



Arizona Compilation of School Discipline Laws and Regulations

Prepared: March 31, 2023

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 March 2023. 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:



**National Center on Safe Supportive
Learning Environments**

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Arizona Revised Statutes

Title 8. Child Safety

Chapter 3. Juvenile Offenders

Article 6. Educational Rehabilitation

[8-371.](#) Educational rehabilitation; definition

Title 13. Criminal Code

Chapter 31. Weapons and Explosives

[13-3111.](#) Minors prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties; classification

Chapter 34. Drug Offenses

[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

Title 15. Education

Chapter 1. General Provisions

Article 1. General Provisions

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[15-104.](#) Mental health screening; consent; form; exemption

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Article 5. Safety Requirements

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Article 1. General Provisions

[15-515.](#) Duty to report violations occurring on school premises

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- [15-701.03](#) Health education instruction; mental health instruction
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[15-719.](#) Character education program instruction; fund

Article 3. Assessment and Accountability

- [15-746.](#) School report cards

Article 7. Alternative Education Programs

- [15-796.](#) Alternative education programs; contract with public body or private persons; definition

Chapter 8. School Attendance

Article 1. School Year and Attendance Requirements

- [15-803.](#) School attendance; exemptions; definitions
[15-807.](#) Absence from school; notification of parent or person having custody of pupil; immunity

Article 3. Suspension and Expulsion of Pupils

- [15-840.](#) Definitions
[15-841.](#) Responsibilities of pupils; expulsion; alternative education programs; community service; placement review committee
[15-842.](#) Damage to school property; suspension or expulsion of pupil; liability of parent
[15-843.](#) Pupil disciplinary proceedings; definition

Chapter 18. Hazing Prevention Policies

Article 1. General Provisions

- [15-2301.](#) Hazing prevention policies; definitions

[Title 36. Public Health and Safety](#)

Chapter 34. Behavioral Health Services

Article 3. Comprehensive Behavioral Health Service System for Children

- [36-3436.](#) Children's behavioral health services fund; exemption; use of monies
[36-3436.01.](#) School-based behavioral health services; referrals; requirements; annual report

Codes of Conduct

Authority to Develop and Establish Codes of Conduct

LAWS

15-153. Crime reporting; policies and procedures; notification; discipline.

A. Each school district governing board and charter school governing body shall prescribe and enforce policies and procedures for school personnel to report 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 an employee, student or other person on the school property. The policies shall dictate a process for employees to document and report the conduct, including specifying the employees responsible for making a report to the local law enforcement agency pursuant to section 15-341, subsection A, paragraph 30. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to policies adopted pursuant to section 15-341, subsection A, paragraph 36.

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

A. The governing board shall:

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.

15-348. Dress code policies; traditional tribal regalia; objects of cultural significance; graduation ceremonies; definitions

A. A school district governing board, a charter school governing body or any public school may not prohibit a student who is a member of a federally recognized Indian tribe or who is eligible to be enrolled as a member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony.

B. For the purposes of this section, "objects of cultural significance" and "traditional tribal regalia" include an eagle feather or eagle plume.

15-843. Pupil disciplinary proceedings; definition.

C. 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 using 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 readmitting a pupil who has been expelled or suspended for more than ten days.
7. Procedures to 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 to appeal 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.
9. Disciplinary policies for confining pupils left alone in an enclosed space. These policies shall include the following:
 - (a) A process for prior written parental notification that confinement may be used for disciplinary purposes and that is included in the pupil's enrollment packet or admission form.
 - (b) A process for prior written parental consent before confinement is allowed for any pupil in the school district. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.
10. Procedures that require the school district to annually report to the department of education in a manner prescribed by the department the number of suspensions and expulsions that involve the possession, use or sale of an illegal substance under title 13, chapter 34 and the type of illegal substance involved in each suspension or expulsion. The department of education shall compile this information and annually post the information on its website. The information shall comply with the family educational rights and privacy act of 1974 (P.L. 93-380; 88 Stat. 57; 20 United States Code section 1232g) shall not include personally identifiable information and shall show the number of suspensions and expulsions associated with each illegal substance aggregated statewide and by county.

REGULATIONS

No relevant regulations found.

Scope

LAWS

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

A. The governing board shall:

36. 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.

15-348. Dress code policies; traditional tribal regalia; objects of cultural significance; graduation ceremonies; definitions

A. A school district governing board, a charter school governing body or any public school may not prohibit a student who is a member of a federally recognized Indian tribe or who is eligible to be enrolled as a member of a federally recognized Indian tribe from wearing traditional tribal regalia or objects of cultural significance at a graduation ceremony.

B. For the purposes of this section, "objects of cultural significance" and "traditional tribal regalia" include an eagle feather or eagle plume.

REGULATIONS

No relevant regulations found.

Communication of Policy

LAWS

15-153. Crime reporting; policies and procedures; notification; discipline.

C. On or before January 1, 2020, each school district or charter school shall post the policies and procedures prescribed by this section on its website. If the school district or charter school maintains an online manual of policies and procedures, the school district or charter school may post a link to that manual with a reference to the appropriate policies and procedures.

15-843. Pupil disciplinary proceedings; definition.

N. The principal of each school shall ensure that a copy of all rules pertaining to discipline, suspension and expulsion of pupils is distributed to the parents of each pupil at the time the pupil is enrolled in school.

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

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.

REGULATIONS

No relevant regulations found.

In-School Discipline

Discipline Frameworks

LAWS

15-843. Pupil disciplinary proceedings; definition.

A. An action concerning discipline, suspension or expulsion of a pupil is not subject to title 38, chapter 3, article 3.1,1 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:

1. Penalties for excessive pupil absenteeism pursuant to § 15-803, including failure in a subject, failure to pass a grade, suspension or expulsion.
2. Procedures for using 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 readmitting 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.
9. Disciplinary policies for confining pupils left alone in an enclosed space. These policies shall include the following:
 - (a) A process for prior written parental notification that confinement may be used for disciplinary purposes and that is included in the pupil's enrollment packet or admission form.
 - (b) A process for prior written parental consent before confinement is allowed for any pupil in the school district. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.
10. Procedures that require the school district to annually report to the department of education in a manner prescribed by the department the number of suspensions and expulsions that involve the possession, use or sale of an illegal substance under title 13, chapter 342 and the type of illegal substance involved in each suspension or expulsion. The department of education shall compile this information and annually post the information on its website. The information shall comply with the family educational rights and privacy act of 1974 (P.L. 93-380; 88 Stat. 57; 20 United States Code § 1232g) shall not include personally identifiable information and shall show the number of suspensions and expulsions associated with each illegal substance aggregated statewide and by county.

