



ADMINISTRATIVE CENTER

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GOVERNING BOARD

Patty Kennedy, President ▪ Pam Reicks, Clerk
Patti Hussey ▪ Susan Maland ▪ Andrew
Pulcipher

SUPERINTENDENT

Brian Capistran

GOVERNING BOARD MEETING

CONSISTENT WITH THE REQUIREMENTS SET FORTH IN ARS 38-431.02,
NOTICES OF THIS PUBLIC MEETING HAVE BEEN APPROPRIATELY POSTED

AGENDA

Wednesday, November 15, 2017

**RECOGNITION RECEPTION
BOARD PATIO
7:00 P.M.**

**REGULAR MEETING
BOARD ROOM
7:30 P.M.**

PUBLIC RESPONSE TO AGENDA ITEMS
PLEASE REFER TO SECTION I.F. OF THE AGENDA

I. REGULAR MEETING

A. Call to order

The meeting was called to order at _____.

B. Roll call

C. Pledge of Allegiance

The Governing Board President will lead the Pledge of Allegiance.

D. Adoption of agenda – Policy Ref. BEDB

Adoption of the agenda as the order of business.

Motion _____ Second _____ Vote _____

E. Special recognitions

1. Presentation of *Achievement Above All* award to Apollo High School teacher Elizabeth Snyder.
2. Presentation of *Achievement Above All* award to Apollo High School student Isaiah Acosta.
3. Presentation of *Certificate of Achievement* to Apollo High School’s Marching Band, Gabe Lugo, sponsor.
4. Presentation of *Achievement Above All* award to Apollo High School support staff employee Christine Sampson.
5. Presentation of *Volunteer Recognition* award to Apollo High School volunteer Linda Nguyen.

Note: As a matter of information to the audience, five days prior to any Governing Board meeting, Board members receive the agenda along with the extensive background material which they study individually before action is taken at the meeting. Routine matters will be asterisked and approved as consent agenda items. Any member of the Governing Board may remove items from the consent agenda.

Empowering All Students for the Choices and Challenges of the Twenty-First Century

F. Public participation at Board meetings

Members of the public wishing to appear before the Governing Board concerning an item on the agenda must fill out a request form located on the counter just inside the entrance to the board room and give it to the board secretary. Presentations are limited to a maximum of three (3) minutes. At the discretion of the Governing Board President, the number of presentations may be limited. Due to the Arizona Open Meeting Law, the Governing Board cannot discuss or take any action on items not listed on the agenda.

II. CONSENT ITEMS

*A. Approval of minutes – Policy Ref. BEDG (Enclosure)

Approve the minutes of the meeting held on November 1, 2017.

*B. Ratification of vouchers – Policy Ref. DK (Enclosure)

For the information of the audience, we follow a closely controlled procedure for processing vouchers when expending district monies. Vouchers (schedules of payments to vendors and/or employees), along with the supporting documentation, are prepared for review and signature by the Governing Board Clerk. The total vouchers reviewed were:

<u>Date Reviewed</u>	<u>Expense Voucher</u>	<u>Payroll Voucher</u>	<u>Auxiliary/Tax Credit Voucher</u>
10/30/2017	167,488.83	N/A	27,735.71
	58,330.42		
	3,892.28		
	402,401.77		
	2,812.76		
11/06/2017	177,667.95	4,584,854.17	28,704.93
	49,283.64		
	130,389.76		

*C. Purchase orders – Policy Ref. DJA (Enclosure)

As a matter of information to the audience, the procurement of materials and services, in the district, is controlled by the use of a purchase order system. The Board’s approval of the detailed annual budget provides authority for the processing of purchase orders through the Director of Purchasing. After preparation of purchase orders, the Clerk of the Governing Board reviews each of them before making a recommendation to the Governing Board. Approve the purchase orders listed on the enclosure.

*D. Authorization for Executive Session – Policy Ref. BEC

Request the Governing Board authorize an executive session consistent with the requirements set forth in ARS 38-431-03. Notices of this meeting as required by ARS 38-431.02 were posted. Reference: Executive session agenda is included.

