

The Excel
Center



CODE OF CONDUCT AND DISCIPLINARY RESPONSE

Arizona Goodwill Education Services
THE EXCEL CENTER

EDUCATE.
EMPOWER.
EXCEL.



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Arizona Goodwill Education Services (AGES).
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THE EXCEL CENTER CODE OF CONDUCT AND DISCIPLINARY RESPONSE

The Excel Center Code of Conduct lays out expectations for the positive management of student behavior and the responses when a student acts inappropriately or causes harm.

When the atmosphere and "feel" of a school are positive, that school becomes a place that students, staff, families, and community members want to be — and where teaching and learning can thrive. All members of a school community have a role to play in creating that kind of atmosphere in a school, and all should have shared expectations about positive behavior.

The Excel Center Code of Conduct includes definitions of disciplinary responses, student rights with respect to suspensions, and descriptions of levels of intervention and response to inappropriate or disruptive behavior. Disciplinary responses focus on promoting positive relationships, restorative practices, intervention strategies, and the use of suspensions and expulsions only as a disciplinary measure of last resort and, when employed, should be implemented in a way that minimizes the time that students spend out of the classroom. All stakeholders, including students, school staff, families, and community partners, are entitled to a safe, supportive, positive, and orderly learning environment.

CODE OF CONDUCT PRINCIPLES FOR STUDENT BEHAVIOR

The Code of Conduct is based on five principles that articulate The Excel Center's expectations for student behavior:

1	My words, actions, and attitudes demonstrate respect for myself and others at all times.
2	I demonstrate pride in myself, in my future, and in my school by arriving on time, dressed appropriately, and prepared to focus on my studies.
3	I always seek the most peaceful means of resolving conflict and I obtain the assistance of teachers, administrators, or school staff when I am unable to resolve conflicts on my own.
4	I take pride in promoting a safe and clean learning environment at my school.
5	I seek positive relationships with all members of the school community and I help restore relationships with school community members that are affected by my conduct.

When students abide by these principles, the learning environment in all schools will be strengthened.

SHARED EXPECTATIONS FOR SAFE AND SUPPORTIVE LEARNING ENVIRONMENTS

EXPECTATIONS FOR STUDENTS

I will ...
<ul style="list-style-type: none">• establish and maintain positive relationships with all stakeholders to the best of my ability
<ul style="list-style-type: none">• seek developmentally-appropriate opportunities to co-construct knowledge, assume leadership roles, and partake in activities that will improve the classroom and school community
<ul style="list-style-type: none">• be proactive in promoting and working toward making school a positive, supportive, safe, and welcoming place for all
<ul style="list-style-type: none">• be respectful and courteous to fellow students and school staff
<ul style="list-style-type: none">• be knowledgeable about discipline policies, regulations, and rules
<ul style="list-style-type: none">• follow school rules and policies, and contribute to a positive school climate by behaving appropriately, even when not specifically asked to do so
<ul style="list-style-type: none">• make every reasonable effort to participate actively in any conferences, activities, interventions, or appropriate programs recommended by school staff
<ul style="list-style-type: none">• recognize how my actions affect other students and school staff, and make every reasonable effort to restore any relationships negatively affected by my behavior and actions
<ul style="list-style-type: none">• seek access to and complete make-up work while out of school for disciplinary reasons to prevent learning loss
<ul style="list-style-type: none">• avoid participating in any activity or event that intentionally or unintentionally causes harm to myself or others
<ul style="list-style-type: none">• share ideas and strategies for improving school climate and school discipline practices

EXPECTATIONS FOR STAFF

I will ...
<ul style="list-style-type: none">• become knowledgeable about discipline policies, regulations, and available resources to support students
<ul style="list-style-type: none">• prepare engaging lessons that meet the needs of diverse students
<ul style="list-style-type: none">• support students' backgrounds with regards to, but not exclusive to, culture, race, orientation, and gender identity or expression
<ul style="list-style-type: none">• strive to recognize and eliminate disproportionality in discipline, and administer discipline rules fairly, consistently, and equitably
<ul style="list-style-type: none">• reward and acknowledge the positive and appropriate conduct of students
<ul style="list-style-type: none">• make every reasonable effort to keep students in school, and implement a graduated consequences approach so that discipline is administered in a progressive fashion – the lowest possible response is used to address each incident of misbehavior as much as possible, and more intensive responses are used when behavior is repeated, as appropriate
<ul style="list-style-type: none">• communicate with and respond to students in a timely manner and in a way that is accessible and easily understood
<ul style="list-style-type: none">• expect to receive training and professional development as it relates to student discipline, restorative practices, and classroom management
<ul style="list-style-type: none">• provide students who are suspended or expelled from school with make-up work and allow them to complete the work for credit, so they do not fall behind academically
<ul style="list-style-type: none">• share and promote best practices and resources to facilitate student engagement, specific to social emotional learning and wellbeing initiatives

