been prescribed or authorized for the student.

Student Self-Administration of Medication:
Students are to take extraordinary precautions to ensure that any medication or equipment is secure and shall never make the medication and/or equipment available to another student. The student shall immediately report to School Administration any theft or loss of the medication and/or equipment brought to the School. Violation of these procedures may subject the student to disciplinary action.

- Students are required to practice proper safety precautions for the handling and disposal of the equipment and medications authorized under the DMMP.
- Medication must come in the prescription container as provided by the physician and/or pharmacy.
- If a student fails to practice proper safety precautions, the School may withdraw student's authorization to self-monitor blood glucose and/or diabetes medication and develop a plan for administration by a designated staff member.

School Administration of Medication
If a student is not capable of self-monitoring blood glucose and/or self-administering medications, any medication administration services specified in the student's DMMP shall be provided by the School. Two or more staff members shall be identified as designated staff members for the purposes of the administration of diabetic medications including storing, supervising ingestion, and recording. School employees shall not be subject to any penalty or disciplinary action for refusing to serve as a designated staff member. Designated staff members shall receive training by an appropriately licensed health professional as to the implementation of a student's DMMP.

The School, its employees and members of its governing body, are immune from civil liability with respect to actions taken to adopt this Policy and all decisions made and actions taken that are based on good faith compliance with this Policy.

Immunizations
State law requires the school to receive up-to-date proof of immunization from the parent/guardian for a student to enroll in school. If a student received an immunization during the summer, an official record from the student's doctor, previous school or local health department must be turned in to the before the first day of school.

Documentary proof is not required for a pupil to be admitted to school if one of the following occurs:

a. The parent/guardian of the student submits a signed statement to the school Administrator stating that the parent/guardian has received information about immunizations provided by the Department of Health Services, understands the risks and benefits of immunizations and the potential risks of non-immunization, and that due to personal beliefs, the parent/guardian does not consent to the immunization of the student.

b. The school Administrator or Teacher receives written certification, which is signed by the parent/guardian and by a physician, which states that one or more of the required immunizations may be detrimental to the student's health and which indicates the specific nature and probable duration of the medical condition or circumstance, which precludes immunization.

In the event of an outbreak of a vaccine preventable disease for which a parent/guardian cannot provide proof of immunity for your student, your student will not be allowed to attend school until the risk period ends. The Department of Health Services or local health department shall transmit notice of this determination to the school Administrator responsible for the exclusion of the students.

Illness Policy

Do not send your student to the Resource room if they:

a. Have a deep hacking cough.
b. Have green mucus.
c. Have a noticeable infestation of lice or lice nits.
d. Have had vomiting in the past 24 hours.
e. Have had diarrhea in the past 24 hours.
f. Have had a fever in the past 24 hours.
g. Have been on antibiotics for less than 24 hours. This includes eye drops for conjunctivitis (pink eye).

Chronic Illness

If a student's attendance will be affected by a chronic condition or accident, please contact the Resource Room at the beginning of the school year or when the condition occurs and provide a doctor's note. A Chronic Illness Certification form must also be submitted that is completed by the student's physician.

Screenings

Various screenings may be scheduled by LEAO during the school year. These will include vision and hearing.

APPENDIX A SECURITY CAMERA POLICY

For the purpose of maintaining a safe and orderly educational environment, for identifying disciplinary issues, for minimizing theft and vandalism, to safeguard Network buildings, grounds and equipment, to monitor unauthorized individuals in or on school property, and for enforcing school policies and rules, Leading Edge Academy authorizes the use of electronic surveillance cameras in school Network buildings and on its property. Cameras are authorized for use in any area, inside or outside of school buildings where the public, students and Staff have no reasonable expectation of privacy: entrances, hallways, classrooms, commons, gymnasiums, athletic fields, parking lots and the exterior of buildings. Cameras are prohibited in areas such as bathrooms, locker rooms and health rooms.

Other public areas of Network buildings and grounds may be subject to limited term surveillance with the written authorization of the Network Administrator. Such approval will be granted only in situations when the Network Administrator has reason to believe that a safe and orderly educational environment is at risk or to monitor areas where theft and vandalism are believed to be occurring.

Notification
Signs will be posted at all main entrances to Network buildings stating "Surveillance Cameras May Be In Use."

Leading Edge Academy shall notify students and Staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time.

At each school or site where video surveillance is employed, the school Principal or other site Administrator shall inform students, Staff, and parents at the beginning of each school year that video surveillance will occur throughout the school year and explain the purpose for such monitoring practice.

Access and Use
Only individuals authorized by the Director of Schools, in accordance with policy, shall have access to video monitors, or be permitted to operate the controls. The Network Technology Assistant shall be responsible to manage and audit the use and security of monitoring cameras, monitors, hard drive storage, computers used to store images, and all other video records.

Students or Staff identified on security cameras in violation of Leading Edge policies will be subject to disciplinary action. Violations of the law will be referred to Law Enforcement Agencies and the recorded video evidence will be provided to Law Enforcement Agencies.

Video electronic data will be erased normally on a weekly basis. Video electronic data that contains personal information used to make a decision directly affecting an individual, however, may be retained for a longer period of time as needed.

Other Video Recordings:
A video recording of actions by students or Staff may be used by Leading Edge Administration as evidence in any disciplinary action brought against students or Staff arising out of the student's or Staff member's conduct in or about Leading Edge property.

APPENDIX B: FAMILY EDUCATIONAL RIGHTS & PRIVACY ACT (FERPA)

Family Educational Rights & Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
    - School Officials with legitimate educational interest;
    - Other schools to which a student is transferring;
    - Specified Officials for audit or evaluation purposes;
    - Appropriate parties in connection with financial aid to a student;
    - Organizations conducting certain studies for or on behalf of the school;
    - Accrediting organizations;
    - To comply with a judicial order or lawfully issued subpoena;
    - Appropriate Officials in cases of health and safety emergencies; and
    - State and Local Authorities, within a juvenile justice system, pursuant to specific State law.
    - Federal law also requires that high schools release directory information of juniors and seniors to military recruiting agencies unless the school or District has been notified by the parent not to disclose the information without consent.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, sports participation (including height and weight of athlete), and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information or technical assistance, you may call (202) 260-3887 (voice). Individuals who use TDD may call the Federal Information Relay Service at 1-800-877-8339.

Or you may contact us at the following address:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-5920

APPENDIX C: ANTI-BULLYING POLICY

I. PURPOSE

LEAD Charter Schools, in accordance with ARS 15-341(40), recognizes that a safe and civil environment in school is necessary for students to learn and achieve high academic standards. LEAD Charter Schools finds that bullying, like other disruptive or violent behavior is conduct that disrupts both a student's ability to learn and a school's ability to educate its students in a safe environment.

II. DEFINITIONS

A. Bullying may occur when a student or group of students engages in any form of behavior or aggression that includes such acts as intimidation and/or harassment that:

- has the effect of physically harming an individual, damaging an individual's property, or placing an individuals in reasonable fear of harm or damage to property,
- is sufficiently severe, persistent or pervasive that the action, behavior, aggression or threat creates an intimidating, threatening, hostile or abusive environment in the form of physical or emotional or psychological harm or distress,
- behavior, aggression or threat occurs repeatedly over time,
- occurs when there is a real or perceived imbalance of physical emotional or psychological power or strength, or
- may constitute a violation of law.

Bullying: Bullying of an individual or group can be manifested through written, verbal, physical, emotional or psychological means and may occur in a variety of forms including, but not limited to:

- verbal, written,/printed or graphic exposure to derogatory comments, extortion, exploitation, name calling, or rumor spreading either directly through another person or group or through cyberbullying,
- exposure to social exclusion or ostracism,
- physical contact including but not limited to pushing, hitting, kicking, shoving, or spitting, and
- damage to or theft of personal property.

Bullying may also be in violation of Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of race, color, or national origin; Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex; Section 504 of the Rehabilitation Act of 1973, and its implementing regulations (Section 504); and Title II of the Americans with Disabilities Act of 1994, and its implementing regulations (Title II).

Harassment: Harassment is behavior by an individual or group that consists of systematic and/or continued unwanted and annoying actions, including threats and demands. Harassing conduct may take many forms, including verbal acts and name-calling (e.g., bullying); graphic and written statements, which may include use of cell phones, social-media or the Internet (e.g., cyberbullying): or other conduct that may be physically threatening, harmful, or humiliating. Harassment does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Cyberbullying: Cyberbullying is, but not limited to, any act of bullying committed by use of electronic technology or electronic communication devices, including telephonic devices, social networking and other Internet communications, on school computers, networks, forums and mailing lists, or other District-owned property, and by means of an individual's personal electronic media and equipment. Cyberbullying may also be in violation of Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of race, color or

national origin; Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination of the basis of sex; Section 504 of the Rehabilitation Act of 1973, and its implementing regulations, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulations.

Intimidation: Intimidation is intentional behavior by a student or group of students that places another student or group of students in fear of harm of person or property. Intimidation can be manifested emotionally or physically, either directly or indirectly, and by use of social media.

B. "School Premises" means any building, structure, athletic field, sports stadium or other real property owned, operated, leased or rented by LEAD Charter Schools.

C. "School-Sponsored Functions or Activities" means a field trip, sporting event, or any other function or activity that is officially Sponsored by LEAD Charter Schools or one of its school sites.

D. "School-Sponsored Transportation" means a motor vehicle owned, operated, leased, rented or subcontracted by LEAD Charter Schools or one of its school sites.

III. PROHIBITION

Students are prohibited from engaging in behaviors that would constitute bullying and/or harassment on school grounds, school property, school buses, at school bus stops, at school sponsored events and activities, when traveling to/from school and through the use of electronic technology or electronic communication equipment on school computers, networks, forums, or mailing lists.

Disciplinary action may result for bullying and/or harassment which occurs outside of the school and the school day when such bullying and/or harassment results in a substantial physical, mental, or emotional negative effect on the victim while on school grounds, school property, school buses, at school bus stops, or at school sponsored events and activities, or when such act(s) interfere with the authority of the school system to maintain order. All suspected violations of law will be reported to local law enforcement.

IV. REPORTING

1. Any student who believes he or she has been or is currently the victim of bullying should immediately report the situation to the school Principal. The student may also report concerns to a Teacher or Counselor who will be responsible for notifying the appropriate school Administrator. Every student is encouraged, and every Staff member is required, to report any situation that they believe to be bullying behavior directed toward a student. Reports may be made to those identified above.
2. All complaints about bullying behavior that may violate this policy shall be promptly investigated. If the investigation finds an instance of bullying behavior has occurred, it will result in prompt and appropriate disciplinary action. This may include up to expulsion. Individuals may also be referred to Law Enforcement Officials. Retaliation against any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry concerning allegations of bullying is prohibited and will not be tolerated. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. Suspected retaliation should be reported in the same manner as bullying. Making intentionally false reports about bullying for the purpose of getting someone in trouble is similarly prohibited and will not be tolerated. Retaliation and intentionally false reports may result in disciplinary action as indicated above.

V. INTERPRETATION

This policy shall not be interpreted to infringe upon the First Amendment rights of students, and is not intended to prohibit expression of religious, philosophical, or political views, provided that such expression does not cause an actual, material disruption of the work of the school.

APPENDIX D: INTERROGATIONS AND SEARCHES POLICY

Searches
The Administration has the right to search and seize property, including school property temporarily assigned to students, when there is a reasonable suspicion that the student has some item or material detrimental to the health, safety, or welfare of the student or other students, such as drugs or a weapon on school grounds or at school functions. The Administration may call in Law Enforcement Authorities to conduct the search at their discretion.

The student has no expectation of privacy in items provided by school for storage, such as desks, storage areas, etc. These items may be inspected at any time with or without reason, with or without notice, by school personnel.

Interrogations
School Officials may question students without reservation regarding matters that are important to the school. A parent/guardian will be contacted if the student is subject to discipline for a serious offense.

If a Child Protective Services Worker or Law Enforcement Officer wishes to speak to a student regarding an investigation of alleged child abuse by a parent or if the parent or guardian is suspected of some other type of crime and the student has information as a witness, parental notification is not permitted.

School Officials shall cooperate with the investigating Officer or Child Protective Services Worker. If a student is taken into protective custody, the above officers shall be requested to show proper identification and sign a “Form of Interviewing Officer.” Six (6) hours after the student has been taken by the Officer or Worker, school personnel may respond to questions from the student’s parent or notify the parent, if necessary.

Unless the student is being questioned regarding abuse or criminal activity of a parent, the school shall notify a parent prior to the interrogation, and ask the parent if the Officer may question the child. If the parent consents to the interrogation, the parent will be asked to be present at the school for the questioning or to authorize the interrogation in their absence. If the parent cannot be reached or refuses authorization, the Peace Officer will be requested to contact the parent to make other arrangements.

If a Law Enforcement Officer is present on campus, at the request of the school, to interview students due to concerns for safety of the students, parent contact will only be made if a student is taken into custody or following the decision that the student may be subject to discipline for a serious offense.

If a Peace Officer is present at the school with a warrant or subpoena, the Officer will be asked to complete and sign a “Form for Signature of Arresting Officer.” School personnel shall make every reasonable effort to make sure personnel of the school cooperate fully with the police. When the arrest is formally made, the school and its employees no longer exercise jurisdiction over the student, and the school may respond to inquiries from the parents as to the location of the student.

APPENDIX E: NOTIFICATION STATEMENTS

CHILD FIND

The intent of Child Find is that all children from birth through age 21 with delays or disabilities are identified, located, and evaluated to receive the supports and services they need.

Identification/screening procedures shall be completed within 45 calendar days after enrollment for each kindergarten student and new students enrolling without appropriate screening records. The screening helps "identify" any areas of concern that need to be evaluated further. In order to receive early intervention or special education services, a child must be evaluated to confirm they have a delay or disability that falls under state definitions.

If needed, the student is evaluated using state criteria for specific delays or disabilities. If eligible, Leading Edge Academy Online will offer early intervention or special education services according to the student's needs.

- Special education services for school-age children in kindergarten through the age of 21 provide specialized instruction and services to assist children in the education environment.

STUDENTS WITH DISABILITIES COVERED BY SECTION 504

Section 504 of the Rehabilitation Act is a civil rights statute that prohibits discrimination against disabled persons in any of the Network's programs or activities. A student is protected by Section 504 if they have or have had a physical or mental impairment, which substantially limits a major life activity or is regarded as disabled by others.

Leading Edge Academy Online will determine eligibility and provide appropriate accommodations and services to students who are covered by Section 504. Leading Edge Academy Online will also ensure that no student with a disability is excluded from participation in, or be denied the benefits of services, programs or activities of the school due to the disability that qualified the student for protection under Section 504.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT (IDEA)

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

PROHIBITED HARASSMENT Any person who believes he/she has been the subject of or it's a witness to discrimination or harassment shall immediately notify any teacher, office personnel, or the school Principal. Complaints that cannot be reported immediately must be reported within thirty (30) calendar days. The school employee receiving the report or complaint, or who personally witness discrimination or harassment, shall immediately inform the school Principal of the report or complaint and complete a Statement of Facts form.

Leading Edge Academy Online takes very seriously any sexual harassment. Sexual harassment is a form of discrimination in educational opportunities on the basis of sex. It is prohibited by Title VII of the federal Civil Rights Act of 1964, by Title IX of the Education Amendments of 1972, by the Arizona Civil Rights Act and by school policy. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature. This includes employee-to-student actions, student-to-employee actions, and student-to-student actions. If you feel you have been sexually harassed or you know someone who has been sexually harassed, you should report it immediately to the Administration. The Administration will take immediate steps to investigate complaints and to take appropriate remedial action. Sexual harassment by students will not be tolerated and will result in disciplinary action.

NON-DISCRIMINATION

Federal and state laws prohibit discrimination on the basis of race, color, national origin, gender, religion, or disability. Leading Edge Academy provides a nondiscriminatory learning and work environment ensuring that all students and staff are free from unlawful discrimination. A lack of English language skills will not be a barrier to admission and participation in the education programs of the school. This commitment extends to all school programs and school sponsored events.

In the event a student experiences discrimination, the student should report the incident to the school Principal within ten (10) school days. The inability of a student to speak English should not prevent the student from reporting a violation. Every reasonable measure to interpret a non-English speaker's concerns will be taken. The school Principal will investigate the incident personally or designate another school employee to conduct the investigation at the Principal's discretion. The alleged victim or witness will be required to complete a Statement of Facts form, or if a Statement of Facts form is not available, set forth in another written form all information relevant to the complaint including a description of the conduct alleged (i.e. specific words, statements, or actions), names of perpetrator and victim, places, times, and other witnesses. The Principal shall contact an outside agency (i.e. Department of Child Safety or law enforcement) as required by statute or when otherwise deemed appropriate by the Principal.

