

Student Policies

Section 7.01 Statement of Fundamental Policy

FJA believes that school and life which benefits students and enhances their educational efforts is a product of rights and responsibilities which all must follow in order for students to study and to learn in harmony. Student rights and responsibilities are set forth in this Manual. The Manual explains what each student is entitled to expect, as well as responsibilities each student must accept and possible consequences for failing to act within these policies and procedures.

A student violating FJA policies and rules will be held accountable for his/her behavior or actions and is subject to disciplinary action as set forth herein. The penalty for an infraction may include, but is not limited to restrictions, suspension, and/or expulsion.

Section 7.02 Students' Rights

- Students at FJA have and shall be accorded the following rights:
- The right to an education.
- The right to be free from unreasonable search and seizure of their person and property, to a reasonable degree of privacy, and to a safe and secure environment.
- The right to freely express their spirituality and culture in a manner that does not infringe on the rights of others.
- The right of freedom of speech and expression so long as the speech and expression does not unreasonably disrupt the educational process or endanger the health and safety of the student and others.
- The right to freedom of the press, except where material in student publications is libelous, slanderous, obscene or harmful to other students, staff or the Academy's mission.
- The right to freedom from discrimination.

Section 7.03 Students' Responsibilities

General student responsibilities are as follows:

- To attend all classes each day except when ill or properly excused.
- Allow others the freedom to learn without upsetting the classroom environment.
- To not bring anything to school that is forbidden by law such as alcoholic beverages, drugs, weapons or stolen property.
- To fully comply with all of the Academy's policies, procedures and rules.
- To express their own religion and culture in a manner that is not prohibited by law or violates other individual's rights.
- To express opinions and ideas respectfully so as not to slander or offend others, and to understand that others should be allowed to express their ideas.
- To not discriminate against others.

Section 7.04 Admissions

Open Enrollment is the last week of each February. If more applications are received than openings, a lottery will take place. Applications for the lottery are received when the school receives the online application via email. The random lottery will take place by April 1st of each year.

Parents of pupils interested in enrollment may visit a classroom. This visit can then be followed by meeting with the Executive Director or Head Teacher. Those applying during the summer may request a meeting with the Lead Teacher or Director.

Applicants may visit the school without the parents as part of the application process.

Siblings of children already enrolled in FJA, as well as current attendees, are given preference in enrollment.

An intent to continue form will be sent in January to parents of current students. Return of this form shall be considered adequate for continuing admission.

FJA does not provide transportation to and from school.

Section 7.05 General Rules

1. Students are to attend classes on weekdays, except for holidays. FJA staff will enforce the Arizona State mandated attendance policy.
2. Students must comply with FJA's policies, procedures, rules and regulations established by FJA at all times.
3. Use of tobacco products is prohibited. This includes possession, use, distribution or selling of the products.
4. The possession, use, distribution or selling of drugs, alcohol and controlled substances is prohibited. Law enforcement and parents will be notified immediately of any violation of this rule.
5. All visitors must report in at the front office.
6. Students, staff and visitors are to maintain buildings in good condition. Vandalism or property damage will not be tolerated. Law enforcement will be notified. Students causing property damage and their parents will be held responsible for all costs necessary to repair or replace said damage.
7. Stealing from students, school, and staff is prohibited. Law enforcement will be notified in the event of a theft.

Section 7.06 Student Dress Code

FJA believes that students should take pride in their attire and dress appropriately. In addition to the following guidelines, students should dress in a manner that takes into account the educational environment, safety, health and welfare for others. The following guidelines are provided to assist students, staff and parents in determining what “is” and what “is not” appropriate with respect to student attire. Failure to abide by the dress code may result in disciplinary action.

1. Sagging is prohibited. Sagging is wearing the pants on the hips or below which would allow underwear to show.
2. Clothing such as bare midriffs, halter-tops, tank tops, and spaghetti straps is unacceptable. See-through clothing is prohibited.
3. “Bandanas” or scarves used for gang identification, any size, color or shape, will not be carried, worn or displayed on school property. This may also include anything that may represent a display of “colors.”
4. Any type of jewelry or body adornment presenting a health and/or safety hazard to self or others is prohibited (i.e., nose ring, excessive earrings, body studs).
5. Wearing chains in excess of twelve inches (12”) long and with a chain link size greater than one-half inch (1/2”) is prohibited. Chains not complying with the above-stated conditions will be confiscated, if found. Chains worn on the outside of the pants, hanging down and connected to a wallet are not allowed. These items will be confiscated, if found.
6. Any clothing or jewelry that symbolizes drugs, alcohol, sex, tobacco, or any lewd act is expressively forbidden. This includes profanity or defamatory writing on clothing or jewelry.
7. Gang-related personalization of any sort is not permitted on hats, clothing, or one’s person. This includes anything worn or carried on campus. Any type of clothing or headgear which promotes gang activities or is worn in a manner that promotes gang activities is prohibited.
8. Sunglasses are to be worn outside only.
9. All belts will be tucked and will not be allowed to hang in front.
10. Offensive body language or movements and hand gestures (including gang related) will not be allowed.

11. Shorts, skirts, and skorts may be worn, but no more than 3 inches above the knee.
11. Clothing may not be worn that is ripped or torn.
12. Pajamas are not allowed to be worn. School administrators have the final judgement as to what constitutes pajamas.
13. Flip flops are not allowed to be worn at school due to safety hazards.
14. Hats are not allowed to be worn inside the building.
15. Heelies (shoes with ejectable wheels) are not be worn to school.

Section 7.07 School Hours

FJA Cedar Campus hours are from 8:15 a.m. to 3:00 p.m. The elementary school office will accept telephone calls and messages from 8:00 a.m. to 4:00 p.m.

FJA Middle School hours are from 7:30 a.m. to 3:15 p.m. The middle school office will accept telephone calls and messages, Mondays through Thursdays from 7:30 a.m. to 3:30 p.m, Mondays through Thursdays and Fridays from 7:30 a.m. to 1:00 p.m.