EXPECTATIONS FOR COMMUNITY MEMBERS

I will ...
<ul style="list-style-type: none">• share strategies with school staff that assist in promoting a restorative culture and safe environment within and around the school community
<ul style="list-style-type: none">• respect the rules of safety that have been developed specifically for the school and community
<ul style="list-style-type: none">• work with the school community to help maintain safety and order in the area surrounding the school
<ul style="list-style-type: none">• provide resources (human, financial, etc.) to support the success of school stakeholders
<ul style="list-style-type: none">• contribute to the well-being of stakeholders in and around the school community
<ul style="list-style-type: none">• identify formal and informal mentorship opportunities for students
<ul style="list-style-type: none">• establish and maintain positive relationships with all stakeholders
<ul style="list-style-type: none">• engage district and school stakeholders to discuss plans to accelerate academic and socio-emotional growth, as well as plans to address educational inequities (structural, programmatic, linguistic, cultural)
<ul style="list-style-type: none">• Intentionally seek opportunities to build relationships that are supportive and culturally responsive

APPLICATION OF THE CODE OF CONDUCT

The Code of Conduct applies to students at all times while participating in The Excel Center's learning environments, on The Excel Center's property, at any school-sponsored activity, and while traveling to and from school or any school-sponsored events. In these instances, The Excel Center may utilize interventions and responses to create and sustain a learning environment that facilitates all students' efforts to learn, including but not limited to restorative approaches, mediation, mindfulness, and suspension/expulsion.

STUDENTS WITH DISABILITIES

The Excel Center is committed to eliminating the disparate impact of discipline on students with disabilities. Additional steps must be taken when students with disabilities, including those with Individualized Education Programs (IEP) and Section 504 Plans, are disciplined. The Code of Conduct requires School Directors and school staff to follow state and federal laws concerning the discipline of students with disabilities.

COMMITMENT TO NON-DISCRIMINATION AND EQUITY

The Excel Center is committed to using the Code of Conduct equitably and without discrimination based on a student's race, color, ancestry or national origin, sex, sexual orientation, gender identity, gender expression, marital status, disability, veteran status, genetic information, age, or religion.

Furthermore, The Excel Center takes responsibility and action for removing, and actively repairing inequities to ensure positive, educational outcomes for students.

DEFINITIONS OF DISCIPLINARY RESPONSES

When students are disruptive or act inappropriately, school staff and School Directors should respond restoratively, rationally, appropriately, consistently and with equity in mind. The Code of Conduct describes five levels of possible response to inappropriate and disruptive behavior. Each inappropriate or disruptive behavior is assigned to one or more of these levels of intervention. School Directors and school staff can use only the levels suggested for each behavior.

Administrators and staff must consider all relevant circumstances, including the students' motivation, past discipline record, disability status, and personal circumstances that may have exacerbated the behavior, before selecting an appropriate intervention.

In certain circumstances, disciplinary responses that remove students from the classroom or school environment (as described in the following list) may be necessary. In these cases, The Excel Center's goal is to make sure that students continue their education, receive appropriate educational services, learn strategies to replace inappropriate behaviors, and correct any harm they may have caused to others.

Administrators should use the lowest level response that is appropriate for the behavior. Out-of-school discipline should be used as a last resort, after other interventions have been utilized. The duration of any suspensions, expulsions, and alternative settings/placements should be limited to the fewest days necessary to achieve the disciplinary goal.

<p>SHORT-TERM SUSPENSION</p>	<p>The removal of a student from school for up to, but not more than, 3 school days.</p>
<p>LONG-TERM SUSPENSION</p>	<p>The removal of a student from school for 4 to 10 school days.</p>
<p>EXTENDED SUSPENSION</p>	<p>The removal of a student from school for a period longer than 10 school days but not more than 44 school days. A student may be referred for extended suspension if (1) his or her presence in school presents an imminent threat of serious harm to other him/herself, students or staff, or (2) the student has engaged in chronic and extreme disruption of the educational process that has created a substantial barrier to learning for other students across the school day, and other available and appropriate behavioral and disciplinary interventions have been exhausted.</p>
<p>EXPULSION</p>	<p>The removal of a student from his or her regular school program for 45 school days or more. A student may only be recommended for expulsion if an extended suspension is inadequate to address the behavior and the student’s presence in school constitutes an imminent threat of serious harm to other students or staff. An expulsion may be permanent if the behavior results in serious injury or places others in substantial risk of serious injury or death.</p>
<p>IMMINENT THREAT OF SERIOUS HARM</p>	<p>A likely or immediate danger of negative and significant impact on physical, emotional, or psychological wellbeing.</p>
<p>RESTORATIVE APPROACHES</p>	<p>Practices conducted in a whole-school ethos or culture that supports peacemaking and solves conflict by building a community and addressing harm in a school setting and that: (1) are conducted by trained staff; (2) focus on repairing the harm to the community through dialogue that emphasizes individual accountability; and (3) help build a sense of belonging, safety, and social responsibility in the school community.</p>

LEVELS OF INTERVENTION AND DISCIPLINARY RESPONSE

The Excel Center recognizes the effectiveness of restorative approaches and other progressive disciplinary measures that build positive relationships. These interventions are a shift away from overly harsh and punitive disciplinary responses. Instead, they educate students about the harm caused by their actions while seeking to reunite them with the school community.