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 17.3.

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; definition.

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. [...]

I. 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.

Conditions on Use of Certain Forms of Discipline

Corporal Punishment

LAWS

15-843. Pupil disciplinary proceedings; definition.

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 using 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.

REGULATIONS

No relevant regulations found.

Search and Seizure

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

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.

15-843. Pupil disciplinary proceedings; definition.

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:

9. Disciplinary policies for confining pupils left alone in an enclosed space. These policies shall include the following:

(a) A process for prior written parental notification that confinement may be used for disciplinary purposes and that is included in the pupil's enrollment packet or admission form.

(b) A process for prior written parental consent before confinement is allowed for any pupil in the school district. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used.

REGULATIONS

No relevant regulations found.

Exclusionary Discipline: Suspension, Expulsion, and Alternative Placement

Grounds for Suspension or Expulsion

LAWS

15-342. Discretionary powers.

The governing board may:

1. Expel pupils for misconduct.

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.

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 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. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate. Any expulsions of pupils in a kindergarten program and grades one through four must comply with Section 15-843, Subsection K.

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

- A. Except as provided in section 15-843, Subsection K, A pupil who cuts, defaces or otherwise injures any school property may be suspended or expelled.
- B. On complaint of the governing board, the parents or guardians of minors who have injured school property are liable for all damages caused by their children or wards.

REGULATIONS

No relevant regulations found.

Limitations or Conditions on Exclusionary Discipline

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, 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 as defined in section 13-2911 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.

Due Process

LAWS

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

D. A school district annually or on the request of any pupil or the parent or guardian, may review the reasons for the pupil's expulsion and consider 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. [...]

7. Procedures to 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 to appeal 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. [...]

F. In all actions 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, the hearing 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.

H. This section does not prevent the pupil who is subject to expulsion or suspension, and the pupil's parents or guardians and legal counsel, from attending any executive session pertaining to the proposed disciplinary action, from having access to the minutes and testimony of the executive session or from recording the session at the parent's or guardian's expense.

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:

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.

REGULATIONS

No relevant regulations found.

Return to School Following Removal

LAWS

8-371. Educational rehabilitation; definition.

A. Juveniles who are subject to the supervision of a probation officer pursuant to an order of the juvenile court, or who are otherwise eligible for absolute discharge or conditional liberty from the department of juvenile corrections in accordance with section 41-2816, shall, as a condition of probation or liberty, be required to do one of the following:

1. Attend school in order to obtain vocational training or to achieve an appropriate educational level as prescribed in consultation with the school the juvenile attends by the juvenile's probation officer or by the department of juvenile corrections. If the juvenile fails to attend school regularly, maintain appropriate school behavior, or make satisfactory progress as determined in consultation with the school by the probation officer or department of juvenile corrections as specified in subsection C of this section and the juvenile does not meet the requirements of paragraph 2 of this subsection:

- (a) If the juvenile court retains jurisdiction, the juvenile court shall take appropriate action to enforce, modify or revoke its order granting probation.

- (b) If the department of juvenile corrections retains jurisdiction, the department shall act to enforce, modify or revoke its order granting conditional liberty.

2. Attend an on-the-job training program or secure and maintain employment. If the juvenile fails to attend the program or maintain employment and does not meet the requirements of paragraph 1 of this subsection:

- (a) If the juvenile court retains jurisdiction, the juvenile court shall take appropriate action to enforce, modify or revoke its order granting probation.

- (b) If the department of juvenile corrections retains jurisdiction, the department shall act to enforce, modify or revoke its order granting conditional liberty.

B. Subsection A of this section does not apply to juveniles who pass the general educational development test or earn a high school diploma. Subsection A, paragraph 2 of this section does not apply to a juvenile required to attend school under section 15-802.

C. If the juvenile chooses to meet the requirements of subsection A of this section by attending a public school:

1. If the juvenile had previously been expelled from school, prior to readmission of that juvenile to the school, school officials shall meet with the appropriate juvenile court probation officer or department of juvenile corrections case manager and assist in developing conditions of probation or conditional liberty that will provide specific guidelines for behavior and consequences for misbehavior at school as well as educational objectives that must be achieved. If the juvenile is under the jurisdiction of the juvenile court, the court shall review the conditions of probation for the juvenile and may continue the expulsion or return the child to school under the agreed conditions. If the juvenile is under the jurisdiction of the department of juvenile corrections, the department shall review the terms of conditional liberty for the juvenile and may continue the expulsion or return the child to school under the agreed conditions. The governing board may expel the juvenile for subsequent actions as provided in title 15, chapter 8, article 3.

2. The juvenile shall on release be screened by the school to which the juvenile is admitted for possible disabilities as provided in section 15-761, paragraph 2 and, if the screening so indicates, be referred for evaluation for possible placement in a special education program.

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

D. A school district annually or on the request of any pupil or the parent or guardian, may review the reasons for the pupil's expulsion and consider readmission. [...]

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 after 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.

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:

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

REGULATIONS

No relevant regulations found.

Alternative Placements

LAWS

15-342. Discretionary powers.

The governing board may:

20. Establish alternative educational programs that are consistent with the laws of this state to educate pupils, including pupils who have been reassigned pursuant to section 15-841, subsection E or F.

15-796. Alternative education programs; contract with public body or private persons; definition.

A. The governing board of a school district may contract with any public body or private person for the purpose of providing alternative education programs or alternative schools.

B. On the approval of the parent or guardian of a student or of a student who is an emancipated person, the superintendent of a school district may recommend to the governing board the placement of the student in an alternative education program or alternative school as provided in this article.

C. An alternative education program or alternative school may deliver the annual required instructional time or instructional hours prescribed in section 15-797, subsection d or any other section to students on any day of the week.

D. An alternative education program or alternative school may enroll and begin to receive funding for a student without a withdrawal form from the student's previous school if the withdrawal has been verified in the student accountability information system and the alternative education program or alternative school retains electronic documentation validating the withdrawal.