FJA Children's House hours are from 8:15 a.m. to 3:30 p.m.

Fridays are early dismissal. FJA Cedar Campus will dismiss at 12:00 and FJA Middle School will dismiss at 12:15. Children's House will dismiss at 11:30.

Section 7.08 Attendance and Arrival/Dismissal

A. Attendance

The Student's education and well being are our priority. It is the goal of Flagstaff Junior Academy to do our best in teaching children the skills necessary for them to become active and contributing members of our community. In order for our staff to focus on the needs of the students, it is important that each child attend school on a regular basis and on time for class.

FJA recognizes that from time to time it is necessary for a student to be absent from regularly scheduled school for a parent supervised or sanctioned event, which may include an official religious holiday of a religious organization. Medical illnesses and injuries may necessitate being absent from school also. These absences are considered excused. Whenever possible, prior notice must be given to FJA of these events so that they are not mistaken for unexcused

absences. FJA also suggests that parents of absent student who is absent, or planning to be, check with the student's teacher(s) to obtain homework if warranted and the student is able to work.

If a student's absence is not for one of the reasons stated above, it is considered unexcused.

A student is tardy if that student is not in the classroom and ready for school when the teacher begins class.

Three (3) unexcused tardies will equal one (1) unexcused absence. Three (3) unexcused absences will result in notification to the local law enforcement/truancy officials, and a documented three day at home suspension. Further infractions will result in a Board hearing which could result in more severe consequences, including expulsion.

The Executive Director has full authority to deal with unexcused absences and unexcused tardies and may enter into attendance contracts with a student and that student's parents or guardians, or take other appropriate action as the Director may determine rather than expulsion. If a student reaches 5 unexcused absences, an attendance contract may be implemented. If a student reaches 15 unexcused absences, expulsion may be recommended and the matter shall be placed for hearing before the FJA Board of Directors or an independent hearing officer, with the student present, pursuant to Section 7.19 (C) of the Policies and Procedures Manual. The student and/or parents will have the opportunity for due process before this hearing, which will include a written response from the parents/student to explain the large number of absences.

If a student accrues 15 or more absences FJA has the option to deny promotion to the next grade. This decision will be made by school administration and that decision is final.

B. Arrival and Dismissal

Flagstaff Junior Academy (FJA) is not responsible for nor does it provide transportation for its students. In accordance with school district policy and as a condition for your child's attendance at FJA, parents/legal guardians are responsible to make arrangements for the drop-off and pick-up of their child. School hours are from 8:15 a.m.– 3:00 p.m. at Cedar Campus, 8:00 a.m. – 3:15 p.m. at the Middle school and 8:30 a.m. – 3:30 p.m. at The Children's House Monday through Thursdays and 8:15 a.m. – 12:00 p.m. at the Cedar Campus and 8:00 a.m. – 12:15 p.m. at the Middle School and 8:30 a.m. – 11:30 a.m. at The Children's House on Fridays. Parents are responsible to make arrangements to have their child at school prior to the commencement of the start of school and to make arrangements for the child to be picked up from school no later than 15 minutes after the end of the school day. Morning drop-off time at the Cedar campus is between 8:00 and 8:15 and at the Bonito campus between 7:40-7:55 a.m. Students need to be picked up from school no later than 3:15 at the Cedar campus, and 3:30 at the Bonito campus. Students remaining at the Cedar campus after 3:15 will be sent to After Care and students remaining at the Bonito campus after 3:30 will be required to leave campus, as there is no adult supervision after 3:30.

In the event of an early release day or the closing of school for inclement weather or for an emergency, the parents will be notified and will be expected to pick up their child within 15 minutes from the close of the school day. Making arrangements for the prompt pick-up of your child from the school grounds is an essential requirement of your child attending school at FJA.

The Cedar campus does provide before and after school care of your children for a fee.

Section 7.09 Report Cards

5th – 8th grade report cards/progress reports are issued four times throughout the school year. Parent/Teacher conferences are scheduled to coincide with report cards/progress reports. 1st – 4th grade progress reports for the Cedar Campus students are made available during Parent/Teacher conferences.

Section 7.10 Promotion or Retention

The decision of whether to promote a student to the next grade or to retain the student in the same grade shall be made by the combined efforts of the student's teacher(s), the Executive Director, and the parent/guardian. Efforts will be made to ensure the appropriate grade placement for each individual student. If a student receives 4 or more Fs in core classes throughout the school year, they are eligible for retention and/or summer school, and this will be determined by the Executive Director.

Section 7.11 Property Damage

Any damage to FJA property by a student will be the responsibility of the student and the student's parent. The student and parent shall pay for any replacement and/or repair costs. Any such damage shall be paid within ninety (90) days of notice to the parent of the damage and amounts. If payments are not received within the above-stated ninety (90) day period, the student will not be allowed to return to school until the debt is cleared. Disciplinary action will apply to incidents of intentional property damage. Law enforcement may be notified.

Section 7.12 Extracurricular Activities

The Academy offers a variety of extracurricular activities. These may include and are not limited to: volleyball, cross-country, basketball, ultimate frisbee, wrestling, Middle School Student Council, Drama, Chess, mountain biking, skateboarding club, tea club, etc. Students must be academically eligible to participate in extracurricular activities and school-related/off-campus activities. Students at the middle school will be considered ineligible if they have any Ds or Fs, or if they have an excessive number of discipline referrals or absences. Students at the Cedar campus are considered ineligible for extra-curricular activities if their teacher and/or the Executive Director feel that they have not earned the right to participate in such activities based on academic performance, excessive absences, or due to discipline issues. Some fees may apply to participate in extra-curricular activities.

