



Arizona Compilation of School Discipline Laws and Regulations

Prepared: January 12, 2016

Introduction

This compilation presents school discipline-related laws and regulations for U.S. states, U.S. territories, and the District of Columbia, and, where available, links to education agency websites or resources related to school discipline and student conduct. The discipline laws and regulations presented in this compilation have been categorized by type of specific discipline issue covered, according to an organizational framework developed by the National Center for Safe and Supportive Learning Environments (NCSSE). For example, one major category encompasses all laws or regulations governing states or territories that mandate specific disciplinary sanctions (such as suspension) for specific offenses (such as drug possession on school grounds). The school discipline laws and regulations were compiled through exhaustive searches of legislative websites that identified all laws and regulations relevant to each specific category. Compiled materials were subsequently reviewed by state education agency (SEA) representatives in the 50 states, Washington D.C., and the U.S. territories.

Discipline categories were not mutually exclusive. Laws and regulations often appeared across multiple categories. For jurisdictions with more extensive laws covering a breadth of topical areas, relevant sections were excerpted from the larger legislative text for inclusion in the appropriate discipline category. Laws, ordered by chapter and section number, appear first within each category followed by regulations. All laws and regulations listed within categories in the compilation also appear in the sources cited section of the document, which lists laws by chapter and section number and title, and where available, includes active hyperlinks to source websites supported or maintained by state legislatures. Additional links to government websites or resources are provided at the end of this document.

Notes & Disclaimers

To the best of the preparer's knowledge, this Compilation of School Discipline Laws and Regulations is complete and current as of January 2016. Readers should also note that the information in this document was compiled from individual sources that are created by each jurisdiction and which are maintained and updated with varying frequencies. Readers should consult the source information provided directly in order to check for updates to laws and regulations reported in this document or to conduct further research.

For further information, including definitions of the different policy categories, please refer to the [Discipline Laws and Regulations Compendium](#) posted on the Center's website.

Prepared by:

Child Trends

7315 Wisconsin Avenue

Suite 1200W

Bethesda, Maryland 20814

EMT Associates, Inc.

1631 Creekside Drive

Suite 100

Folsom, California 95630



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Title 7. Education

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- R7-2-401. Special education standards for public agencies providing educational services

General Provisions

Authority to develop and establish rules of conduct

LAWS

15-341. General powers and duties; immunity; delegation.

A. The governing board shall:

12. Hold pupils to strict account for disorderly conduct on school property.
13. Discipline students for disorderly conduct on the way to and from school.

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

B. A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in section 13-105, use or possession of a gun, or excessive absenteeism. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.

15-843. Pupil disciplinary proceedings.

B. The governing board of any school district, in consultation with the teachers and parents of the school district, shall prescribe rules for the discipline, suspension and expulsion of pupils. The rules shall be consistent with the constitutional rights of pupils and shall include at least the following:

1. Penalties for excessive pupil absenteeism pursuant to section 15-803, including failure in a subject, failure to pass a grade, suspension or expulsion.
2. Procedures for the use of corporal punishment if allowed by the governing board.
3. Procedures for the reasonable use of physical force by certificated or classified personnel in self-defense, defense of others and defense of property.
4. Procedures for dealing with pupils who have committed or who are believed to have committed a crime.
5. A notice and hearing procedure for cases concerning the suspension of a pupil for more than ten days.
6. Procedures and conditions for readmission of a pupil who has been expelled or suspended for more than ten days.
7. Procedures for appeal to the governing board of the suspension of a pupil for more than ten days, if the decision to suspend the pupil was not made by the governing board.
8. Procedures for appeal of the recommendation of the hearing officer or officers designated by the board as provided in subsection F of this section at the time the board considers the recommendation.

REGULATIONS

No relevant regulations found.

Scope

LAWS

15-341. General powers and duties; immunity; delegation.

A. The governing board shall:

12. Hold pupils to strict account for disorderly conduct on school property.
13. Discipline students for disorderly conduct on the way to and from school.

15-342. Discretionary powers.

The governing board may:

1. Expel pupils for misconduct.

REGULATIONS

No relevant regulations found.

Communication of policy

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

In-School Discipline

Use of multi-tiered discipline approaches

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Teacher authority to remove students from classrooms

LAWS

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

A. Pupils shall comply with the rules, pursue the required course of study and submit to the authority of the teachers, the administrators and the governing board. A teacher may send a pupil to the principal's office in order to maintain effective discipline in the classroom. If a pupil is sent to the principal's office pursuant to this subsection, the principal shall employ appropriate discipline management techniques that are consistent with rules adopted by the school district governing board. A teacher may remove a pupil from the classroom if either of the following conditions exists:

1. The teacher has documented that the pupil has repeatedly interfered with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.
2. The teacher has determined that the pupil's behavior is so unruly, disruptive or abusive that it seriously interferes with the teacher's ability to communicate effectively with the other pupils in the classroom or with the ability of the other pupils to learn.

15-843. Pupil disciplinary proceedings.

D. The governing board shall:

3. Develop procedures allowing teachers and principals to temporarily remove disruptive pupils from a class.

REGULATIONS

No relevant regulations found.

Alternatives to suspension

LAWS

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

E. As an alternative to suspension or expulsion, the school district may reassign any pupil to an alternative education program if the pupil does not meet the requirements for participation in the

alternative to suspension program prescribed in subsection H of this section and if good cause exists for expulsion or for a long-term suspension.

H. A school district or charter school shall expel from school for at least one year a pupil who is determined to have threatened an educational institution as defined in section 13-2911, except that the school district or charter school may modify this expulsion requirement for a pupil on a case by case basis if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat.

I. By January 1, 2001, each school district shall establish an alternative to suspension program in consultation with local law enforcement officials or school resource officers. The school district governing board shall adopt policies to determine the requirements for participation in the alternative to suspension program. Pupils who would otherwise be subject to suspension pursuant to this article and who meet the school district's requirements for participation in the alternative to suspension program shall be transferred to a location on school premises that is isolated from other pupils or transferred to a location that is not on school premises. The alternative to suspension program shall be discipline intensive and require academic work, and may require community service, groundskeeping and litter control, parent supervision, and evaluation or other appropriate activities. The community service, groundskeeping and litter control, and other appropriate activities may be performed on school grounds or at any other designated area.

REGULATIONS

No relevant regulations found.

Use of corporal punishment

LAWS

15-843. Pupil disciplinary proceedings.

B. The governing board of any school district, in consultation with the teachers and parents of the school district, shall prescribe rules for the discipline, suspension and expulsion of pupils. The rules shall be consistent with the constitutional rights of pupils and shall include at least the following:

2. Procedures for the use of corporal punishment if allowed by the governing board.

REGULATIONS

No relevant regulations found.

Use of student and locker searches

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Other in-school disciplinary approaches

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Out-of-School and Exclusionary Discipline: Suspensions, Expulsion, Restraint and Seclusion, and Alternative Placements

Grounds for possible suspension or expulsion

LAWS

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

B. A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in section 13-105, use or possession of a gun, or excessive absenteeism. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.