PROHIBITED TOBACCO USE ON SCHOOL PREMISES & AT ANY SCHOOL-SPONSORED FUNCTION

If students are found to be in possession of, or using tobacco in any form while on school premises, during school hours (including off-campus lunch), or at any school-sponsored function, they have violated the no-tobacco policy and are subject to disciplinary action. Minimal disciplinary actions may include parental notification and/or a police citation with a fine. Maximum disciplinary action(s) are dictated by the age of the student and the circumstances and/or number of violations. The maximum actions may include suspension.

IMPORTANT NOTICE TO PARENTS CONCERNING STUDENT INJURIES

Even with the greatest precautions and the closest supervision, accidents can and do happen at school. They are a fact of life and a part of the growing-up process our children go through. Parents need to be aware of this and be prepared for possible medical expenses that may arise should their child be injured at school. The Network does not provide medical insurance to automatically pay for medical expenses when students are injured at school. This is the responsibility of the parents or legal guardians. The Network carries only legal liability insurance.

MANDATORY REPORTING OF CRIMINAL ACTIVITY TO LAW ENFORCEMENT

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 Department of Child Services (DCS) 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.

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).

DUE PROCESS

Students at Leading Edge Academy Online have rights. In disciplinary cases, each student is entitled to due process. This means students shall be informed of accusations against them and will have an opportunity to present an alternative factual position if the accusations are denied. If a student fails to fulfill their responsibilities regarding conduct, disciplinary action will follow. In disciplinary cases, a student is entitled to due process.

For student and/or parent concerns, complaints and grievances, parents and students are encouraged to schedule a conference with the Teacher or Administrator to express concerns directly.

SEARCHES OF STUDENT PROPERTY

A student or their possessions, including but not limited to, backpacks and/or vehicles on school property may be searched if there is a reasonable suspicion that they are in possession of illegal, dangerous, or inappropriate items or substances. A student's refusal to cooperate with a search may result in suspension, expulsion, or law enforcement involvement.

TEACHER RESUMES

Teacher resumes are on file in the school office for review at each campus.

ABUSE OF A TEACHER

A person who knowingly insults or abuses a Teacher on school grounds or while the Teacher is performing their duties is guilty of a misdemeanor which is punishable by a fine and/or imprisonment.

LAW ENFORCEMENT AGENCIES

When Law Enforcement Officers or other lawful authorities wish to question or interview a student at school or to take a student into custody, the Principal, or an Executive Level Director, will make every effort to cooperate with the authorities. The Principal will record the identity of the Law Enforcement Personnel and any documentation presented. The Principal will take precautions by verifying the Law Enforcement Officer's identity, jurisdiction, probable cause, and/or legal grounds for the questioning or arrest. The Principal will make reasonable efforts to contact the student's parent/guardian prior to the questioning or arrest, unless the Law Enforcement Personnel raises what the Principal considers a valid objection. The Principal may also be present during any questioning or interviewing, unless the Law Enforcement Personnel raises what the Principal considers a valid objection. The Principal will verify the Law Enforcement's authority to take a student into custody prior to releasing the student. It is understood that the Principal will make decisions in their best judgment, but that they are not trained in legal or law enforcement issues and will not be held responsible for decisions made.

APPENDIX F: SERVICE ANIMAL POLICY

Service animal means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a documented medically diagnosed disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Service animal does not include other species of animals, whether wild or domestic or trained or untrained.

Leading Edge Academy does not discriminate against individuals with disabilities who use service animals if the work or tasks performed by the service animal are directly related to the individual's disability. Work or tasks include assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities and helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks.

Individuals with disabilities shall be permitted to be accompanied by their service animal in all areas of the School's facilities where members of the public, participants in services, programs or activities, or invitees are allowed to go. A service animal may be excluded from the School if one or more of the following apply:

- The animal poses a direct threat to the health or safety of others.
- The animal fundamentally alters the nature of the School, services or activities provided.
- The animal poses an undue burden.

A service animal shall be under the control of its handler. A service animal shall have a harness, leash, or other tether, unless either the handler is unable because of a disability to use a harness, leash or other tether or use of the harness, leash or other tether would interfere with the service animals' safe, effective performance of work or tasks, in which case the service animal must be under the handler's control.

The School shall not be responsible for the training, feeding, or grooming. The School must approve any person who is authorized by the owner to assist in care and supervision of the service animal while on school property.

A request for an individual with a disability to be accompanied by a service animal must be submitted to the Principal at least three (3) days prior to bringing the service animal to school or to a school function. Forms are available by contacting the School Office.

Service dog requests must provide proof of the following vaccinations: DHLPPC (distemper, hepatitis, leptospirosis, paroinfluenza, parvovirus, and coronavirus) Bordetella, rabies. Miniature horse requests must provide proof of the following vaccinations: Equine Infectious Anemia (Coggins Test), rabies, tetanus, encephalomyelitis, rhinoneumonitis, influenza, and strangles.

All service animals must be: spayed or neutered; treated for and kept free of fleas and ticks; and kept groomed to avoid shedding and dander. Owners of the service animal are liable for any harm or injury caused by the animal to students, staff, visitors, and/or property.

APPENDIX G: SCHOOL RESTRAINT AND SECLUSION POLICY

This Policy addresses the behavior management techniques to be used with students attending Leading Edge Academy. Behavior management techniques such as restrain, seclusion, temporary removal from the classroom and confinement shall be utilized in accordance with the following standards:

Temporary Removal
Teachers are authorized to temporarily remove a student from a class. A teacher may temporarily remove a student and send them to the Principal, or to another administrator, as long as the removal is done in accordance with:

- The rules established for the referral of students, as outline din the School's behavior management and expectations Policy; or
- The conditions of A.R.S. S 15-841, when applicable.

Confinement
Under A.R.S. § 15-843, the Principal shall ensure that disciplinary practices involving the confinement of students left alone in an enclosed space shall include the following:

- Prior written parental notification that confinement may be used for disciplinary purposes is included in the student's enrollment packet or admission form.
- Written parental consent has been obtained before confinement is allowed for any student in the School.
- An exemption to prior written parental consent exists if a school principal or teacher determines that the student poses imminent physical harm to self or others. In this instance, the school principal or teacher shall make reasonable attempts to notify the student's parent or guardian in writing by the end of the same day that confinement was used.

Restraint and Seclusion
The use of restraint or seclusion is not to be limited, by policy or practice, to students with disabilities. Restraint and Seclusion are defined in A.R.S. § 15-105 as follows:

"Restraint" means any method or device that immobilizes or reduces the ability of a student to move the student's torso, arms, legs or head freely, including physical force or mechanical devices. The following are *not* considered to be a restraint:

a) Methods or devices implemented by trained school personnel or used by a student for the specific and approved therapeutic or safety purposes for which the method or device is designed and, if applicable, prescribed.
b) The temporary touching or holding of the hand, wrist, arm, shoulder or back for the purpose of inducing a student to comply with a reasonable request or to go to a safe location.
c) The brief holding of a student by one adult for the purpose of calming or comforting the student.
d) Physical force used to take a weapon away from a student or to separate and remove a student from another person when the student is engaged in a physical assault on another person.

"Seclusion" means the involuntary confinement of a student alone in a room from which egress is prevented. Seclusion does not include the use of a voluntary behavior management technique, including a timeout location, as part of a student's education plan, individual safety plan, behavioral plan or individualized education program that involves the student's separation from a larger group for purposes of calming.

Restraint or seclusion techniques may be used on any student if <u>both</u> of the following apply:

1. The student's behavior presents an imminent danger of bodily harm to the student or others; and
2. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

If a restraint or seclusion technique is used on a student:

- The use of restraint or seclusion is to be used only in an emergency to protect persons from imminent, serious physical harm to self or others.
- The restraint or seclusion technique shall be used only by school personnel who are trained in the safe and effective use of restraint and seclusion techniques unless an emergency situation does not allow sufficient time to summon trained personnel.
- School personnel shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use. If seclusion is utilized, school staff must reassess the child every thirty (30) minutes and if the need for seclusion extends beyond one hour, an administrator's approval is required for continued seclusion.
- Any area used for seclusion must be free of objects that could cause harm, must provide for adequate visual and audio supervision of the student, must provide adequate lighting and ventilation, and must not be locked.
- The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger to the student or others.
- The restraint technique employed may not impede the student's ability to breathe.
- The restraint technique may not be out of proportion to the student's age or physical condition.
- A debriefing with affected staff and parents and, if appropriate, the student must be conducted within forty-eight (48) hours. During the debriefing a determination should be made regarding the need for a functional behavioral assessment (FBA).
- A student who has required crisis management on the part of the school staff more than three (3) times in a semester must have a functional behavioral assessment (FBA) and, if appropriate, a behavior intervention plan (BIP) developed within a reasonable time following the third (3rd) restraint or seclusion incident.

Leading Edge Academy requires the following procedures to be adhered to when a restraint or seclusion technique has been used on a student:

1. School personnel shall provide the student's parent or guardian with written or verbal notice on the same day that the incident occurred, unless circumstances prevent same-day notification. If the notice is not provided on the same day of the incident, notice shall be given within twenty-four hours after the incident.
2. Within a reasonable time following the incident, school personnel shall provide the student's parent or guardian with written documentation that includes information about any persons, locations or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used and the duration of its use.
3. Schools shall review strategies used to address a student's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the student during a school year. The review shall include a review of the incidents in which restraint or seclusion technique were used and an analysis of how future incidents may be avoided, including whether the student requires a functional behavioral assessment.
4. If the need to contact and request support from law enforcement instead of using a restraint or seclusion technique on a student is determined necessary, the school shall comply with the reporting, documentation and review procedures established under the paragraphs above.

Corporal Punishment

For the purposes of this Policy, corporal punishment is defined as the deliberate infliction of pain intended to discipline or reform a person's bad attitude and/or behavior. Leading Edge Academy prohibits the use of corporal punishment.

APPENDIX H : VISITOR'S POLICY

All visitors must check in at the school office and wear a visitor's badge while on campus. Upon entering a school building, visitors will be asked to present a government issued ID such as a Driver's License, which can be scanned into our Raptor Security System. The Raptor system checks visitor's name and date of birth for comparison with a national database of registered sex offenders. No other data from the ID is gathered or recorded and the information is not shared with any outside agency. Once entry is approved, Raptor will issue a badge that identifies the visitor, the date, and the purpose of their visit. A visitor's badge will not be necessary for those who visit our schools simply to drop off an item in the office or pick up paperwork. It will only be needed for someone who is planning on entering through the office doors during school hours.

In accordance with A.R.S. 15-184(J), parents or legal guardians of enrolled students or who are interested in enrolling their student(s) may request to visit, tour, or observe classrooms. If a parent wishes to request a visit, tour, or observation of classroom whether in-person or online, they are subject to the following requirements:

- All requests must be received by the school at least 24 hours in advance of the proposed visit, provided that the school, in its sole discretion, may waive the 24-hour advance notice requirement on a case-by-case basis.
- Visit requests will be promptly reviewed by School Administration, with input from the classroom teacher(s).
- Visit requests will be approved unless they threaten to interfere with the physical, intellectual, social, or emotional health and/or safety of students and staff.

Health and Safety Parameters: For purpose of this policy, the following requests threaten to interfere with the physical, intellectual, social, or emotional health and/or safety of students and staff, and are therefore not allowed:

- Requests for visits during state testing, other testing periods, or at other times that would clearly interfere with educational instruction or disrupt the educational environment.
- Requests for campus visits by parents who have demonstrated failure to abide by our Visitor Behavioral Expectations (set forth below), or who have otherwise failed to abide by our visitor policies of the school.
- Requests that, for other reasons, threaten to interfere with the physical, intellectual, social, or emotional health and/or safety of students and staff.

Student Guests: Students may not bring guests to school without prior approval by the Administration. Unauthorized visits from student and non-student guests are prohibited and may result in arrest. All student guests are subject to the same policies and behavior expectations listed within this policy.

Visitor Behavioral Expectations:

All visitors are required to behave as a person of character including a manner that is respectful and conducive to our active learning environment. Visitors may not interfere with instruction or distract from the instructional environment. Any behavior from a visitor that is deemed by administration as harassment, bullying, or verbal or physical abuse of staff and students, or that otherwise disrupts the educational environment is expressly prohibited. Violations of behavioral expectations may result in the calling of authorities, issuing a trespassing citation, limiting future interactions and/or communications with staff, prohibited from future campus visits during both school and non-school hours or virtually, or other consequences under applicable law or policy.

APPENDIX I: NALOXONE POLICY

I. PURPOSE

The purpose of this policy is to establish guidelines and procedures for the emergency administration and use of the opioid antagonist naloxone administered by schools of the **Leading Edge Academy Charter Network** for the purpose of emergency opioid overdose reversal as allowed by A.R.S. § 15-341(A)(43). Schools in the Leading Edge Academy Charter Network include all schools under the following charter contracts: LEAD Charter Schools, Leading Edge Academy Maricopa, and Leading Edge Academy Queen Creek.

II. POLICY

In accordance with Ariz. Rev. Stat. § 15-341(A)(43) and Ariz. Rev. Stat. § 36-2267 and Ariz. Admin. Code Rule R 9-4-602, it is the policy of all schools in the Leading Edge Academy Network that all elementary schools, junior high schools, and high schools will provide and maintain on-site opioid antagonists in the form of intranasal naloxone 4 mg. Procurement of naloxone is the responsibility of the charter holder or other delegate specified by school procedures.

1. **Staff Training Requirements:**
   - All school site personnel should receive annual training on recognizing signs of opioid overdose and proper naloxone administration techniques.
   - Training will also cover emergency follow-up procedures, including the requirement to summon emergency services immediately before or after administering naloxone.
   - School policies and procedures will be provided annually and be accessible year-round on the school specific drive.
2. **Procurement of Naloxone**

Nasally administered naloxone hydrochloride that is needed for a school to comply with ARS § 15-341(A)(43) may be acquired using the following methods:

- Donations from an approved source such as the Arizona Department of Education, the state or county Department of Health, a pharmaceutical company, or other authorized distributor
- Over-the-counter purchase
- Purchase from an approved pharmaceutical distributor

3. **Storage and Accessibility:**
   - Naloxone will be stored in a secure, easily accessible, unlocked location known to school-site personnel.
   - Naloxone kits should have 1 pair of nitrile gloves and step-by-step delivery instructions.
   - A system will be maintained at each campus to regularly check the expiration dates and condition of naloxone kits to ensure readiness and documentation stored on the school drive.
   - Naloxone must be discarded prior to its expiration date.
4. **Administration Protocol:**
   - Any school staff member may be allowed to administer naloxone in the event of an emergency.
   - All school staff are required to follow established procedures for administering naloxone, including assessing the individual's condition, administering the medication, and monitoring the individual until emergency medical services arrive as established in the naloxone training.

The following procedures should be followed to administer naloxone:

- ❖ Remove the nasal spray from the box. Peel back the tab with the circle to open it.
- ❖ Do not prime or test the nasal spray. It contains a single dose of naloxone and cannot be reused.
- ❖ Hold the nasal spray with the thumb on the bottom of the plunger and the first and middle fingers on either side of the nozzle.
- ❖ Lay the patient on their back. Support the patient's neck with the responder's hand and allow the head to tilt back before giving this medicine.

- ❖ Gently insert the tip of the nozzle into one nostril of the patient, until fingers on either side of the nozzle are against the bottom of the patient's nose.
- ❖ Press the plunger firmly to give the dose. Remove the nasal spray from the patient's nostril after giving the dose.
- ❖ Move the patient to their side (recovery position) after giving the medicine
- ❖ Any administration procedures that are provided directly from the naloxone provider may supersede the above mentioned procedures and will be provided with the naloxone kit.

5. **Documentation and Reporting:**
   - Each school will maintain records of naloxone administration incidents, including the date, time, individuals involved, and any follow-up actions taken on the Naloxone Administration Reporting Form.
   - Report incidents to appropriate health authorities as required by state regulations.

6. **Liability and Immunity:**
   - Staff members administering naloxone in good faith are immune from civil liability, as per Arizona state law A.R.S. § 36-2271(D).
   - Immunity does not extend to cases involving gross negligence or intentional misconduct.
   - Student found to have naloxone on their person and students who administer naloxone shall not be penalized by school personnel.