E. Notwithstanding any other law, if the previous school of a student who is enrolled in an alternative education program or alternative school incorrectly codes the student as a graduate in the student accountability information system, the alternative education program or alternative school in which the student is currently enrolled may continue to enroll the student. On notification that a student who has

been incorrectly coded as a graduate is enrolled in an alternative education program or alternative school, the department of education shall allocate funding for the student beginning on the date of the student's enrollment in the alternative education program or alternative school.

F. For the purposes of this section:

1. "Alternative education" means the modification of the school course of study and adoption of teaching methods, materials and techniques, including using any instructional time models pursuant to section 15-901.08, to provide educationally for S in grades six through twelve who are unable to profit from the regular school course of study and environment.

2. "Student accountability information system" means the student accountability information system established by section 15-1041.

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 I of this section and if good cause exists for expulsion or for a long-term suspension.

F. A school district may reassign a pupil to an alternative education 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 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 as defined in section 13-2911 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.

15-843. Pupil disciplinary proceedings; definition.

P. School districts may refer a pupil who has been subject to discipline, suspension or expulsion pursuant to this section to a career and college readiness program for at-risk students established pursuant to section 15-707

REGULATIONS

No relevant regulations found.

Discipline Addressing Specific Code of Conduct Violations

Firearms and Other Weapons Violations

LAWS

13-3111. Minors prohibited from carrying or possessing firearms; exceptions; seizure and forfeiture; penalties; classification.

A. Except as provided in subsection B, an unemancipated person who is under eighteen years of age and who is unaccompanied by a parent, grandparent or guardian, or a certified hunter safety instructor or certified firearms safety instructor acting with the consent of the unemancipated person's parent or guardian, shall not knowingly carry or possess on his person, within his immediate control, or in or on a means of transportation a firearm in any place that is open to the public or on any street or highway or on any private property except private property owned or leased by the minor or the minor's parent, grandparent or guardian.

B. This section does not apply to a person who is fourteen, fifteen, sixteen or seventeen years of age and who is any of the following:

1. Engaged in lawful hunting or shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
2. Engaged in lawful transportation of an unloaded firearm for the purpose of lawful hunting.
3. Engaged in lawful transportation of an unloaded firearm between the hours of 5:00 a.m. and 10:00 p.m. for the purpose of shooting events or marksmanship practice at established ranges or other areas where the discharge of a firearm is not prohibited.
4. Engaged in activities requiring the use of a firearm that are related to the production of crops, livestock, poultry, livestock products, poultry products, or ratites or in the production or storage of agricultural commodities.

C. If the minor is not exempt under subsection B and is in possession of a firearm, a peace officer shall seize the firearm at the time the violation occurs.

D. In addition to any other penalty provided by law, a person who violates subsection A shall be subject to the following penalties:

1. If adjudicated a delinquent juvenile for an offense involving an unloaded firearm, a fine of not more than two hundred fifty dollars, and the court may order the suspension or revocation of the person's driver license until the person reaches eighteen years of age. If the person does not have a driver license at the time of the adjudication, the court may direct that the department of transportation not issue a driver license to the person until the person reaches eighteen years of age.
2. If adjudicated a delinquent juvenile for an offense involving a loaded firearm, a fine of not more than five hundred dollars, and the court may order the suspension or revocation of the person's driver license until the person reaches eighteen years of age. If the person does not have a driver license at the time of the adjudication, the court may direct that the department of transportation not issue a driver license to the person until the person reaches eighteen years of age.
3. If adjudicated a delinquent juvenile for an offense involving a loaded or unloaded firearm, if the person possessed the firearm while the person was the driver or an occupant of a motor vehicle, a fine of not more than five hundred dollars and the court shall order the suspension or revocation of the person's driver license until the person reaches eighteen years of age. If the person does not have a driver license at the time of adjudication, the court shall direct that the department of transportation not issue a driver license to the person until the person reaches eighteen years of age. If the court finds that

no other means of transportation is available, the driving privileges of the child may be restricted to travel between the child's home, school and place of employment during specified periods of time according to the child's school and employment schedule.

E. Firearms seized pursuant to subsection C shall be held by the law enforcement agency responsible for the seizure until the charges have been adjudicated or disposed of otherwise or the person is convicted. Upon adjudication or conviction of a person for a violation of this section, the court shall order the firearm forfeited. However, the law enforcement agency shall return the firearm to the lawful owner if the identity of that person is known.

F. If the court finds that the parent or guardian of a minor found responsible for violating this section knew or reasonably should have known of the minor's unlawful conduct and made no effort to prohibit it, the parent or guardian is jointly and severally responsible for any fine imposed pursuant to this section or for any civil actual damages resulting from the unlawful use of the firearm by the minor.

G. This section is supplemental to any other law imposing a criminal penalty for the use or exhibition of a deadly weapon. A minor who violates this section may be prosecuted and adjudicated delinquent for any other criminal conduct involving the use or exhibition of the deadly weapon.

H. A person who violates subsection A is guilty of a class 6 felony.

15-153. Crime reporting; policies and procedures; notification; discipline.

A. Each school district governing board and charter school governing body shall prescribe and enforce policies and procedures for school personnel to report 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 an employee, student or other person on the school property. The policies shall dictate a process for employees to document and report the conduct, including specifying the employees responsible for making a report to the local law enforcement agency pursuant to section 15-341, subsection A, paragraph 30. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to policies adopted pursuant to section 15-341, subsection A, paragraph 36.

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

A. The governing board shall:

23. Notwithstanding sections 13-3108 and 13-3120, prescribe and enforce policies and procedures that prohibit a person from carrying or possessing a weapon on school grounds unless the person is a peace officer or has obtained specific authorization from the school administrator. [...]

30. 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.

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 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. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate. Any expulsions of pupils in a kindergarten program and grades one through four must comply with section 15-843, subsection k.

REGULATIONS

No relevant regulations found.

Students with Chronic Disciplinary Issues

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Chronic Absenteeism and Truancy

LAWS

15-803. School attendance; exemptions; definitions.

A. It is unlawful for any child who is between six and sixteen years of age to fail to attend school during the hours school is in session, unless either:

1. The child is excused pursuant to section 15-802, subsection D or section 15-901, subsection A, paragraph 5, subdivision (c).
2. The child is accompanied by a parent or a person authorized by a parent.
3. The child is provided with instruction in a homeschool.

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.