15-842. Damage to school property; suspension or expulsion of pupil; liability of parent.

A. A pupil who cuts, defaces or otherwise injures any school property may be suspended or expelled.

REGULATIONS

No relevant regulations found.

Grounds for mandatory suspension or expulsion

LAWS

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

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

1. "Expel" may include removing a pupil from a regular school setting and providing educational services in an alternative setting.
2. "Firearm" means a firearm as defined in 18 United States Code section 921.

H. A school district or charter school shall expel from school for at least one year a pupil who is determined to have threatened an educational institution as defined in section 13-2911, except that the school district or charter school may modify this expulsion requirement for a pupil on a case by case basis if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the results of the threat. This subsection shall be construed consistently with the requirements of the individuals with disabilities education act (20 United States Code sections 1400 through 1420). A school district may reassign a pupil who is subject to expulsion pursuant to this subsection to an alternative education program pursuant to subsection E of this section if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the threat. A school district or charter school may require the pupil's parent or guardian to participate in mediation, community service, restitution or other programs in which the parent or

guardian takes responsibility with the pupil for the threat. For the purposes of this subsection, "threatened an educational institution" means to interfere with or disrupt an educational institution by doing any of the following:

1. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause physical injury to any employee of an educational institution or any person attending an educational institution.
2. For the purpose of causing, or in reckless disregard of causing, interference with or disruption of an educational institution, threatening to cause damage to any educational institution, the property of any educational institution, the property of any employee of an educational institution or the property of any person attending an educational institution.
3. Going on or remaining on the property of any educational institution for the purpose of interfering with or disrupting the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.
4. Refusing to obey a lawful order to leave the property of an educational institution.

REGULATIONS

No relevant regulations found.

Limitations, conditions or exclusions for use of suspension and expulsion

LAWS

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

B. A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in section 15-802.

15-843. Pupil disciplinary proceedings.

B. The governing board of any school district, in consultation with the teachers and parents of the school district, shall prescribe rules for the discipline, suspension and expulsion of pupils. The rules shall be consistent with the constitutional rights of pupils and shall include at least the following:

3. Procedures for the reasonable use of physical force by certificated or classified personnel in self-defense, defense of others and defense of property.

C. Penalties adopted pursuant to subsection B, paragraph 1 of this section for excessive absenteeism shall not be applied to pupils who have completed the course requirements and whose absence from school is due solely to illness, disease or accident as certified by a person who is licensed pursuant to title 32, chapter 7, 13, 15 or 17.

L. Rules pertaining to the discipline, suspension and expulsion of pupils shall not be based on race, color, religion, sex, national origin or ancestry. If the department of education, the auditor general or the attorney general determines that a school district is substantially and deliberately not in compliance with this subsection and if the school district has failed to correct the deficiency within ninety days after receiving notice from the department of education, the superintendent of public instruction may withhold the monies the school district would otherwise be entitled to receive from the date of the determination of noncompliance until the department of education determines that the school district is in compliance with this subsection.

REGULATIONS

R7-2-401. Special education standards for public agencies providing educational services.

B. Definitions. All terms defined in the IDEA, its implementing regulations and A.R.S. § 15-761 are applicable, with the following additions:

26. "Suspension" means a disciplinary removal from a child's current placement that results in a failure to provide services to the extent necessary to enable the child to progress appropriately in the general curriculum and advance toward achieving the goals set out in the child's IEP. The term does not include disciplinary actions or changes in placement through the IEP process if the child continues to receive the services described above. The term does include actions such as "in-school" and "going home for the rest of the day" removals if the child does not receive the services described above.

P. Suspension and expulsion.

1. Each public education agency shall establish, implement, and disseminate to its personnel, and make available to parents, written procedures for the suspension and expulsion of students with disabilities.
2. Each public education agency 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 public education agency shall maintain documentation of staff review.
3. Procedures for such suspensions and expulsions shall meet the requirements of the IDEA and regulations, and state statutes.

Administrative procedures related to suspension and expulsion

LAWS

15-840. Definitions.

In this article, unless the context otherwise requires:

1. "Expulsion" means the permanent withdrawal of the privilege of attending a school unless the governing board reinstates the privilege of attending the school.
2. "Suspension" means the temporary withdrawal of the privilege of attending a school for a specified period of time.

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

J. Each school shall establish a placement review committee to determine the placement of a pupil if a teacher refuses to readmit the pupil to the teacher's class and to make recommendations to the governing board regarding the readmission of expelled pupils. The process for determining the placement of a pupil in a new class or replacement in the existing class shall not exceed three business days from the date the pupil was first removed from the existing class. The principal shall not return a pupil to the classroom from which the pupil was removed without the teacher's consent unless the committee determines that the return of the pupil to that classroom is the best or only practicable alternative. The committee shall be composed of two teachers who are employed at the school and who are selected by the faculty members of the school and one administrator who is employed by the school and who is selected by the principal. The faculty members of the school shall select a third teacher to serve as an alternate member of the committee. If the teacher who refuses to readmit the pupil is a member of the committee, that teacher shall be excused from participating in the determination of the pupil's readmission and the alternate

teacher member shall replace that teacher on the committee until the conclusion of all matters relating to that pupil's readmission.

15-843. Pupil disciplinary proceedings.

A. An action concerning discipline, suspension or expulsion of a pupil is not subject to title 38, chapter 3, article 3.1, except that the governing board of a school district shall post regular notice and shall take minutes of any hearing held by the governing board concerning the discipline, suspension or expulsion of a pupil.

B. The governing board of any school district, in consultation with the teachers and parents of the school district, shall prescribe rules for the discipline, suspension and expulsion of pupils. The rules shall be consistent with the constitutional rights of pupils and shall include at least the following:

5. A notice and hearing procedure for cases concerning the suspension of a pupil for more than ten days.

6. Procedures and conditions for readmission of a pupil who has been expelled or suspended for more than ten days.

7. Procedures for appeal to the governing board of the suspension of a pupil for more than ten days, if the decision to suspend the pupil was not made by the governing board.

D. The governing board shall:

2. Develop procedures allowing teachers and principals to recommend the suspension or expulsion of pupils.

E. If a pupil withdraws from school after receiving notice of possible action concerning discipline, expulsion or suspension, the governing board may continue with the action after the withdrawal and may record the results of such action in the pupil's permanent file.

F. In all action concerning the expulsion of a pupil, the governing board of a school district shall:

1. Be notified of the intended action.

2. Either:

(a) Decide, in executive session, whether to hold a hearing or to designate one or more hearing officers to hold a hearing to hear the evidence, prepare a record and bring a recommendation to the board for action and whether the hearing shall be held in executive session.

(b) Provide by policy or vote at its annual organizational meeting that all hearings concerning the expulsion of a pupil conducted pursuant to this section will be conducted before a hearing officer selected from a list of hearing officers approved by the governing board.