Leading Edge Academy Naloxone Administration Reporting Form

1. Reporting School (Select One):

☐ Leading Edge Academy - East Mesa ☐ Leading Edge Academy - Gilbert Elementary
☐ Leading Edge Academy - Gilbert Early College ☐ Leading Edge Academy - Maricopa
☐ Leading Edge Academy - Mountain View ☐ Leading Edge Academy - Online

2. Incident Information

Date of Incident: _____ Appx. Time of Incident: _____ AM / PM

Location of Incident (include room # as appropriate: _____

3. Administering Staff Information:

Name of Administering Staff: _____
Role / Title: _____ Phone number: _____

3. Individual Receiving Naloxone Dose Information:

Fill out what is known: Name: _____ Age: _____ Gender:_____

Reason for Suspected Overdose (check all that apply):
☐ Altered mental status or behavior ☐ Presence of drug paraphernalia
☐ Unresponsiveness ☐ Known history of opioid use
☐ Slowed or irregular breathing ☐ Reported or observed drug consumption
☐ Pinpoint pupils ☐ Other (please specify):

4. Naloxone Administration

Number of doses administered (Circle One): 1 2 3 4 5 6 7 8 9 10
Doses should be administered no sooner than 2 to three minutes apart, in alternating nostrils.

5. What Happened After Administering Naloxone?

Check all that apply:
☐ The individual remained unresponsive ☐ Emergency medical services (EMS) arrived
☐ The individual regained consciousness and was alert ☐ The individual showed **no** immediate change
☐ The individual regained consciousness but remained disoriented
☐ The individual began breathing more regularly ☐ Other (please specify):

Was the individual transported to a hospital or medical facility? (Select one): ☐ Yes* ☐ No
*If yes, to where? ☐ Hospital (name if known): _____ ☐ Other (specify):

Employee Name _____ Signature _____

☐ Administrator has notified network office to order a replacement naloxone dose.

Campus Administrator Name_____ Date of Notification: _____ Signature _____

APPENDIX J: SUSPENSION OR EXPULSION OF K-4 STUDENTS

The following procedures are adopted to comply with A.R.S. § 15-843(K)-(L), which imposes limitations and requirements on the use of suspensions and expulsions in addressing misconduct by students in grades K-4. In the event of a conflict between this policy and the School's normal discipline policies, this policy will take precedence in addressing suspension or expulsion of K-4 students.

I. ***Bypass Exceptions*:** The limitations on suspension and expulsion under this policy may be bypassed and are not applicable if:

a. *General Exception*--The contemplated suspension is two days or less AND the total number of suspension days does not exceed ten days in the current school year.
OR

b. *Firearms Exception*--The student brings a firearm to school, per A.R.S. § 15-841(G).

II. ***Students Under Seven*:** Absent a Bypass Exception, students under seven years old may not be suspended or expelled; alternative disciplinary interventions must be utilized.

III. ***Grounds for Suspension/Expulsion*:** Absent a Bypass Exception, students who are at least seven years of age but who have not yet reached fifth grade will only be subject to suspension or expulsion if the misconduct occurs on school grounds and involves:

1. "Aggravating circumstances," as defined below; OR
2. One of the following offenses, AND failing to remove the student from the school building would create a safety threat that cannot otherwise be reasonably addressed:
    a. Possession of dangerous weapon.
    b. Possession, use, sale of dangerous drug or narcotic drug, as defined in A.R.S. § 13-3401 or a violation of A.R.S. § 13-3411.
    c. Behavior that immediately endangers the health/safety of others.

IV. ***Pre-suspension/Expulsion Procedures***: Prior to imposing a suspension or expulsion under this policy, the school will do the following unless doing so is not feasible while maintaining health and safety of others:

- Consider and, if feasible, employ alternative behavioral and disciplinary interventions ("ABDI");
- Consult with parent regarding ABDI, to the extent possible; and
- Document ABDI considered and employed.

V. ***"Aggravating Circumstances"*:** By adoption of this policy, the school's governing body determines that aggravating circumstances exist when the misconduct meets all of the requirements set forth in a-d below—*i.e.*, the misconduct:

a. Is persistent;
b. Has been documented;
c. Prevents other students from learning OR prevents the teacher from maintaining control of the classroom; and
d. Is unresponsive to targeted interventions that include consultation with:
    i. A school counselor, school psychologist, other mental health professional, or social worker if available, or through a state-sponsored program.
    ii. If none of the foregoing are available, the targeted interventions must include consultation with the school principal or another school administrator.

If the misconduct meets the definition of "aggravating circumstances" set forth above, the school will not suspend or expel the student unless the following additional prerequisites are also present:

e. Parent has been notified and consulted about the ongoing behavior, and
f. In the case of long-term suspension (more than 10 school days) or expulsion, the school has provided a disability screening indicating that the behavior is not the result of a disability or suspected disability.

VI. ***Application for Readmission*:** Following a long-term suspension or expulsion, a parent may apply for student's readmission: (a) after a student has served at least five school days of the long-term suspension, or (b) twenty school days after effective the date of an expulsion.

Applications for readmission must be submitted in writing to the Principal, who may grant or deny the application at his/her discretion. Applications will be considered on a case-by-case basis. The Principal's decision on an application for readmission is final.

APPENDIX K: SCHOOL SAFETY

The purpose of this school safety policy is to generally set forth the principles by which the School responds to threats against the School and its students, employees, and volunteers. Given the sensitivity of the subject matter contemplated by this policy, this is intentionally a non-exhaustive consideration of the School's safety protocols; therefore, this policy supplements but does not replace any other safety protocols or applicable state or federal laws governing the School's obligations to maintain a safe learning environment.

Reporting of Suspected Criminal Conduct. In order to comply with A.R.S. § 15-153, the School's Principal or their designee, will report to local law enforcement any suspected crime against a person or property that (i) is a Serious Offense or involves a Deadly Weapon or Dangerous Instrument or Serious Physical Injury; or (ii) any conduct that poses a threat of death or Serious Physical Injury to a School employee, student, or other person on the School's property (collectively, "Suspected Criminal Conduct"). All capitalized terms in this paragraph have the meaning set forth in Arizona law.

In accordance with applicable state and federal law, including FERPA, the School's Principal or their designee, will notify the parent or guardian of each student who is involved in Suspected Criminal Conduct. School employees are expected to report and document any Suspected Criminal Conduct by immediately notifying any member of the School administration of the incident and promptly preparing a written report of the incident and providing the report to a member of the School Administration. The School may, in its discretion, discipline any School employee who the School believes failed to properly report and document Suspected Criminal Conduct, and the School will maintain a record of such disciplinary action. In accordance with applicable law, the School will, upon reasonable request, make such a disciplinary record available to a public school considering hiring that employee.

Parental Notification of Threatening or Intimidating Behavior or Harassment. In accordance with A.R.S. § 15-186.01, if the School determines a student has been harassed, threatened, or intimidated on School grounds or in a manner that substantially disrupts the School's learning environment, the School's Principal or their designee, will notify the parent or guardian of that affected student. Threatening or intimidating behavior and harassment have the meanings set forth in A.R.S. § 15-186.01.

Prohibition on Threatening or Intimidating Behavior, Discrimination, Harassment and Bullying. Students may not engage in threatening or intimidating behavior, discrimination, bullying, or harassment of any kind, including sex discrimination that is prohibited under Title IX. The School has a zero-tolerance policy regarding these behaviors.

Students engaging in such behavior will be subject to disciplinary action, and potential sex discrimination and/or sexual harassment will be subject to the provisions of the School's Title IX Policy.

Prohibition on Hazing. Students may not engage in hazing, as defined in A.R.S. § 15-2301, or solicit other students to engage in hazing. Aiding and abetting another person who is engaged in hazing is also prohibited. All students, teachers and staff must take reasonable measures within the scope of their authority to prevent hazing and violations of this policy. Students engaging in prohibited hazing behavior will be subject to disciplinary action. In such disciplinary proceedings, a student may not rely on the defense that the victim consented to or acquiesced in the prohibited hazing behavior.

Parent Behavioral Expectations. During all interactions with School staff, including while parents are on campus or at School-sponsored events, parents are expected and required to comport themselves at all times with appropriate decorum and in a manner that is respectful and conducive to an environment in which the educational objectives of the School can be effectively administered. Consistent with this expectation, any parental behavior that constitutes harassment, bullying, or verbal or physical abuse of staff or students, or that otherwise disrupts the educational environment is expressly prohibited. These behavioral expectations apply to any communications with School staff in any manner, including in person, via email, via telephone, via social media, or any other means of communication.

Parents who disregard these behavioral expectations will be subject to consequences to limit the impact of their interference with the educational environment, including potential limitations and/or prohibitions on further communications with School staff, limitations on future campus visits or attendance at School-sponsored events, and other appropriate consequences as may be determined by the School.

APPENDIX L: TITLE IX POLICY

SEXUAL DISCRIMINATION POLICY AND SEXUAL HARASSMENT GRIEVANCE PROCEDURES

Title IX of the Education Amendments of 1972 and the Title IX regulations prohibit discrimination on the basis of sex, including gender-based and sexual harassment discrimination, in the School's educational programs and activities, including employment. The School is committed to maintaining an educational and working environment free from sex discrimination and harassment and encourages any student or employee who believes they have been subjected to discrimination on the basis of sex, whether by students or by School employees, to utilize this procedure.

1. Title IX Coordinator. The School's designated and authorized Title IX Coordinator can be reached as follows:

Mary Ellen Lee, Director of Development
633 E. Ray Rd. Suite 132
Gilbert, AZ 85296
(480) 633-0414
titleix@leadingedgeacademy.com

The Title IX Coordinator is designated and authorized to coordinate the School's compliance with Title IX.

2. Notification. The contact information for the Title IX Coordinator and the School's nondiscrimination notice (indicated above) will be prominently posted on the School's website and in any student or employee handbooks. Any documents used to train the Title IX Coordinator, School employees or others who may be involved in the Title IX grievance process will be posted on the School's website.

In addition, the School will notify students, parents or guardians of students, employees, applicants for admission and employment, and professional organizations that have an agreement with the School of this Policy and the grievance

procedures included in this Policy, including how to report sexual harassment and how the School will respond to such reports. The required notification may be accomplished in any way that the School deems appropriate and effective.

3. Reports of Sex Discrimination. Any person may report sex discrimination, including sexual harassment, regardless of whether the person is the alleged victim of the conduct, in person, by mail, by telephone or by email to the Title IX Coordinator at any time. Complaints of sex discrimination that is not sexual harassment will be handled pursuant to the School's regular procedures for resolving student or employee grievances promptly and equitably. Complaints of sexual harassment will be handled using the grievance procedures set forth below.

4. Definition of "Sexual Harassment" and Other Terms. For purposes of this policy, "sexual harassment" is any one or more of the following:

- Conduct of a School employee that expressly or impliedly conditions the provision of an aid, benefit or service of the School on an individual's participation in unwelcome sexual conduct.
- Conduct that a reasonable person would deem to be unwelcome and that is so severe, pervasive and objectively offensive that it effectively denies a student equal access to the School's educational programs or activities.
- Conduct that constitutes sexual assault, dating violence, domestic violence or stalking under the Clery Act, 20 U.S.C. § 1092(F)(6)(A)(v), or the Violence Against Women Act of 1994, 34 U.S.C. § 12291(a)(10).

The School's "educational programs or activities" include events and circumstances where the School exercises substantial control over the individual engaging in the alleged harassing behavior and the context in which the alleged harassment occurs, but applies only those educational programs or activities that occur within the United States. All other terms relevant to a Title IX complaint shall be construed in accordance with the current Title IX regulations and any relevant case law.

5. Formal Complaints of Sexual Harassment. Any person, including a person who is alleged to be the victim of sexual harassment (a "Complainant") may report sexual harassment, in person, by mail, by telephone or by email to the Title IX Coordinator at any time. The report must include the nature of alleged violation; names of persons responsible for the alleged violation (when known) (a "Respondent"), and any other relevant background information. A Complainant (or their parent/guardian) or the Title IX Coordinator, but not a third-party reporter, may sign a formal complaint. The Complainant and the Respondent are the parties to any formal complaint, even if it is signed by the Title IX Coordinator. At the time of filing a formal complaint, a Complainant must be participating in or attempting to participate in the School's educational program or a School activity.

6. Actual Knowledge Reports of Sexual Harassment. The School will also respond to alleged sexual harassment whenever any School employee has actual knowledge of potential sexual harassment or allegations of sexual harassment. Employees must report such knowledge immediately to the Title IX Coordinator.

7. Initial Contact with Complainant. Upon receiving notification of alleged sexual harassment, whether through a report, a formal complaint or an actual knowledge report from a School employee, the Title IX Coordinator shall promptly and confidentially contact the Complainant to discuss the availability of supportive measures, consider the Complainant's wishes with respect to supportive measures, inform the Complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain the process for filing a formal complaint, if applicable.

8. Supportive Measures. The Title IX Coordinator shall offer supportive measures to both the Complainant and alleged Respondent, either before or after the filing of a formal complaint or following a report where no complaint has been filed. The supportive measures are non-disciplinary, non-punitive, individualized services and shall be designed to restore or preserve equal access to the School's educational program and activities, without unreasonably burdening the other party, and shall be offered without charge. Supportive measures may include counseling, class modifications or class schedule changes, and/or increased monitoring and supervision, as deemed appropriate by the Title IX Coordinator.

9. Emergency Removal/Administrative Leave. The School may remove a student who is a Respondent from the School's educational program or activity on an emergency basis, provided that removal is necessary to protect the student or another individual from an immediate threat to physical health or safety. If a student has an IEP or a Section 504 Plan, the decision to remove the student on an emergency basis must be coordinated with the School's special education staff and in compliance with relevant IDEA or Section 504 requirements.

The School may place an employee who is a Respondent on administrative leave while allegations are investigated and resolved in accordance with this Policy.

10. General Principles Governing Grievance Process for Responding to Formal Complaints. Following the filing of a formal complaint, the Title IX Coordinator or an assigned investigator who has had training in Title IX investigations will conduct an investigation of the allegations, unless they are summarily dismissed in accordance with Section 12 below. The investigation will include an evaluation of all available evidence, and may include witness interviews, review of relevant documents, and consultation with other staff members as necessary. The Title IX Coordinator or investigator must be free from any conflicts of interest or bias.

The investigation will be premised on a presumption that the Respondent is not responsible for the alleged act(s) of sexual harassment, and both parties will be treated equitably during the investigation. The burden of proof is on the School to prove a violation of this Policy by a preponderance of the evidence, which means that it is more likely than not that the Respondent engaged in the prohibited behavior.

Upon a determination that the Respondent engaged in prohibited behavior (pursuant to the procedures set forth below), the School may:

- Offer the Complainant any remedies that will restore or preserve the Complainant's access to the School's educational program and activities, including any supporting measures. These remedies may be kept confidential to the extent deemed necessary by the School.
- Impose any disciplinary sanctions on a Respondent student, including participation in counseling services; revocation of privileges related to extra-curricular programs including sports; no-contact orders; schedule changes; short-term or long-term suspension; or expulsion.
- Impose any disciplinary sanctions on a Respondent employee, including participation in counseling services; no-contact orders; reassignment; suspension without pay; or termination of employment.

This Policy prohibits the Complainant, the Respondent and any witnesses from knowingly making a false statement or providing false evidence in connection with a Title IX investigation. The School may take disciplinary action under the Student Code of Conduct or Employee Handbook against individuals who make such false statements.

11. Written Notice of Formal Complaint. The Title IX Coordinator or investigator will provide written notice to the Complainant and the Respondent of the allegations of a formal complaint and the grievance process, including any informal resolution process. The notice of the allegations must include:

- Sufficient detail to allow the Respondent to prepare a response, including a description of the conduct alleged, the date and location of the conduct and the names of the Complainant and other involved parties, if any.
- A statement that the Respondent is presumed not to be responsible for the conduct and that responsibility will be determined at the conclusion of the process.
- A notice of the Complainant's and Respondent's rights to have an attorney or non-attorney advisor.
- The right of Complainant and Respondent to inspect and review any evidence.
- The prohibition on providing false statements or evidence in connection with the investigation of the complaint.

If additional allegations arise during an investigation and will be investigated, the Title IX Coordinator or investigator will provide written notice of those additional allegations to the Complainant and Respondent.