The categories shown are designed to guide teachers and administrators in using appropriate interventions and responses to teach and motivate students to exhibit positive behaviors.

LEVEL 1 – TEACHER INTERVENTIONS AND RESPONSES

<p>These interventions aim to correct behavior so students can learn and demonstrate safe and respectful actions. Teachers are encouraged to implement a variety of teaching and classroom management strategies.</p>
<ul style="list-style-type: none"> • Verbal correction
<ul style="list-style-type: none"> • Reminders and redirection
<ul style="list-style-type: none"> • Written reflection
<ul style="list-style-type: none"> • Seat change
<ul style="list-style-type: none"> • Student conference (with Teacher and Life Coach)
<ul style="list-style-type: none"> • Establish buddy teacher system
<ul style="list-style-type: none"> • Classroom system of positive reinforcement
<ul style="list-style-type: none"> • De-escalation strategies (i.e., mindfulness, reflection break, relaxation techniques, peace corner)
<ul style="list-style-type: none"> • Restorative approaches (i.e., affective statements, proactive circles, fair process)

LEVEL 2 – ADMINISTRATOR INTERVENTIONS AND RESPONSES

<p>These interventions shall involve the school administrators who aim to correct behavior by stressing the negative impact of the behavior while keeping the student in school.</p>
<ul style="list-style-type: none"> • Change in schedule or class
<ul style="list-style-type: none"> • Restorative approaches (e.g., small impromptu conversations, circle processes, restorative questions, responsive circles)
<ul style="list-style-type: none"> • Loss of privileges
<ul style="list-style-type: none"> • Behavior contracts
<ul style="list-style-type: none"> • Restitution (monetary or service-based)
<ul style="list-style-type: none"> • Mindfulness
<ul style="list-style-type: none"> • Conflict resolution by a trained adult
<ul style="list-style-type: none"> • Peer mediation
<ul style="list-style-type: none"> • Discussion with appropriate administrator
<ul style="list-style-type: none"> • Referral to student support team
<ul style="list-style-type: none"> • Referral to IEP or 504 team
<ul style="list-style-type: none"> • Mentoring
<ul style="list-style-type: none"> • Referral to substance abuse counseling
<ul style="list-style-type: none"> • Referral to student support team (see below section)

LEVEL 2 – STUDENT SUPPORT TEAM INTERVENTIONS AND RESPONSES

<p>These interventions often involve support staff, both school-based and within the broader community, and aim to engage the student’s support system to ensure successful learning and consistency of interventions and to change the conditions that contribute to the student’s inappropriate or disruptive behavior.</p>
<ul style="list-style-type: none"> • Restorative approaches including community conferencing or mediation led by or under supervision of a trained adult
<ul style="list-style-type: none"> • Mindfulness exercises led by or under supervision of a trained adult
<ul style="list-style-type: none"> • Mentoring
<ul style="list-style-type: none"> • Restitution (monetary or service-based)
<ul style="list-style-type: none"> • Conflict resolution led by or under supervision of a trained adult
<ul style="list-style-type: none"> • Peer mediation
<ul style="list-style-type: none"> • Referral to IEP or 504 team for evaluation
<ul style="list-style-type: none"> • IEP or 504 team meeting
<ul style="list-style-type: none"> • Development of Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)
<ul style="list-style-type: none"> • Referral to school-based health or mental health clinic
<ul style="list-style-type: none"> • Short-term behavioral progress reports linked to positive reinforcement
<ul style="list-style-type: none"> • Referral to an appropriate community organization
<ul style="list-style-type: none"> • Develop student support team plan

LEVEL 3 – SHORT-TERM SUSPENSION AND REFERRAL RESPONSES

<p>These interventions shall involve the removal of a student from the school environment for up to 3 days because of the severity of the behavior. The duration of the suspension, if issued, is to be limited as much as practicable while adequately addressing the behavior.</p>
<ul style="list-style-type: none"> • Student notification
<ul style="list-style-type: none"> • Short-term suspension (1-3 days)
<ul style="list-style-type: none"> • Restorative approaches including formal conferencing, conflict solution, and/or community reintegration planning
<ul style="list-style-type: none"> • Development of or revision to student support team plan
<ul style="list-style-type: none"> • Referral to IEP team or 504 team for manifestation determination for students with disabilities
<ul style="list-style-type: none"> • Revision to IEP or 504 Plan (students with disabilities) as needed
<ul style="list-style-type: none"> • Development of Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)
<ul style="list-style-type: none"> • Referral to substance abuse counseling
<ul style="list-style-type: none"> • Referral to an appropriate community organization (e.g., mentoring programs)