3. Give written notice, at least five working days before the hearing by the governing board or the hearing officer or officers designated by the governing board, to all pupils subject to expulsion and their parents or guardians of the date, time and place of the hearing. If the governing board decides that the hearing is to be held in executive session, the written notice shall include a statement of the right of the parents or guardians or an emancipated pupil who is subject to expulsion to object to the governing board's decision to have the hearing held in executive session. Objections shall be made in writing to the governing board.

G. If a parent or guardian or an emancipated pupil who is subject to expulsion disagrees that the hearing should be held in executive session, it shall be held in an open meeting unless:

1. If only one pupil is subject to expulsion and disagreement exists between that pupil's parents or guardians, the governing board, after consultations with the pupil's parents or guardians or the emancipated pupil, shall decide in executive session whether the hearing will be in executive session.

2. If more than one pupil is subject to expulsion and disagreement exists between the parents or guardians of different pupils, separate hearings shall be held subject to this section.

K. In all cases of suspension, it shall be for good cause and shall be reported within five days to the governing board by the superintendent or the person imposing the suspension.

15-844. Suspension and expulsion proceedings for children with disabilities.

Notwithstanding sections 15-841 and 15-842, the suspension or expulsion of children with disabilities, as defined in section 15-761, shall be in accordance with the individuals with disabilities education act (20 United States Code sections 1410 through 1485) and federal regulations issued pursuant to the individuals with disabilities education act.

REGULATIONS

No relevant regulations found.

In-school suspension

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Return to school following removal

LAWS

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

C. A school district may refuse to admit any pupil who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.

J. Each school shall establish a placement review committee to determine the placement of a pupil if a teacher refuses to readmit the pupil to the teacher's class and to make recommendations to the governing board regarding the readmission of expelled pupils. The process for determining the placement of a pupil in a new class or replacement in the existing class shall not exceed three business days from the date the pupil was first removed from the existing class. The principal shall not return a pupil to the classroom from which the pupil was removed without the teacher's consent unless the committee determines that the return of the pupil to that classroom is the best or only practicable alternative. The committee shall be composed of two teachers who are employed at the school and who are selected by the faculty members of the school and one administrator who is employed by the school and who is selected by the principal. The faculty members of the school shall select a third teacher to serve as an alternate member of the committee. If the teacher who refuses to readmit the pupil is a member of the committee, that teacher shall be excused from participating in the determination of the pupil's readmission and the alternate teacher member shall replace that teacher on the committee until the conclusion of all matters relating to that pupil's readmission.

REGULATIONS

No relevant regulations found.

Use of restraint and seclusion

LAWS

15-105. Use of restraint and seclusion techniques; requirements; definitions.

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

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

B. If a restraint or seclusion technique is used on a pupil:

1. School personnel shall maintain continuous visual observation and monitoring of the pupil while the restraint or seclusion technique is in use.
2. The restraint or seclusion technique shall end when the pupil's behavior no longer presents an imminent danger to the pupil or others.
3. 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.
4. The restraint technique employed may not impede the pupil's ability to breathe.
5. The restraint technique may not be out of proportion to the pupil's age or physical condition.

C. 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 pupil.

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

1. School personnel shall provide the pupil'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 hours after the incident.
2. Within a reasonable time following the incident, school personnel shall provide the pupil'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 pupil's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the pupil 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 pupil requires a functional behavioral assessment.

E. If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a pupil, the school shall comply with the reporting, documentation and review procedures established under subsection D of this section. Notwithstanding this section, 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.

F. This section does not prohibit schools from adopting policies pursuant to section 15-843, subsection B, paragraph 3.

G. For the purposes of this section:

1. "Restraint" means any method or device that immobilizes or reduces the ability of a pupil to move the pupil's torso, arms, legs or head freely, including physical force or mechanical devices. Restraint does not include any of the following:

(a) Methods or devices implemented by trained school personnel or used by a pupil 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 pupil to comply with a reasonable request or to go to a safe location.

(c) The brief holding of a pupil by one adult for the purpose of calming or comforting the pupil.

(d) Physical force used to take a weapon away from a pupil or to separate and remove a pupil from another person when the pupil is engaged in a physical assault on another person.

2. "School" means a school district, a charter school, a public or private special education school that provides services to pupils placed by a public school, the Arizona state schools for the deaf and the blind and a private school.

3. "Seclusion" means the involuntary confinement of a pupil 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 pupil's education plan, individual safety plan, behavioral plan or individualized education program that involves the pupil's separation from a larger group for purposes of calming.

REGULATIONS

No relevant regulations found.

Alternative placements

LAWS

15-342. Discretionary powers.

The governing board may:

3. Make such separation of groups of pupils as it deems advisable.

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

F. A school district may also reassign a pupil to an alternative educational program if the pupil refuses to comply with rules, refuses to pursue the required course of study or refuses to submit to the authority of teachers, administrators or the governing board.

H. A school district may reassign a pupil who is subject to expulsion pursuant to this subsection to an alternative education program pursuant to subsection E of this section if the pupil participates in mediation, community service, restitution or other programs in which the pupil takes responsibility for the threat.

I. By January 1, 2001, each school district shall establish an alternative to suspension program in consultation with local law enforcement officials or school resource officers. The school district governing board shall adopt policies to determine the requirements for participation in the alternative to suspension program. Pupils who would otherwise be subject to suspension pursuant to this article and who meet the school district's requirements for participation in the alternative to suspension program shall be transferred to a location on school premises that is isolated from other pupils or transferred to a location

that is not on school premises. The alternative to suspension program shall be discipline intensive and require academic work, and may require community service, groundskeeping and litter control, parent supervision, and evaluation or other appropriate activities. The community service, groundskeeping and litter control, and other appropriate activities may be performed on school grounds or at any other designated area.

REGULATIONS

No relevant regulations found.

Disciplinary Approaches Addressing Specific Infractions and Conditions

Firearms (as required by the Gun-Free Schools Act)

LAWS

13-3102. Misconduct involving weapons; defenses; classification; definitions.

A. A person commits misconduct involving weapons by knowingly:

12. Possessing a deadly weapon on school grounds;

C. Subsection A, paragraphs 2, 3, 7, 10, 11, 12 and 13 of this section shall not apply to:

1. A peace officer or any person summoned by any peace officer to assist and while actually assisting in the performance of official duties; or

2. A member of the military forces of the United States or of any state of the United States in the performance of official duties; or

3. A warden, deputy warden, community correctional officer, detention officer, special investigator or correctional officer of the state department of corrections or the department of juvenile corrections; or

4. A person specifically licensed, authorized or permitted pursuant to a statute of this state or of the United States.

H. Subsection A, paragraph 12 of this section shall not apply to the possession of a:

1. Firearm that is not loaded and that is carried within a means of transportation under the control of an adult provided that if the adult leaves the means of transportation the firearm shall not be visible from the outside of the means of transportation and the means of transportation shall be locked.

2. Firearm for use on the school grounds in a program approved by a school.

3. Firearm by a person who possesses a certificate of firearms proficiency pursuant to section 13-3112, subsection T and who is authorized to carry a concealed firearm pursuant to the law enforcement officers safety act of 2004 (P.L. 108-277; 118 Stat. 865; 18 United States Code sections 926B and 926C).