12. Summary Dismissal. If the Title IX Coordinator or investigator determines that the allegations in a formal complaint do not meet the definition of "sexual harassment" under the applicable Title IX regulations, did not occur in the School's educational program or activity, or did not occur in the United States, the Title IX Coordinator or investigator *shall* summarily dismiss the formal complaint. The Title IX Coordinator or investigator *may* dismiss a formal complaint if the Complainant requests withdrawal of the complaint, the Respondent withdraws from the School or terminates their employment with the School, or specific circumstances prevent the School from gathering appropriate evidence to make a determination regarding the allegations. Upon dismissal of a formal complaint or any allegations contained in a formal complaint, the Title IX Coordinator or investigator will promptly and simultaneously provide written notice of the dismissal and the reason(s) for the dismissal to the Complainant and Respondent. If a complaint is summarily dismissed, the School may nevertheless take whatever additional disciplinary action it deems appropriate against the Respondent under its Student Code of Conduct and procedures related thereto.

13. Submission of Evidence to Title IX Coordinator or Investigator. Both the Complainant and the Respondent will have a reasonable opportunity to present witnesses and other evidence to the Title IX Coordinator or investigator, provided, however, that such evidence must be submitted within 21 calendar days of the date on which written notice of the formal complaint is provided to the Complainant and Respondent. The Title IX Coordinator or investigator will meet with each party and give them at least 24 hours' advance written notice of the date, time, location, and purpose of the meeting.

Before the Title IX Coordinator or investigator prepares the final investigation report, the Complainant, the Respondent and their advisors (if any) will be provided with an equal opportunity to review all evidence that is directly related to the allegations in the formal complaint. If possible, the evidence will be provided to the parties in an electronic format and manner that does not permit copying or downloading of the evidence. The evidence provided must include any evidence that the Title IX Coordinator or investigator does not intend to rely upon, and any exculpatory or inculpatory evidence from any source. Within 10 calendar days of the date on which they were provided with access to the evidence, the parties may prepare and submit to the Title IX Coordinator or investigator a written response to the evidence, which the Title IX Coordinator or investigator must consider before preparing a final, written investigation report. Following the expiration of the date on which the parties may provide responses to the evidence, the Title IX Coordinator or investigator will promptly prepare and issue a written investigation report that fairly summarizes the relevant evidence discovered during the investigation.

The School will not restrict the ability of either party to discuss the allegations and gather evidence related to the allegations of the formal complaint.

14. Determination of Responsibility. The School will not hold a live hearing in connection with determining responsibility for any violations of this policy. The written investigation report and any responses submitted by the Complainant and/or Respondent will be provided to the School's Principal (the "Decision Maker"), who will make the determination regarding responsibility. The Decision Maker will provide each party with an opportunity to submit written, relevant questions for any party or witness within 5 calendar days of the date on which the Decision Maker is provided with a copy of the final written investigation report and any responses to the report. If written questions are submitted to the Decision Maker, the Decision Maker will promptly provide the questions to the appropriate party so that the party can provide answers to the questions. Answers to the questions must be provided to the Decision Maker within 5 calendar days of the date on which they are provided to a party. The Decision Maker will promptly provide each party with the answers to the questions and allow for additional, limited follow-up questions in writing from both the Complainant and Respondent within 3 calendar days. If written follow-up questions are submitted to the Decision Maker, the Decision Maker will promptly provide the questions to the appropriate party so that the party can provide answers to the questions. Any answers to those additional questions must be submitted to the Decision Maker within 3 calendar days of the date on which they are provided to a party. The Decision Maker will promptly provide the responses to the additional questions to both parties. Any questions regarding a Complainant's prior sexual behavior or sexual predisposition will be deemed irrelevant unless they are offered to provide that someone other than the Respondent committed the alleged misconduct or are offered to prove consent.

No sooner than 10 calendar days after receiving the investigation report but no later than 45 calendar days after receiving the investigation report, the Decision Maker will issue a written determination (the "Determination") that includes:

- A statement of the allegations;
- A description of the procedures used to investigate the allegations;
- The findings of fact;
- A determination of responsibility for each allegation;
- Any sanctions that will be imposed on the Respondent for violations;
- Whether remedies to restore or preserve the Complainant's and/or others' equal access to the School's educational program or activities will be provided; and
- A description of the right to an appeal, how to request and appeal, and the permitted bases for an appeal.

The deadline for the Decision Maker to issue the Determination may be extended for good cause at the Decision Maker's sole discretion.

The Determination must be based upon a preponderance of the evidence (i.e., whether it is more likely than not that the violation occurred. The Complainant and the Respondent will be notified concurrently of the Determination.

Students found to have violated Title IX will be referred for potential disciplinary action. Employees found to have violated Title IX will be subject to employment actions, including discipline or termination of employment.

15. Timing of Resolution of Formal Complaints. The School will attempt to resolve all formal complaints alleging a violation of this Policy within 120 days, not including any time for an appeal of the Determination. However, the School may modify this presumptive deadline and any related deadlines for grievance procedures as required by the circumstances of the report and equity to the parties, so long as the matter is resolved in a timely manner. The Title IX Coordinator or investigator will not wait for the conclusion of any law enforcement investigation or criminal proceeding to begin the Title IX investigation, but the Title IX Coordinator or investigator may consider such investigations or proceedings in determining an appropriate timeline in which to resolve a formal complaint. Any extensions of the deadlines will be explained in writing to both parties.

16. Appeals. Either the Complainant or the Respondent may appeal from: (a) the Determination regarding a formal complaint, (b) the School's handling of a report, or (c) the dismissal of a formal complaint, by submitting a notice of appeal that includes the bases of the appeal to the Decision Maker within 10 calendar days of the date of the Determination. Written notice of the appeal will be provided to both parties by the School. Either party may file a written response in support of or challenging the Determination and the bases for the appeal within 5 calendar days of the date on which written notice of the appeal was provided to all parties.

An appeal may be filed on the following bases only:

- A procedural irregularity affected the outcome of the matter,
- There is newly discovered evidence that could affect the outcome of the matter and that was not available at the time the Determination was made, and/or
- The Title IX Coordinator, the investigator or the Decision Maker had a conflict of interest or bias that affected the outcome of the matter.

The appeal will be decided by the Executive Director on written submissions from the parties only. No hearing will be held for an appeal.

The Executive Director will simultaneously provide the parties with a written decision regarding the appeal, which will describe the result of the appeal and the rationale for the decision.

17. Informal Resolution. Allegations may be resolved informally only if a formal complaint is filed and only if the complaint does not allege that a School employee harassed a student. Both parties to a formal complaint must voluntarily agree in writing to participate in a potential informal resolution. As part of the informal resolution process,

the Title IX Coordinator or investigator may engage in interviews and other fact finding. Available methods of informal resolution include arbitration, mediation, and restorative justice procedures. Either party may withdraw from an informal resolution process at any time before agreeing to a resolution and resume the grievance process. Once an informal resolution is agreed to by the parties, it becomes binding. The Title IX Coordinator or the investigator has the discretion to decline informal resolution for some complaints, including complaints of sexual violence, and instead require their formal investigation.

18. Retaliation. Title IX prohibits retaliation for reporting or participating in an investigation of a report regarding sex discrimination or harassment. No person shall be retaliated against by the School in any way or subjected to discharge, suspension, discipline, harassment, or any form of discrimination for having participated in any proceeding under this Policy. In addition, it shall be a violation of this Policy for any person to retaliate against another individual for the purposes of interfering with that individual's Title IX rights or because an individual has participated or refused to participate in proceedings under this Policy. Individuals may be subject to actions under this Policy and/or under the Student Code of Conduct or the employee handbook for retaliation in violation of this Policy.

19. Recordkeeping. The School will maintain all documents related to allegations of sexual harassment for at least seven years. The records maintained by the School will document that the School's response to allegations of sexual harassment was not deliberately indifferent and that measures were taken to restore or preserve equal access to the School's educational program or activity. If the School did not offer supportive measures in response to a report made under this Policy, the School's records will document why that response was not clearly unreasonable under the circumstances known at the time.

20. Training. The School will provide training on the definition of sexual harassment, the School's grievance procedures, how to serve impartially in their roles, and any other required or appropriate subjects to the Title IX Coordinator, any investigators, the Decision Maker, anyone who facilitates informal resolution of formal complaints, and anyone involved in the appeal process at least as often as required by the Title IX regulations. All training materials will be posted on the School's website, as required by the Title IX regulations.

APPENDIX M: SPECIAL EDUCATION AND SECTION 504

Special Education/IDEA

The School abides by the requirements of applicable federal and state laws in serving students with disabilities, including the Individuals with Disabilities Education Act (IDEA), A.R.S. § 15-761, et seq., and A.A.C. § R7-2-401, et seq. Consistent with these requirements, the School has established, implemented, and made available to parents and school-based personnel the special education policies and procedures set forth herein. To the extent applicable to charter schools generally, and to the grade levels served by the School, the School's written special education policies and procedures include those set forth in the most current version of the Arizona Department of Education's Policy & Procedure Checklist ("ADE Checklist"), as updated, which is incorporated herein and is available electronically to school-based personnel and all parents at: www.azed.gov/specialeducation/monitoring under the "Resources" link.[1] The statutory and rule citations included in the policies below reflect the law or regulation on which the policy or procedures are based.

1. Child Find.

Policy: The School will ensure that all children with disabilities enrolled in and in need of special education and related services are identified, located and evaluated. Procedures for child identification and referral shall meet the requirements of the IDEA and its regulations, A.R.S. Title 15, Chapter 7, and the State Board of Education rules R7-2-401.

[1] To the extent any substantive inconsistency exists between these policies/procedures and the ADE Checklist that would otherwise implicate non-compliance by the School, the substantive provision of the ADE Checklist will control so as to ensure compliance.

Procedures:

- *§300.111 Child Find.*

1) The School will identify, locate and evaluate all children with disabilities within the population the School serves (enrolled students) who are in need of special education and related services.

2) Child find must also include children who are suspected of being a child with a disability and in need of special education, even though: (a) they are advancing from grade to grade, or (b) are highly mobile children, including migrant children.

3) The School will maintain a record of children who are receiving special education and related services.

- *AAC R7-2-401.C Public Awareness:* The School shall inform the general public and parents within its boundaries of responsibility of special education services for students aged 3 through 21 years and how to access those services, including information regarding early intervention services for children aged birth through 2 years.

- *AAC R7-2-401.D Child Identification and Referral:*

1) The School shall establish, implement and make available (either in writing or electronically) to its school-based personnel and all parents within the School's boundaries of responsibility, written procedures for the identification and referral of all children with disabilities, birth through 21 years, regardless of the severity of their disability.

2) The School will require the appropriate school-based personnel to review the written procedures related to child identification and referral on an annual basis and maintain documentation of the school-based personnel review.

3) Identification (screening for possible disabilities) shall be completed within 45 calendar days after: a) entry of each preschool or kindergarten student and any student enrolling without appropriate records or screening, evaluation, and progress in school; or b) notification to the School by parents of concerns regarding the developmental or educational progress by their child (ages 3 years through 21 years).

4) Screening procedures shall include vision and hearing status and consideration of the following areas: a) cognitive or academic; b) communication; c) motor; d) social or behavioral; and e) adaptive development. Screening procedures do not include detailed and comprehensive evaluation procedures.

5) For a student transferring into a school, the School shall review enrollment data and educational performance in the prior school. If there is a history of special education for a student not currently eligible for special education or poor progress, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services.

6) If a concern about a student is identified through screening procedures or review of records, the School shall notify the parents of the student of the concern within 10 school days and inform them of the School's procedures to follow-up on the student's needs.

7) The School shall maintain documentation of the identification procedures utilized, the dates of entry into school, notification by parents of a concern and the dates of screening. The results shall be maintained in the student's permanent records.

8) If the identification process indicates a possible disability, the name of the student shall be submitted to the administrator for consideration of the need for a referral for a full and individual evaluation or other services. A parent or student who has reached the age of majority may request an evaluation of the student.

9) If, after consultation with the parent, the School determines that a full and individual evaluation is not warranted, the School shall provide prior written notice and procedural safeguards notice to the parent in a timely manner.

2. Evaluation.

Policy: A full and individual initial evaluation will be conducted by the School before the initial provision of special education and related services to a child with a disability in accordance with §§300.300-300.311 of the IDEA regulations. A reevaluation of each child with a disability will be conducted by the School in accordance with §§300.300-300.311 of the IDEA regulations.

Procedures:

- *§300.300 Parental Consent*

1) When the School proposes to conduct an initial evaluation to determine if a child qualifies as a child with a disability, after reviewing existing data with the parents and providing prior written notice, the School will obtain informed consent from the parent of the child before collecting any additional data.

a) Parental consent for initial evaluation must not be construed as consent for initial provision of special education and related services.
b) The School must make reasonable efforts to obtain the informed consent from the parent for an initial evaluation.

2) For initial evaluations only, if the child is a ward of the state, is not residing with the child's parent, the School is not required to obtain consent from the parent if: a) Despite reasonable efforts to do so, the School cannot discover the whereabouts of the parents of the child; b) The rights of the parents of the child have been terminated by the court; c) The rights of the parent to make educational decisions have been subrogated by a judge and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.

3) The School may, but is not required to, seek informed consent through due process procedures if the parent of a child who is enrolled or seeking to enroll in the School refuses consent for an initial evaluation, or fails to respond to a request for consent.

4) The School must obtain informed consent from the parent of the child before the initial provision of special education and related services to the child and must make reasonable efforts to obtain that consent.

5) If a parent refuses consent for the initial provision of special education and related services, the School may not seek consent though due process hearing procedures. The School: a) Will not be considered to be in violation to provide FAPE; b) Is not required to convene an IEP Team meeting or develop an IEP for the child.

6) The School must obtain informed consent prior to conducting any reevaluation of a child with a disability. If the parent refuses consent, the School may utilize due process hearing procedures to seek consent but does not violate its obligation if it declines to pursue the evaluation or reevaluation. The informed parental consent for reevaluation need not be obtained if the School can demonstrate that: a) it made reasonable efforts to obtain such consent and has documented those attempts; b) the child's parent has failed to respond.

7) Parental consent is not required before: a) Reviewing existing data as part of an evaluation or reevaluation; or b) Administering a test or other evaluation that is administered to all children unless consent is required of parents of all children prior to administration.

8) A public agency may not use a parent's refusal to consent to one service or activity under this section to deny the parent or child any other service, benefit, or activity of the School, except as required by this part.

- *§300.301 Initial Evaluations*

1) Consistent with consent requirements of §300.300, either a parent of a child or the School may initiate a request for an initial evaluation to determine if a child is a child with a disability.

2) The initial evaluation must: a) Be completed within 60 days of receiving parental consent for the evaluation unless i) the parents and the School agree that it is in the best interest of the child to extend the timeline to complete the evaluation for an additional 30 days; ii) the child enrolls in the School from another public agency after the parent has provided consent and before the determination of eligibility by the other agency. In that event, the School will ensure prompt completion of the evaluation; or iii) the parent of a child with a disability repeatedly fails or refuses to produce the child for the evaluation; b) Consist of procedures to determine if the child is a child with a disability and to determine the educational needs of the child.

- *§300.303 Reevaluations*

1) The School will conduct a reevaluation of a child with a disability if: a) The School determines that the educational or related service needs, including improved academic achievement and functional performance, of the child warrant a reevaluation, or b) If the child's parents or teacher requests a reevaluation, except that the School will not conduct a reevaluation more than once a year unless the parent and agency agree otherwise.

2) The School will conduct a reevaluation team meeting at least once every 3 years, unless the parent and the School agree that reevaluation is unnecessary.

- *§300.304 Evaluation Procedures*

1) The School will provide prior written notice to the parents of a child who has, or who is suspected of having, a disability that describes the evaluation procedures that the School proposes to conduct.

2) In conducting an evaluation or reevaluation, the School will: a) Use a variety of assessment tools and strategies to gather relevant functional, developmental, and academic information about the child, including information provided by the parent in order to determine i) whether the child is a child with a disability; and ii) if the child is a child with a disability, information related to enabling the Child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities); b) Not use any single measure or assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child; and c) Use technically sound instruments that may assess the relative contribution of cognitive and behavioral factors, in addition to physical or developmental factors.