C. For the purposes of this section:

1. "Habitually truant" means a truant child who is truant for at least five school days within a school year.
2. "Truant" means an unexcused absence for at least one class period during the day.
3. "Truant child" means a child who is between six and sixteen years of age and who is not in attendance at a public or private school during the hours that school is in session, unless excused as provided by this section.

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.

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 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. A school district may expel pupils for actions other than those listed in this subsection as the school district deems appropriate. Any expulsions of pupils in a kindergarten program and grades one through four must comply with section 15-843, subsection k.

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, 14, 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. [...]

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.

15-345. 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.

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.

C. The department of education and the department of health services, in consultation with the committee established pursuant to section 41-617, shall establish an interagency committee to coordinate their assistance to school districts.

D. The state board of education may accept gifts and grants and shall distribute them and monies appropriated for chemical abuse prevention programs to school districts to assist with the costs of programs designed to prevent chemical abuse by pupils in kindergarten programs and grades one through twelve. School districts which have approved chemical abuse prevention policies and procedures as prescribed in section 15-345 are eligible for a maximum of one dollar for each pupil or one thousand dollars, whichever is more. If sufficient monies are not available to meet all requests, the state board shall determine which school districts to fund based on need, availability of other programs or sources of revenue and the likelihood of the school district's proposed program successfully meeting needs identified by the school district. A school district shall include the monies it receives for chemical abuse prevention programs under this section in the special projects section of the budget as provided in section 15-903, subsection F.

REGULATIONS

No relevant regulations found.

Gang-related Activity

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Bullying, Harassment, or Hazing

LAWS

15-153. Crime reporting; policies and procedures; notification; discipline.

A. Each school district governing board and charter school governing body shall prescribe and enforce policies and procedures for school personnel to report 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 an employee, student or other person on the school property. The policies shall dictate a process for employees to document and report the conduct, including specifying the employees responsible for making a report to the local law enforcement agency pursuant to section 15-341, subsection A, paragraph 30. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to policies adopted pursuant to section 15-341, subsection A, paragraph 36.

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

A. The governing board shall:

36. 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 and the alleged victim's parent or guardian when a school official or employee becomes aware of the suspected incident of harassment, intimidation or bullying.

(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. [...]

44. In addition to the notification requirements prescribed in paragraph 36 of this subsection, prescribe and enforce reasonable and appropriate policies to notify a pupil's parent or guardian if any person engages in harassing, threatening or intimidating conduct against that pupil. A school district and its officials and employees are immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of the requirements of this paragraph, except in cases of gross negligence or wanton or wilful neglect. A person engages in threatening or intimidating if the person threatens or intimidates by word or conduct to cause physical injury to another person or serious damage to the property of another on school grounds. A person engages in harassment if, with intent to harass or with knowledge that the person is harassing another person, the person anonymously or otherwise contacts, communicates or causes a communication with another person by verbal, electronic, mechanical, telephonic or written means in a manner that harasses on school grounds or substantially disrupts the school environment.

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:

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.

REGULATIONS

No relevant regulations found.

Dating and Relationship Violence

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.

15-712.01. 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.

Prevention, Behavioral Intervention, and Supports

State Model Policies and Implementation Support

LAWS

15-154. School safety program; purpose; program proposals; requirements; annual report; program termination; definitions.

D. The department of education shall review and administer the school resource officers and juvenile probation officers program proposals in cooperation with the courts, law enforcement agencies and law-related education providers awarded a contract pursuant to section 41-2534, subject to review and approval by the state board of education. The department of education shall use relevant crime statistics to assess the needs of each program proposal and shall visit school districts and charter schools that submit program proposals in order to verify the information contained in the program proposals. The department of education shall contract to provide guidelines, curricula and support resources for school resource officers and juvenile probation officers to use in implementing a law-related education program.

15-154.01. Character education matching grant program.

A. Any public or charter school that teaches a character education curriculum pursuant to section 15-719 is eligible for a state matching grant. The school shall provide matching monies from any lawful source, except that the school shall not use resources obtained from a federal character education grant as matching monies to obtain a second state character education grant.

B. The character education program shall be an age-specific, stand-alone character education curriculum with the following elements:

1. Applicable definitions for character qualities that include at least five of the following attributes:

- (a) Attentiveness.
- (b) Caring.
- (c) Citizenship.
- (d) Compassion.
- (e) Diligence.
- (f) Discernment.
- (g) Forgiveness.
- (h) Generosity.
- (i) Gratefulness.
- (j) Initiative.
- (k) Orderliness.
- (l) Respect.
- (m) Responsibility.
- (n) Sincerity.
- (o) Trustworthiness.
- (p) Virtue.
- (q) Wisdom.

2. Activities that provide a forum for practical application and an environment in which character-related behavior is identified, recognized and reinforced, such as literature or visual media presentations or discussion of character values as they relate to a specific story.

3. Stories from the lives of our nation's leaders in which character qualities are demonstrated.

4. Mentors or teachers who demonstrate the character qualities defined in the lessons presented.
5. Mentor and teacher training for praising students who demonstrate specific character qualities.
6. A precourse and postcourse survey of parents, teachers and students on their assessment of the program.

C. The department of education shall administer the program and distribute the state matching grant monies. The department may annually retain up to seven per cent of the state matching grant monies for the cost of administering the program. Programs must demonstrate proven and effective curriculum and training to receive matching grant funds.

D. The department of education shall distribute the state matching grant monies under this section for services provided by organizations that have been previously preapproved as providers of proven and effective programs. Grant applications submitted by schools:

1. Shall be submitted to the department of education and shall list a selected preapproved program provider.
2. Shall be fairly and objectively reviewed and approved by a technical evaluation team that is appointed by the procurement division of the department of education and that is composed of representatives from the department of education, the education community, the business community and nonprofit organizations.
3. Are subject to the procurement laws of this state.

E. The department of education shall apply for all applicable character education grants from the federal government.

F. The department of education shall evaluate the effectiveness of all character education programs funded by state and federal resources.

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

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.

REGULATIONS

No relevant regulations found.

Multi-tiered Frameworks and Systems of Support

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Prevention

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Social-emotional Learning (SEL)

LAWS

15-154.01. Character education matching grant program.

A. Any public or charter school that teaches a character education curriculum pursuant to section 15-719 is eligible for a state matching grant. The school shall provide matching monies from any lawful source, except that the school shall not use resources obtained from a federal character education grant as matching monies to obtain a second state character education grant.