LEVEL 4 – LONG-TERM SUSPENSION AND REFERRAL RESPONSES

<p>These interventions shall involve the removal of a student from the school environment for a period ranging between 4 and 10 school days because of the severity of the behavior. The duration of the suspension, if issued, is to be limited as much as possible while adequately addressing the behavior.</p>
<ul style="list-style-type: none"> • Student notification
<ul style="list-style-type: none"> • Long-term suspension (4-10 days)
<ul style="list-style-type: none"> • Development of Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)
<ul style="list-style-type: none"> • Development of or revision to student support team plan
<ul style="list-style-type: none"> • Restorative approaches including formal conferencing, conflict solution, and/or community reintegration planning
<ul style="list-style-type: none"> • Referral to IEP team or 504 team for manifestation determination for students with disabilities
<ul style="list-style-type: none"> • Revision to IEP or 504 Plan as needed for students with disabilities
<ul style="list-style-type: none"> • Referral to substance abuse counseling
<ul style="list-style-type: none"> • Referral to appropriate community organization (e.g., mentoring programs)

LEVEL 5 – EXTENDED SUSPENSION, EXPULSION, AND REFERRAL RESPONSES

<p>These interventions shall involve the removal of a student from the school environment because of the severity of the behavior. These interventions focus on maintaining the safety of the school community and ending behavior that is harmful to the student or others. The duration of an extended suspension or expulsion will be limited to the least amount of time necessary to adequately address the behavior.</p>
<ul style="list-style-type: none"> • Student notification
<ul style="list-style-type: none"> • Extended suspension (11 to 44 days)
<ul style="list-style-type: none"> • Expulsion (serious behavioral infractions; 44 days or longer)
<ul style="list-style-type: none"> • Development of Functional Behavioral Assessment (FBA) and Behavioral Intervention Plan (BIP)
<ul style="list-style-type: none"> • Development of or revision to student support team plan
<ul style="list-style-type: none"> • Restorative approaches including formal conferencing, conflict solution, and/or community reintegration planning
<ul style="list-style-type: none"> • Referral to IEP team or 504 team for manifestation determination for students with disabilities
<ul style="list-style-type: none"> • Revision to IEP or 504 Plan as needed for students with disabilities
<ul style="list-style-type: none"> • Referral to substance abuse counseling
<ul style="list-style-type: none"> • Permanent expulsion for certain offenses