*E. Acceptance of gifts – Policy Ref. KCD

1. Donation of \$2,500 from Walmart to Cortez High School.

*F. Professional visits – Policy Ref. GCCE1. ACTE (Association of Career & Technical Education) Career Tech Vision Conference

Where: Nashville, TN

When: December 5-9, 2017

Participants: Kristy Clarke (A); Darrell Preston (S); Peter Boyle, Michael Hawkins (W);
Amanda Shively (DO)

Purpose: National conference and professional development

Cost to CTE: Registration = 2,075; Lodging = \$3,200; Meals = \$1,225;

Transportation = \$2,000; Substitute = \$800

2. ACTE (Association of Career & Technical Education) Career Tech Vision Conference

Where: Nashville, TN

When: December 6-9, 2017

Participants: Beverly Ducey (A); Nick Wostl (C); Jennifer Fowler, Erik Johnson,
Scott Schall (GW); Anza Hopper (MV); Jill Martinez (S); Kim Rivery (W); Craig Mussi (DO)

Purpose: National conference and professional development

Cost to CTE funds: Registration = \$3,320; Lodging = \$6,600; Meals = \$1,568;

Transportation = \$3,600; Substitute = \$2,400

3. National Athletic Directors Conference

Where: Phoenix, AZ

When: December 9-12, 2017

Participant: Tim Matteson (S)

Purpose: Annual Athletic Administrators Conference

Cost to Local funds: Registration \$255

4. AME (Arizona Marketing Education Association) Winter Conference

Where: Sedona, AZ

When: January 25-27, 2018

Participant: Adam Moukad (G); Tracy Robinson (T); Tim Mayfield (W)

Purpose: Professional development for marketing educators

Cost to CTE funds: Registration = \$690; Lodging = \$1,150; Meals = \$195;

Transportation = \$195; Substitute = \$475

*G. Student trips – Policy Ref. IJOA1. GHS NJROTC

Where: Waimanalo, HI

When: May 30-June 3, 2018

Participants: 19 students and 2 chaperones

Arrangements: Commercial carrier departing 5/30/18, 7:00 am returning 6/3/18, 10:00 am

Purpose: Tour of base, memorial sites and historical monuments

No loss of school days

Cost to Club funds: Transportation = \$15,400; Lodging = \$80

*H. Personnel1. Administrativea. Reclassification – Policy Ref. GCP Professional Staff Promotions

DO - Marcelo Pereyra, from IT Specialist to IT Project Specialist – Effective 11/1/17
 Irving Valenzuela, from Campus Technology Assistant at THS to IT Specialist
 at D.O. – Effective 11/1/17

Personnel (continued)

2. Classifieda. Reclassification – Policy Ref. GDP Support Staff Promotions and Reclassifications

- AHS - Ann Andrade, from CTE Instructional Assistant at GHS to Title I Instructional Assistant at AHS – Effective 11/6/17
 Matthew Harris, from Custodian to Maintenance III – Effective 11/7/17
- DO - Robert Rodriguez, from Bus Driver to Garage Technician – Effective 10/30/17

b. Employment – Policy Ref. GDF Support Staff Hiring

- AHS - Alexis Marquez, Special Ed Instructional Assistant – Effective 7/31/17
 Emily Pendell, Special Ed Instructional Assistant – Effective 7/31/17
- DO - Charles Johnson, Bus Assistant – Effective 7/24/17
 Heidemarie Lennick, Bus Driver – Effective 7/24/17
 Beverly Pape, Bus Assistant – Effective 7/24/17
 Pastora Richardson, Bus Assistant – Effective 7/24/17
- GHS - Nicholas Carter, Special Ed Instructional Assistant – Effective 8/2/17
 Margaret Cervantes, 4 Hour Clerical Assistant – Effective 7/31/17
 Andrea Garza, Special Ed Instructional Assistant – Effective 7/31/17
 Edythe Kohler, Special Ed Instructional Assistant – Effective 7/31/17
 Bridgett Martinez, Special Ed Instructional Assistant – Effective 7/31/17
 Jocelynn Rose, ELL Instructional Assistant – Effective 7/31/17
 Cecilia Valdes, Special Ed Instructional Assistant – Effective 7/31/17
 Vanessa Valdivia, Special Ed Instructional Assistant – Effective 7/31/17
- GWHS - Mariah Apodaca, Special Ed Instructional Assistant – Effective 7/31/17
 Kaylee Duff, Special Ed Instructional Assistant – Effective 7/31/17
 Cydney Halley, Special Ed Instructional Assistant – Effective 7/31/17
 Dustin Williamson, Special Ed Instructional Assistant – Effective 7/31/17
- IHS - Leslie Navarrette Aguilar, Special Ed Instructional Assistant – Effective 7/31/17
 Maira Vite, Special Ed Instructional Assistant – Effective 7/31/17
- MVHS - Katie Grimoskas, Title I Instructional Assistant – Effective 8/2/17
 Debra Miller, 4 Hour Clerical Aide – Effective 8/4/17
 Autumn Ozuna, Special Ed Instructional Assistant – Effective 7/31/17
 Christopher Romero, Special Ed Instructional – Effective 7/31/17
 Pablo Rodriguez Salas, Maintenance III – Effective 8/1/17
- NS - Joseph Abney, Special Ed Instructional Assistant – Effective 7/31/17
- THS - Brandie Schaan, Special Ed Instructional Assistant – Effective 7/31/17
- WHS - Maria Alvarado Caudillo, Custodian – Effective 7/31/17

c. Retirement ASRS – Policy Ref. GCQE Retirement of Professional/Support Staff Members

- GWHS - Joseph Marzella, Assistant Foreman – Effective 12/29/17

d. Resignation – Policy Ref. GDOB Resignation of Support Staff Members

- NS - Kerstyn Godsey, Special Ed Instructional Assistant – Effective 11/21/17
- SHS - Austin Finley, Maintenance III – Effective 11/17/17

RECOMMENDATION: The Governing Board approve the recommendations for Consent items II. *A through II. *H.