3) The School will ensure that evaluation materials and strategies: a) Are selected and administered so as not to be discriminatory on a racial or cultural basis; b) Are administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally, and functionally, unless it is clearly not feasible to do so; c) Are used for the purposes for which the assessment(s) or measure(s) are valid and reliable; d) Are administered by trained and knowledgeable personnel; e) Are administered in accordance with the instructions provided by the assessment publisher; f) Are selected

and administered so as to ensure that if administered to a child with impaired sensory, manual, or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure rather than reflecting the child's impairments (unless those skills are the factors being measured); g) Assess the child in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, adaptive behavior, communicative status, and motor abilities; h) Are sufficiently comprehensive to identify all of the child's special education and related service's needs, whether or not those needs are commonly associated with the child's disability; i) Provide relevant information that directly assists in determining the educational needs of the child.

4) Evaluations of children who transfer to or from another public agency in the same school year are coordinated with the prior and subsequent schools, in order to expedite the completion of a full evaluation.

- *§300.305 Additional Evaluation Requirements*

1) As part of an initial evaluation (if appropriate), and as part of any reevaluation, the IEP Team and other qualified professionals, as appropriate, will: a) Review existing evaluation data on the child including i) evaluations and information provided by the parents; ii) current classroom-based, local and state-wide assessments, and classroom-based observations; iii) observations by teachers, and related services providers; b) On the basis of that review, and input from the child's parents, identify what additional data, if any, are needed to determine whether: i) the child is or continues to be a child with a disability, and, if so, the educational needs of the child; ii) the present levels of academic achievement and related developmental needs of the child; iii) whether the child needs special education and related services to enable the child to meet measurable annual IEP goals and to participate, as appropriate, in the general education curriculum; c) The IEP Team will meet to review the existing data.

2) If additional data are needed, the School will administer the assessments required to obtain the additional data.

3) If additional data are not needed to determine whether the child continues to be a child with a disability, and to determine the child's educational needs, the School will notify the parents of: a) The determination and the reasons for the determination; and b) The right of the parents to request an assessment to determine whether the child continues to be a child with a disability and to determine the child's educational needs.

4) The School will evaluate a child before determining that the child is no longer a child with a disability except when the termination is due to graduation with a regular high school diploma or the child reaching age 22.

5) When the child's eligibility terminates because of graduation or reaching age 22, the School will provide a summary of the child's academic achievement and functional performance that includes recommendations on how to assist the child in meeting the child's postsecondary goals.

- *§300.306 Determination of Eligibility*

1) Upon completion of the evaluation process, the School will ensure that: a) A group of qualified professionals and the parent of the child determine: i) if the child is a child with a disability under the Individuals with Disabilities Education Act and the Arizona State Statutes; and ii) if so, the educational needs of the child; b) The parents are provided, at no cost, a copy of the evaluation report and eligibility determination.

2) A child will not be determined to be a child with a disability if the primary factor for the determination is: a) Lack of appropriate instruction in reading, including the essential components of reading instruction (as defined in 1208(3) of the ESEA); b) Lack of appropriate instruction in math; or c) Limited English proficiency.

3) The eligibility determination, including education needs, will be based on all of the information sources used in the evaluation process, and if deemed eligible and in need of special education and related services, an IEP will be developed in accordance with §300.320 through 300.324.

- *§300.307 Additional Procedures for Identifying Children with Specific Learning Disabilities*

Option 1: The School will use the state-adopted criteria for determining whether a child has a specific learning disability through a process based on the child's response to scientific, research-based intervention in conformity with IDEA Regulations §300.307-311.

Option 2: The School will establish criteria for determining whether a child has a specific learning disability through the identification of a severe discrepancy between intellectual ability and achievement in conformity with IDEA Regulations §300.307-311.

Option 3: The School will determine, on an individual child basis, the criteria for determining whether a child has a specific learning disability using one of the following criteria in conformity with IDEA Regulations §300.307-311: a) The state-adopted criteria based on a child's response to scientific, research-based intervention; or b) The identification of a severe discrepancy between intellectual ability and achievement.

- *§300.308 Additional Group Members.* The determination of whether a child suspected of having a specific learning disability is a child with a disability must be made by the child's parents and a team of qualified professionals which must include: 1) The child's regular teacher or if the child does not have a regular teacher, then a regular teacher qualified to teach children of that age; 2) For a child of less than school age, an individual qualified by the State to teach children of his/her age; 3) At least one person qualified to conduct individual diagnostic evaluations of children, such as a school psychologist, speech-language pathologist, or remedial reading teacher.

- *§300.309 Determining the Existence of a Specific Learning Disability*

1) A child may be determined to have a specific learning disability if: a) The child does not achieve adequately for the child's age or to meet State–approved grade-level standards in one or more of the following areas, when provided with learning experiences and instruction appropriate for the child's age, or meet State–approved grade level standards: i) Oral expression; ii) Listening comprehension; iii) Written expression; iv) Basic reading skill; v) Reading fluency skills; vi) Reading comprehension; vii) Mathematics calculation; viii) Mathematics problem solving; b) The child does not make sufficient progress to meet age or State–approved grade-level standards in one or more of the areas above when using a process based on the child's response to scientific, research-based intervention; or c) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State–approved grade level standards, or intellectual development, that is determined by the group to be relevant to the identification of a specific learning disability, using appropriate assessments.

2) The findings of this section are not primarily the result of: a) A visual, hearing or motor disability; b) Intellectual Disability; c) Emotional disturbance; d) Cultural factors; e) Environmental or economic disadvantage; or f) Limited English proficiency.

3) The group must ensure that the underachievement is not due to a lack of appropriate instruction in reading or math and consider: a) Data that demonstrate that prior to, or as part of, the referral process, the child was provided appropriate instruction in regular education settings, delivered by qualified personnel; and b) Data-based documentation of repeated assessments of achievement at reasonable intervals, reflecting formal assessment of student progress during instruction, which was provided to the child's parents.

4) The School must promptly request parent consent to evaluate if, prior to referral, the child has not made adequate progress after an appropriate period of time when provided instruction described in (3)(a) and (b).

- *§300.310 Observation*

1) The School must ensure that the child is observed in his/her learning environment, including the regular classroom setting, to document the child's academic performance and behavior in the areas of difficulty.

2) In the case of a child less than school age or out of school, a group member must observe the child in an environment appropriate for a child that age.

- *§300.311 Specific Documentation for the Eligibility Determination*

1) For a child suspected of having a specific learning disability, the eligibility determination must contain a statement of: a) Whether the child has a specific learning disability; b) The basis for making the determination, including an assurance the determination was made in accordance with the Individuals with Disabilities Education Act; c) The relevant behavior, if any, noted during the observation and the relationship of that behavior to the child's academic functioning; d) The educationally relevant medical findings, if any; e) Whether the child does not achieve adequately for his/her age or to meet State-approved grade level standards consistent with (1)(a); and does not make sufficient progress to meet age or State-approved grade level standards consistent with (1)(b); f) The child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, State approved grade level standards or intellectual development consistent with (1)(c); or g) The determination of the group concerning the effects of a visual, hearing, or motor disability; intellectual disability; emotional disturbance; cultural factors; environmental or economic disadvantage; or limited English proficiency of the child's achievement level.

2) If the child participated in a process that assessed the child's response to scientific, research-based intervention, the determination must include: a) The instructional strategies used and the student-centered data collected; b) The documentation that the child's parents were notified about the State's policies regarding the amount and nature of student performance that would be collected and the general education services that would be provided; c) Strategies for increasing the rate of learning; and d) The parent's right to request an evaluation.

3) Each group member must certify in writing whether the report reflects the member's conclusion. If it does not, the group member must submit a separate statement presenting the member's conclusions.

- *AAC R7-2-401.E Evaluation/Reevaluation*

1) The School shall establish, implement, and make available to school-based personnel and parents within its boundaries of responsibility written procedures for the initial full and individual evaluation of students suspected of having a disability, and for the reevaluation of students previously identified as being eligible for special education.

2) Procedures for the initial full and individual evaluation of children suspected of having a disability and for the reevaluation of students with disabilities shall meet the requirements of IDEA and its regulations, state statutes, and State Board of Education rules.

3) The initial evaluation of a child being considered for special education, or the reevaluation per a parental request of a student already receiving special education services, shall be conducted within 60 calendar days from the public education agency's receipt of the parent's informed written consent and shall conclude with date of the multidisciplinary evaluation team (MET) determination of eligibility.

4) If the parent requests the evaluation, the School must, within a reasonable amount of time not to exceed 15 school days from the date it receives a parent's written request for an evaluation, either begin the evaluation by reviewing existing data or provide prior written notice refusing to conduct the requested evaluation. The 60- day evaluation period shall commence upon the School's receipt of the parent's informed written consent.

5) The 60-day evaluation period may be extended for an additional 30 days, provided it is in the best interest of the child and the parent and the School agree in writing to such an extension. Neither the 60-day evaluation period nor any extension shall cause a reevaluation to exceed the timelines for a reevaluation within three years of the previous evaluation

6) The School may accept current information about the student from another state, public agency, public education agency, or through an independent educational evaluation. In such instances, the multidisciplinary evaluation team shall be responsible for reviewing and approving or supplementing an evaluation to meet the requirements identified in subsections (E)(1) through (7).

7) For the following disabilities, the full and individual initial evaluation shall include:

a) Emotional disability: verification of a disorder by a qualified professional.

b) Hearing impairment: i) An audiological evaluation by a qualified professional, and ii) An evaluation of communication/language proficiency.

c) Other health impairment: verification of a health impairment by a qualified professional.

d) Specific learning disability: a determination of whether the child exhibits a pattern of strengths and weaknesses in performance, achievement, or both, relative to age, state-approved grade-level standards, or intellectual development that meets the public education agency criteria through one of the following methods: i) A discrepancy between achievement and ability; ii) The child's response to scientific, research-based interventions; or iii) Other alternative research-based procedures.

e) Orthopedic impairment: verification of the physical disability by a qualified professional.

f) Speech/language impairment: an evaluation by a qualified professional.

g) For students whose speech impairments appear to be limited to articulation, voice, or fluency problems, the written evaluation may be limited to: i) An audiometric screening within the past calendar year, ii) A review of academic history and classroom functioning, iii) An assessment of the speech problem by a speech therapist, or iv) An assessment of the student's functional communication skills.

h) Traumatic brain injury: verification of the injury by a qualified professional.

i) Visual impairment: verification of a visual impairment by a qualified professional.

8) The Department of Education has developed a list, subject to review and approval of the State Board of Education, of qualified professionals eligible to conduct the appropriate evaluations prescribed in subsection 7), above.

9) The multidisciplinary evaluation team shall determine, in accordance with the IDEA and regulations, whether the requirements of subsections 7, above, are required for a student's reevaluation.

3. Free Appropriate Public Education (FAPE).

Policy: A free appropriate public education (FAPE) will be available to all children within the boundaries of responsibility of the School, including children with disabilities who have been suspended or expelled from school as provided for in §300.530(d) of the IDEA regulations.

Procedures:

- *§300.306 Determination of Eligibility* (see above)
- *§300.308 Additional Group Members*. The School will make the determination that a child is eligible for special education and related services on an individual basis by a properly constituted team.
- *§300.101 Free Appropriate Public Education*

1) For preschool children (3 to 5): The School will refer any children who are suspected of having a disability to the appropriate Unified District or Elementary District for evaluation and, if appropriate, for services.

2) For school-aged children (5 to 21): The School will make FAPE available to any child within its boundaries of responsibility who needs special education and related services, even though the child has not failed or been retained in a course or grade, and is advancing from grade to grade.

- *A.R.S. § 15-764 Powers and Duties of the School District Governing Board or County School Superintendent*

1) The School will establish policy and procedures with regard to allowable pupil-teacher ratios and pupil-staff ratios within the School for provision of special education services.

2) The special education programs and services established by the School shall be conducted only in a school facility which houses regular education classes or in other facilities approved by the division of special education.

- *§300.105 Assistive Technology*

1) The School will ensure that assistive technology devices or services or both will be available to a child with a disability, if required, as a part of: a) Special education; b) Related services; c) Supplementary aids and service.

2) On a case-by-case basis, the School will ensure the use of school-purchased assistive technology devices in a child's home or other setting if the child's IEP Team determines that the child needs access to those devices in order to receive FAPE.

- *§300.106 Extended School Year Services (ESY)*

1) The School will make extended school year services available as necessary to provide FAPE to children with disabilities. ESY services will be provided only if a child's IEP team determines, in accordance with §§300.320-300.324, that the services are necessary for the provision of FAPE. Services will not be limited to a particular category of disability or unilaterally limited to the type, amount, or duration of services.

2) The ESY services that are provided to a child with a disability will: a) Be provided beyond the normal school year of the School; b) Be provided in accordance with the child's IEP; c) Be provided at no cost to the parents of the child; and d) Meet the standards of the State.

- *§300.107 Nonacademic Services*

1) The School will afford children with disabilities and equal opportunity for participation in nonacademic and extracurricular services and activities including, as determined appropriate and necessary by the child's IEP team, the provision of supplementary aids and services.

2) Nonacademic and extracurricular services and activities may include counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the School, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the School and assistance in making outside employment available.

- *§300.108 Physical Education*

1) The School will make regular physical education services available to children with disabilities to the same extent that the School provide those services to children without disabilities, unless: a) The child is enrolled full time in a separate facility; or b) The child needs specially designed physical education as prescribed in the child's IEP.

2) If a child is enrolled in a separate facility, the School will ensure that the child receives appropriate physical education services.

3) If special physical education is prescribed in a child's IEP, the School will provide for those services, either directly or through other public or private programs.

- *§300.110 Program Options.* The School will ensure that children with disabilities have available to them the variety of education programs and services that are available to nondisabled children, including art, music, industrial arts, consumer and homemaking education, and vocational education.

- *§300.113 Routine Checking of Hearing Aids and External Components of Surgically Implanted Medical Devices*

1) The School will ensure that the hearing aids worn in school by children with hearing impairments are functioning properly; and

2) The external components of surgically implanted medical devices (e.g., cochlear implants) are functioning properly, except that the School will not be responsible for any post-surgical maintenance, programming or replacement of any component, external or internal, of the medical device.

- *§300.154 Methods of Ensuring Services*

1) The School may use the Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for services required under IDEA, as permitted under the public benefits or insurance program, except that the School: a) May not require parents to sign up for or enroll in public benefits or insurance programs to receive FAPE; b) May not require parents to incur out-of-pocket expenses such as payment of a deductible or co-pay for services required by IDEA, but may pay the cost that parents otherwise would be required to pay; c) May not use a child's public benefit if that use would i) Decrease lifetime benefits; ii) Result in the family paying for non-school services that would otherwise be paid for by public benefits; iii) Increase premiums or lead to discontinuation of benefits; or iv) Risk loss of eligibility.

2) The School must notify parents that their refusal to allow access to their public benefits does not relieve the school of its responsibility to provide all required IDEA services.

3) The School must obtain a one-time written consent from the parent, after providing written notification and before accessing the child's or the parent's public benefits for the first time. The consent must specify a) The personally identifiable information that may be disclosed; b) The purpose of the disclosure; and c) The agency to which the disclosure may be made.

4) The public education agency must provide a written notification to the child's parents before accessing the child's or parent's public benefits for the first time and prior to obtaining the one- time parental consent and annually thereafter

- *AAC R7-2-401. F Parental Consent*

1) The School shall obtain informed written consent from the parent of the child with a disability before the initial provision of special education and related services to the child.

2) If the parent of a child fails to respond to a request for, or refuses to consent to, the initial provision of special education and related services, the public education agency may not use mediation or due process procedures in order to obtain agreement or a ruling that the services may be provided to the child.

3) If the parent of the child refuses to consent to the initial provision of special education and related services, or the parent fails to respond to a request to provide consent for the initial provision of special education and related services, the School: a) will not be considered to be in violation of the requirement to make available FAPE to the child because of the failure to provide the child with the special education and related services for which the parent refuses to or fails to provide consent, and b) Is not required to convene an IEP team meeting or develop an IEP in accordance with these rules.

4) If, at any time after the initial provision of special education and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the School: a) May not continue to provide special education and related services to the child, but shall provide prior written notice before ceasing the provision of special education and related services; b) May not use the mediation procedures or the due process procedures in order to obtain agreement or a ruling that the services may be provided to the child; c) Will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and d) Is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education and related services.

5) If a parent revokes consent in writing for the child's receipt of special education services after the child is initially provided special education and related services, the School is not required to amend the child's education records to remove any references to the child's receipt of special education and related services because of the revocation of consent.

4. Least Restrictive Environment (LRE).

Policy: Children with disabilities, including children in public or private institutions or other care facilities, will be educated to the maximum extent appropriate with children who are not disabled in accordance with §§300.114-300.117 of the IDEA regulations.