INAPPROPRIATE OR DISRUPTIVE BEHAVIOR MATRIX AND LEVELS OF RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>AGGRAVATED ASSAULT</p> <p>An assault (as defined below) accompanied by circumstances that make the situation severe, such as the use of a deadly weapon or dangerous instrument; causing serious physical injury to another; committing the assault knowing, or having reason to know, the victim is a peace officer or a school staff member engaging in a school-related activity. (A.R.S. 13-1204)</p>			X	X	X	X
<p>ALCOHOL (USE/POSSESSION/UNDER THE INFLUENCE)</p> <p>Use, possession, or being under the influence of alcohol on school property, at school sponsored events, and on school sponsored transportation.</p> <p>ALCOHOL (DISTRIBUTION/SALE)</p> <p>Sale or Distribution of Alcohol is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) alcohol as defined above on District property, at a District-sponsored event, or on District-provided transportation.</p>		X	X	X	X	X
<p>ARSON (OCCUPIED/UNOCCUPIED)</p> <p>Knowingly damaging a structure or property (either occupied or unoccupied) by causing a fire or explosion. (A.R.S. 13-1704, A.R.S. 13-1701)</p>		X	X	X	X	X
<p>ASSAULT</p> <p>(1) Intentionally, knowingly or recklessly causing any physical injury to another person; (2) intentionally placing another person in reasonable apprehension of imminent physical injury; or (3) knowingly touching another person with the intent to injure, insult or provoke such person. (A.R.S. 13-1203)</p>		X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>BULLYING</p> <p>Repeated acts over time that involve a real or perceived imbalance of power, with the more powerful child or group attacking those who are less powerful. Bullying may be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships). The foregoing examples are non-exhaustive of examples of bullying. Cyber-bullying includes bullying through the misuse of technology. (A.R.S. 13-1202)</p>		X	X	X	X	X
<p>CHEATING OR PLAGIARISM</p> <p>Includes the act of intentionally using information or property of another, or knowingly sharing academic information to gain an unfair advantage. To steal and pass off the ideas or words of another as one's own. This includes the unauthorized use of electronic devices.</p>	X	X				
<p>COMBUSTIBLES (USE/POSSESSION/DISTRIBUTION/SALE)</p> <p>Includes objects that are readily capable of causing bodily harm or property damage, i.e., matches, lighters, firecrackers, gasoline, and lighter fluid.</p>		X	X	X	X	X
<p>DANGEROUS INSTRUMENTS (USE/POSSESSION/DISTRIBUTION/SALE)</p> <p>Includes items that are used, attempted or threatened to be used, and/or is readily capable of causing death or physical injury to any person. Dangerous instruments include, but are not limited to, airsoft guns, B.B. guns, knife with a blade length less than 3 inches, laser pointer, letter opener, mace, paintball gun, pellet gun, razor blade or box cutter, simulated knife, Taser/stun gun, or tear gas, or other dangerous items Sale or Distribution of Dangerous Instruments is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) dangerous instruments on District property, at a District-sponsored event, or on school sponsored transportation. (A.R.S. 13-105.12)</p>		X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>DEFIANCE / DISRESPECTFUL BEHAVIOR</p> <p>Intentionally resisting or disregarding the authority of The Excel Center staff, or treating staff or any others with contempt or rudeness. This conduct includes, but is not limited to, the failure to respond to a reasonable request/follow directions, being disobedient or the refusal to identify self when requested to do so.</p>	X	X				X
<p>DISORDERLY CONDUCT</p> <p>Any act which substantially disrupts the orderly conduct of a school function, or behavior which substantially disrupts the orderly learning environment. (A.R.S. 13-2904)</p>		X	X			X
<p>DISRUPTION</p> <p>Creating disturbances in class, on campus or at school-sponsored events. Continual or repeated disruptions may warrant more severe consequences.</p>	X	X				X
<p>DRESS CODE</p> <p>The act of non-compliance with the established student dress code guidelines.</p>	X	X				
<p>DRUGS (USE/POSSESSION/UNDER THE INFLUENCE)</p> <p>Includes the act of using, possessing and/or being under the influence of chemical substances, narcotics, prescription or non-prescription medications, inhalants, controlled substances or substances that students represent to be chemical substances, narcotics or controlled substances.</p> <p>DRUGS (DISTRIBUTION/SALE)</p> <p>Distribution or Sale of Drugs as defined above is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) drugs on District property, at a District-sponsored event, or on sponsored transportation. Medical marijuana card holders may be subject to discipline if the student fails to comply with related laws and/or statutes. (A.R.S.13-3415)</p>		X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>DRUG/TOBACCO PARAPHERNALIA (USE/POSSESSION)</p> <p>Includes any apparatus or equipment used, including anything that looks like apparatus or equipment used or that can be used, intended for use or designed for use in the act of smoking, injecting, ingesting, inhaling or otherwise introducing into the human body a drug on District property, at a District-sponsored event or on District sponsored transportation. (A.R.S. 13-3415 F.1.)</p> <p>Examples include, but are not limited to: rolling papers, pipes, and electronic cigarette devices/vapes or products. Also includes any items which are used to store, package or maintain any drug or tobacco substances. If any such paraphernalia includes drug or tobacco residue, the residue will be considered a drug or tobacco pursuant to the definitions for each. Sale or Distribution of Paraphernalia is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) on District property, at a District-sponsored event or on transportation. (A.R.S. 13-3415 F.1.)</p> <p>DRUG/TOBACCO PARAPHERNALIA (DISTRIBUTION OR SALE)</p> <p>Distribution or Sale as described above of Paraphernalia is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) on District property, at a District sponsored event or on District sponsored transportation. (A.R.S. 13-3415 F.1.)</p>	X	X	X	X	X	X
<p>ELECTRONIC DEVICES</p> <p>Includes cell phones, hand-held devices, media players, watches, or other electronic items. These items must not be displayed for use during the instructional time from bell to bell, unless otherwise directed by a staff member for instructional purposes or for use as an educational resource. Electronic Devices may not interfere with the learning, safety or well-being of others. The District is not responsible for the loss, damage and/or theft of any of these types of devices.</p>	X	X	X			