B. The character education program shall be an age-specific, stand-alone character education curriculum with the following elements:

1. Applicable definitions for character qualities that include at least five of the following attributes:

- (a) Attentiveness.
- (b) Caring.
- (c) Citizenship.
- (d) Compassion.
- (e) Diligence.
- (f) Discernment.
- (g) Forgiveness.
- (h) Generosity.
- (i) Gratefulness.
- (j) Initiative.
- (k) Orderliness.
- (l) Respect.
- (m) Responsibility.
- (n) Sincerity.
- (o) Trustworthiness.
- (p) Virtue.
- (q) Wisdom.

2. Activities that provide a forum for practical application and an environment in which character-related behavior is identified, recognized and reinforced, such as literature or visual media presentations or discussion of character values as they relate to a specific story.

3. Stories from the lives of our nation's leaders in which character qualities are demonstrated.

4. Mentors or teachers who demonstrate the character qualities defined in the lessons presented.

5. Mentor and teacher training for praising students who demonstrate specific character qualities.

6. A precourse and postcourse survey of parents, teachers and students on their assessment of the program.

C. The department of education shall administer the program and distribute the state matching grant monies. The department may annually retain up to seven per cent of the state matching grant monies for the cost of administering the program. Programs must demonstrate proven and effective curriculum and training to receive matching grant funds.

D. The department of education shall distribute the state matching grant monies under this section for services provided by organizations that have been previously preapproved as providers of proven and effective programs. Grant applications submitted by schools:

- 1. Shall be submitted to the department of education and shall list a selected preapproved program provider.
- 2. Shall be fairly and objectively reviewed and approved by a technical evaluation team that is appointed by the procurement division of the department of education and that is composed of

representatives from the department of education, the education community, the business community and nonprofit organizations.

3. Are subject to the procurement laws of this state.

E. The department of education shall apply for all applicable character education grants from the federal government.

F. The department of education shall evaluate the effectiveness of all character education programs funded by state and federal resources.

15-719. Character education program instruction; fund.

A. Each common, high and unified school district and charter school may provide instruction to kindergarten programs through the twelfth grade on character development.

B. Each district may develop its own course of study for each grade. At a minimum, the character education program must include:

1. Instruction in the definition and application of at least six of the following character traits: truthfulness, responsibility, compassion, diligence, sincerity, trustworthiness, respect, attentiveness, obedience, orderliness, forgiveness, virtue, fairness, caring, citizenship and integrity.

2. The use of activities, discussions and visual media and literacy presentations to illustrate and reinforce the application of the character traits.

3. Presentations by teachers or mentors who demonstrate the character traits.

C. At the request of the school district or charter school, the department of education may certify that the school district or charter school has a character development instruction program that meets all of the requirements in subsection B of this section.

D. Parents may elect for their child not to participate in the program.

E. The school district or charter school may accept donations or charge fees for the program if the program is not offered during regular school hours.

F. A character education special plate fund is established consisting of monies received pursuant to section 28-2421. The department of education shall administer the fund. Not more than ten per cent of monies deposited in the fund annually shall be used for the cost of administering the fund. Monies in the fund are continuously appropriated. Monies from the fund shall be annually distributed by the department by July 1.

G. The character education and development division at the department of education shall allocate monies through at least two but no more than four private character education foundations that are incorporated nonprofit corporations in this state and that are qualified under section 501(c)(3) of the United States internal revenue code for federal income tax purposes. The director of the character education and development division at the department of education shall select private character education foundations that provide character education programs that demonstrate proven and effective research based curriculum and training to receive monies from the character education special plate fund.

H. On notice from the department of education, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund.

I. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations.

REGULATIONS

No relevant regulations found.

Trauma-informed Practices

LAWS

No relevant laws found.

REGULATIONS

No relevant regulations found.

Mental Health Literacy Training

LAWS

15-701.03. Health education instruction; mental health instruction

In adopting the course of study and competency requirements pursuant to sections 15-701 and 15-701.01, the state board of education shall require that all health education instruction include mental health instruction. Mental health instruction may be included in a health course or another existing course and shall incorporate the multiple dimensions of health by including mental health and the relationship of physical and mental health to enhance student understanding, social and emotional learning, attitudes and behavior that promote health and well-being. In adopting the mental health instruction requirement, the state board of education shall consult with the following:

1. Mental health experts, including representatives from the department of health services.
2. Mental health advocacy organizations that are based in this state.
3. The department of education.

REGULATIONS

No relevant regulations found.

School-based Behavioral Health Programs

LAWS

15-104. Mental health screening; consent; form; exemption.

A. Before it conducts a mental health screening on any pupil, defined as a survey, analysis or evaluation created by a governmental or private third party pursuant to the protection of pupil rights amendment (20 United States Code section 1232h; 34 Code of Federal Regulations part 98), a school district or charter school must have obtained the written consent of the pupil's parent or legal guardian. The written consent must satisfy all of the following requirements:

1. Contain language that clearly explains the nature of the screening program and when and where the screening will take place.
2. Be signed by the pupil's parent or legal guardian.
3. Provide notice that a copy of the actual survey, analysis or evaluation questions to be asked of the student is available for inspection upon request by the parent or legal guardian.

B. The chemical abuse and related gang activity survey conducted by the Arizona criminal justice commission pursuant to section 41-2416 is exempt from the provisions of this section if the survey does not include questions related to depression or religiosity.

15-154. School safety program; purpose; program proposals; requirements; annual report; program termination; definitions.

A. The school safety program is established within the department of education to support, promote and enhance safe and effective learning environments for all students by supporting the costs of placing school resource officers, juvenile probation officers, school counselors and school social workers on

school campuses. A 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 department of education. A school district or charter school that receives approval for a three-year program under this subsection may annually submit a modified spending plan for its approved program. [...]

E. The department of education shall review and administer the school counselors and school social workers program proposals in cooperation with school administrators, principals, teachers, parents and community mental health professionals. The department of education shall use relevant school-level academic, social and emotional statistics to assess the needs of each program proposal and shall visit school districts and charter schools that submit program proposals in order to verify the information contained in the program proposals.

36-3436. Children's behavioral health services fund; exemption; use of monies.