Procedures:

- *§300.114 Least Restrictive Environment (LRE) Requirements.* The School will ensure that special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

- *§300.115 Continuum of Alternative Placements*

1) The School will make available a continuum of alternative placements to meet the needs of children with disabilities for special education and related services.

2) The continuum of alternative placements will include: a) Instruction in regular classes, special classes, special schools, home instruction, and instruction in hospital and institutions; b) Supplementary services, such as a resource room or itinerant instruction, to be provided in conjunction with regular class placement.

- *§300.116 Placements*

1) The placement decision for each child will be: a) Made by a group that includes the parents and other persons knowledgeable about the child, the meaning of the evaluation data, and the placement options; b) In conformity with the LRE provisions of the IDEA regulations; c) Determined at least annually; d) Based on the child's IEP; and e) As close as possible to the child's home.

2) Unless the IEP of a child requires some other arrangement, the child will be educated in the school that he or she would attend if not disabled.

3) In selecting the LRE, consideration will be given to any potential harmful effect on the child or on the quality of services that s/he needs.

4) A child with a disability will not be removed from age-appropriate regular classrooms solely because of needed modifications in the general education curriculum.

- *§300.117 Nonacademic Settings*

1) In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and other nonacademic activities, the School must ensure that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of that child.

2) The School will ensure that the supplementary aides and services determined by the IEP Team to be appropriate and necessary are provided to allow the child to participate in nonacademic settings.

- *AAC R7-2-401.H Least Restrictive Environment*

1) The School shall establish, implement, and make available to school-based personnel and parents of students with disabilities written procedures to ensure the delivery of special education services in the least restrictive environment as identified by IDEA and its regulations, the state statutes, and the State Board of Education rules.

2) A continuum of services and supports for students with disabilities shall be available through the School.

5. Individualized Education Program (IEP).

Policy: The School shall ensure that an IEP is developed and implemented for each eligible child served by the School and for each eligible child placed in or referred to a private school or facility by the School in accordance with §300.320-325 of the IDEA regulations.

Procedures:

- *§300.320 Contents of the IEP.*

The contents of each IEP will include a statement of:

a) The child's present levels of academic achievement and functional performance, including

i) How the child's disability affects the child's involvement and progress in the general curriculum; or

ii) For preschool children, as appropriate, how the disability affects the child's participation in appropriate activities;

b) Measurable annual goals, including academic and functional goals designed to:

i) Meet the child's needs that result from the child's disability to enable the child to be involved in and make progress in the general education curriculum; and

ii) Meet each of the child's other educational needs that result from the child's disability;

iii) For children with disabilities who take alternate assessments (MSAA and AIMS A) aligned to alternate achievement standards, a description of benchmarks or short-term objectives;

c) How the child's progress toward meeting the IEP goals will be measured and when periodic reports on the child's progress toward the goals will be provided;

d) The special education and related services to be provided to the child, the supplementary aids and services to be provided to the child or on behalf of the child, the program modifications or supports for school personnel that will be provided to enable the child

i) To advance appropriately toward attaining the annual goals;

ii) To be involved in and progress in the general education curriculum and to participate in extracurricular and other nonacademic activities with other children with disabilities and nondisabled children;

e) The extent, if any, to which the child will not participate with nondisabled children in the regular class and in extracurricular and other nonacademic activities;

f) Any individual accommodations that are needed to measure the academic achievement and functional performance of the child on State and district-wide assessments;

g) If the IEP team determines that the child must take an alternate assessment instead of a particular regular State or district-wide assessment of student achievement, a statement of why:

i) the child cannot participate in the regular assessment; and

ii) the particular alternate assessment selected is appropriate for the child;

h) The projected date for the beginning of the services and modifications and the anticipated frequency, location, and duration of those services and modifications;

i) Transition goals and services, as required by AAC R7-2-401.G(A), and set forth below.

j) Beginning not later than one year before a student reaches the age of 18, the IEP will include a statement that the parents and the student have been informed of the rights under Part B, if any, that will transfer to the student on reaching the age of 18.

- *§300.321 The IEP Team*

1) The IEP team for each child with a disability will include:

a) The parents of the child;

b) Not less than one regular education teacher of the child (if the child is, or may be, participating in the regular education environment);

c) Not less than one special education teacher of the child, or where appropriate, not less than one special education provider of the child;

d) A representative of the School who i) is qualified to provide, or supervise the provision of, specially designed instruction to meet the unique needs of children with disabilities; ii) is knowledgeable about the general education curriculum; and iii) is knowledgeable about the availability of resources of the School; iv) may be a School team member described in (b) through (f) if the above criteria are met;

e) An individual who can interpret the instructional implications of evaluation results, who may be a member of the team described in (b) through (f);

f) At the discretion of the parent or the School, other individuals who have knowledge or special expertise regarding the child, including related services personnel as appropriate; and

g) Whenever appropriate, the child with a disability.

The School must invite a child with a disability of any age to an IEP meeting if the purpose of the meeting is to consider postsecondary goals and transition services needed to assist the child in reaching the IEP goals.

If the student does not attend the transition-related IEP meeting, the School will take other steps to ensure that the student's preferences and interests are considered.

h) To the extent appropriate and with consent of the parents or the adult child, the School will invite a representative of any participating agency that is likely to be responsible for providing or paying for transition services.

i) For a child who is transitioning from AzEIP, representatives from AzEIP must be invited to the initial IEP if the parent requests.

2) A member of the IEP team described in (1)(a) through (1)(e) is not required to attend the IEP meeting if the parent and the school agree in writing prior to the meeting that attendance is not necessary because the member's area of curriculum or related services is not being modified or discussed in the meeting.

3) A member of the IEP team described in (1)(a) through (1)(e) may be excused from attending the IEP meeting in whole or part when the meeting involves a modification to or discussion of the member's area of the curriculum or related services if the parent, in writing and the School consent to the excusal, and the member submits, in writing to the IEP team, input into the development of the IEP prior to the meeting.

4) In the case of a child previously served by AzEIP, an invitation to the initial IEP Team meeting must, at the request of the parent, be sent to the AzEIP service coordinator to assist with the smooth transition of services.

- *§300.322 Parent Participation*

1) The School will take steps to ensure parent(s) of a child with a disability are present at each IEP meeting or are afforded the opportunity to participate by: a) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and b) Scheduling the meeting at a mutually agreed on time and place.

2) The meeting notice will: a) Indicate the purpose, time, and location of the meeting and who will be in attendance; and b) Inform the parents of the provisions relating to the participation of other individuals who have knowledge or special expertise about the child and of representatives of the AzEIP (if the meeting is for an initial IEP of a child transitioning from AzEIP).

3) Beginning not later than the first IEP to be in effect when the child turns 16, the notice will also: a) Indicate that a purpose of the meeting will be the consideration of postsecondary goals and transition services; b) Indicate that the School will invite the student; and c) Identify any other agency that will be invited to send a representative.

4) If neither parent can attend, the School will use other methods to ensure parent participation, including individual or conference telephone calls.

5) A meeting may be conducted without a parent in attendance if the School are unable to convince the parents that they should attend. In this case, the School will maintain a record of its attempts to arrange a mutually agreed on time and place, such as: a) Detailed records of telephone calls made or attempted and the results of those calls; b) Copies of correspondence sent to the parents' and any responses received; and c) Detailed records of visits made to the parent's home or place of employment and the results of those visits.

6) The School will take whatever action is necessary to help the parent understand the proceedings at the IEP meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

7) The School will give the parent a copy of the child's IEP at no cost to the parent.

- *§300.323 When IEPs Must Be in Effect*

1) At the beginning of each school year, the School must have in effect for each child with a disability in its jurisdiction, an IEP as defined in 300.320.

2) The School will ensure that: a) A meeting to develop an IEP for an eligible child is conducted within 30 days of a determination of eligibility for special education and related services; b) As soon as possible following the development of the IEP, the services indicated in the IEP are made available to the child. An IEP will be in effect at the beginning of each school year.

3) For a child aged 2.9-5 years previously served by AzEIP, the IEP team will consider the contents of the child's IFSP. An IFSP may service as the IEP of the child if: a) The School has provided the parents with a detailed explanation of the differences between an IEP and an IFSP; b) The parent and the School agree in writing to the use of an IFSP; c) The IFSP contains an educational component that promotes school readiness and includes pre-literacy, language and numeric skills; and d) The IFSP is developed in accordance with IEP procedures.

4) The School will ensure that each child's IEP is accessible to each regular education teacher, special education teacher, related service provider and any other service provider is who responsible for implementing the IEP. Each teacher and related service provider will be informed of his or her specific responsibilities in implementing the IEP and the specific accommodations, modifications, and supports that must be provided for the child in accordance with the IEP.

5) For a child with an IEP who transfers into the School from another public agency in Arizona, the School, in consultation with the parents, will provide a free appropriate public education (including services comparable to the services described in the existing IEP) until the School: a) Reviews and adopts the child's IEP from the previous public agency, or b) Develops, adopts, and implements a new IEP.

6) For a child with an IEP who transfers into the School from another state, the School, in consultation with the parents, will provide a free appropriate public education (including services

comparable to the services described in the existing IEP) until the School: a) Conducts an evaluation for eligibility for special education in Arizona, or determines that such an evaluation is unnecessary; and b) Develops, adopts, and implements a new IEP, if appropriate.

7) To facilitate the transition of a child enrolling from another public education agency, either from within or from outside of Arizona, the School will take reasonable steps to promptly obtain the child's education records, including all records pertaining to special education, from the previous public agency in which the child was enrolled.

8) When a records request is received from another public agency, from either within or outside of Arizona, the School will promptly respond to the request.

- *§300.324 Development, Review, and Revision of an IEP*

1) In developing each child's IEP, the IEP team will consider: a) The strengths of the child and the concerns of the parents for enhancing the education of their child; b) The results of the initial or most recent evaluation of the child; and c) The academic, developmental, and functional needs of the child.

2) In consideration of special factors, the IEP team must: a) In the case of a child whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports, and other strategies to address that behavior; b) In the case of a child with limited English proficiency, consider the language needs of the child as those needs relate to the child's IEP; c) In the case of a child who is blind or visually impaired, provide for instruction in Braille and the use of Braille unless the IEP Team determines, after an evaluation of the child's reading and writing skills, needs, and appropriate reading and writing media (including an evaluation of the child's future needs for instruction in Braille or the use of Braille) that instruction in Braille or the use of Braille is not appropriate for the child; d) Consider the communication needs of the child, and in the case of a child who is deaf or hard of hearing, consider the child's language and communication needs, opportunities for direct communication with peers and professional personnel in the child's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the child's language and communication mode; e) Consider whether the child requires assistive technology devices and services.

3) The regular education teacher of a child with a disability, as a member of the IEP team, must, to the extent appropriate, participate in the development, review, and revision of the child's IEP, including the determination of: a) Appropriate positive behavioral interventions and strategies for the child; and b) Supplementary aids and services, program modifications, and/or supports for school personnel that will be provided for the child, consistent with §300.320(a)(4).

4) In making changes to the IEP after the annual IEP meeting, the parent and the School may agree to amend the IEP without a meeting for the purpose of making those changes and, instead, develop a written document to amend or modify the child's current IEP. The School must: a) Inform all members of the child's IEP team of those changes, and b) Upon request, provide the parents with the revised copy of the IEP.

5) To the extent possible, the School will encourage the consolidation of evaluation, reevaluation and IEP meetings for a child.

6) The School will ensure that the IEP team reviews the child's IEP periodically, but not less than annually, to determine if goals are being achieved, and revise the IEP, when appropriate, to address: a) any lack of expected progress toward the annual goals and in the general education curriculum, if appropriate; b) the results of any reevaluation; c) information about the child provided to, or by the parents; d) the child's anticipated needs, or other matters.

7) If a participating agency other than the School fails to provide the transition services in an IEP, the School must reconvene the IEP team to identify alternative strategies to meet the child's transition outcomes.

- *§300.325 Private School Placements by the School*

1) Before the School place a child with a disability in a private school or facility, the School must initiate and conduct a meeting to develop an IEP for the child and ensure that a representative of the private school or facility attends the meeting in person or by conference call.

2) Subsequent IEP reviews may be initiated and conducted by the private school at the discretion of the School. However, the School must ensure that: a) The parents and public agency representative are involved in any decisions about the child's IEP; and b) The parents and public agency representative agree to any proposed changes in the IEP before those changes are implemented.

3) The School remains responsible to ensure FAPE to a child placed by the School in a private school or facility.

- *§300.327 Educational Placements.* The School must ensure that the parents of a child with a disability are members of any group that makes decisions on the educational placement of their child.

- *AAC R7-2-401.G Individualized Education Program (IEP)*

1) The School shall establish, implement, and make available to its school-based personnel and parents written procedures for the development, implementation, review, and revision of IEPs.

2) Procedures for IEPs shall meet the requirements of the IDEA and its regulations, the state statutes, and the State Board of Education rules.

3) Procedures shall include the incorporation of Arizona academic standards as adopted by the State Board of Education into the development of each IEP and address grade-level expectations and grade-level content instruction.

4) Each IEP of a student with a disability shall be developed in accordance with IDEA and its regulations, state statutes, and State Board of Education rules. If appropriate to meet the needs of a student and to ensure access to the general curriculum, an IEP team may include specially designed instruction in the IEP that may be delivered in a variety of educational settings by a general education teacher or other certificated personnel provided that certificated special education personnel are involved in the planning, progress monitoring, and when appropriate, the delivery of the specially designed instruction.

A. Transition services: Beginning not later than the first IEP to be in effect when the child completes 9th grade or reaches age 16, whichever is first, or younger if determined appropriate by the IEP Team, and updated annually, thereafter, the IEP must include—
    a. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and, where appropriate, independent living skills; and
    b. The transition services (including courses of study) needed to assist the child in reaching those goals; and
    c. The estimated date of graduation for the student, including the course of study that specifically aligns to the student's individual transition plan.
        i. At least one year before the anticipated high school graduation date of the child with a disability, written notice shall be provided to the child's parent or guardian or to the child with a disability who is at least eighteen years of age.

B. Transfer of rights at age of majority. Beginning not later than one year before the child reaches the age of majority under State law, the IEP must include a statement that the child has been informed of the child's rights under Part B of the Act, if any, that will transfer to the child on reaching the age of majority under § 300.520.

5) Each student with a disability who has an IEP shall participate in the state assessment system. Students with disabilities can test with or without accommodations or modifications as indicated in the student's IEP. Students who are determined to have a significant cognitive disability based on the established eligibility criteria will be assessed with the state's alternate assessments as determined by the IEP team.

6) A meeting of the IEP team shall be conducted to review and revise each student's IEP at least annually, or more frequently if the student's progress substantially deviates from what was anticipated. The public education agency shall provide written notice of the meeting to the parents of the student to ensure that parents have the opportunity to participate in the meeting. After the annual review, the public education agency and parent may agree not to convene an IEP team meeting for the purposes of making changes, and instead may develop a written document to amend or modify the student's current IEP.

7) A parent or public education agency may request in writing a review of the IEP and shall identify the basis for requesting review. Such review shall take place within 45 school days of the receipt of the request at a mutually agreed upon date and time.

6. Procedural Safeguards.

Policy: The School will establish, maintain, and implement procedural safeguards that meet the requirements of §300.500 through 300.536 of the IDEA Regulations.

Procedures:

- *§300.501 Opportunity to Examine Records; Parent Participation in Meetings*

1) The School will ensure that the parents of a child with a disability shall be given an opportunity to inspect and review all education records with respect to the identification, evaluation, educational placement, and the provision of FAPE to the child.

2) The School will ensure that the parents of a child with a disability shall: a) Be given an opportunity to participate in meetings with respect to the identification, evaluation, educational placement and the provision of FAPE to the child; b) Be provided notice consistent with §300.322 to ensure they have opportunity to participate in meetings; c) Be members of any group that makes decisions on the educational placement of their child.

3) If neither parent can participate in a meeting in which a decision is to be made relating to the educational placement of their child, the School must use other methods to ensure their participation, including individual or conference telephone calls, or video conferencing.

4) A placement decision may be made by a group without the involvement of the parent, if the School is unable to obtain the parent's participation and has maintained a record of its attempts to ensure their involvement.

- *§300.502 Independent Educational Evaluation*

1) The parents of a child with a disability have the right to obtain an independent educational evaluation of their child. The School must provide to parents, upon request for an independent educational evaluation: a) Information about where an independent educational evaluation may be obtained; and b) The School criteria applicable for independent educational evaluations. The School

criteria for the independent educational evaluation must be the same as the criteria the School uses when it conducts an evaluation, to the extent consistent with the parent's right to an evaluation.