L. Misconduct involving weapons under [...] subsection A, paragraph 12 of this section is a class 1 misdemeanor unless the violation occurs in connection with conduct that violates section 13-2308 [...].

M. For the purposes of this section:

1. "Contacted by a law enforcement officer" means a lawful traffic or criminal investigation, arrest or detention or an investigatory stop by a law enforcement officer that is based on reasonable suspicion that an offense has been or is about to be committed.

2. "Public establishment" means a structure, vehicle or craft that is owned, leased or operated by this state or a political subdivision of this state.

3. "Public event" means a specifically named or sponsored event of limited duration that is either conducted by a public entity or conducted by a private entity with a permit or license granted by a public entity. Public event does not include an unsponsored gathering of people in a public place.

4. "School" means a public or nonpublic kindergarten program, common school or high school.

5. "School grounds" means in, or on the grounds of, a school.

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

B. A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in section 13-105, use or possession of a gun, or excessive absenteeism. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.

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

1. "Expel" may include removing a pupil from a regular school setting and providing educational services in an alternative setting.
2. "Firearm" means a firearm as defined in 18 United States Code section 921.

15-515. Duty to report violations occurring on school premises.

All school personnel who observe a violation of section 13-3102, subsection A, paragraph 12 or section 13-3111 on school premises shall immediately report the violation to the school administrator. The administrator shall immediately report the violation to a peace officer. The peace officer shall report this violation to the department of public safety for inclusion in the statewide and federal uniform crime reports prescribed in section 41-1750, subsection A, paragraph 2.

REGULATIONS

No relevant regulations found.

Other weapons

LAWS

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

B. A pupil may be expelled for continued open defiance of authority, continued disruptive or disorderly behavior, violent behavior that includes use or display of a dangerous instrument or a deadly weapon as defined in section 13-105, use or possession of a gun, or excessive absenteeism. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate.

REGULATIONS

No relevant regulations found.

Students with chronic disciplinary issues

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Attendance and truancy

LAWS

15-803. School attendance; exemptions; definitions.

B. A child who is habitually truant or who has excessive absences may be adjudicated an incorrigible child as defined in section 8-201. Absences may be considered excessive when the number of absent days exceeds ten per cent of the number of required attendance days prescribed in section 15-802, subsection B, paragraph 1.

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

B. A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in section 15-802.

15-843. Pupil disciplinary proceedings.

B. The governing board of any school district, in consultation with the teachers and parents of the school district, shall prescribe rules for the discipline, suspension and expulsion of pupils. The rules shall be consistent with the constitutional rights of pupils and shall include at least the following:

1. Penalties for excessive pupil absenteeism pursuant to section 15-803, including failure in a subject, failure to pass a grade, suspension or expulsion.

C. Penalties adopted pursuant to subsection B, paragraph 1 of this section for excessive absenteeism shall not be applied to pupils who have completed the course requirements and whose absence from school is due solely to illness, disease or accident as certified by a person who is licensed pursuant to title 32, chapter 7, 13, 15 or 17.

REGULATIONS

No relevant regulations found.

Substance use

LAWS

13-3411. Possession, use, sale or transfer of marijuana, peyote, prescription drugs, dangerous drugs or narcotic drugs or manufacture of dangerous drugs in a drug free school zone; violation; classification; definitions.

A. It is unlawful for a person to do any of the following:

1. Intentionally be present in a drug free school zone to sell or transfer marijuana, peyote, prescription-only drugs, dangerous drugs or narcotic drugs.
2. Possess or use marijuana, peyote, dangerous drugs or narcotic drugs in a drug free school zone.
3. Manufacture dangerous drugs in a drug free school zone.

B. A person who violates subsection A of this section is guilty of the same class of felony that the person would otherwise be guilty of had the violation not occurred within a drug free school zone, except that the presumptive, minimum and maximum sentence shall be increased by one year. The additional sentence imposed under this subsection is in addition to any enhanced punishment that may be applicable under section 13-703, section 13-704, section 13-708, subsection D or any provision in this chapter. A person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis

except pursuant to section 31-233, subsection A or B until the sentence imposed by the court has been served or commuted.

C. In addition to any other penalty prescribed by this title, the court shall order a person who is convicted of a violation of this section to pay a fine of not less than two thousand dollars or three times the value as determined by the court of the drugs involved in or giving rise to the charge, whichever is greater, and not more than the maximum authorized by chapter 8 of this title. A judge shall not suspend any part or all of the imposition of any fine required by this subsection.

D. Each school district's governing board or its designee, or the chief administrative officer in the case of a nonpublic school, shall place and maintain permanently affixed signs located in a visible manner at the main entrance of each school that identifies the school and its accompanying grounds as a drug free school zone.

E. The drug free school zone map prepared pursuant to title 15 shall constitute an official record as to the location and boundaries of each drug free school zone. The school district's governing board or its designee, or the chief administrative officer in the case of any nonpublic school, shall promptly notify the county attorney of any changes in the location and boundaries of any school property and shall file with the county recorder the original map prepared pursuant to title 15.

F. All school personnel who observe a violation of this section shall immediately report the violation to a school administrator. The administrator shall immediately report the violation to a peace officer. It is unlawful for any school personnel or school administrator to fail to report a violation as prescribed in this section.

G. School personnel having custody or control of school records of a student involved in an alleged violation of this section shall make the records available to a peace officer upon written request signed by a magistrate. Records disclosed pursuant to this subsection are confidential and may be used only in a judicial or administrative proceeding. A person furnishing records required under this subsection or a person participating in a judicial or administrative proceeding or investigation resulting from the furnishing of records required under this subsection is immune from civil or criminal liability by reason of such action unless the person acted with malice.

H. A person who violates subsection F of this section is guilty of a class 3 misdemeanor.

I. For the purposes of this section:

1. "Drug free school zone" means the area within three hundred feet of a school or its accompanying grounds, any public property within one thousand feet of a school or its accompanying grounds, a school bus stop or on any school bus or bus contracted to transport pupils to any school.
2. "School" means any public or nonpublic kindergarten program, common school or high school.

15-108. Medical marijuana; school campuses; prohibition; definition.

A. In addition to the limitations prescribed in section 36-2802, subsection B, a person, including a cardholder as defined in section 36-2801, may not lawfully possess or use marijuana on the campus of any public university, college, community college or postsecondary educational institution.

B. A person may not lawfully possess or use marijuana on the campus of any high school, junior high school, middle school, common school or preschool in this state.

15-345. Chemical abuse prevention policies and procedures.

The school district governing board may adopt chemical abuse prevention policies and procedures in consultation with pupils, school district personnel and members of the community, including parents and local law enforcement agencies.

REGULATIONS

No relevant regulations found.

Bullying, harassment, or hazing

LAWS

15-341. General powers and duties; immunity; delegation.