C. The administration shall enter into an agreement with one or more contractors for children's behavioral health services using monies from the children's behavioral health services fund to pay for behavioral health services for children. To be eligible to receive behavioral health services paid by the fund, an individual must meet all of the following conditions:

3. Be referred for behavioral health services by an educational institution.
4. Have written parental consent to obtain the behavioral health services.
6. Receive the behavioral health services on or off school grounds.

36-3436.01. School-based behavioral health services; referrals; requirements; annual report.

A. Before a school provides school-based referrals for behavioral health services to a contracted behavioral health services provider either pursuant to the children's behavioral health services fund established by section 36-3436 or for services provided through the Arizona health care cost containment system, the school district governing board or charter school governing body shall adopt policies relating to school-based referrals. These policies shall be vetted at a public meeting in which the school district governing board or charter school governing body considers any comments submitted by the public before the governing board or governing body adopts the policies. The school district governing board or charter school governing body shall post the policies adopted pursuant to this section on each applicable school website. The policies shall include the following:

1. A process to allow a parent to annually opt into the school-based referrals.
2. A process to conduct a survey of parents whose children were referred to and received behavioral health services pursuant to this section. The survey may be completed online. The survey shall include at least the following:
 - (a) Whether the parent opted into the program.
 - (b) Whether the parent was notified before the referral took place.
 - (c) Whether the behavioral health services referred were appropriate to meet the student's need.
 - (d) Whether the parent is satisfied with the choice of behavioral health services providers.
 - (e) Whether the parent intends to opt into a program again in the following school year.
3. A requirement that each school's website contain a list of behavioral health services providers with whom the school contracts.

B. At the end of each school year, each participating school district and charter school shall report to the administration the school survey results.

C. The administration shall compile a report based on the surveys received from participating school districts and charter schools as well as utilization data for behavioral health services received pursuant to the children's behavioral health services fund established by section 36-3436. On or before December 31 each year, the administration shall provide the report to the governor, the president of the senate and the

speaker of the house of representatives and provide a copy of the report to the secretary of state. The report shall include at least all of the following information:

1. The number of students served.
2. The types of behavioral health services provided.
3. The costs of the behavior health services provided.

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.

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.

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.

15-153. Crime reporting; policies and procedures; notification; discipline.

A. Each school district governing board and charter school governing body shall prescribe and enforce policies and procedures for school personnel to report 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 an employee, student or other person on the school property. The policies shall dictate a process for

employees to document and report the conduct, including specifying the employees responsible for making a report to the local law enforcement agency pursuant to section 15-341, subsection A, paragraph 30. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to policies adopted pursuant to section 15-341, subsection A, paragraph 36.

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

A. The governing board shall:

36. 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 and the alleged victim's parent or guardian when a school official or employee becomes aware of the suspected incident of harassment, intimidation or bullying.

15-843. Pupil disciplinary proceedings; definition.

K. Unless required by section 15-841, subsection g, a school district or charter school may suspend or expel a pupil who is enrolled in a kindergarten program, first grade, second grade, third grade or fourth grade only if all of the following apply:

1. The pupil is seven years of age or older.

2. The pupil engaged in conduct on school grounds that meets one of the following criteria:

(a) involves the possession of a dangerous weapon without authorization from the school.

(b) involves the possession, use or sale of a dangerous drug as defined in section 13-3401 or a narcotic drug as defined in section 13-3401 or a violation of section 13-3411.

(c) immediately endangers the health or safety of others.

(d) the pupil's behavior is determined by the school district governing board or charter school governing body to qualify as aggravating circumstances and that all of the following apply:

(i) the pupil is engaged in persistent behavior that has been documented by the school and that prevents other pupils from learning or prevents the teacher from maintaining control of the classroom environment.

(ii) the pupil's ongoing behavior is unresponsive to targeted interventions as documented through an established intervention process that includes consultation with a school counselor, school psychologist or other mental health professional or social worker if available within the school district or charter school or through a state sponsored program.

(iii) the pupil's parent or guardian was notified and consulted about the ongoing behavior.

(iv) before a long-term suspension or expulsion, the school provides the pupil with a disability screening and the screening finds that the behavioral issues were not the result of a disability.

3. Failing to remove the pupil from the school building would create a safety threat that cannot otherwise reasonably be addressed or qualifies as aggravating circumstances as specified in paragraph 2 of this subsection.

4. Before suspending or expelling the pupil, the school district or charter school considers and, if feasible while maintaining the health and safety of others, in consultation with the pupil's parent or guardian to the extent possible, employs alternative behavioral and disciplinary interventions that are available to the school district or charter school, that are appropriate to the circumstances and that are considerate of health and safety. The school district or charter school shall document the alternative behavioral and disciplinary interventions it considers and employs.

5. The school district or charter school, by policy, provides for both:

(a) a readmission procedure for pupils who are in kindergarten programs, first grade, second grade, third grade and fourth grade and who have served at least five school days of a suspension from the school that exceeds ten school days to be considered for readmission on appeal of the pupil's parent or guardian.

(b) a readmission procedure for pupils who are in kindergarten programs, first grade, second grade, third grade and fourth grade and who are expelled from or subject to alternative reassignment at the school to be considered for readmission on appeal of the pupil's parent or guardian at least twenty school days after the effective date of the expulsion or alternative reassignment.

L. 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.

15-2301. 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:

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.

REGULATIONS

No relevant regulations found.

Parental Notification

LAWS

15-102. Parental involvement in the school; definition.

A. Each school district governing board, in consultation with parents, teachers and administrators, shall develop and adopt a policy to promote the involvement of parents and guardians of children enrolled in the schools within the school district, including:

1. A plan for parent participation in the schools that is designed to improve parent and teacher cooperation in such areas as homework, attendance and discipline. The plan shall provide for the administration of a parent-teacher satisfaction survey.

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.

15-153. Crime reporting; policies and procedures; notification; discipline.

B. Each school district governing board and charter school governing body shall prescribe and enforce policies and procedures that require the school district or charter school to notify the parent or guardian of each student who is involved in a suspected crime or any conduct that is described in subsection A of this section, subject to the requirements of federal law.