Nonacademic Settings (34 CFR 300.317)

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

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

FJA has a Middle School Student Council. The Student Council gives students an opportunity to organize in a meaningful and effective way. The purpose of the Student Council is to create good relationships between the members of the student body, staff, administration and the community and to teach leadership and develop pride in the Academy. Students are encouraged to support and participate in the Student Council and its activities.

Membership in clubs and organizations is open to all students. All students are encouraged to join FJA clubs and organizations.

Non-Discrimination Policy

Flagstaff Junior Academy's Non-Discrimination Policy

It is a policy of Flagstaff Junior Academy ("FJA") not to discriminate on the basis of race, color, religion, sex, national origin, age, or disability in its educational programs or employment policies as required by Titles VI and VII of the Civil Rights Act of 1964, the Equal Pay Act of 1973, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973 ("Section 504") and Title II of the Americans with Disabilities Act (ADA) of 1991.. Inquiries regarding FJA's compliance with Title VI, Title IX, Section 504, or the ADA should be directed to Jill Paez at 755 N. Bonito Street, Flagstaff, AZ 86001, tel. 928.214.7317, JillianPaez @fjacademy.com, or to the U.S. Department of Education, Office of Civil Rights, Denver, CO.

Non-Discrimination Policy- Section 504

What is Section 504?

Section 504 prohibits discrimination against individuals with disabilities, including both students and staff members, by schools receiving federal financial assistance. Schools comply by providing a qualifying individual with a disability the accommodations necessary to allow him or her to perform employment tasks or, for a student, to receive a free appropriate public education ("FAPE"). Accommodations must also be provided to families who need those accommodations in order to participate in school activities.

Section 504 vs. IDEA

Many aspects of the Section 504 regulations concerning FAPE parallel the requirements of the Individuals with Disabilities Education Act ("IDEA "). In those areas, by fulfilling

responsibilities under the IDEA a school may also satisfy Section 504. However, the laws differ in scope. Students who are not eligible for IDEA services may be considered disabled and eligible for services under Section 504.

For the purposes of Section 504, a person may be considered disabled if the individual: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities; (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Major life activities include functions such as:

- Learning
- Caring for oneself,
- Walking
- Seeing
- Speaking
- Learning
- Performing manual tasks
- Hearing
- Breathing
- Working

This definition is broad and inclusive. It differs significantly from the more restrictive IDEA definitions of disability. Through IDEA, special education services are provided to students at least three but less than 22 years old who have been evaluated and found to have at least one of the following disabilities and who are found to need special education and related services.

Qualifying disabilities for IDEA include:

- Autism
- Emotional Disability
- Hearing Impairment
- Other Health Impairment
- Specific Learning Disability
- Mild, Moderate, or Severe Intellectual Disability
- Multiple Disabilities
- Multiple Disabilities with Severe Sensory Impairment
- Orthopedic Impairment
- Preschool Moderate Delay
- Preschool Severe Delay
- Speech/Language Impairment
- Traumatic Brain Injury
- Visual Impairment
- Preschool Speech and Language

An example of someone who may not be covered by IDEA but would be entitled to accommodations under Section 504 is a student with juvenile arthritis, diabetes, mild anxiety or attention deficit disorder (ADD). Such a student has a disability for purposes of Section 504, yet may not be covered by IDEA if he or she does not need placement in a special education program or whose condition does not fall into a specified IDEA category.

What This Means for Your Child

If a school has reason to believe that a student may have a disability and need accommodations in the regular classroom setting in order to participate in school programs, the school must evaluate the student. If the student is determined to be disabled under Section 504, the school must develop and implement a plan for the delivery of any needed services (a "504 plan").

The type of disability believed to be present and the type of services the student may need determines what is required for the Section 504 evaluation and placement process. The evaluation must be sufficient to accurately and completely assess the nature and extent of the disability and the recommended services. Evaluations more limited than a full special education evaluation may be adequate in some circumstances. For example, in the case of a student with juvenile arthritis or diabetes, the evaluation might consist of the school nurse meeting with the parent and reviewing the student's current medical records. An evaluation for a student with ADD may involve review of the student's psychoeducational evaluations and teacher observations. In some cases, additional testing may be necessary.

To determine what accommodations are needed, a group of people knowledgeable about the student, the meaning of the evaluation data, and placement options (the "504 team") will be convened to identify and agree upon appropriate accommodations. The 504 team will review the nature of the disability, whether special accommodation are needed, and, if so, what those accommodations are. The 504 team may not consider mitigating circumstances relating to the student's disability such as medications or aids when determining if a student has a disability. The decision about Section 504 eligibility and accommodation will be documented in the student's file and reviewed periodically. The 504 team will not consider how the student's disability impacts their education, but rather how the disability impacts a major life activity.

Accommodations vary to address the specific disability. For the student with juvenile arthritis, Section 504 accommodations might include the use of a laptop to improve writing speed and allow a less painful means of writing. For a student with diabetes, Section 504 accommodations might include administration and monitoring of medication and a class schedule modified to address the student's stamina or food needs. For a student with ADD, accommodations might include modification of classroom seating arrangements, a behavior plan, and monitoring of medication. Each student's 504 team will determine which accommodations are appropriate for each individual student (i.e., accommodations are not "one size fits all").

Under Section 504, parents or guardians must be provided with notice of actions affecting the identification, evaluation, or placement of the student. They are entitled to an impartial hearing if they disagree with school's decisions in these areas. This process is explained in more detail below.

Remember, some students who have physical or mental conditions that impair their ability to perform a major life activity may be entitled to accommodations under Section 504 even though they may not be covered a specific IDEA category.

Section 504 Compliance Plan

The Compliance Plan serves students, parents, employees, applicants for employment, and programs within FJA. FJA assures students, parents, job applicants, and employees that it will not discriminate against any individual with disabilities.