37. Prescribe and enforce policies and procedures to prohibit pupils from harassing, intimidating and bullying other pupils on school grounds, on school property, on school buses, at school bus stops, at school sponsored events and activities and through the use of electronic technology or electronic communication on school computers, networks, forums and mailing lists that include the following components:

- (a) A procedure for pupils, parents and school district employees to confidentially report to school officials incidents of harassment, intimidation or bullying. The school shall make available written forms designed to provide a full and detailed description of the incident and any other relevant information about the incident.
- (b) A requirement that school district employees report in writing suspected incidents of harassment, intimidation or bullying to the appropriate school official and a description of appropriate disciplinary procedures for employees who fail to report suspected incidents that are known to the employee.
- (c) A requirement that, at the beginning of each school year, school officials provide all pupils with a written copy of the rights, protections and support services available to a pupil who is an alleged victim of an incident reported pursuant to this paragraph.
- (d) If an incident is reported pursuant to this paragraph, a requirement that school officials provide a pupil who is an alleged victim of the incident with a written copy of the rights, protections and support services available to that pupil.
- (e) A formal process for the documentation of reported incidents of harassment, intimidation or bullying and for the confidentiality, maintenance and disposition of this documentation. School districts shall maintain documentation of all incidents reported pursuant to this paragraph for at least six years. The school shall not use that documentation to impose disciplinary action unless the appropriate school official has investigated and determined that the reported incidents of harassment, intimidation or bullying occurred. If a school provides documentation of reported incidents to persons other than school officials or law enforcement, all individually identifiable information shall be redacted.
- (f) A formal process for the investigation by the appropriate school officials of suspected incidents of harassment, intimidation or bullying, including procedures for notifying the alleged victim on completion and disposition of the investigation.
- (g) Disciplinary procedures for pupils who have admitted or been found to have committed incidents of harassment, intimidation or bullying.
- (h) A procedure that sets forth consequences for submitting false reports of incidents of harassment, intimidation or bullying.
- (i) Procedures designed to protect the health and safety of pupils who are physically harmed as the result of incidents of harassment, intimidation and bullying, including, if appropriate, procedures to contact emergency medical services or law enforcement agencies, or both.
- (j) Definitions of harassment, intimidation and bullying.

15-2301. Hazing prevention policies; definitions.

A. Every public educational institution in this state shall adopt, post and enforce a hazing prevention policy. The hazing prevention policy shall be printed in every student handbook for distribution to parents and students. Each hazing prevention policy shall include:

1. A definition of hazing pursuant to subsection C, paragraph 2 of this section.
2. A statement that hazing is prohibited.
3. A statement that any solicitation to engage in hazing is prohibited.
4. A statement that aiding and abetting another person who is engaged in hazing is prohibited.
5. A statement that it is not a defense to a violation of the hazing prevention policy if the hazing victim consented to or acquiesced in the hazing activity.
6. A statement that all students, teachers and staff shall take reasonable measures within the scope of their individual authority to prevent violations of the hazing prevention policy.
7. A description of the procedures for students, teachers and staff to report violations of the hazing prevention policy and the procedures to file a complaint for a violation of the hazing prevention policy.
8. Procedures to investigate reports of violations of the hazing prevention policy and to investigate complaints for a violation of the hazing prevention policy.
9. A description of the circumstances under which a violation of the hazing prevention policy shall be reported to the appropriate law enforcement agency.
10. A description of appropriate penalties, sanctions and appeals mechanisms for persons and organizations that violate the hazing prevention policy. The sanctions shall include the revocation or suspension of an organization's permission to conduct operations at the educational institution if the organization knowingly permitted, authorized or condoned the hazing activity. Any teacher or staff who knowingly permitted, authorized or condoned the hazing activity is subject to disciplinary action by the educational institution.

B. Violations of hazing prevention policies adopted pursuant to this section do not include either of the following:

1. Customary athletic events, contests or competitions that are sponsored by an educational institution.
2. Any activity or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program or a legitimate military training program.

C. For purposes of this section:

1. "Educational institution" means any of the following:
 - (a) A public school that provides instruction to pupils in any combination of kindergarten programs and grades one through twelve.
 - (b) A public community college or a vocational education program that provides academic instruction or training not exceeding two years' duration in the arts, sciences and humanities beyond the twelfth grade of the public or private high school course of study.
 - (c) Any public college or university that provides academic instruction beyond the twelfth grade of the public or private high school course of study and that offers any combination of baccalaureate, master's or doctoral degrees to students that complete specified academic requirements.
2. "Hazing" means any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, and in which both of the following apply:
 - (a) The act was committed in connection with an initiation into, an affiliation with or the maintenance of membership in any organization that is affiliated with an educational institution.

(b) The act contributes to a substantial risk of potential physical injury, mental harm or degradation or causes physical injury, mental harm or personal degradation.

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

4. "Student" means any person who is enrolled at an educational institution, any person who has been promoted or accepted for enrollment at an educational institution or any person who intends to enroll at or be promoted to an educational institution within the next twelve calendar months. The hazing prevention policy of the educational institution where a person has been accepted for or promoted to enrollment, or where a person intends to enroll or be promoted to within the next twelve calendar months, shall be the effective policy. A person who meets the definition of a student for purposes of this paragraph shall continue to be defined as a student for purposes of this section until the person graduates, transfers, is promoted or withdraws from the educational institution.

REGULATIONS

No relevant regulations found.

Other special infractions or conditions

LAWS

15-342.02. Dating abuse policies.

A school district governing board may prescribe and enforce policies and procedures to address incidents of dating abuse involving students at school that may be based on a model dating abuse policy.

15-507. Abuse of teacher or school employee in school; classification.

A person who knowingly abuses a teacher or other school employee on school grounds or while the teacher or employee is engaged in the performance of his duties is guilty of a class 3 misdemeanor.

REGULATIONS

No relevant regulations found.

Prevention and Behavioral Interventions (Non-Punitive)

Prevention

LAWS

15-153. School safety program oversight committee; membership; duties; report; definition.

- A. The school safety program oversight committee is established consisting of the following members:
1. Two members of the senate who are from different political parties and who are appointed by the president of the senate. These members serve as advisory members. The president of the senate shall select one member to cochair the committee.
 2. Two members of the house of representatives who are from different political parties and who are appointed by the speaker of the house of representatives. These members serve as advisory members. The speaker of the house of representatives shall select one member to cochair the committee.
 3. The governor, or the governor's designee.
 4. The superintendent of public instruction, or the superintendent's designee.
 5. A law enforcement officer who is appointed by the speaker of the house of representatives.
 6. A juvenile probation officer who is appointed by the chief justice of the supreme court.
 7. A public school principal who is appointed by the superintendent of public instruction.
 8. A representative from the field of law related education who is appointed by the governor.
- B. Members serve at the pleasure of the appointing entity.
- C. The committee shall review plans submitted by the applicants for participation in the school safety program and shall select sites that are eligible to receive funding based on school safety needs. The committee shall also review renewal applications from participating sites.
- D. The committee shall evaluate the program and report annually to the president of the senate, the speaker of the house of representatives, the governor and the joint legislative audit committee by November 1 and shall provide a copy of this report to the secretary of state.
- E. For purposes of this section, "advisory member" means a member who advises the committee but who is not eligible to vote and is not a member for the purposes of determining a quorum.