2) A parent has the right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the School. If a parent requests an independent educational evaluation at public expense, the School must, without unnecessary delay, either: a) File for a due process hearing to show that its evaluation is appropriate; or b) Ensure that an independent educational evaluation is provided at public expense, unless the School demonstrates in a hearing that the evaluation obtained by the parent did not meet agency criteria.

3) If a due process hearing decision is that the School's evaluation is appropriate, the parent still has the right to an independent educational evaluation, but not at public expense.

4) If a parent requests an independent educational evaluation, the School may ask for the parent's reasons for the objections but may not require the parent to provide an explanation and may not unreasonably delay either providing the independent educational evaluation at public expense or filing a request for due process to defend its evaluation.

5) A parent is entitled to only one independent educational evaluation at public expense each time the School conducts an evaluation with which the parent disagrees.

6) The results of any independent educational evaluation which is obtained by or provided to the School: a) Must be considered by the School, if it meets agency criteria, in any decision with respect to the provision of FAPE to the child; and b) May be presented by any party as evidence in a due process hearing.

7) If a hearing officer requests an independent educational evaluation as part of a due process hearing, the cost of the evaluation must be at public expense.

- *§300.503 Prior Notice by the School; Content of Notice*

1) Written notice must be given to the parents of a child with a disability a reasonable time before the School: a) Proposes to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child; or b) Refuses to initiate or change the identification, evaluation or educational placement of the child or the provision of FAPE to the child.

2) The notice must include: a) A description of the action proposed or refused by the School; b) An explanation of why the School proposes or refuses to take the action; c) A description of each evaluation procedure, assessment, record or report the School used as a basis for the proposed or refused action; d) A statement that the parents of a child with a disability have protection under the procedural safeguards of this part and, if this notice is not an initial referral for evaluation, the means by which a copy of a description of the procedural safeguards can be obtained; e) Sources for parents to contact to obtain assistance in understanding the provisions of this part; f) A description of other options that the IEP Team considered and the reasons why those options were rejected; g) A description of other factors that are relevant to the School proposal or refusal.

3) The notice must be written in language understandable to the general public, provided in the native language or other mode of communication used by the parent.

4) If the native language or other mode of communication used by the parent is not a written language, the School must ensure: a) the notice is translated orally or by other means to the parent in his or her native language or other mode of communication; b) That the parent understands the content of the notice; c) That there is written evidence of these requirements.

- *§300.504 Procedural Safeguards Notice*

1) A copy of the procedural safeguards available to the parent of a child with a disability must be given to the parents only one time a school year, except that a copy also must be given to the parents: a) Upon initial referral or parent request for evaluation; b) Upon receipt of a first complaint to the State or first request for a due process hearing in a school year; c) When a disciplinary change of placement /removal has been initiated; d) Upon request by a parent.

2) The procedural safeguards notice must include a full explanation of all the procedural safeguards available under §300.148, §§300.151 through 300.153, §300.300, §§300.502 through 300.503, §§300.505 through 300.515, §300.520, §§300.530 through 536, and §§300.610 through 300.625 relating to: a) Independent educational evaluations; b) Prior written notice; c) Parental consent; d) Access to education records; e) Opportunity to present and resolve complaints through the due process hearing and State complaint procedures, including: i) The time period in which to file a complaint; ii) The opportunity for Sonoran Science Academy to resolve the complaint; iii) The difference between due process hearing and State complaint procedures, jurisdictions, issues that may be raised, timelines, and relevant procedures; f) The availability of mediation; g) The child's placement during the due process hearing; h) Procedures for students subject to placement in an interim alternative educational setting; i) Requirements for unilateral placements by parents of children in private schools at public expense; j) Due process hearings including requirements for disclosure of evaluation results and recommendations; k) Civil actions, including timelines and l) attorneys' fees. This notice must meet the same requirements for understandable language as for the written prior notice described in §300.503.

- *§300.505 Electronic Mail.* The parent of a child with a disability may elect to receive required notices by an electronic mail communication if the School makes that option available.

- *§300.506 Mediation*

1) The School offers the procedures available through the Arizona Department of Education's Exceptional Student Services Dispute Resolution to allow parties to disputes, including those matters arising prior to a request for a due process hearing, to resolve disputes through mediation. Procedures will ensure that the mediation process: a) Is voluntary on the part of the parties; b) Is not used to deny or delay a parent's right to a due process hearing or any other right under the IDEA; c) Is conducted by a qualified and impartial mediator who is trained in effective mediation techniques.

2) The School may establish procedures to offer to parents and schools that choose not to use mediation an opportunity to meet, at a time and location convenient to the parties, with a disinterested party: a) Who is under contract with an appropriate alternative dispute resolution entity, or a parent training and information center, or community parent resource center; b) Who would explain the benefits of, and encourage the mediation process to the parents;

- *§300.507 Filing a Due Process Complaint*

1) A parent or the School may file a request for a due process hearing relating to the identification, evaluation or educational placement of a child with a disability.

2) The request for a due process hearing must allege a violation that occurred not more than two years before the date the parent or public agency knew or should have known about the alleged violation.

3) The School must inform the parent of any free or low cost legal and other relevant services available in the area upon parent request.

- *§300.508 Due Process Complaint (Hearing)*

1) The School will have procedures that require either party, or the attorney representing a party, to provide to the other party a confidential due process complaint.

2) The party filing the notice for a hearing must forward a copy of the request to the State.

3) The due process hearing complaint must include the following, in order, for the complaint to be heard: a) The name of the child; b) The residential address of the child; c) The school of attendance; d) A description of the nature of the problem of the child relating to the proposed or refused initiation or change, including facts relating to the problem; and e) A proposed resolution of the problem to the extent known and available to the party at the time.

4) The due process complaint will be deemed sufficient unless the party receiving the complaint notifies the hearing officer and the other party in writing, within 15 days of receipt of the complaint, that it believes the complaint does not meet the content requirements.

5) Within five days of receipt of notice, the hearing officer must determine whether the complaint meets the requirements and notify the parties, in writing, of that determination.

6) A party may amend its due process complaint only if: a) The other party consents in writing and is given an opportunity to resolve the complaint through the resolution process; or b) The hearing officer grants permission, but in no case later than five days before the due process hearing begins.

7) If a party files an amended complaint, the relevant timelines begin again.

8) If the School has not sent a prior written notice to the parent regarding the subject matter contained in the due process complaint, it must do so within 10 days of receiving the complaint.

9) Within 10 days of receiving the complaint, the receiving party will send to the other party a response that specifically addresses the issues raised in the due process complaint.

- *§300.510 Resolution Process*

1) Within 15 days of receiving the notice of the parent's due process complaint, and prior to the initiation of a due process hearing, the School must convene a meeting with the parent and the relevant members of the IEP Team who have specific knowledge of the facts identified in the complaint that: a) Includes a representative of the School who has agency decision-making authority; b) May not include an attorney of the School unless the parent is accompanied by an attorney.

2) The purpose of the meeting is for the parent of the child to discuss the due process complaint, and the factual basis of the complaint, so the School has the opportunity to resolve the dispute.

3) The resolution meeting need not be held if: a) The parent and the School agree in writing to waive the meeting; or b) The parent and the School agree to use the mediation process.

4) The parent and the School determine the relevant IEP Team members to attend the meeting.

5) If the School has not resolved the complaint to the satisfaction of the parent within 30 days of the receipt of the complaint, the due process hearing may occur. The timeline for issuing a final decision begins at the end of this 30-day period.

6) The failure of the parent to participate in the resolution meeting that has not been mutually agreed to be waived, will delay the timelines for the resolution process and due process hearing until the meeting is held.

7) If the School is unable to obtain the participation of the parent after reasonable efforts have been made and documented, the School may, at the conclusion of the 30-day period, request the hearing officer dismiss the parent's due process complaint.

8) If the School fails to hold the resolution meeting within 15 days of receiving the complaint or fails to participate in the meeting, the parent may request that the hearing officer begin the hearing timeline.

9) The 45-day timeline for the due process hearing starts the day after: a) Both parties agree in writing to waive the resolution meeting; or b) After either the mediation or resolution meeting starts but before the end of the 30-day resolution period, the parties agree in writing that no agreement is possible; or c) If both parties agree in writing to continue the mediation at the end of the 30-day resolution period, but later, one party withdraws from the mediation process.

10) If a resolution is reached at the meeting, the parties must execute a legally binding agreement that is: a) Signed by both the parent and public agency representative who has authority to legally bind the School; and b) enforceable in any State court of competent jurisdiction or in a district court of the U.S.

11) Either party may void the agreement within 3 business days of the agreement's execution.

- *§300.518 Child's Status During Proceedings*

1) The child involved in the due process hearing complaint must remain in his or her current educational placement: a) Unless a discipline appeal has been filed as provided in §300.533; b) During the pendency of any administrative or judicial proceeding regarding a due process complaint notice requesting a due process hearing under §300.507; or c) Unless the School and parents of the child agree otherwise.

2) If the complaint involves an application for initial admission to public school, the child, with the consent of the parents, must be placed in the public school until the completion of all the proceedings.

3) If the complaint involves an application for initial services for a child who has turned three and transitioning from Part C to Part B, the School is not required to provide the Part C services the child had been receiving. If the child is found eligible for special education and related services under Part B, and the parent consents to the initial provision of services under §300.300(b), then the School must provide those services that are not in dispute.

4) If the hearing officer agrees with the child's parents that a change of placement is appropriate, that placement must be treated as an agreement between the State and parent for the purposes of (1)(c) of this section.

- *§300.519 Surrogate Parents*

1) The School will ensure that the rights of a child are protected by assigning an individual to act as a surrogate for the parents when: a) No parent can be identified; b) After reasonable efforts are made, no parent can be located; c) The child is a ward of the State (with no foster parent); d) The child is an unaccompanied homeless youth as defined by the McKinney-Vento Homeless Assistance Act;

2) The School will have a method for determining when a surrogate parent is needed and for making surrogate parent assignments.

3) The School will ensure that a person selected as a surrogate parent: a) Is not an employee of the State, the School, or any other agency that is involved in the education or care of the child; b) Has no personal or professional interest that conflicts with the interest of the child the surrogate parent represents; and c) Has knowledge and skills that ensure adequate representation of the child.

4) In the case of an unaccompanied homeless youth, appropriate staff of emergency shelters, transitional shelters, independent living programs, and street outreach programs may be appointed as temporary surrogate parents until a surrogate parent can be appointed that meets all the requirements of this section.

- *§300.520 Transfer of Parental Rights at Age of Majority*

1) When a child with a disability reaches age 18, unless that child has been determined to be incompetent: a) The School will provide any notice required by the IDEA regulations to both the child and the parents; and b) All rights accorded to parents under Part B of the Act transfer to the child

2) When the rights are transferred, the School will provide notice to the child and parent of the transfer of rights.

- *AAC R7-2-401.I Procedural Safeguards*

1) The School shall establish, implement, and make available to school-based personnel and parents of students with disabilities written procedures to ensure children with disabilities and their parents are afforded the procedural safeguards required by federal statute and regulation and state statute. These procedures shall include dissemination of information to parents about the School's and the state's dispute resolution options.

2) In accordance with the requirements of IDEA, prior written notice shall be provided to the parents of a child within a reasonable time after the School proposes to initiate or change, or refuses to initiate or change, the identification, evaluation, educational placement or provision of FAPE to the child, but before the decision is implemented.

7. Discipline.

Policy: A child with a disability may be disciplined for a violation of the student code of conduct, including removal from his or her current placement to an appropriate interim alternative educational setting, another setting, suspension, or expulsion in accordance with IDEA Regulations §§300.530 through 300.536.

Procedures:

- *§300.530 Authority of School Personnel*

1) On a case-by-case basis and in consideration of any unique circumstances, school personnel may remove a child with a disability who violates a student code of conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to children without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for separate incidents of misconduct, as long as those removals do not constitute a change of placement under §300.536.

2) After a child with a disability has been removed from his or her current placement for 10 school days in the same school year, during any subsequent days of removal the School must provide services to the extent required to: a) Enable the child to continue to participate in the general education curriculum, although in another setting, and to progress toward meeting his/her IEP goals; and b) Receive, as appropriate, a functional behavioral assessment, behavioral intervention services and modifications that are designed to address the behavior violation so that it does not recur.

3) The School is only required to provide services during periods of removal to a child with a disability who has been removed from his or her current placement for 10 days or less in that school year, if it provides services to non-disabled children similarly removed.

4) After a child with a disability has been removed from his or her current placement for 10 school days, and the current removal is for not more than 10 consecutive school days and not a change of placement, school personnel, in consultation with at least one of the child's teachers, determine the extent to which services are needed, so as to enable the child to continue to participate in the general education curriculum and to progress toward meeting the IEP goals.

5) If the removal is a change in placement, the child's IEP Team determines the appropriate services.

6) 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 School, parent, and relevant members of the IEP Team must review all relevant information in the student's file, the IEP, teacher observations, and any relevant information to determine: a) if the conduct was caused by, or had a direct and substantial relationship to, the child's disability; or b) if the conduct in question was the direct result of the School's failure to implement the IEP.

7) The conduct must be determined to be a manifestation of the disability if either (6) (a) or (b) occurred, and, if the IEP was not implemented, the School must take immediate steps to remedy that deficiency.

8) If the School, parent, and relevant members of the IEP team determine that the conduct was a manifestation of the child's disability, the child must be returned to the placement from which the child was removed, unless the parent and the School agree to a change of placement. The IEP Team must either: a) Conduct a functional behavioral assessment, unless already done, and implement a behavioral intervention plan; or b) If a behavioral intervention plan has already been developed, review the plan and modify it, as necessary, to address the behavior.

9) School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to manifestation of disability if the child: a) Carries a weapon to or possesses a weapon at school, on school premises, to or at a school function under the jurisdiction of a state or public education agency; b) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a state or public education agency; or c) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a state or public education agency.

10) The School will notify parents and provide notice of procedural safeguard on the day the School determines the student has violated the code of conduct, and the violation constitutes and change in placement (i.e., interim alternative education setting).

- *AAC R7-2-401.P Suspension and Expulsion:*

  1) The School shall establish, implement and make available to personnel and parents written procedures for the suspension and expulsion of students with disabilities. Such procedures consist of the disciplinary procedures applicable to all School students, as modified by these Special Education policies.

  2) The School shall require all school-based staff involved in the disciplinary process to review the policies and procedures related to suspension and expulsion on an annual basis. The School shall maintain documentation of staff review.

  3) Procedures for such suspensions and expulsions shall meet the requirements of the Individuals with Disabilities Education Act (IDEA) and its regulations, and state statutes.

- *§300.531 Determination of Setting.* When a disciplinary removal constitutes a change in placement, the child's IEP Team determines the interim alternative educational setting for services.

- *§300.532 Appeal*

1) The parent of a child with a disability who disagrees with any decision regarding placement under §§300.530 and 300.531 or the manifestation determination may appeal the decision by requesting an expedited due process hearing in conformance with §§300.310 through 300.314 and AAC R7-2-405.I.

2) When the School believes that maintaining the current placement of the child is substantially likely to cause injury to the child or others, the School may appeal the decision by requesting an expedited due process hearing in conformance with §§300.310 through 300.314 and AAC R7-2-405.I.

- *§300.533 Placement During Appeals*. The student must remain in the interim alternative educational setting pending the decision of the hearing officer or expiration of the interim setting, whichever comes first, unless the parent and public agency agree otherwise.

- *§300.534 Protections for Children Not Determined Eligible for Special Education and Related Services*

1) A non-eligible student who engaged in a behavior that violated a code of student conduct may assert protections if the School had knowledge that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The School must be deemed to have such knowledge if: a) The parent of the child expressed concern in writing to supervisory or administrative personnel of the School, or a teacher of the child, that the child is in need of special education and related services; b) The parent of the child requested an evaluation of the child pursuant to §§300.300 through 300.311; or c) The teacher of the child, or other personnel of the School, expressed specific concerns about a pattern of behavior demonstrated by the child directly to the director of special education or to other supervisory personnel of the School.

2) The School would not be deemed to have knowledge if the parent of the child: a) Has not allowed an IDEA evaluation of the child; b) Has refused special education services for the child; or c) The child has been evaluated and determined to not be a child with a disability under IDEA.