The following person is designated as Section 504 Coordinator:

Jill Paez
755 N. Bonito Street
Flagstaff, AZ 86001,
tel. 928.214.7317
JillianPaez@fjacademy.com

Notice to students, parents, employees, and the general public of nondiscrimination assurances and parent/student rights and identification, evaluation, and placement will be disseminated in the following manner:

- Announcement in the central office.
- Posted notice in each public school building.
- Notice will be included on FJA 's website, in the Policy Manual, and in the parent/student handbook.

FJA will inform individuals with disabilities and their parents/guardians of the school's responsibilities and procedural safeguards under Section 504 and the IDEA.

Hearing and Appeals Process

FJA has established the following procedures to resolve complaints of discrimination on the basis of disability. Any employee, parent/guardian of a student enrolled, or student 18 years of age or older may file a complaint if she or he believes there has been a violation of Section 504.

Step One: A complaint of discrimination must be in writing and submitted to the Section 504 Coordinator within 10 days after the alleged violation occurred. The

complaint should fully state the facts of the alleged violation and the remedy that is being sought. The Section 504 Coordinator will investigate the circumstances of the alleged violation and make a written report of his or her findings of fact and conclusions within 10 school days.

Step Two : If the complaint has not been resolved to the satisfaction of the complainant, he or she may appeal the report of the Section 504 Coordinator to FJA's Executive Director within five school days of receipt of the report. After investigation and within 10 school days of receipt of the appeal, the Executive Director will issue a written decision affirming, reversing, or modifying the report.

Step Three: If the complaint has not been resolved in Step Two to the satisfaction of the complainant, he or she may appeal to the school board within five school days of receipt of the Executive Director's decision. The school board will conduct an informal hearing in an closed meeting to review the alleged violation. The board will give each party at least 10 days' notice of its meeting. The complainant may be represented at the board hearing by an attorney or another designated individual, at the complainant's expense. The board will affirm, reverse, or modify the decision issued under Step Two within 15 school days of the hearing.

To the extent a report or decision in any of these steps calls for implementing additional accommodations or changes in existing services, those changes will be made no later than 15 school days following the date of the decision, unless the decision is appealed.

Definitions Used in Section 504 Regulations

34 C.F.R. § 104.3U)(1)

An individual with disabilities is one who:

- has a physical or mental impairment which substantially limits one or more major life activities;
- had a record of such an impairment; or
- is regarded as having such an impairment.

34 C.F.R. § 104.30)(2)(i)

A physical or mental impairment is:

- any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory: including speech organs; cardiovascular; reproductive; digestive; genital; urinary; hemic; lymphatic; skin; endocrine; or
- any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

34 C.F.R. § I 04.3(j)(2)(ii)

Major life activities are functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

34 C.F.R. § 104.3(j)(2)(iii)

Has a record of such an impairment means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

34 C.F.R. § 104.3(j)(2)(iv)

Is regarded as having an impairment means:

- has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation;
- has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or
- has none of the impairments defined above but is treated by a recipient as having such an impairment.

34 C.F.R. § 104.3(1)

Qualified person with disabilities means:

In an education context, a student (a) of an age during which individuals without disabilities are provided such [educational] services, (b) of an age during which it is mandatory under state law to provide such services to individuals with disabilities, or (c) to whom a state is required to provide a free appropriate public education under IDEA.

In an employment context, an individual who, with reasonable accommodation, can perform the essential functions of the job in question.

For any student who is an individual with disabilities as defined above, a public school must provide a free appropriate public education. For any employee of a public school that is an individual with disabilities as defined above, a public school must make reasonable accommodations to the known physical or mental limitations of the employee.

Flagstaff Junior Academy is an Equal Opportunity Employer.

If you would like to contact the U.S. Department of Education, Office for Civil Rights, they may be reached at:

Office for Civil Rights
Denver Office
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Blvd., Suite 310

Denver, CO 80204-3582
tel. 303.844.5695

Section 7.14 Health Policies

A. In General

Comprehensive health care remains the responsibility of the student's parent(s) and/or guardian(s).

FJA does not assume responsibility for treating any student who appears to be under the influence of any drug, chemical, alcohol or any other intoxicating substance. However, it reserves the right to administer emergency first aid treatment in the above circumstances as needed and the student's parents shall be notified to immediately remove the student from the campus.

In the event of an illness or injury during the school day, parents will be notified and may be asked to take their child home, as may be necessary.

B. Medication

If a licensed physician places a student on a special medication, the medication will be kept in a locked cabinet in a designated area. Medication will be dispensed by qualified personnel to the student in accordance with the directions given by the treating physician.

The parent must also sign a parent permission and release form in order for such medication to be distributed to their child.

C. Dental

When a student complains of a toothache, the parent may be notified and asked to take the student home.

Section 7.15 Student Sexual Harassment/Sexual Misconduct

FJA is committed to maintaining a learning environment that is free of harassment. The Board prohibits the unlawful sexual harassment of any student by any employee, student or other person at school or at any school-related activity.

1. Examples of Sexual Harassment

- Behaviors that may constitute sexual harassment include but are not limited to:
- Intentional touching;
- Explicit or implicit propositions to engage in sexual activity;
- Gratuitous comments of a sexual nature such as explicit statements, questions, jokes or anecdotes;
- Remarks of a sexual nature about a person's clothing or body;
- Remarks about sexual activities or speculation about sexual experiences;
- Exposure to gratuitous sexually suggestive visual displays such as photographs, graffiti, posters, calendars or other materials;
- Deliberate physical interference with or restriction of an individual's movements;
- Persistent, unwanted sexual/romantic attention;
- Subtle or overt pressure for sexual favors; or
- Deliberate, repeated humiliation or intimidation based upon the sex of the individual.