15-345. Chemical abuse prevention policies and procedures.

The school district governing board may adopt chemical abuse prevention policies and procedures in consultation with pupils, school district personnel and members of the community, including parents and local law enforcement agencies.

15-712. Instruction on alcohol, tobacco, narcotic drugs, marijuana, date rape drugs and other dangerous drugs; chemical abuse prevention programs; definitions.

A. Instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs and other dangerous drugs on the human system and instruction on the laws related to the control of these substances and the nonuse and prevention of use and abuse of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs and other dangerous drugs may be included in the courses of study in common and high schools, with emphasis on grades four through nine. Instruction on the nature and harmful effects of alcohol, tobacco, narcotic drugs, marijuana, date rape drugs and other dangerous drugs on a human fetus may be included in the courses of study in grades six through twelve. The

instruction may be integrated into existing health, science, citizenship or similar studies and shall meet the criteria for chemical abuse prevention education programs developed pursuant to subsection C of this section.

B. At the request of a school district, the department of education shall provide technical assistance to school districts that choose to implement programs to prevent chemical abuse.

LEGISLATIVE INTENT

It is the intent of the legislature that training under this Act be provided without the need for appropriation of additional state funding for that purpose.

Mandatory Youth Suicide Awareness and Prevention Training; Immunity.

(a) A school district, regional educational attendance area, and the department shall annually provide youth suicide awareness and prevention training approved by the commissioner to each teacher, administrator, counselor, and specialist who is employed by the district, regional educational attendance area, or department to provide services to students in grades seven through 12 in a public school in the state at no cost to the teacher, administrator, counselor, or specialist.

(b) The commissioner shall approve youth suicide awareness and prevention training provided under this section if the training is not less than two hours each year, meets standards for professional continuing education credit in the state, and is periodically reviewed by a qualified person or committee for consistency with generally accepted principles of youth suicide awareness and prevention. The training may be offered through videoconferencing or an individual program of study of designated materials.

(c) A person may not bring a civil action for damages against the state or a school district, or an officer, agent, or employee of the state or a school district, for a death, personal injury, or property damage that results from an act or omission in performing or failing to perform activities or duties authorized under this section. This subsection does not apply to a civil action for damages as a result of intentional misconduct with complete disregard for the safety and property of others. In this subsection, "school district" has the meaning given "district" in AS 14.17.990.

(d) The training provided or the failure to provide training under this section may not be construed to impose a specific duty of care on any person.

15-712.01. Instruction on dating abuse; definitions.

A. A school district that provides instruction in grades seven through twelve may incorporate dating abuse information that is age appropriate into the school district's existing health curriculum for pupils in grades seven through twelve that includes the following components:

1. A definition of dating abuse.
2. The recognition of dating abuse warning signs.
3. The characteristics of healthy relationships.

B. On written request to the principal of the school where a child is enrolled, the parent or guardian of a pupil who is under eighteen years of age shall be permitted to review the dating abuse information instructional materials within a reasonable time after submitting the written request.

C. For the purposes of this section:

1. "Dating abuse" means a pattern of behavior in which one person uses or threatens to use physical, sexual, verbal or emotional abuse to control the person's dating partner.
2. "Dating partner" means any person who is involved in an intimate association with another person that is primarily characterized by the expectation of affectionate involvement and that includes casual, serious and long-term dating partners.

REGULATIONS

No relevant regulations found.

Behavioral interventions and student support services**LAWS**

No relevant laws found.

REGULATIONS

No relevant regulations found.

Professional development**LAWS**

No relevant laws found.

REGULATIONS

No relevant regulations found.

Monitoring and Accountability

Formal incident reporting of conduct violations

LAWS

13-3411. Possession, use, sale or transfer of marijuana, peyote, prescription drugs, dangerous drugs or narcotic drugs or manufacture of dangerous drugs in a drug free school zone; violation; classification; definitions.

A. It is unlawful for a person to do any of the following:

1. Intentionally be present in a drug free school zone to sell or transfer marijuana, peyote, prescription-only drugs, dangerous drugs or narcotic drugs.
2. Possess or use marijuana, peyote, dangerous drugs or narcotic drugs in a drug free school zone.
3. Manufacture dangerous drugs in a drug free school zone.

F. All school personnel who observe a violation of this section shall immediately report the violation to a school administrator. The administrator shall immediately report the violation to a peace officer. It is unlawful for any school personnel or school administrator to fail to report a violation as prescribed in this section.

15-105. Use of restraint and seclusion techniques; requirements; definitions.

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

1. School personnel shall provide the pupil'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 hours after the incident.
2. Within a reasonable time following the incident, school personnel shall provide the pupil'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 pupil's dangerous behavior if there has been repeated use of restraint or seclusion techniques for the pupil 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 pupil requires a functional behavioral assessment.

E. If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a pupil, the school shall comply with the reporting, documentation and review procedures established under subsection D of this section. Notwithstanding this section, 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.

15-341. General powers and duties; immunity; delegation.

37. Prescribe and enforce policies and procedures to prohibit pupils from harassing, intimidating and bullying other pupils on school grounds, on school property, on school buses, at school bus stops, at school sponsored events and activities and through the use of electronic technology or electronic

communication on school computers, networks, forums and mailing lists that include the following components:

- (a) A procedure for pupils, parents and school district employees to confidentially report to school officials incidents of harassment, intimidation or bullying. The school shall make available written forms designed to provide a full and detailed description of the incident and any other relevant information about the incident.
- (b) A requirement that school district employees report in writing suspected incidents of harassment, intimidation or bullying to the appropriate school official and a description of appropriate disciplinary procedures for employees who fail to report suspected incidents that are known to the employee.

REGULATIONS

No relevant regulations found.

Parental notification

LAWS

15-105. Use of restraint and seclusion techniques; requirements; definitions.

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

1. School personnel shall provide the pupil'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 hours after the incident.
2. Within a reasonable time following the incident, school personnel shall provide the pupil'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.

15-807. Absence from school; notification of parent or person having custody of pupil; immunity.

A. If a pupil in a kindergarten program or grades one through eight is absent from school without excuse as provided in this article or without notice to the school in which the pupil is enrolled or authorization of the absence by the parent or other person who has custody of the pupil, the school in which the pupil is enrolled shall make a reasonable effort to promptly telephone and notify the parent or other person who has custody of the pupil of the pupil's absence from school:

1. Within two hours after the first class in which the pupil is absent for a pupil in kindergarten or grades one through six.
2. Within two hours after the first class in which the pupil is absent for a pupil in grade seven or eight if the first class in which the pupil is absent is the pupil's first class of the school day.
3. Within five hours after the first class in which the pupil is absent for a pupil in grade seven or eight if the first class in which the pupil is absent is after the pupil's first class of the school day.