Motion _____ Second _____ Vote _____

III. NEW BUSINESS

A. New Governing Board Policy: JLDB – Restraint and Seclusion

Restraint and seclusion are not to be used as disciplinary consequences.

A school may permit the use of restraint or seclusion techniques on any student if both of the following apply:

- A. The student's behavior presents an imminent danger of bodily harm to the student or others.
- B. Less restrictive interventions appear insufficient to mitigate the imminent danger of bodily harm.

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

- A. School personnel shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
- B. The restraint or seclusion technique shall end when the student's behavior no longer presents an imminent danger to the student or others.
- C. 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.
- D. The restraint technique employed may not impede the student's ability to breathe.
- E. The restraint technique may not be out of proportion to the student's age or physical condition.

Schools may establish policies and procedures for the use of restraint or seclusion techniques in a school safety or crisis intervention plan if the plan is not specific to any individual student.

Schools shall establish reporting and documentation procedures to be followed when a restraint or seclusion technique has been used on a student. The procedures shall include the following requirements:

- A. School personnel shall provide the student's parent or guardian with written or oral 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 (24) hours after the incident.
- B. 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.

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.

If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a student, the school shall comply with the reporting, documentation and review procedures established under the paragraph above. School resource officers are authorized to respond to situations that present the imminent danger of bodily harm according to protocols established by their law enforcement agency.

Schools are not prohibited from adopting policies which include procedures for the reasonable use of physical force by certificated or support staff personnel in self- defense, defense of others and defense of property (A.R.S. 15-843, subsection B, paragraph 3.)

The District authorizes the use of these Definitions which are included in A.R.S. 15- 105:

- A. "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. Restraint does not include any of the following:
1. 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.
 2. 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.
 3. The brief holding of a student by one adult for the purpose of calming or comforting the student.
 4. 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.
- B. "School" means a school district, a charter school, a public or private special education school that provides services to students placed by a public school, the Arizona State Schools for the Deaf and the Blind and a private school.
- C. "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.

Adopted:

LEGAL REF.:

A.R.S.

13-403 et seq.

13-2911

15-105

15-341

15-342

15-841

15-842

15-843

15-844

CROSS REF.:

GBEB - Staff Conduct

JIC - Student Conduct

JK – Student Discipline

JKA - Corporal Punishment

JKD - Student Suspension

JKE - Expulsion of Student

RECOMMENDATION: The Governing Board approve the third and final reading for policy JLDB – Restraint and Seclusion.

Motion _____ Second _____ Vote _____

B. Policy Revision: JK – Student Discipline

The Superintendent shall recommend policies and develop procedures for the discipline of students that comply with A.R.S. 15-843. These policies and procedures will apply to all students traveling to, attending, and returning from school, and while visiting another school or at a school-sanctioned activity, ~~and may be imposed if the student's behavior affects the school order or in any other situation in which the District may lawfully exercise its authority to discipline a student.~~

When suspension or expulsion is involved, notice, hearing, and appeal procedures shall conform to applicable legal requirements.

The discipline, suspension and expulsion of ~~pupil~~ students shall not be based on race, color, religion, sex, disability, national origin, ~~or~~ ancestry or any other unlawful reason. A substantial or deliberate failure to comply with the prohibition against race, color, religion, sex, disability, national origin, ~~or~~ ancestry or any other unlawful reason may subject the District to the loss of funds imposed by A.R.S. 15-843.

The principal of each District school shall ensure that a copy of all rules pertaining to discipline, suspension, and expulsion of students ~~are~~ is distributed to each student's ~~each student's~~ the parents of each student at the time the student is enrolled ~~is enrolled~~ in school ~~each year~~.

The principal of each school shall ensure that all rules pertaining to the discipline, suspension, and expulsion of students are communicated to students at the beginning of each school year, and to transfer students at the time of their enrollment in the school.

Information concerning a student's disciplinary record will be held in the strictest confidence.

Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.