2. Sexual Misconduct

FJA takes steps in prohibiting sexual harassment and also prohibits conduct of a sexual nature that, although not so serious or pervasive that it rises to the level of sexual harassment, is inappropriate in the classroom or on school premises. Examples of such misconduct include, but are not limited to:

- Repeatedly engaging in sexually oriented conversations, comments or horseplay, including the use of language or the telling of jokes or anecdotes of a sexual nature in the classroom, even if such conduct is not objected to by those present; and
- Gratuitous use of sexually oriented materials not directly related to the subject matter of a class, course, or meeting even if not objected to by those present.
- Any student who engages in the sexual harassment or sexual misconduct of anyone at school or a school-related activity shall be subject to disciplinary action. For students in pre-grades K through 3, this disciplinary action shall depend on the maturity of the students and the circumstances involved. For students in grades 4 through 8, the disciplinary action may include suspension and/or expulsion.

3. Reporting Sexual Harassment or Sexual Misconduct

A. Confront the Offender: A student may, at any time, personally confront the individual whose conduct is offensive, unwelcome or intimidating and request that such conduct stop. If you choose to do this, be direct and consistent. Explain that the conduct is offensive or makes you feel intimidated or uncomfortable and ask that it stop. Make sure that your message to the individual is clear. *However, if that action is not feasible or successful, or if a student feels uncomfortable taking it, the options described below are also available.*

B. Report It: Persons who are sexually harassed or subjected to sexual misconduct may feel confused and helpless or blame themselves for the offensive behavior. They may also be afraid of retaliation and be reluctant to let anyone know about their situation. It is important for persons who believe they have been sexually harassed to report it and get

help to protect themselves and others from unwanted sexual attention and advances that may interfere with academic opportunities and performance.

Any student or parent on behalf of a student, who believes that he or she may have been sexually harassed or subjected to sexual misconduct, is encouraged to report such conduct to the teacher, the Executive Director or a person designated by the Executive Director for that purpose.

No student will be required to report or make a complaint of sexual misconduct or sexual harassment to the person who is the subject of the complaint. A confidential complaint may be made and the school will inform the student who made the complaint of any actions it takes in response to the complaint within the bounds of applicable law as to the student or employee confidentiality.

Within 24 hours, staff shall report complaints of sexual harassment to the Executive Director or his/her designee who will immediately log the complaint. Staff shall similarly report any such incidents they may observe even if the harassed student has not complained.

The Executive Director or designee shall immediately investigate any report of the sexual harassment of a student. If a more extensive investigation is necessary, Flagstaff Junior Academy may utilize an outside investigator who shall serve as a fact-finder.

Such investigation must be completed within thirty (30) days of receipt by the Executive Director of the complaint. Pending such an investigation, the Executive Director shall take any action necessary to protect the alleged victim.

Upon verifying that sexual harassment occurred, the Executive Director shall ensure that appropriate action is promptly taken to end the harassment, address its effects on the person subjected to the harassment, and prevent any further instances of harassment.

Names, office locations and phone numbers of persons to contact for further information or assistance on how to use this policy:

Thomas Drumm, Executive Director
Flagstaff Junior Academy
Cedar Campus: 774-6007 Middle School: 214-7317

Section 7.16 Check-Out Procedures

Parents or legal guardians of students must designate those persons who are authorized to check out their children. Written designation of authorized person must be included in the student's enrollment packet.

The Academy reserves the right to deny a check-out if, in the Academy's opinion, such check-out appears to compromise the personal safety or welfare of the student. If the check-out is to be denied, it will be the responsibility of the Executive Director to hold a meeting with the parent

and the student to discuss the matter. The parents are to be advised in writing if the privilege is denied.

Section 7.17 Student Discipline

Appropriate behavior is a necessary prerequisite to learning. Therefore, each student must conduct himself/herself properly and in accordance with school rules, regulations, and policies at all times. Each employee of the Academy is responsible for helping to enforce proper student conduct.

Cooperation between parent(s), legal guardian(s) (hereinafter “parents”) and the Academy is essential to positive, effective student discipline. To facilitate and further this cooperation, the Academy will:

- Inform parents of situations that may be developing prior to the need for disciplinary action whenever possible.
- Develop and distribute to parents clearly stated discipline policies, rules, and regulations.

Students must accept responsibility for their conduct. FJA will assist parents whenever possible by recommending services and agencies that may be of assistance in correcting unacceptable student behavior. However, ultimately parents must assume the responsibility for the conduct of their children.

The following infractions are considered unacceptable and a cause for disciplinary action. The following infractions are broad in scope and call for the Executive Director and/or Board to exercise discretion (within the law and policies) based upon the facts and circumstances of individual cases in terms of what appears best for the students and the Academy. This list is not meant to exclude other infractions that might occur that could jeopardize the health, safety, or welfare of others or interfere with the educational process.

A. Infractions Against Public Order

1. Public nuisance

- Explosives/Fireworks
- Making bomb threats
- Setting off false fire alarms

2. Loitering/trespassing

3. Disorderly conduct

- Disturbing a school meeting, activity or school event
- Vulgar or obscene language, gestures or ethnic slurs
- Arson or attempted arson
- Fighting
- threatening violence or attempting violence

- Possession and/or use of a weapon or dangerous instrument
- Bullying
- Bullying or threatening using electronic or written communication

B. Infractions Against Authority

1. Insubordination
2. Obstructing an investigative process
3. Insult or verbal abuse of faculty or staff members
4. Assault of faculty or staff members
5. Giving false identification or information
6. Resisting authority
7. Forgery
8. Violation of Board or School rules

C. Destruction of School Property

1. Vandalism
2. Theft/graffiti/larceny

D. Infractions Against Others

1. Endangerment
2. Creating a hazardous or physically offensive condition
3. Bullying, harassment, threats, verbal or written abuse
4. Slander
5. Extortion
6. Physical assault
7. Improper sexual advances
8. Fighting
9. Hazing

E. Substance and Alcohol Abuse – The Academy is a Drug-Free Zone

1. Use, possession, or sale of a controlled substance. A controlled substance is defined as: any substance defined as a controlled substance by Arizona or federal law; narcotic drugs, harmful drugs, hypnotic drugs, opiates, cocaine, marijuana, and alcohol-based substances, and vapor-releasing substances, and use of a prescription drug without a prescription or other than prescribed.