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

A. The governing board shall:

44. In addition to the notification requirements prescribed in paragraph 36 of this subsection, prescribe and enforce reasonable and appropriate policies to notify a pupil's parent or guardian if any person engages in harassing, threatening or intimidating conduct against that pupil. A school district and its officials and employees are immune from civil liability with respect to all decisions made and actions taken that are based on good faith implementation of the requirements of this paragraph, except in cases of gross negligence or wanton or wilful neglect. A person engages in threatening or intimidating if the person threatens or intimidates by word or conduct to cause physical injury to another person or serious damage to the property of another on school grounds. A person engages in harassment if, with intent to harass or with knowledge that the person is harassing another person, the person anonymously or otherwise contacts, communicates or causes a communication with another person by verbal, electronic, mechanical, telephonic or written means in a manner that harasses on school grounds or substantially disrupts the school environment.

15-342. Discretionary powers.

The governing board may:

32. Adopt policies that require parental notification when a law enforcement officer interviews a pupil on school grounds. Policies adopted pursuant to this paragraph shall not impede a peace officer from the performance of the peace officer's duties. If the school district governing board adopts a policy that requires parental notification:

- (a) The policy may provide reasonable exceptions to the parental notification requirement.
- (b) The policy shall set forth whether and under what circumstances a parent may be present when a law enforcement officer interviews the pupil, including reasonable exceptions to the circumstances under which a parent may be present when a law enforcement officer interviews the pupil, and shall specify a reasonable maximum time after a parent is notified that an interview of a pupil by a law enforcement officer may be delayed to allow the parent to be present.

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.

15-843. Pupil disciplinary proceedings; definition.

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:

- 9. Disciplinary policies for confining pupils left alone in an enclosed space. These policies shall include the following:
 - (a) A process for prior written parental notification that confinement may be used for disciplinary purposes and that is included in the pupil's enrollment packet or admission form.
 - (b) A process for prior written parental consent before confinement is allowed for any pupil in the school district. The policies shall provide for an exemption to prior written parental consent if a school principal or teacher determines that the pupil poses imminent physical harm to self or others. The school principal or teacher shall make reasonable attempts to notify the pupil's parent or guardian in writing by the end of the same day that confinement was used. [...]

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

- 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.

REGULATIONS

No relevant regulations found.

Data Collection, Review, and Reporting of Discipline Policies and Actions

LAWS

15-746. School report cards.

A. Each school shall distribute an annual report card that contains at least the following information:

5. The total number of incidents that occurred on the school grounds, at school bus stops, on school buses and at school-sponsored events and that required the contact of a local, county, tribal, state or federal law enforcement officer pursuant to section 13-3411, subsection F, section 13-3620, section 15-341, subsection A, paragraph 30 or section 15-515. The total number of incidents reported shall only include reports that law enforcement officers report to the school are supported by probable cause. For the purposes of this paragraph, a certified peace officer who serves as a school resource officer is a law enforcement officer. A school may provide clarifying information if the school has a school resource officer on campus.

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:

10. Procedures that require the school district to annually report to the department of education in a manner prescribed by the department the number of suspensions and expulsions that involve the possession, use or sale of an illegal substance under title 13, chapter 34 and the type of illegal substance involved in each suspension or expulsion. The department of education shall compile this information and annually post the information on its website. The information shall comply with the family educational rights and privacy act of 1974 (P.L. 93-380; 88 Stat. 57; 20 United States Code section 1232g) shall not include personally identifiable information and shall show the number of suspensions and expulsions associated with each illegal substance aggregated statewide and by county.

REGULATIONS

No relevant regulations found.

Partnerships between Schools and Law Enforcement

Referrals to 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.

15-153. Crime reporting; policies and procedures; notification; discipline.

A. Each school district governing board and charter school governing body shall prescribe and enforce policies and procedures for school personnel to report 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 an employee, student or other person on the school property. The policies shall dictate a process for employees to document and report the conduct, including specifying the employees responsible for making a report to the local law enforcement agency pursuant to section 15-341, subsection A, paragraph 30. Conduct that is considered to be bullying, harassment or intimidation shall be addressed according to policies adopted pursuant to section 15-341, subsection A, paragraph 36.

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

A. The governing board shall:

30. 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. [...]

36. 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:

- (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.

15-342. Discretionary powers.

The governing board may:

32. Adopt policies that require parental notification when a law enforcement officer interviews a pupil on school grounds. Policies adopted pursuant to this paragraph shall not impede a peace officer from the performance of the peace officer's duties. If the school district governing board adopts a policy that requires parental notification:

- (a) The policy may provide reasonable exceptions to the parental notification requirement.
- (b) The policy shall set forth whether and under what circumstances a parent may be present when a law enforcement officer interviews the pupil, including reasonable exceptions to the circumstances under which a parent may be present when a law enforcement officer interviews the pupil, and shall specify a reasonable maximum time after a parent is notified that an interview of a pupil by a law enforcement officer may be delayed to allow the parent to be present.

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.

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:

- 9. A description of the circumstances under which a violation of the hazing prevention policy shall be reported to the appropriate law enforcement agency.

REGULATIONS

No relevant regulations found.

**School Resource Officer (SRO) or School Security Officer (SSO)
Training or Certification**

LAWS

15-154. School safety program; purpose; program proposals; requirements; annual report; program termination; definitions.

A. The school safety program is established within the department of education to support, promote and enhance safe and effective learning environments for all students by supporting the costs of placing

school resource officers, juvenile probation officers, school counselors and school social workers on school campuses. A 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 department of education. A school district or charter school that receives approval for a three-year program under this subsection may annually submit a modified spending plan for its approved program.

B. A program proposal submitted by a school district or charter school for supporting the costs of placing school resource officers or juvenile probation officers, or both, on a school campus shall contain:

1. A detailed description of the school safety needs of the charter 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 school, or both. [...]
5. "School resource officer" means a peace officer or a full-authority reserve peace officer who is certified by the Arizona peace officer standards and training board.

REGULATIONS

No relevant regulations found.

Authorizations, Memoranda of Understanding (MOUs), and/or Funding

LAWS

15-154. School safety program; purpose; program proposals; requirements; annual report; program termination; definitions.

A. The school safety program is established within the department of education to support, promote and enhance safe and effective learning environments for all students by supporting the costs of placing school resource officers, juvenile probation officers, school counselors and school social workers on school campuses. A 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 department of education. A school district or charter school that receives approval for a three-year program under this subsection may annually submit a modified spending plan for its approved program.

B. A program proposal submitted by a school district or charter school for supporting the costs of placing school resource officers or juvenile probation officers, or both, on a school campus shall contain:

1. A detailed description of the school safety needs of the charter 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 school, or both.
4. If the school district or charter school has already participated in the school safety program, information on the success, compliance and implementation of the most recent grant. [...]