~~Behavior Management and Discipline of Students with Special Needs~~

~~The Superintendent shall oversee a collaborative process for the identification, description, and monitoring of best practices for behavioral management and discipline of special needs students. The practices shall include, but not be limited to:~~

- ~~• authorized and prohibited disciplinary methods,~~
- ~~• recommended and required training for special education program teachers and aides, and~~
- ~~• requirements for conveying notice of disciplinary measures taken.~~

~~The Superintendent shall, by administrative regulation, prescribe procedures for implementation of the best practices, subject to Governing Board approval.~~

Temporary Removal

Teachers are authorized to temporarily remove a student from a class. A teacher may temporarily remove a student to the principal, or to a person designated by the school administrator, in accord with:

- Rules established for the referral of students.
- The conditions of A.R.S. 15-841, when applicable.

The Superintendent shall establish such rules as are necessary to implement the temporary removal procedure.

Confinement

If confinement is authorized by the Governing Board, in accordance with A.R.S. 15-843, the Superintendent shall ensure that disciplinary policies involving the confinement of students left alone in an enclosed space shall include the following:

- A process for prior written parental notification that confinement may be used for disciplinary purposes that is included in the student's enrollment packet or admission form.
- A process for written parental consent before confinement is allowed for any student in the School District. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the student poses imminent physical harm to self or others. 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.

Schools are not prohibited from adopting policies which include procedures for the reasonable use of physical force by certificated or support staff personnel in self-defense, defense of others and defense of property (A.R.S. 15-843, subsection B, paragraph 3).

Threatened an Educational Institution

Threatened an educational institution means to interfere with or disrupt an educational institution as found in A.R.S. 15-841 and 13-2911. A student who is determined to have threatened an educational institution shall be expelled from school for at least one (1) year except that the District may modify this expulsion requirement for a pupil student on a case-by-case basis and may reassign a pupil student subject to expulsion to an alternative education program if the pupil student participates in mediation, community service, restitution or other programs in which the pupil student takes responsibility for the results of the threat. The District 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 student to an alternative education program.

~~Information concerning a student's disciplinary record will be held in the strictest confidence.~~

~~Disciplinary actions taken will be recorded in an administrative log, and all types of suspensions or expulsions will be recorded in a separate file for each student.~~

Adopted: December 1, 2010

LEGAL REF.:

- A.R.S. 13-403 *et seq.*
- 13-2911
- 15-341
- 15-342
- 15-841
- 15-842
- 15-843
- 15-844

CROSS REF.:

- GBEB - Staff Conduct
- JIC - Student Conduct
- JKA - Corporal Punishment
- JKD - Student Suspension
- JKE - Expulsion of Students

RECOMMENDATION: The Governing Board approve the third and final reading for policy JK-Student Discipline.

Motion _____ Second _____ Vote _____

C. Policy Revision: IHBA - Special Instructional Programs and Accommodations for Disabled Students (Section 504 of the Rehabilitation Act of 1973)

It is the responsibility of the District to identify, evaluate and provide free appropriate public education (FAPE), ~~including accommodations~~ as are necessary to ensure that a student eligible under Section 504 has equal access to services, programs and activities offered to students without disabilities. ~~It is the responsibility of the District to identify a specific 504 Coordinator.~~ Under this policy, a student who may need special services or programs within the intent of Section 504 is one who:

~~For a student to qualify for Section 504 protection, the student must meet three (3) criteria: 1) have a mental or physical impairment, 2) which substantially limits, 3) one (1) or more major life activities.~~

- Has a physical or mental impairment that substantially limits one (1) or more major life activities which include, but are not limited to, caring for oneself, performing manual tasks, walking, hearing, seeing, speaking, breathing, learning and working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communication; or
- Has a record of such impairment or is regarded as having such impairment; and
- Requires regular or special education and related aids and services that are designed to meet the individual needs of the student as adequately as the needs of non-disabled students.

Students may be eligible for services under the provisions of Section 504 even though they ~~do not require services~~ are eligible for and receive services pursuant to the Individuals with Disabilities in Education Act (IDEA). Students who are identified, according to IDEA criteria, are not addressed under this policy. The needs of such ~~IDEA-eligible~~ students are provided for under District Policy IHBA and its regulations and under state and federal laws and regulations.

Adopted: ~~December 1, 2010~~

LEGAL REF.:

A.R.S.

[15-708](#)

29 U.S.C. 706

29 U.S.C. 794

CROSS REF.:

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

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

[JII](#) - Student Concerns, Complaints and Grievances

[JK](#) - Student Discipline

[JKD](#) - Student Suspension

[KED](#) - Public Concerns/Complaints about Facilities and Services

RECOMMENDATION: The Governing Board approve the third and final reading for policy IHBA - Special Instructional Programs and Accommodations for Disabled Students.