F. Being Under the Influence of a Controlled Substance as Defined Above

G. Use or Possession of Tobacco Products of All Descriptions

H. Sexual or Physical Abuse of Students

I. Date Rape or Statutory Rape

J. Sexual Harassment or Sexual Intimidation

K. Student Electronic Device Policy

All electronic devices, including but not limited to, cell phones, CD players, MP3 players, iPods, tablets, and accompanying earbuds and headsets are not to be visible from 7:40-3:15 unless instructed to do so by the classroom teacher. Approval for electronic usage will be at the discretion of the individual classroom teachers.

- Administration will not conduct investigations for electronic devices if items are lost or stolen.
- FJA is not responsible for the theft or loss of electronic devices
- Students bring electronic devices to school at their own risk, including the breakage, loss or theft of their device.

Section 7.18 Permissible Penalties

The range of penalties that may be imposed for violations of student discipline rules include, but are not limited to, the following:

- Verbal warning
- Written warning/notification to parents
- Detention
- In-school suspension (length contingent on infraction)
- Out-of-school short-term suspension (not to exceed ten (10) days)
- Long-term suspension (greater than ten (10) days)
- Expulsion

Loss of privileges will accompany written warnings/notifications and infractions warranting higher penalties. A non-inclusive list of privileges that may be revoked are: sports activities, trips, Student Council, clubs, other FJA activities, social contact and other extracurricular activities.

Depending upon the nature of the violation, student discipline may be progressive, i.e., a student's first violation could merit a lighter penalty than the subsequent violations. An FJA employee should take into account all other relevant factors in determining an appropriate penalty, including, but not limited to, the following: the seriousness of the offense, the number of violations, the repetitiousness of the violations, and whether there are any aggravating or

mitigating circumstances surrounding the violations. Penalties may be imposed either alone or in combination. For example, a student may receive a written warning and a short-term suspension.

Section 7.19 General Due Process Rights

A. Discipline Which Involves Short-Term In School Suspension

For minor disciplinary offenses where the penalty is less than an out of school suspension or expulsion, the accused student has the right to an oral or written notice (at the discretion of the Academy) of the reasons for the discipline to be imposed. The student has a right to meet with the Executive Director and/or his/her designee to discuss the student's position on the discipline and the circumstances surrounding the discipline.

After the student has had an informal opportunity to discuss the matter with the Executive Director and/or his/her designee, the discipline will be imposed. The decision of the Executive Director and/or his/her designee is final.

The discipline shall be recorded in the student's file.

The intention of this section is to allow the accused student an informal opportunity to be heard before discipline is actually imposed on the student. Where appropriate, necessary or due to exigent circumstances, discipline may be imposed prior to an informal opportunity to be heard or reviewed by the Executive Director. In such exigent situations, the student will, shortly after the imposition of the penalty, be given an opportunity for an informal review with the Executive Director and an opportunity to be heard.

The parents shall be notified in writing of the school's imposition of any in school suspensions.

B. Discipline Which Involves Short-Term Out of School Suspension of 10 Days or Less

If the intended discipline to be imposed against a student involves a short-term out of school suspension of ten (10) days or less, the student shall receive oral or written notice of the intended discipline before imposition. The notice shall state the reason(s) for the proposed disciplinary action and the evidence supporting the proposed action. The student will be asked to explain the incident giving rise to the disciplinary action during a meeting with the Executive Director. Following the meeting, the Executive Director may, based upon the evidence, suspend the student for up to ten (10) days, impose other less severe disciplinary alternatives or, if appropriate, exonerate the student.

A written record of any disciplinary action shall be kept in the student's file.

If the disciplinary action involves suspension, the student's parents must be notified prior to the student being allowed to leave the school premises. If parents cannot be contacted, the student will be kept in an isolated area, under adult supervision, until dismissal time. If the parents

cannot be contacted at that time, a written notification to the parents of the suspension will be given to the student.

As soon as possible following the decision to suspend the student, a letter will be sent to the student's parents, explaining the terms of the suspension, the reasons for the suspension and requesting a meeting to discuss the situation with the parents. Reasons for short-term suspension may include consideration of long-term suspension or expulsion proceedings.

C. Long-Term Suspension/Expulsion

When the intended discipline involves a long-term (either in school or out of school) suspension of more than ten (10) days or expulsion, the accused student has a right to the following before discipline is imposed (unless an emergency suspension exists as set forth herein):

1. At least five (5) days prior to the time set for a formal hearing on the suspension, the Executive Director shall provide said student and/or his/her parents and/or legal guardians written notice of intent to impose long-term suspension. Notice shall be deemed given at the time the Academy deposits such notice in the U.S. mail, return receipt requested, to the parties' address of record on file at the Academy or, in the alternative and at the Academy's sole discretion, by actual delivery to the parties or to the parties' last known address. The written notice shall set forth the charges, the rules violated, the facts alleged to constitute the violation, and copies of any and all pertinent documents or exhibits that the Academy intends to use at the suspension/expulsion hearing.

Additionally, the letter shall contain the extent of punishment to be considered, the date, time and place of the formal hearing, a designation of the school's witnesses, and the name of the hearing officer, if one has been designated. The student and/or his/her parent or legal guardian shall also be informed of the student's right to obtain counsel (at his/her own expense) and to present witnesses on his/her behalf.

2. A hearing on the long-term suspension/expulsion shall be held to impose long-term suspension/expulsion. The hearing shall be held before an independent hearing officer designated by the Board. The Executive Director shall present the case on behalf of the school.