B. On or before the enrollment of a pupil in a kindergarten program or grades one through eight, the school district shall notify parents or other persons who have custody of a pupil of their responsibility to authorize any absence of the pupil from school and to notify the school in which the pupil is enrolled in advance or at the time of any absence and that the school district requires that at least one telephone number, if available, be given for purposes of this section. The school district shall require that the

telephone number, if available, be given at the time of enrollment of the pupil in school and that the school of enrollment be promptly notified of any change in the telephone number.

C. A school district, governing board members of a school district and employees or agents of a school district are not liable for failure to notify the parent or other person who has custody of a pupil of the pupil's absence from school as provided in this section.

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

H. A school district or charter school may require the pupil's parent or guardian to participate in mediation, community service, restitution or other programs in which the parent or guardian takes responsibility with the pupil for the threat.

REGULATIONS

No relevant regulations found.

Reporting and referrals between schools and law enforcement

LAWS

13-3411. Possession, use, sale or transfer of marijuana, peyote, prescription drugs, dangerous drugs or narcotic drugs or manufacture of dangerous drugs in a drug free school zone; violation; classification; definitions.

A. It is unlawful for a person to do any of the following:

1. Intentionally be present in a drug free school zone to sell or transfer marijuana, peyote, prescription-only drugs, dangerous drugs or narcotic drugs.
2. Possess or use marijuana, peyote, dangerous drugs or narcotic drugs in a drug free school zone.
3. Manufacture dangerous drugs in a drug free school zone.

F. All school personnel who observe a violation of this section shall immediately report the violation to a school administrator. The administrator shall immediately report the violation to a peace officer. It is unlawful for any school personnel or school administrator to fail to report a violation as prescribed in this section.

G. School personnel having custody or control of school records of a student involved in an alleged violation of this section shall make the records available to a peace officer upon written request signed by a magistrate. Records disclosed pursuant to this subsection are confidential and may be used only in a judicial or administrative proceeding. A person furnishing records required under this subsection or a person participating in a judicial or administrative proceeding or investigation resulting from the furnishing of records required under this subsection is immune from civil or criminal liability by reason of such action unless the person acted with malice.

15-105. Use of restraint and seclusion techniques; requirements; definitions.

E. If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a pupil, the school shall comply with the reporting, documentation and review procedures established under subsection D of this section. Notwithstanding this section, 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.

15-843. Pupil disciplinary proceedings.

B. The governing board of any school district, in consultation with the teachers and parents of the school district, shall prescribe rules for the discipline, suspension and expulsion of pupils. The rules shall be consistent with the constitutional rights of pupils and shall include at least the following:

4. Procedures for dealing with pupils who have committed or who are believed to have committed a crime.

15-341. General powers and duties; immunity; delegation

A. The governing board shall:

31. Report to local law enforcement agencies any suspected crime against a person or property that is a serious offense as defined in section 13-706 or that involves a deadly weapon or dangerous instrument or serious physical injury and any conduct that poses a threat of death or serious physical injury to employees, students or anyone on the property of the school. This paragraph does not limit or preclude the reporting by a school district or an employee of a school district of suspected crimes other than those required to be reported by this paragraph. For the purposes of this paragraph, "dangerous instrument", "deadly weapon" and "serious physical injury" have the same meanings prescribed in section 13-105.

15-515. Duty to report violations occurring on school premises.

All school personnel who observe a violation of section 13-3102, subsection A, paragraph 12 or section 13-3111 on school premises shall immediately report the violation to the school administrator. The administrator shall immediately report the violation to a peace officer. The peace officer shall report this violation to the department of public safety for inclusion in the statewide and federal uniform crime reports prescribed in section 41-1750, subsection A, paragraph 2.

REGULATIONS

No relevant regulations found.

Disclosure of school records

LAWS

15-141. Educational records; injunction; special action.

C. Notwithstanding any financial debt owed by the pupil, the governing board of a school district shall release to the department of juvenile corrections all educational records relating to a pupil who is awarded to the department of juvenile corrections within ten working days after the date the request is received.

E. A school district may release pupil attendance, disciplinary and other educational records to a law enforcement agency and county attorney pursuant to an intergovernmental agreement among the school district, law enforcement agency, county attorney and other state, local or tribal government agencies to create a local or tribal governmental juvenile justice network for the purpose of:

1. Providing appropriate programs and services to intervene with juveniles currently involved in the juvenile justice system.
2. Providing appropriate programs and services designed to deter at-risk juveniles from dropping out of school or other delinquent behavior.
3. Increasing the safety and security of the community and its children by reducing juvenile crime.

F. Educational records provided pursuant to an intergovernmental agreement entered into pursuant to subsection E shall be used solely for the purposes of the agreement and shall not be disclosed to any other party, except as provided by law.

REGULATIONS

No relevant regulations found.

Data collection, review, and reporting of disciplinary policies and actions

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

School Resource and Safety Officers (SROs/SSOs) and Truant/Attendance Officers

Authority and power to implement school arrest

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Certification or training

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

MOUs, authorization, and/or funding

LAWS

15-105. Use of restraint and seclusion techniques; requirements; definitions.

E. If a school district or charter school summons law enforcement instead of using a restraint or seclusion technique on a pupil, the school shall comply with the reporting, documentation and review procedures established under subsection D of this section. Notwithstanding this section, 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.

15-155. School safety program; funding.

A. The department of education shall cooperate with the county school superintendent, the county sheriff and the local chief of police to permit a law enforcement agency, with the consent of the school, to assign a peace officer or a full authority Arizona peace officer standards and training board certified reserve peace officer to participate in the safe schools program in each school in the county. The cost of the peace officer is a state charge that is funded by the department of education.

B. In cooperation with the department of education and the county school superintendent and with the consent of the school, the presiding judge of the juvenile court may assign juvenile probation officers to participate in the safe schools program in each school in the county. The cost of juvenile probation officers is a state charge that is funded by the department of education.

15-804. Attendance officer; appointment; salary.

A. The governing board of a school district may appoint an attendance officer for the school district. The salary of the attendance officer shall be fixed by the governing board and paid from the funds of the school district.

B. If in the opinion of the governing boards of two or more school districts one officer will adequately serve such districts, such officer may be appointed by the districts jointly. His salary may be apportioned as the governing boards provide and shall be paid from the funds of the school districts.

15-805. Attendance officer; powers and duties.

A. The attendance officer may enforce the law relating to:

1. School attendance of children between the ages of six and sixteen years.
2. The provisions of section 15-802, subsection E, and section 15-803.
3. Employment of children between the ages of six and sixteen years.

B. The attendance officer may:

1. Issue a citation to an adult or child who is alleged to be in violation of laws specified in subsection A of this section to appear before a court of competent jurisdiction and shall advise the person to whom the citation is issued that failure to appear at the time and place specified in the citation may result in the issuance of a warrant for the person's arrest. A citation that is issued to a child under eighteen years of age shall require the child's parent or person having custody to appear with the child at the time and place specified in the citation. The attendance officer shall notify the child's parent or person having custody that the citation was issued and that the parent or person having custody is required to appear in court with the child and shall give proof of the notice to the court.
2. Issue a citation on an Arizona traffic ticket and complaint form for any violation of laws specified in subsection A of this section.
3. Report a violation of a law specified in subsection A of this section to the local law enforcement agency and request an investigation of the violation. The law enforcement agency shall, when sufficient cause exists, refer the matter for prosecution.
4. Enter all places where children may be employed to investigate and enforce the law.