Motion _____ Second _____ Vote _____

**D. Policy Revision: GCQF Discipline, Suspension and Dismissal of Professional Staff Members
Categories of Misconduct**

Certificated staff members may be disciplined for infractions that include, but are not limited to, the following categories:

- Engaging in unprofessional conduct.
- Committing fraud in securing appointment.

- Exhibiting incompetency in their work.
- Exhibiting inefficiency in their work.
- Exhibiting improper attitudes.
- Neglecting their duties.
- Engaging in acts of insubordination.
- Engaging in acts of child abuse or child molestation.
- Engaging in acts of dishonesty.
- Being under the influence of alcohol while on duty.
- Engaging in the illicit use of narcotics or habit-forming drugs.
- Being absent without authorized leave.
- Engaging in discourteous treatment of the public.
- Engaging in improper political activity.
- Engaging in willful disobedience.
- Being involved in misuse or unauthorized use of school property.
- Being involved in excessive absenteeism.
- Carrying or possessing a weapon on school grounds unless they are peace officers or have obtained specific authorization from the appropriate school administrator.

Statutory Requirements

Certificated staff members disciplined under A.R.S. [15-341](#), A.R.S. [15-539](#), or other applicable statutes:

- May not be suspended with or without pay for a period exceeding ten (10) school days under A.R.S. [15-341](#).
- May be suspended without pay for a period of time greater than ten (10) school days or dismissed under A.R.S. [15-539](#).
- Shall be disciplined under procedures that provide for notice, hearing, and appeal, subject to the requirements of A.R.S. [15-341](#) or A.R.S. [15-539](#), whichever is appropriate.
- Shall, if disciplined under A.R.S. [15-539](#) or other applicable statutes, excluding A.R.S. [15-341](#), receive notice in writing served upon the certificated staff member personally or by United States registered or certified mail addressed to the employee's last-known address. A copy of charges specifying instances of behavior and the acts of omissions constituting the charge(s), together with a copy of all applicable statutes, shall be attached to the notice.
- Shall have the right to a hearing in accordance with the following:
 - *Suspension under A.R.S. [15-341](#).* The supervising administrator will schedule a meeting not less than two (2) days nor more than ten (10) days after the date the certificated staff member receives the notice.

- *Dismissal or dismissal with suspension included under A.R.S. [15-539](#).* A certificated staff member's written request for a hearing shall be filed with the Board within ten (10) days after service of notice. The filing of a timely request shall suspend the imposition of a suspension without pay or a dismissal pending completion of the hearing.

General Provisions for Discipline Under [A.R.S. 15-341](#)

General provisions for discipline are as follows:

- *Informal consultation.* Nothing contained herein will limit a supervising administrator's prerogative to engage in informal consultation with a certificated employee to discuss matters of concern related to the employee's performance, conduct, et cetera; however, when it is apparent that disciplinary action toward a certificated employee is likely to become a part of the certificated staff member's personnel record as permitted by A.R.S. [15-341](#), the procedures outlined herein shall be followed.
- *Persons authorized to impose discipline.* Any supervising administrator who is the immediate or primary supervisor of a certificated staff member is authorized to impose a penalty or penalties, short of dismissal. Only the Board may dismiss a certificated staff member.
- *Notice.* Any person who is required by this policy to give written notice to any other person affected by this policy may do so by any means reasonably calculated to give the recipient actual knowledge of the notice within a reasonable amount of time. When time is calculated from the date a notice is received, the notice is deemed to be received on the date it is hand delivered or three (3) calendar days after it is placed in the mail.
- *Administrative discretion.* In adopting these policies and procedures, it is the intention of the District that they be interpreted and applied in a reasonable fashion. The policies and regulations are not intended to restrict or eliminate the discretion traditionally afforded to supervising administrators to determine whether discipline is appropriate. Supervising administrators are therefore directed to continue to use reasonable discretion in determining whether a particular alleged violation merits discipline.
- *Right not to impose discipline.* The District reserves the right not to discipline a certificated staff member for conduct that violates this policy.
- *Definition of work days.* For the purposes of this policy, a work day is any day that the District's central administrative office is open for business.
- *Additional reasons for discipline.* A certificated staff member may be disciplined for conduct that has occurred but that, at or near the time of misconduct, was not the subject of or identified as a reason for a specific proceeding under this policy.

Procedure for Discipline Under [A.R.S. 15-341](#)

The following procedures will be used to impose any discipline that 1) shall become a part of the certificated staff member's personnel record and 2) is permitted under A.R.S. [15-341](#):

Step 1 - Notice:

- Upon the supervising administrator's determination of the existence of cause to impose discipline, the supervising administrator shall notify the certificated staff member of intent to impose discipline.