3. The parents or legal guardians of the student must be informed of the following:

- The student and his/her parents or legal guardians have the right to a statement of the charges and obtain a copy of the rules alleged to have been violated.
- Counsel may represent the student at the family's personal expense.
- The student may present witnesses.
- The student has a right to cross-examine the school's witnesses.
- Counsel may represent the school.

- The school has a right to cross-examine the student's witnesses.
- The burden of proof lies with the school.
- The hearing will be recorded.
- The hearing will be conducted in private, with only the parties and necessary witnesses being in attendance. Student's names shall be referred to by a number or alias so as to protect the privacy of student.

Long-Term Suspension

Within five (5) days of the conclusion of the hearing, the hearing officer shall issue a written decision, setting forth the reasons for the long-term suspension. The parents may appeal the decision by submitting a written notice of appeal to the Governing Board within five (5) days of receipt of the decision. If the parents do not appeal, the decision will be final after the expiration of the appeal's period. In the event of an appeal, the Governing Board will review the record of the proceedings and, based on the record, will issue a decision. The Board may uphold the hearing officer's decision or it may modify the decision. The Board's decision is final.

Expulsion

Within five (5) days of the conclusion of the hearing, the hearing officer shall issue a written recommendation for expulsion to the Board. The recommendation shall contain the reasons for expulsion. The parents shall be notified of the recommendation. The notification shall also contain:

The time and place of the Board meeting at which the recommendation will be considered;

That the parents or legal guardian have a right to appeal the recommendation at the time of the Board meeting;

That a written appeal shall be delivered to the Executive Director prior to the Board meeting;

That the Board may accept the recommendation or reject the recommendation and impose a different disciplinary action;

In the event that the Board accepts the recommendation, the expulsion shall become effective on the day following the Board meeting;

That the decision of the Board will be on the record only and will be final;

That any Board discussion on the recommendation shall be in executive session, unless the parents or legal guardian request that the discussion take place in open public meeting;

That the final decision by the Board shall take place in open public meeting.

D. Emergency Suspension

In a situation where exigent circumstances require the immediate removal from campus of a student, the Academy may impose an immediate, emergency suspension of a student prior to a due process hearing as outlined above. The decision to execute an emergency suspension may be made by the Executive Director or his/her designee or by the Executive Director or his/her designee. Emergency removal of a student from the campus is justified where there is a serious, immediate, and continuing danger to the health, safety and welfare of the student or others on campus. Emergency removal of the student from campus is not in and of itself considered disciplinary action, but simply a means to protect the health, safety and welfare of the student or others.

The student suspended in an emergency situation shall be readmitted to the Academy as soon as the emergency has passed. Additionally, the student suspended on an emergency basis has the right to a due process hearing on the suspension within 3 days of the emergency suspension. Which due process hearing applies depends upon the discipline being imposed as set forth above. If the discipline intended to be imposed is a suspension for 10 days or less, the suspension for 10 days or less discipline policy shall apply. If the discipline intended to be imposed for more than 10 days, the long-term suspension policy will apply.

At the time of the emergency removal, the student must be immediately informed orally by the Academy staff of:

- The precise rule alleged to have been violated;
- The facts which constitute the violation;
- The right to a formal disciplinary hearing within 3 days from the emergency suspension; and
- The facts, which justify the emergency removal.

This oral notification shall be reduced to writing and mailed to the student and his/her parents and/or legal guardian within 24 hours of the emergency suspension. A full written report of the details surrounding the emergency suspension shall be provided to the Executive Director within 24 hours of the incident.

E. Expungement

Allegations of misconduct and information pertaining to shall be expunged from a student's school record in the event it is found that the student did not commit the violations of laws, rules or policies as alleged.

Section 7.20 Discipline of Special Education Students

All disciplinary action relative to special education students must be taken pursuant to 34 C.F.R. §§ 300.519 through 300.529, references therein and amendments thereto. Copies of the above CFRs shall be kept by the Director of Special Education and provided to the staff as needed. It shall be the duty of the Special Education Director of the Academy to review said CFRs in January of each year and to supplement and amend these attachments as necessary to maintain their currency.

It should be noted that in general, removal of a child with a disability from the child's current educational placement for more than ten (10) consecutive schooldays and/or a series of removals that constitute a pattern and cumulate to more than ten (10) schooldays in a school year constitute a change of placement. The procedures set forth in 34 C.F.R. §§ 300.519 through 300.529 must take place prior to the expiration of that time. It shall be the duty of the Special Education Director to ensure that the appropriate procedures take place in a timely manner.

A. Suspension for up to 10 days

A student with a disability may be suspended from the regular classroom for up to ten (10) days at a time whenever discipline is appropriate and is administered consistent with treatment of non-disabled students.

The student shall receive oral or written notice of the misconduct and shall be provided an opportunity to present an explanation. Following the meeting, the teacher may suspend the student for up to ten (10) days, may impose a lesser penalty or may exonerate the student.

No appeal is available from a short-term suspension.

A suspended student is not allowed to leave campus until parents have been notified. If parents cannot be contacted, the student will be kept in an isolated area, under adult supervision, until dismissal time. If the parents cannot be contacted at that time, an explanatory message to the parents will be given to the student.

A letter to the parents will be written as soon as possible after suspension is imposed, to explain the terms and reasons for the suspension and requesting a meeting to discuss the student's conduct.

A change of placement occurs if the suspension is for longer than ten (10) days or is one of a series of suspensions for up to ten (10) days that constitute a pattern. Factors to be considered in determining whether a change in placement has occurred include the length of each removal, total time the child is removed and proximity of removals to each other.

B. Long-term Suspension and Expulsion

If a suspension of more than ten (10) school days is imposed, the disciplinary action is considered a change in placement. The school will continue to provide services to the extent determined necessary by the IEP team during long-term suspensions or expulsion.

If the student commits an offense which may be subject to long-term suspension or expulsion, the school will immediately do the following:

Place the student on short-term suspension pending a decision on the long-term suspension or expulsion.