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>ENDANGERMENT</p> <p>Recklessly or intentionally creating, engaging in, encouraging or failing to report any potential unsafe, dangerous or hazardous situation. Endangerment can include a risk to the health, safety and welfare of self, students and staff. Endangerment can include risk of injury, harm and death. Consequences depend on the potential severity of the endangerment. Consequences depend on the direct or indirect involvement of the endangerment, including acting as an accessory. (A.R.S. 13-1201)</p>	X	X	X	X	X	X
<p>EXTORTION</p> <p>The act of knowingly obtaining or seeking to obtain property or services, or causing or seeking to cause another to act in a manner, by means of a threat to do any of the following: (1) cause physical injury; (2) cause damage to property; (3) engage in illegal conduct; or (4) make false accusations. (A.R.S.13-1804</p>		X	X	X	X	X
<p>FIGHTING OR PHYSICAL AGGRESSION</p> <p>Mutual participation in an incident involving physical violence, where there is no major injury. The act of tussles, minor confrontations, pushing, shoving, slapping, hitting, kicking or other physical provocation.</p>	X	X	X			
<p>FIRE ALARM MISUSE</p> <p>Intentionally ringing fire alarm when there is no fire.</p>			X			
<p>FIREARM (USE/POSSESSION/DISTRIBUTION/SALE)</p> <p>Any weapon that is designed to (or may be readily converted to) expel a projectile by an explosive, or by the action of an explosive. This includes any handguns, pistol, revolver, rifle, shotgun. Any destructive device, which includes: any explosive, incendiary, or poison gas, bombs, grenades, mines, rockets, missiles, pipe bombs, firearms or similar devices designed to explode and capable of causing bodily harm or property damage. Sale or Distribution of Firearms is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) on District property, at a District-sponsored event, or on District provided transportation. (A.R.S. 13-3111, A.R.S. 13- 3101)</p>				X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>FORGERY/FALSIFICATION</p> <p>The act of falsely or fraudulently making or altering a document or a verbal, written or electronic communication, or any verbal or written communication that is intentionally false or fraudulent (i.e., dishonesty or lying, filing a false report).</p>	X	X	X			
<p>GAMBLING</p> <p>Is to risk money or anything of value on the outcome of anything involving chance.</p>	X	X	X			
<p>GANG ACTIVITY/NEGATIVE GROUP AFFILIATION</p> <p>An activity or affiliation of an ongoing loosely organized association of two or more persons, whether formal or informal, that has a common name, signs, symbols or colors, and whose members engage, either individually or collectively, in negative group activity.</p>			X	X	X	X
<p>HARASSMENT</p> <p>The intentional behavior by a student or group of students that is disturbing or threatening to another individual or group of individuals. Intentional behaviors that characterize harassment include, but are not limited to stalking, hazing, social exclusion, name calling, unwanted physical contact and unwelcome verbal or written comments, photographs graphics, and social media posts. (A.R.S. 13-2921)</p>	X	X	X	X	X	X
<p>HATE/BIAS RELATED INCIDENTS</p> <p>Any written, oral, physical or electronic communication that one could reasonably conclude was motivated, in whole or in part, by the perpetrator's bias or attitude against an individual victim or group based on perceived or actual personal characteristics.</p> <p>Examples of bias/hate related incidents include, without limitation: age, ancestry or ethnicity, disability, economic status, gender, height or weight, immigration or citizenship status, marital status, race, religion or religious practices, or sexual orientation.</p>	X	X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>HAZING</p> <p>Any intentional, knowing or reckless act committed by a student, whether individually or in concert with other persons, against another student, committed in connection with an initiation into an affiliation or membership in any organization, that is affiliated with an educational institution or when the act contributes to a substantial risk of potential physical injury, mental harm or degradation, or causes physical injury, mental harm or personal degradation. (A.R.S.15-2301)</p>		X	X	X	X	X
<p>HORSEPLAY/ROUGHHOUSING/RECKLESSNESS</p> <p>Includes rough, boisterous play or behavior.</p>	X	X	X			
<p>INDECENT EXPOSURE OR PUBLIC SEXUAL INDECENCY</p> <p>Includes, but is not limited to, exposing private areas, consensual participation in any sexual act involving physical contact, touching private areas, “depantsing” (pulling pants down or off), pulling at another’s underclothing. (A.R.S.13-1402, A.R.S.13-1403)</p>			X	X	X	X
<p>INSTIGATION</p> <p>Includes provoking, antagonizing or failing to report a fight or other dangerous, inappropriate situations. Spreading rumors, harmful gossip, recording/videotaping, social media posting and use of language or gestures that may incite another person or other people to fight are also considered forms of instigation.</p>	X	X	X	X	X	
<p>ROBBERY (WITH WEAPON/WITHOUT WEAPON)</p> <p>The taking, or attempting to take, any property of another from his/her person or immediate presence and against his/her will. Such person threatens or uses force against any person with intent to either coerce surrender of property, or to prevent resistance to such person taking or retaining property.</p>		X	X	X	X	X
<p>SALE/DISTRIBUTION OF PERSONAL PROPERTY</p> <p>The attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) personal property, goods or services on District property, at a school or District-sponsored event or on District provided transportation.</p>	X	X	X			