The notice shall be in writing and shall be delivered in person or by first-class mail. The notice shall include the following:

- The conduct or omission on the part of the certificated staff member that constitutes the reason for discipline.
- A scheduled meeting time between the supervising administrator and the certificated staff member. Such meeting shall be scheduled not more than ten (10) working days after the date the certificated staff member receives the notice.
- A statement of the disciplinary action the supervising administrator intends to impose, including, if applicable, the number of days of suspension with or without pay.
- Copies of any available relevant documentation, at the discretion of the supervising administrator.
- *Glendale Union Education Association (GUEA) Process* - The employee may select a witness from the local pool of GUEA representatives to be present at any time during a conference with an administrator involving:
 - ~ an investigation,
 - ~ discipline,
 - ~ evaluation, or
 - ~ any matter in which the principal will be bringing another administrator.

Step 2 - Hearing:

- At the meeting, the supervising administrator shall discuss with the certificated staff member the conduct that warrants disciplinary action and shall provide the certificated staff member with any appropriate evidence and a copy of relevant documentation if not previously provided.
- The supervising administrator shall conduct the meeting in an informal manner, without adherence to the rules of evidence and procedure required in judicial proceedings.

Step 3 - Decision (in writing):

- At the hearing, or within ten (10) working days following the hearing, the supervising administrator shall, in writing, inform the certificated staff member of the decision. If the decision is to impose discipline, written notice of the discipline shall be enclosed. The written notice of the decision shall state that a copy of the notice, decision, and a record of the disciplinary action shall be placed in the certificated staff member's personnel file and shall specify the date the discipline shall be imposed unless the certificated staff member files a written request for appeal within five (5) working days after the decision is delivered to the certificated staff member. If the certificated staff member requests an appeal of the decision, the imposition of any discipline shall be suspended pending the outcome of the appeal.

Step 4 - Appeal:

- Discipline imposed may be appealed at the next organizational level, in writing, to the appropriate assistant superintendent or the Superintendent. Only when the discipline is determined by the Superintendent shall the appeal be to the Board, which, at its discretion, may appoint a hearing officer.

The appeal shall contain a brief statement of the reasons why the certificated staff member believes the administrator's decision is incorrect. Appeal is limited to one (1) organizational level above the level of the supervising administrator who imposed the discipline.

The appeal shall specifically describe the part of the determination with which the certificated staff member disagrees:

- Determination was founded upon error of construction or application of any pertinent regulations or policies.
- Determination was unsupported by any evidence as disclosed by the entire record.
- Determination was materially affected by unlawful procedure.
- Determination was based on violation of any statutory or constitutional right.
- Determination was arbitrary and capricious.
- The penalty was excessive.

The supervising administrator, the Superintendent, or, when appropriate, the Board or the Board-appointed hearing officer may, at the conclusion of the appeal, uphold the discipline, modify the decision, or refer the matter back to the level from which it was appealed for rehearing and additional information. Such decision, along with specific direction as to the effective date of any discipline, shall be communicated to the certificated staff member within a reasonable amount of time following the appeal, not to exceed seven (7) working days.

The assigned hearing officer shall, by use of a mechanical device, make a record of the appeal hearing.

This policy, under A.R.S. [15-341](#), does not apply to dismissal of a certificated staff member except to the extent that the Board may find, subsequent to dismissal proceedings, that a lesser form of discipline as set forth in this policy should be imposed.

Not all administrative actions regarding a certificated staff member are considered "discipline," even though they may involve alleged or possible violations by the certificated staff member. This policy addresses only discipline and has no application to any of the following:

- The certificated staff member evaluation procedure or the resulting evaluations as they pertain to the adequacy of the certificated staff member's classroom performance.
- Letters or memorandums directed to a certificated staff member containing directives or instructions for future conduct.
- Counseling of a certificated staff member concerning expectations of future conduct.
- Nonrenewal of a contract of a certificated staff member employed by the District for less than the major portion of three (3) consecutive school years (noncontinuing certificated staff member).

General Provisions for Suspension Without Pay or Dismissal Under A.R.S. [15-539](#)

Step 1 - Notice:

- The Governing Board, except as otherwise provided by A.R.S. [15-539](#), shall upon receipt of a written statement of charges from the Superintendent that cause exists for the suspension of a certificated teacher without pay for a period longer than ten (10) school days or dismissal, shall give notice to the teacher of the Board's intention to suspend without pay or dismiss the teacher at the expiration of ten (10) days from the date of service of the notice.
 - If charges presented to the Board for dismissal of a certificated person allege immoral conduct, the charge or a resignation involving such charges shall be reported to the Department of Education.
 - Whenever the statement of charges by the Superintendent allege immoral or unprofessional conduct as the cause for dismissal, the Board may adopt a resolution to file a complaint with the State Department of Education. Pending disciplinary action by the State Board, the certificated teacher may be reassigned by the Superintendent or the Governing Board may place the teacher on administrative leave and give notice to the teacher of the administrative leave of absence pursuant to A.R.S. [15-540](#).
 - As used in this policy, immoral conduct means any conduct that is contrary to the moral standards of the community and that reflects an unfitness to perform the duties assigned to the certificated staff member.
- The Governing Board, upon adoption of a written statement charging a certificated teacher with cause for suspension without pay or dismissal, may immediately place the teacher on administrative leave of absence and give the teacher notice of the administrative leave of absence.
- Written notice of the administrative leave of absence shall be served on the teacher personally or by United States registered mail addressed to the teacher at the teacher's last known address.