3) If the School does not have knowledge that a child is a child with a disability prior to taking disciplinary measures against the child, the child may be disciplined as other children without disabilities who engage in comparable behaviors.

4) If an evaluation is requested during the time in which a child is subjected to disciplinary measures, the evaluation must be conducted in an expedited manner. Until the evaluation is completed, the child remains in the educational placement determined by the School, which can include suspension or expulsion without educational services. If the child is determined to be a child with a disability, the School must provide special education and related services in accordance with this part, including the requirements of §§300.530 through 300.536.

- *§300.535 Referral to and Action by Law Enforcement and Judicial Authorities*

1) The School may report a crime committed by a child with a disability to appropriate authorities to enable them to exercise their responsibilities.

2) An agency reporting a crime committed by a child with a disability will ensure that copies of the special education and disciplinary records of the child are transmitted for consideration by the appropriate authorities to whom the School reports the crime, but only to the extent permitted by FERPA.

- *§300.536 Change of Placement Because of Disciplinary Removals*

1) A change of placement occurs if: a) The removal is for more than 10 consecutive school days; or b) The child has been subjected to a series of removals that constitute a pattern i) because the series of removals total more than 10 school days in a school year; ii) because the child's behavior is substantially similar to the behavior in previous incidents that resulted in a series of removals; and iii) because of such additional factors as the length of each removal, the total amount of time the child has been removed, and the proximity of the removals to one another.

2) The School will determine on a case-by-case basis whether a pattern of removals constitutes a change of placement, and such determinations are subject to review through due process and judicial proceedings.

8. Confidentiality.

Policy: The School will ensure that protection of the confidentiality of any personally identifiable data, information, and records collected or maintained by the School will be in accordance with §§300.611 through 300.627.

Procedures:

- *§300.613 Access Rights.*

1) The School must permit parents to inspect and review any education records relating to their children that are collected, maintained or used by the School under IDEA. The School must comply with a request without unnecessary delay and in no case more than 45 days after the request has been made, and before: a) Any IEP meeting; b) Any hearing involving a due process complaint or disciplinary hearing; or c) Any resolution session.

2) The right to inspect and review education records includes: a) The right to a response from the School to reasonable requests for explanations and interpretations of the records; b) The right to request that the School provide copies of the records if failure to provide those copies would effectively prevent the parent from exercising the right to inspect and review the records; and c) The right to have a representative of the parent inspect and review the records.

3) The School may presume that the parent has authority to inspect and review records relating to his or her child unless the School has been advised to the contrary by legal proceeding involving guardianship, separation and divorce.

- *§300.614 Record of Access.* The School will keep a record of parties obtaining access to education records collected, maintained or used under IDEA (except access by parents and authorized employees of The School, including: a) The name of the party; b) The date access was given; and c) The purpose for which the party is authorized to use the records.

- *§300.615 Records on More Than One Child.* If any education record includes information on more than one child, the parents of those children have the right to inspect and review only the information relating to their child.

- *§300.616 Lists of Types and Locations of Information.* The School must provide parents on request a list of the types and locations of education records collected, maintained or used by the School.

- *§300.617 Fees*

1) The School may charge a fee for copies of records that are made for parents if the fee does not effectively prevent the parents from exercising their right to inspect and review records.

2) The School may not charge a fee to search for or to retrieve information.

- *§300.618 Amendment of Records at Parent's Request.*

1) A parent who believes that information in the education records collected, maintained or used by the School is inaccurate or misleading or violates the privacy or other rights of the child, may request the School to amend the information.

2) The School must decide whether to amend the information in accordance with the request in a reasonable period of time of receipt of the request.

3) If the School refuses to amend the information in accordance with the request, it must inform the parent of the refusal and advise the parent of the right to a hearing under §300.619.

- §300.619 Opportunity for a Hearing. The School must, on request, provide an opportunity for a hearing to challenge information in education records to ensure that it is not inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child.

- *§300.620 Result of Hearing*

1) If, as a result of a hearing, the School decides to amend information determined inaccurate, misleading, or otherwise in violation of the privacy or other rights of the child, it must do so accordingly and so inform the parent in writing.

2) If, as a result of a hearing, the School decides that the information is not inaccurate, is misleading, or otherwise in violation of the privacy or other rights of the child, it must inform the parent of the parent's right to place in the maintained records a statement commenting on the information or setting forth any reasons for disagreeing with the School's decision.

- *§300.622 Consent*

1) Parental consent must be obtained before personally identifiable information is disclosed to parties other than participating agencies, unless the information is contained in education records and the disclosure is authorized without parent consent under FERPA.

2) Parental consent must be obtained before personally identifiable information is released to officials of participating agencies providing or paying for transition services in accordance with §300.321.

3) If a child is enrolled, or is going to enroll, in a private school that is not located in the boundaries of the district of the parent's residence, parental consent must be obtained before any personally identifiable information about the child is released between officials in the district where the private school is located and officials in the district of the parent's residence.

- *AAC R7-2-401.J(4) Confidentiality:* Upon receiving a written request, the School shall forward special education records to any other public education agency in which a student has enrolled or is seeking to enroll. Records shall be forwarded within the time-frame specified in A.R.S 15-828(F). The public education agency shall also forward records to any other person or agency for which the parents have given signed consent.

- *§300.623 Safeguards*

1) The School must protect the confidentiality of personally identifiable information at collection, storage, disclosure, and destruction stages.

2) One official at the School must assume responsibility for ensuring the confidentiality of any personally identifiable information.

3) All persons collecting or using personally identifiable information must receive training or instruction regarding the State's policies and procedures under 300.123 and FERPA (34 CFR part 99).

4) The School must maintain, for public inspection, a current listing of the names and positions of its employees who may have access to personally identifiable information.

- *AAC R7-2-401.J(1) Confidentiality:* The School shall establish, implement, and make available to its personnel and parents written policies and procedures to ensure the confidentiality of records and information in accordance with the Individuals with Disabilities Education Act (IDEA) and its regulations, the Family Educational Rights and Privacy Act (FERPA) and its regulations, and state statutes.

- *§300.624 Destruction of Information*

1) The School must inform parents when personally identifiable information collected, maintained, or used for IDEA purposes is no longer needed to provide educational services to the child.

2) The information must be destroyed at the request of the parents. However, a permanent record of a student's name, address, and phone number, his or her grades, attendance record, classes attended, grade level completed, and year completed may be maintained without time limitation.

- *AAC R7-2-401.J(2) Confidentiality:* Parents shall be fully informed about the requirements of the IDEA and regulations, including an annual notice of the policies and procedures that the School shall follow regarding storage, disclosure to a third party, retention, and destruction of personally identifiable information.

- *§300.625 Children's Rights*

1) The rights of the parents regarding educational records are transferred to the student at age 18 under FERPA.

2) If the rights of the parents regarding educational records are transferred to the student at age 18 under the IDEA, the School must provide any notice required under the procedural safeguards provisions.

- *AAC R7-2-401.J(3) Confidentiality*: The rights of parents regarding education records are transferred to the student at age 18, unless the student has been adjudicated incapacitated, or the student has executed a delegation of rights to make educational decisions pursuant to A.R.S. §15-773.

9. Graduation.

Policy: The School shall provide a FAPE to all eligible students until termination of eligibility due to graduation from secondary school with a regular diploma or due to exceeding 21 years of age, in accordance with §300.305 and A.R.S. § 15-701.01(A)(3) and (B).

Procedures:

- *A.R.S. § 15-701.01(B) and AAC R7-2-301(D)(1)*

1) The School shall prescribe graduation criteria for students with disabilities from its high schools, which shall include accomplishment of the academic standards in at least reading, writing, mathematics, science, and social studies, as determined by district assessment.

2) The School shall develop a course of study and graduation and promotion requirements for all students placed in special education programs in accordance with R7-2-401 et seq.

- *§300.102 Limitation-Exception to FAPE for Certain Ages*

1) The School will not be obligated to provide FAPE to students with disabilities who have graduated from high school with a regular high school diploma.

2) The exception does not apply to children who have graduated from high school but have not been awarded a regular high school diploma.

3) Graduation from high school with a regular high school diploma constitutes a change of placement requiring prior written notice in accordance with §300.503.

- *§300.305 Additional Requirements for Evaluations and Reevaluations*

1) An evaluation is not required before the termination of a child's eligibility due to graduation from secondary school with a regular diploma or due to exceeding 21 years of age.

2) For a child no longer eligible due to graduation or exceeding the age of eligibility, a public agency must provide the child with a summary of the child's academic achievement and functional performance, which shall include recommendations on how to assist the child in meeting the child's post-secondary goals.

- *A.R.S. § 15-701.01(3) High School Graduation; Requirements*

Pupils with disabilities as defined in A.R.S. § 15-761 or children who receive special education as defined in 15-763 shall not be required to achieve passing scores on the statewide assessment or test that is identical to the civics portion of the naturalization test under section 15-701.01 in order to graduate from high school unless the pupil is learning at a level appropriate for the pupil's grade level in a specific academic area and unless a passing score on the statewide assessment or test that is identical to the civics portion of the naturalization test under section 15-701.01 is specifically required in a specific academic area by the pupil's IEP as mutually agreed on by the pupil's parents (or 18 year

old student) and IEP Team. The pupil's IEP shall include any necessary testing accommodations. Special education services shall be provided at no cost to the parents of children with disabilities.

Section 504

It is the School's policy that no otherwise qualified individual with a disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under the School's educational programs and activities, solely by reason of her or his disability. Questions regarding the School's Section 504 policies may be referred to the School's Section 504 Coordinator.

10. Disability under Section 504. For the purposes of this policy, a student who has a qualifying disability within the intent of Section 504 is one who: has a physical or mental impairment that substantially limits one or more major life activities, including but not limited to, learning; or has a record of such impairment; or is regarded as having such impairment.

Students may be eligible for services under the provisions of Section 504 even though they do not require services pursuant to the IDEA. Students may be technically eligible for the protections of Section 504 even if they do not require a 504 accommodation plan.

11. Identification and Referral Procedures. The School has an affirmative obligation to identify and evaluate students with suspected disabilities under Section 504. Any student who needs or is believed to need accommodations under Section 504 may be referred by a parent, teacher, or other school employee to be considered for evaluation. The School must obtain parental consent before conducting an evaluation.

12. Evaluations/Re-evaluations. The decision to qualify a student for Section 504 services is made by a multidisciplinary team, including individuals knowledgeable about the student, the meaning of the evaluation data, and the potential placement options. 34 C.F.R. § 104.35(c). This team may include parents, guardians, teachers, school psychologists, administrators, and others as determined by the referral for eligibility consideration.

In addition to the information provided by the parents, information from a variety of sources may be considered in the evaluation process, including for example:

- Standardized achievement tests
- Medical information including hearing, vision, medications, and any relevant developmental history
- Academic grades and transcripts
- Primary language (home and student)
- Discipline records
- Attendance
- School history
- Teacher reports/observations

Evaluations under Section 504 are not limited to formal evaluation instruments. Because the disabilities that may fall under Section 504 are broader than the specific disabilities listed in IDEA, evaluative information for a student may come from a number of sources, including aptitude and achievement tests, teacher recommendations, the student's physical condition, the student's social or cultural background, or the student's adaptive behavior.

After reviewing the relevant information, the team will determine whether the student is a student with a disability, as defined in Section 6.10. In order to be eligible for protections under Section 504, the student's ability to perform a major life activity must be substantially limited. The definition of "substantially limited" is broadly construed, as the purpose of Section 504 is to provide "broad coverage of individuals under this Act, to the maximum extent permitted by the terms of this Act." Relevant factors may include: (1) the nature and

severity of the impairment; (2) the duration or expected duration of the impairment; and (3) the permanent, long-term impact of the impairment.

Although the definition of "substantially limited" is broad, the fact that a student has a diagnosed physical or mental impairment does not automatically mean the student will qualify under Section 504, or that a qualified student needs an accommodation plan.

A final decision will be made by the School in writing, and the parents or guardian of the student shall be notified of the Section 504 procedural safeguards available to them, including the right to an impartial hearing and review.

Students who are determined to be eligible under Section 504 will be reevaluated periodically, including before any significant change in placement.

13. Section 504 Accommodation Plans. If the team determines that the student is eligible for Section 504 protections, the team will develop a Section 504 Accommodation Plan, if needed.

The Section 504 team determines what accommodations are needed to achieve equality/comparability of access to educational activities for the student with a disability in the least restrictive environment. In addition to the normal and usual academic and school activities, students must also be given an equal opportunity to participate in non-academic and extracurricular services and activities, such as recreational and athletic activities, and school-sponsored clubs, events and activities. Participation in such non-academic activities may require accommodations. 34 C.F.R. § 104.34(b).

The accommodations for the student should be documented in the Section 504 Accommodation Plan.

14. Implementation of Section 504 Accommodation Plans. All of the professional and paraprofessional staff who work with the student will be apprised of and have access to a copy of the student's Section 504 Accommodation Plan. Staff shall implement the Section 504 Accommodation Plan fully and in a timely manner in alignment with the plan's initiation date.

15. Review of Accommodation Plans. On a periodic basis, the team will reconvene to review the plan. At the meeting, the following questions will be asked:

- Is the student still eligible for under Section 504?
- Does the student still need a Section 504 Accommodation Plan?
- Is there new information that needs to be considered?
- Are the current accommodations working?
- Do any changes need to be made to the plan?

Based on the answers to the above questions, the team may decide to continue the same accommodation plan, make changes to the plan, or discontinue the plan because the student is no longer eligible.

16. Discipline. Discipline of students qualifying under Section 504 only shall generally be offered the discipline-related protections comparable to those offered to students with a qualifying disability under IDEA, except that such students:

- May be disciplined in the same manner and to the same as any student without a disability if the conduct involves a student who currently is engaging in the illegal use of drugs or in the use of alcohol.
- May be long-term suspended or expelled without any services for misconduct that is not a manifestation of their disability.

17. Procedural Safeguards. Procedural safeguards include notice, an opportunity to examine the student's relevant records, an impartial due process hearing with the opportunity for participation by the student's parents or guardian and representation of counsel, and a review procedure.

18. Due Process Hearings. Parents who disagree with decisions concerning the identification, evaluation, or educational placement of their child under Section 504 shall have the right to an impartial hearing ("Section 504 due process hearing"), with opportunity for participation by the parents and their counsel.

Parents requesting a hearing should submit a written request to the School's Section 504 Coordinator and include the following information:

- The name of the child and the person making the request;
- The address of the residence of the child;
- The name of the school that the child is attending;
- In the case of a homeless child or youth (within the meaning of section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)) available contact information for the child, and the name of the school that the child is attending;
- A description of the nature of the problem relating to alleged discrimination under §504, including facts relating to the problem;
- A proposed resolution of the problem to the extent known and available to the party at the time;
- At least two proposed dates for the hearing; and
- Indication of whether the hearing will be closed or open to the public.

The proceedings will be presided over and decided by an impartial hearing officer. Impartial hearing officer means an individual who has no knowledge or involvement in the decision being challenged, and who is selected to preside at a due process hearing to assure that proper procedures are followed and to assure the prompt and equitable resolution of the complaint.

19. Section 504 Due-Process Hearing Procedures.

A notice of hearing shall be provided to the parents at least 10 days prior to the date set for the hearing. The notice shall contain a statement of time, place, and nature of the hearing. The hearing notice will also indicate that parents may be represented by legal counsel and that the student may be present at the hearing. All written correspondence shall be provided in English and/or interpreted in the parent's primary language.

The impartial hearing officer shall preside at the hearing and shall conduct the proceedings in an impartial manner so that all parties involved have an opportunity to present their evidence and question and cross-examine witnesses who know about the student's disability. In cases where there are language differences, an interpreter shall be provided.

The impartial hearing officer will determine whether a violation of Section 504 requirements has occurred and will render a decision in writing in a timely manner. The impartial hearing officer may grant a continuance at the request of one of the parties, if both parties agree. The decision or a separate notification from the School will inform the parties that either may appeal the decision to the appropriate state or federal court.

The decision made by the impartial hearing officer is final, and the parties shall abide by the decision of impartial hearing officer unless the decision is appealed to a federal court of competent jurisdiction and the decision is stayed by the court.

A written or audio recording of the Section 504 due process hearing shall be on file at the School office and will be available for review upon request to the parents and/or any of the involved parties at no cost.

20. Additional Procedures. The School, in consultation with the School's 504 Coordinator, shall develop any additional procedures that are needed to implement these policies and ensure the rights of parents and students under Section 504 are secured.