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>SEXUAL HARASSMENT (NO CONTACT)</p> <p>The unwelcome conduct of a sexual nature that denies or limits a student's ability to participate in or to receive benefits, services, or opportunities in the school's program. It can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.</p>	X	X	X			X
<p>SEXUAL HARASSMENT (WITH CONTACT)</p> <p>Sexual harassment with contact includes unwanted physical contact of non-sexual body parts.</p>		X	X	X	X	X
<p>SEXUAL MATERIALS</p> <p>Includes pictures, items, devices or electronic images that contain nudity or represent sexual activity that is offensive or disturbs the educational environment. This includes possession or distribution of pornographic materials.</p>	X	X	X	X	X	X
<p>TARDY</p> <p>The failure to be at a designated location at a specified time. This could include arriving to school late or leaving school early.</p>	X	X				X
<p>TECHNOLOGY MISUSE</p> <p>The failure to use hardware, software, electronic devices, web pages and networks for the intended educational use or in a manner that causes disruption at a campus or any District facility, including proxy use. See Electronic Information Systems (EIS) User Agreement. (A.R.S. 13-2316)</p>		X	X	X	X	X
<p>TECHNOLOGY/COMPUTER TAMPERING</p> <p>Computer Tampering includes, altering, damaging, deleting or destroying a computer, computer hardware or software; introducing a computer contaminant into any computer, or network; causing the disruption of a computer or network. (A.R.S. 13-2316)</p>	X	X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>THEFT</p> <p>The taking of property that belongs to another without personal confrontation, threat, violence or bodily harm. Theft does not include confiscation by school authorities of property not permitted at the school.</p> <p>NOTE: The District is NOT responsible for the loss, theft or damage of ANY personal items brought to school, including but not limited to, musical instruments, radios, headphones, cell phones, iPods, iPads, (any and all electronic devices), bicycles, etc. Any loss, theft or damage to any personal items will not be covered by District liability insurance.</p>		X	X	X	X	X
<p>THREAT, BOMB</p> <p>Threatening to cause harm using a bomb, dynamite, explosive, or arson-causing device. (A.R.S. 13-2911)</p>				X	X	X
<p>THREAT, CHEMICAL OR BIOLOGICAL</p> <p>Threatening to cause harm using dangerous chemicals or biological agents. (A.R.S. 13-2911)</p>				X	X	X
<p>THREAT, OTHER</p> <p>The incident cannot be coded in one of the above categories but did involve a school threat. This includes Death Threats. (A.R.S. 13-2911)</p>			X	X	X	X
<p>THREATENING BEHAVIOR</p> <p>When a person indicates by word or conduct, the intent to cause physical injury or serious damage to a person or their property. Repeated acts of threatening, intimidating behavior shall be considered Bullying. (A.R.S. 13-1202)</p>		X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>TOBACCO (USE/POSSESSION)</p> <p>Includes use, possession of tobacco products of any kind smoke or smokeless on District property, at a District-sponsored event, or on District-sponsored transportation. (A.R.S. 36-798.03) (e.g., cigarettes, cigars, dip, chew, snuff, twist, etc.)</p> <p>NOTE: Possession by any person of tobacco products on K-12 public, charter or private school grounds, buildings, parking lots, playing fields and vehicles, and at off-campus school-sponsored events, is a criminal offense.</p>	X	X	X	X	X	X
<p>TOBACCO (DISTRIBUTION/SALE)</p> <p>Includes tobacco products as defined above. Distribution or Sale of Tobacco is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) on District property, at a District-sponsored event, or on District-sponsored transportation. (A.R.S. 36-798.03)</p>		X	X	X	X	X
<p>TRESPASS/LOITER</p> <p>When a person enters upon, or in, school property without legal justification or without the implied or actual permission of the administration, or when a person is intentionally present on school grounds, after a reasonable request to leave, does not have any specific reason for being there, or does not have written permission to be there from anyone authorized to grant permission. (A.R.S. 13-2905)</p>		X	X	X	X	X
<p>UNAUTHORIZED ABSENCE</p> <p>An unexcused absence for at least one class period during the school day or when a student is absent from school during the hours school is in session, unless excused pursuant to A.R.S. § 15-802.</p>	X	X				X
<p>VANDALISM/DESTRUCTION OF PROPERTY (PERSONAL/SCHOOL)</p> <p>The willful act of defacing or destroying any building, fixture, vegetation or property (personal or school) either intentionally or unintentionally.</p>		X	X	X	X	X

CODE OF CONDUCT AND DISCIPLINARY RESPONSE

BEHAVIOR	LEVEL OF RESPONSE					
	1	2	3	4	5	Inform Related Service Providers
<p>VEHICLE VIOLATIONS</p> <p>Includes improper driving, operation, or parking of a vehicle on school District property without permission, parking in prohibited areas, and/or improper driving to or from campus.</p>	X	X				
<p>VERBAL ABUSE/PROFANITY/OBSCENITY</p> <p>The use of profanity, swearing or any derogatory language written or stated publicly.</p>	X	X	X	X		X
<p>VERBAL ABUSE/PROFANITY/OBSCENITY TO AN ADULT</p> <p>The use of profanity, swearing or any derogatory language written or stated publicly to an adult. (A.R.S. § 15-507)</p>	X	X	X	X	X	X
<p>WEAPON – SIMULATED (USE/POSSESSION/DISTRIBUTION/SALE)</p> <p>Any simulated firearm made of plastic, wood, metal or any other material which is a replica, facsimile, or toy version of a firearm or any object such as a stick or finger concealed under clothing and is being portrayed as a firearm.</p>	X	X	X			X
<p>WEAPONS – OTHER (USE/POSSESSION/DISTRIBUTION/SALE)</p> <p>Includes (but not limited to) a dagger, dirk, stiletto, knife with a blade at least 3 inches in length, pocket knife opened by a mechanical device, iron bar, brass knuckles, chains, billy clubs, Chinese stars, nunchakus or any incendiary devices. Distribution/Sale is the attempt or act of offering, selling, trading, procuring or distributing (with or without compensation) a weapon on District property, at a school or District-sponsored event or on District provided transportation. (A.R.S. 13-3101)</p>			X	X	X	X

DUE PROCESS

When severe or repeated violations of The Excel Center Code of Conduct occur, disciplinary action may result in extended suspension or expulsion.