Step 2  Hearing for Suspension Without Pay or Dismissal:

- The Governing Board shall decide whether to hold a hearing on the dismissal or suspension of a certificated teacher without pay for a period of time longer than ten (10) days as provided in A.R.S. [15-541](#).
 - The Governing Board may provide, by vote at its annual organizational meeting, that all hearings conducted pursuant to this section shall be conducted before a hearing officer.
- If the Governing Board decides not to hold a hearing, the Board shall designate a hearing officer to:
 - hold the hearing,
 - hear the evidence,
 - prepare a record of the hearing, and
 - issue a recommendation to the Board for action.

- If the parties cannot mutually agree on a hearing officer, a hearing officer shall be selected by the Governing Board from a list provided by the State Department of Education or the American Arbitration Association.
- A hearing held pursuant to A.R.S. [15-541](#) may not be conducted by any hearing officer having a personal interest which would conflict with the hearing officer's objectivity in the hearing.
- The hearing shall be held
 - not less than fifteen (15) days, nor
 - not more than thirty (30) days
 - after the request is filed, unless all parties to the hearing mutually agree to a different hearing date.
- Notice of the time and place of the hearing shall be given to the teacher not less than three (3) days before the date of the hearing.
- The teacher may request that the hearing be conducted in public or private.
- The Governing Board shall provide any officer, appointee, or employee to be considered or discussed at a meeting with written notice of the executive session as is appropriate but not less than twenty-four (24) hours for the officer, appointee, or employee to determine whether the discussion or consideration should occur at a public meeting.
- At the hearing the teacher may appear in person and by counsel, if desired, and may present any testimony, evidence or statements, either oral or in writing, in the teacher's behalf.
- An official record of the hearing, including all testimony recorded manually or by mechanical device, and exhibits shall be prepared by the Governing Board or the hearing officer.
- The teacher who is the subject of the hearing may not request that the testimony be transcribed unless the teacher agrees in writing to pay the actual cost of the transcription.
- Within ten (10) days after a hearing conducted by the Governing Board the Board shall
 - determine whether there existed good and just cause for the notice of dismissal or suspension, and
 - affirm or withdraw the notice of dismissal or suspension.
- Within ten (10) days after a hearing conducted by a hearing officer, the hearing officer shall
 - deliver a written recommendation to the Governing Board that includes findings of fact and conclusions.
- Parties to the hearing have the right to object to the findings of the hearing officer and present oral and written arguments to the Governing Board.
- The Governing Board has an additional ten (10) days to determine whether good and just cause existed for the notice of dismissal or suspension and shall render its decision accordingly, either affirming or withdrawing the notice of suspension or dismissal.
 - Good and just cause does not include religious or political beliefs or affiliations unless they are in violation of the oath of the teacher.

Additional Provisions and Conditions

During the pendency of a hearing, neither the certificated staff member nor the supervising administrator shall contact the Superintendent or a Board member to discuss the merits of the supervising administrator's recommendation or charges and proposed discipline except as provided by this policy. No attempt shall be made during such period to discuss the merits of the charges with the person designated to act as hearing officer.

The Governing Board shall keep confidential the name of a student involved in a hearing for dismissal, discipline, or action on a teacher's certificate, with exceptions as noted in A.R.S. [15-551](#).

Amendments. The District reserves the right to amend this policy in any way at any time. Any amendment shall have prospective application only.

Severability. If any provision of this policy is held to be invalid for any reason, such action shall not invalidate the remainder of this policy. If any provision of this policy conflicts with any provisions in any other policies adopted by the District, the provisions of this policy shall prevail.

Teachers Working Under a Short Term Certification

A teacher who holds a teaching intern certificate, an emergency teaching certificate or another type of nonstandard certificate, that is valid for one (1) year or less, may be dismissed by the Board effective ten (10) days after delivery of the notice of dismissal to the teacher without complying with the requirements of A.R.S. conditions found in 15-537, 15-538, or 15-541. Notice of the Board's authority to dismiss pursuant to this shall be included in each teacher's contract.

Adopted: ~~September 21, 2011~~

LEGAL REF.:

A.R.S.