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

I. By January 1, 2001, each school district shall establish an alternative to suspension program in consultation with local law enforcement officials or school resource officers.

REGULATIONS

No relevant regulations found.

State Education Agency Support

State model policies and implementation support

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Funding appropriations

LAWS

15-154. Public school safety program proposal; requirements; purpose; definitions.

A. A public school district or charter school may apply to participate in the school safety program as provided in this section for up to three fiscal years by submitting by April 15 a program proposal to the school safety program oversight committee. The program proposal shall contain:

1. A detailed description of the school safety needs of the public school or school district.
2. A plan for implementing a law-related education program or a plan that demonstrates the existence of a law-related education program as a school safety prevention strategy.
3. A plan to use trained school resource officers or juvenile probation officers in the schools, or both.

B. The state board of education shall administer the program in cooperation with the courts, law enforcement agencies and law-related education providers. Representatives from the state board of education shall use relevant crime statistics and shall visit schools located in school districts that submit program proposals in order to verify the information contained in the program proposals.

C. The department of education, at the direction of the state board of education, shall distribute monies to the school districts and charter schools that are in compliance with program requirements and whose plans have been approved by the school safety program oversight committee.

D. Any appropriations that are made to the department of education for the school safety program are exempt from the provisions of section 35-190 relating to the lapsing of appropriations. All monies that are not used for an approved school safety plan during the fiscal year for which the monies were appropriated revert to the department of education for distribution to the program in the following fiscal year.

E. Monies received by a school district or charter school under the program shall be spent to implement the approved plans.

F. For the purposes of this section:

1. "Law-related education" means interactive education to equip children and youth with knowledge and skills pertaining to the law, school safety and effective citizenship.
2. "Law-related education program" means a program designed to provide children and youth with knowledge, skills and activities pertaining to the law and legal process and to promote law-abiding behavior with the purpose of preventing children and youth from engaging in delinquency or violence and enabling them to become productive citizens.

REGULATIONS

No relevant regulations found.

Other or Uncategorized

Professional immunity or liability

LAWS

15-807. Absence from school; notification of parent or person having custody of pupil; immunity.

A. If a pupil in a kindergarten program or grades one through eight is absent from school without excuse as provided in this article or without notice to the school in which the pupil is enrolled of authorization of the absence by the parent or other person who has custody of the pupil, the school in which the pupil is enrolled shall make a reasonable effort to promptly telephone and notify the parent or other person who has custody of the pupil of the pupil's absence from school:

1. Within two hours after the first class in which the pupil is absent for a pupil in kindergarten or grades one through six.
2. Within two hours after the first class in which the pupil is absent for a pupil in grade seven or eight if the first class in which the pupil is absent is the pupil's first class of the school day.
3. Within five hours after the first class in which the pupil is absent for a pupil in grade seven or eight if the first class in which the pupil is absent is after the pupil's first class of the school day.

B. On or before the enrollment of a pupil in a kindergarten program or grades one through eight, the school district shall notify parents or other persons who have custody of a pupil of their responsibility to authorize any absence of the pupil from school and to notify the school in which the pupil is enrolled in advance or at the time of any absence and that the school district requires that at least one telephone number, if available, be given for purposes of this section. The school district shall require that the telephone number, if available, be given at the time of enrollment of the pupil in school and that the school of enrollment be promptly notified of any change in the telephone number.

C. A school district, governing board members of a school district and employees or agents of a school district are not liable for failure to notify the parent or other person who has custody of a pupil of the pupil's absence from school as provided in this section.

REGULATIONS

No relevant regulations found.

Community input or involvement

LAWS

15-345. Chemical abuse prevention policies and procedures.

The school district governing board may adopt chemical abuse prevention policies and procedures in consultation with pupils, school district personnel and members of the community, including parents and local law enforcement agencies.

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

I. By January 1, 2001, each school district shall establish an alternative to suspension program in consultation with local law enforcement officials or school resource officers.

REGULATIONS

No relevant regulations found.

Other or Uncategorized

LAWS

15-521. Duties of teachers.

Every teacher shall:

1. Make student learning the primary focus of the teacher's professional time.
2. Hold pupils to strict account for disorderly conduct.
3. Take and maintain daily classroom attendance.
4. Make the decision to promote or retain a pupil in grade in a common school or to pass or fail a pupil in a course in high school. Such decisions may be overturned only as provided in section 15-342, paragraph 11.
5. Comply with all rules and policies of the governing board that relate to the duties prescribed in this section.

REGULATIONS

No relevant regulations found.

State-Sponsored, Publicly Available Websites or Other Resources on School Discipline

Safe, supportive learning environments use disciplinary policies and practices that help students stay out of the justice system, while ensuring academic engagement and success for all students. The following resources provided by Arizona provide additional context to state policy and regulations and, in some cases, may support the readers' efforts to provide a positive disciplinary school climate.

| Title | Description | Website address (if applicable) |
|---|---|---|
| Website | | |
| Safe and Supportive Schools Arizona | The Safe and Supportive Schools (S3) website provides information on PBIS and prevention training. | http://www.s3az.org |
| School Safety and Prevention – Arizona Department of Education | The Arizona Department of Education's Office of School Safety and Prevention website provides information on resources available to schools for creating safe and supportive learning environments. | http://www.azed.gov/prevention-programs |
| Emergency Preparedness | Emergency management template. | http://www.azed.gov/prevention-programs/emergency-preparedness |
| School Safety Program | Guidance and resources for School Resource Officers. | http://www.azed.gov/prevention-programs/school-safety-program |
| Documents | | |
| Discipline Policy & Procedure Checklist | Checklist for discipline procedures citing Arizona state law. | https://cms.azed.gov/home/GetDocumentFile?id=5616f6fcaadebe10bc5745bf |
| AZ Safe Implementation Manual | Arizona safe implementation manual. | http://www.azed.gov/prevention-programs/az-safe/implementation-manual/ |
| Frequently Asked Questions – Discipline by the Exceptional Student Services (ESS) / Data Management | The Arizona Department of Education's Office Exceptional Student Services (ESS) website provides answers to frequently asked questions regarding disciplining individuals with disabilities. | http://www.azed.gov/special-education/files/2013/03/faqs_discipline_fy15.pdf |

| Title | Description | Website address (if applicable) |
|---|--|---|
| <i>Other Resources</i> | | |
| Community Service as an Alternative to Suspensions: A Practical Program Toolkit | This toolkit provides step-by-step guidance and materials for educators who would like to implement community service as part of alternatives to suspension in their school or district. | http://www.serviceoptions.org/Documents/manual.pdf |