D. The department of education shall review and administer the school resource officers and juvenile probation officers program proposals in cooperation with the courts, law enforcement agencies and law-related education providers awarded a contract pursuant to section 41-2534, subject to review and approval by the state board of education. The department of education shall use relevant crime statistics to assess the needs of each program proposal and shall visit school districts and charter schools that submit program proposals in order to verify the information contained in the program proposals. The department of education shall contract to provide guidelines, curricula and support resources for school resource officers and juvenile probation officers to use in implementing a law-related education program. [...]

G. The department of education shall review program proposals submitted by school districts and charter schools for participation in the school safety program and shall select school sites that are eligible to

receive funding based on school safety needs pursuant to this section. The department of education may prioritize program proposals for school resource officer and juvenile probation officer grants to school districts and charter schools that have agreements to share the cost of the school resource officer or juvenile probation officer with a law enforcement agency or the courts. [...]

I. The school safety program established by this section shall include a school safety program guidance manual adopted by the department of education that requires a dispute resolution process to be included in the service agreement between a school district or charter school that submitted a program proposal and received a school resource officer grant from the school safety program and the law enforcement agency that provides services to the school district or charter school. [...]

M. For the purposes of this section:

5. "School resource officer" means a peace officer or a full-authority reserve peace officer who is certified by the Arizona peace officer standards and training board.

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 allow 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 school safety 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, except for agreements to share the cost of the school resource officer pursuant to section 15-154, subsection G.

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 school safety 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, except for agreements to share the cost of the juvenile probation officer pursuant to section 15-154, subsection G.

REGULATIONS

No relevant regulations found.

Threat Assessment Protocols

LAWS

No relevant laws found.

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)
<i>Website</i>		
Comprehensive Threat Assessment Guidelines (CSTAG), Arizona Department of Education	Provides training, threat assessment forms, and links to an online educational program to assist schools in implementing threat assessment guidelines.	https://www.azed.gov/wellness/schoolthreatassessment
Mental Health & Wellness, Arizona Department of Education	Compiles resources on mental health and wellness in AZ schools including information on how to access mental health supports in educational settings, mental health crisis, threat assessment resources, and creating safe and supportive learning environments.	https://www.azed.gov/wellness/mental-health
Multi-Tier Behavior Supports (MTSS) Training Series, Arizona Department of Education	A three-year training series designed to assist district, charter, or school teams with the development of a school-wide approach for positive behavior management practices.	https://www.azed.gov/specialeducation/internal-pd-info-multi-tier-behavior-supports-mtbs-training-series
MTSS Resources, Arizona Department of Education	Provides an overview of AZ MTSS, and links to resources for MTSS planning and implementation.	https://www.azed.gov/improvement/mtss-resources
Bullying Prevention, Arizona Department of Education	Provides links to resources families and youth to addressing bullying in schools.	https://www.azed.gov/wellness/bullying
School Safety & Social Wellness, Arizona Department of Education	Provides information and resources addressing school safety, school preparedness, comprehensive school wellness, mental health, and other related programs.	http://www.azed.gov/shs/

Title	Description	Website address (if applicable)
School Safety Task Force, Arizona Department of Education	Provides information and resources related to the work of the School Safety Task Force, a multi-disciplinary group convened to reframe school safety as a multi-pronged approach to safety, health and violence.	https://www.azed.gov/ssp/school-safety-task-force
Social Emotional Learning and Trauma-Sensitive School Connection, Arizona Department of Education	Provides training and resources for schools including the building resilience professional development series and information on social emotional learning, equity, and trauma sensitive schools.	https://www.azed.gov/SEL
Title IV-A Safe & Healthy Students, Arizona Department of Education	Provides an overview of the Office of Safe and Healthy students and links to guidance documents addressing safety and wellness.	https://www.azed.gov/safeandhealthy/
Documents		
Arizona Social Emotional Learning Competencies and Resources	Integrated framework detailing a set of desired social, emotional, behavioral, and character competencies that can be used to implement social-emotional learning within schools and classrooms and intentionally integrate within K-12 content areas.	https://files.constantcontact.com/cbebfe4e101/a4409e5b-d8d4-4cfe-afaa-7b4154ac77af.pdf
Mental Health Considerations & Guidance to Referral Process for Schools in Arizona, NTTAAC and CARES	Provides step-by-step instructions for educators that have already identified a student that needs mental health support, including how to connect students and their caregivers to services, how those services might be funded, and how to proceed with a referral.	Behavioral Health Considerations & Guidance to Referral Process for Schools in Arizona Feedback incorporated.docx (nttamentalhealth.org)
Model school safety plan, Arizona Department of Education	A guide for establishing a safe, supportive learning environment by encouraging school leaders to examine all three domains of safe schools: Engagement, Safety, and Environment	https://www.azed.gov/sites/default/files/2020/11/ModelSchoolSafetyPlan%20%28final%29.pdf
School and Behavioral Health Partnerships: A Resource Guide (2021), ADE & AHCCCS	Provides information and tools to help connect educators and behavioral health providers, defined expectations and roles for each, guidance for handling a behavioral health crisis.	https://www.azed.gov/sites/default/files/2022/01/School%20Behavioral%20Health%20Resource%20Guide%2012_06_2021.pdf

Title	Description	Website address (if applicable)
Trauma-Responsive Social and Emotional Learning Crosswalk, Arizona Department of Education	A tool designed to support educators in their effort to implement and align their practices within proactive frameworks of support at the classroom instructional, classroom climate, and schoolwide practices and policies levels.	https://www.azed.gov/sites/default/files/2022/05/NM%20SEL%20Crosswalk%20Final%20Copy_1.pdf
<i>Other Resources</i>		
Accessing Behavioral Health System for Students, Arizona Health Care Cost Containment System	Provides guidance on how to access and pay for behavioral health services for students.	Accessing BH System for Students-2019-5-30.pdf (azed.gov)
School Safety Program, Arizona Department of Education	Provides links to information and resources related to the School Safety Program, a state-funded grant that places School Resource Officers, Juvenile Probation Officers, school counselors, and school social workers in selected schools. Includes tools and resources, references to laws, training materials, FAQs, and contact information.	https://www.azed.gov/ssp