[13-2911](#)

[15-203](#)

[15-341](#)

[15-342](#)

[15-350](#)

[15-503](#)

[15-507](#)

[15-508](#)

[15-514](#)

[15-536](#)

[15-538](#)

[15-538.01](#)

[15-539](#)

[15-540](#)

[15-541](#)

[15-542](#)

[15-543](#)

[15-549](#)

[15-551](#)

[41-770](#)

CROSS REF.:

[DKA](#) - Payroll Procedures/Schedules

[GCJ](#) - Professional Staff Noncontinuing and Continuing Status

[GCO](#) - Evaluation of Professional Staff Members

RECOMMENDATION: The Governing Board approve the first of three readings for policy GCQF Discipline, Suspension and Dismissal of Professional Staff Members

Motion _____ Second _____ Vote _____

E. New Governing Board Policy: IJNDBA Website Accessibility (W3C/WAI's Web Content Accessibility Guidelines)

The District is committed to ensuring accessibility of its website for students, parents, and members of the community with disabilities. All pages on the District's website will conform to the W3C/WAI's Web Content Accessibility Guidelines (WCAG) 2.0, Level AA conformance, or updated equivalents of these guidelines.

<https://www.section508.gov/content/learn/laws-and-policies>

The Superintendent will establish procedures whereby students, parents, and members of the public may present a complaint regarding a violation of the Americans with Disabilities Act (ADA), Section 504 and Title II related to the accessibility of any official District web presence which is developed by, maintained by, or offered through the District or third party vendors and open sources.

A Website Accessibility Concerns/Complaints form related to the accessibility of websites developed or maintained by the District is available at each school and at the District office. The form includes identification information, date, description of the problem, location of the inaccessible site, and the solution suggested.

The concern or complaint may be made verbally, by e-mail, in writing or by completing the form provided by the District. All such communications will be forwarded to a staff member or consultant designated by the Superintendent.

Each concern or complaint will be processed and the person initiating the communication will receive a timely response, including the provision of access to the website information requested.

Adopted:

LEGAL REF.:

A.R.S.

29 U.S.C. 794, Rehabilitation Act of 1973, (Section 504) (Section 508 as amended) 42 U.S.C. 2000,

Civil Rights Act of 1964, Titles VI and VII

42 U.S.C. 12101 et seq., Americans with Disabilities Act

CROSS REF.:

AC - Nondiscrimination/Equal Opportunity GBA - Equal Employment Opportunity

JB - Equal Educational Opportunities

KED - Public Concerns/Complaints about Facilities or Services

RECOMMENDATION: The Governing Board approve the first of three readings for policy IJNDBA Website Accessibility.

Motion _____ Second _____ Vote _____

IV. INFORMATION AND REPORTS

- A. Suspension reports (Enclosure)
- B. Financial reports (Enclosure)

RECOMMENDATION: The Governing Board accept the Information and Reports as presented.

Motion _____ Second _____ Vote _____

V. CURRENT EVENTS

- A. Authorization for Principals, District Administrators & Superintendent to present information
- B. Board comments

RECOMMENDATION: The Governing Board accept the Current Events as presented.

Motion _____ Second _____ Vote _____

VI. FUTURE MEETINGS AND DATES TO REMEMBER

Nov 16	Honors & Advanced Placement Information Night	Moon Valley Auditorium – 6:30 pm
Nov 23-24	Thanksgiving recess	District office and all schools closed
Dec 6	Continuous Improvement Report Regular Meeting	Apollo High School – 5:00 pm Administrative center/Board room – 7:30 pm
Dec 20	Reception – AAA Cortez Regular meeting	Administrative center/Board patio – 7:00 pm Administrative center/Board room – 7:30 pm
Dec 25-Jan 5	Winter recess	District office and all schools closed

VII. CONVENE INTO EXECUTIVE SESSION (Pursuant to ARS 38-431.03)

Executive sessions require the confidentiality of the participants. Information discussed in executive session is confidential and therefore prohibited from being a subject of discussion outside this executive session, with the exception of information reported in the general meeting. Additionally, board members cannot state how they intend to vote or the action they intend to take on any subject discussed in the executive session.

- A. Call to order
- B. Minutes
Review the minutes of the executive session held on November 1, 2017.
- C. Student discipline matters ARS 15-843
 - 1. Hear recommendation for long-term suspension at Greenway High School.
- D. Discussion/consideration of confidential information pursuant to ARS 38-431.03
 - 1. Receipt of confidential matters subsequent to the posting of the agenda.

VIII. RECONVENE INTO PUBLIC MEETING

IX. POSSIBLE MOTION(S) ON SPECIFIC ITEM(S) DISCUSSED IN EXECUTIVE SESSION

(Each item will be identified and voted on separately.)

X. ADJOURNMENT

The meeting adjourned at _____.