EXTENDED SUSPENSION

An extended suspension is defined as the exclusion of a student from class for a period of more than ten (10) school days but not more than 44 school days.

EXPULSION

Expulsion is defined as the exclusion of a student from school permanently.

DUE PROCESS RIGHTS

Every student is entitled to due process before they may be placed on extended suspended or expelled from school.

An action concerning discipline, suspension, or expulsion of a student is not subject to title 38, chapter 3, article 3.1 (A.R.S. §38-431, et seq. "Public Meetings and Proceedings") except that the Governing Board of Directors ("Board") shall post regular notice and shall take minutes of any hearing held by the Board concerning the discipline, suspension, or expulsion of a student.

Pursuant to Arizona law, the Board may either:

1. Decide in executive session, whether to hold a hearing or to designate one or more hearing officers to hold a hearing and bring a recommendation to the board for action and whether the hearing shall be held in executive session; or
2. By policy, provide that all hearings concerning the expulsion of a pupil will be conducted before a hearing officer(s) selected from a list of hearing officers approved by the Board.

If it is determined by the administration that the alleged student misconduct is serious enough to recommend a suspension of more than ten (10) school days, notification of a formal due process hearing shall be made to the student or the parents of an incapacitated adult child at least five (5) school days prior to the hearing.

The Student or Parents of an incapacitated adult child shall be notified by certified and regular mail. Notice shall include:

- The time, date, and location of the hearing;
- A description of the alleged misconduct;
- The Board Policy or administrative regulation violated, and discipline prescribed therein; and
- A copy of A.R.S. §15-843.
- If the expulsion hearing is to be held in Executive session, the written notice must contain a statement that the Student or Parents of an incapacitated adult child may object to the decision to have the hearing held in executive session. The objection must be in writing to the Board.

The Student or Parents of an incapacitated adult child shall also be advised:

- They have a right to be represented by legal counsel;
- A statement that they shall have a right to present witnesses and cross-examine witnesses;
- Notice must be given to the appropriate campus administrator at least 48 hours before the hearing if the student or his/her parent(s) or guardian(s) shall have an attorney or other representative present;
- There shall be no more than two (2) representatives for the Student or Parents of an incapacitated adult child present in a student discipline hearing; and
- If the services of an interpreter are needed at the hearing, the Student or Parents of an incapacitated adult child shall contact the school and request an interpreter at least 48 hours before the hearing.

NOTICE OF DECISION

At the conclusion of the hearing, the Governing Board of Directors (“the Board”) may render a decision immediately or notify the student, or the parent(s) of an incapacitated adult child, within 48 hours. In either event, written notification must be made within 48 hours. The notification shall be made by certified and regular mail.

During the period of time between the alleged misconduct and the day of the hearing, the student may remain in school unless it has been determined by the appropriate administrator that they are a clear and present danger to themselves or other people.

The Board shall be notified of all extended suspensions within five (5) days of the decision.

If a pupil withdraws from school after receiving notification of possible action concerning discipline, expulsion or suspension, the Board may continue with the action after the withdrawal and may record the results of such action in the pupils permanent file pursuant to A.R.S. §15-843(E).

The final decision to expel or reinstate a student rests with the Board. There is no administrative appeal from the Board’s decision to impose discipline.

APPEAL PROCESS FOR EXTENDED SUSPENSION

Student or Parents of an incapacitated adult child have five (5) school days to appeal an extended suspension.

STEP ONE APPEAL: SCHOOL DIRECTOR

The first appeal should be written to the School Director indicating any violations of due process during the extended suspension hearing or any new evidence not presented during the hearing. Pending the resolution of such appeal(s), the student shall be returned to class or placed on In-School Suspension and be required to complete assignments unless it is determined that they are a clear and present danger to their self or others.

The School Director shall review the evidence and respond to the Student or Parents of an incapacitated adult child’s appeal within five (5) school days after receipt of the appeal letter.

STEP TWO APPEAL: EXECUTIVE DIRECTOR

Student or Parents of an incapacitated adult child may appeal extended student suspensions to the Executive Director or designee. This may be done only after the School Director decides.

Appeals to the Executive Director designee must be made within five (5) school days after receipt of a decision regarding extended suspension from the School Director.

The appeal letter must describe any objections to the hearing process, or the decision rendered to date. Upon reviewing the student file, the Executive Director may decide to conference with the Student or the Parents of an incapacitated adult child or to hold a new hearing if the review determines that the student was not afforded their due process rights. The decision or modifications of the Executive Director occurring as a result of this appeal are final and not subject to further review.

A decision for extended suspension made by the Board is not subject to appeal.



STUDENT SIGNATURE/ACKNOWLEDGEMENT

I understand and acknowledge that as a student enrolled in The Excel Center, to abide by the rules and regulations as well as the expectations set before me. This signature simply is my confirmation that I have read, understand, and agree with all materials.

Printed Name _____

Signature _____

Date ____/____/____



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