Immediately, but in no case later than ten (10) school days after the decision to take that action is made, the school will hold a manifestation determination hearing for the purpose of determining whether or not the offensive conduct is a manifestation of the student's disability.

If the student's conduct is determined to be a manifestation of the student's disability, then the suspension shall not be extended beyond the initial ten (10) school days. In that case, placement shall be as determined by the multidisciplinary conference.

If the student's conduct is determined not to be manifestation of the student's disability, then discipline shall be administered consistent with treatment of non-disabled students.

C. Interim Alternative Educational Setting

The school may unilaterally remove a student from regular placement into an alternative educational setting for no more than forty five (45) days, if the student has committed a weapon or drug offense or causes severe bodily injury to another student or staff member or where a Due Process Hearing Officer has determined that injury to the student or others is likely if the current placement is maintained.

While the student is in the alternative placement, the student will continue to receive those services described in the current IEP. The student will, in addition thereto, receive services and modifications which are designed to prevent the conduct giving rise to the placement.

Section 7.21 Incident Report Procedures

A. Search and Seizure Policy

Students possess the right of privacy of person as well as freedom from unreasonable search and seizure of property guaranteed by the Fourth Amendment of the U.S. Constitution. This individual right, however, is balanced by the Academy's responsibility to protect the health, safety, and welfare of all of its students and staff.

Academy employees may conduct searches when they have reason to suspect that the health, safety, and welfare of students or staff may be in danger. Any school employee making a search or seizure will follow these guidelines:

General search of school property (including personal items found on school property) may be conducted at any time when there is reasonable cause for school employees to believe that something that jeopardizes the Academy, staff, or students' health, safety, welfare and mission, or violates a law or a school rule is on school property. This search of school property may be made without the student being present.

Illegal items (firearms, weapons, drugs, alcohol) or other possessions reasonably determined to be a threat to the safety, security of others, or might possibly interfere with school purpose, may be seized by school employees.

Items which are used to disrupt or interfere with the educational process may be temporarily removed from a student's possession.

A student's person may be searched by Academy employees when there is reasonable cause to believe that the student has on his/her person illegal items, items that may interfere with Academy purposes, or which may constitute evidence of the violation of an Academy rule.

The Academy maintains ownership of student lockers. The Academy may and will search student lockers on a periodic basis to protect the health, safety, and welfare of all students or to discover evidence of violations of school rules. General searches of lockers may be made without notice. The students should therefore adjust his/her expectations of privacy with respect to lockers accordingly. The personal footlockers or luggage items of students are subject to search if there is reasonable cause to believe that lockers or luggage containing illegal items, items that interfere with school purposes, or evidence of the violation of a school rule.

B. Student Interrogation – Arrest

While the student is within the care or custody of the Academy, it is the responsibility of the Academy to make an effort to act on behalf of the parents with respect to interrogation by law enforcement officials. A parent may and a school staff person will be present during these interrogations, except when interviews are conducted by a child protective service worker pursuant to A.R.S. § 8-224(B) or similar federal statute.

When a student is taken into custody (arrested) the arresting officer shall be requested by the Academy to notify the student's parents or guardians. The arresting officer shall be responsible for the care and custody of the student and shall be responsible for reporting the arrest to the parents. However, the Academy personnel shall make every reasonable effort to ensure that parents have been notified of the fact that the student has been taken into custody. Personnel of the Academy shall cooperate with the police. After an arrest has been formally made the Academy and its employees no longer exercise jurisdiction or control of the student.

C. Student Grievances

Any student who has a grievance with a school staff member, other than a disciplinary matter, shall raise his/her grievance with the Academy official most directly involved with the circumstances giving rise to the grievance. If such an informal resolution is unsuccessful, then the student shall make an appointment to see the Executive Director for resolution for the grievance. The decision of the Executive Director is final.

Grievance procedures may not be used by the student for disciplinary actions. Disciplinary procedures and appeals are addressed under Student Discipline.

Section 7.22 Student Freedom of Expression

Students at the Academy have the right to freedom of expression that is appropriate for children in school. To ensure the educational mission of the Academy is not materially and substantially disrupted or interfered with, the following expressions are prohibited:

- Expression which for any reason causes or is likely to cause a material and substantial disruption or interference with teaching of the Academy or the orderly operation and discipline of the Academy or school activity;
- Cursing, profanity and other vulgar or indecent language;
- Speech which is obscene to minors;
- Speech which is slanderous or libelous;
- Speech which invades the rights of other persons;
- Speech which advertises or promotes alcohol, tobacco, illegal drugs, or any product or service harmful to minors and not permitted to minors by law;
- Speech which could result in tort liability for the Academy;
- Rude and discourteous speech inconsistent with habits and manners of civil discourse;
- Insulting or fighting words (including but not limited to, slurs of another person's character, family, race, religion, sex, ethnic origin, physical appearance, sexual preference, intellectual ability or handicapping conditions);
- Threats of violence or other intimidating statements;
- Abusive or harassing conduct (including speech) sufficiently severe and pervasive as to create a hostile learning environment for any student;
- Speech which is likely to cause the commission of unlawful acts or the violation of lawful school regulations;
- Statements reflecting biases or prejudice in school sponsored expressive activities such as student newspapers, yearbooks, and school plays.
- Students shall obey the directions of school personnel and cease prohibited expressions and activities noted above.

Section 7.23 Parent Code of Conduct

This Parent Code of Conduct sets forth the expected behaviors of parents/guardians and visitors when on school property or when engaging with school personnel. The Parent Code of Conduct is established to ensure a positive working relationship between the school, parents/guardians, and the general community.

As a parent/guardian or visitor I agree to:

- Be courteous in speech and actions.
- Be supportive of the efforts of the school to educate or behavior of my child(ren) and the children of others.
- Meet with school staff when requested to discuss the education or behavior of my child(ren); Work with school staff members to solve any discipline or other problems. Please let the school know if something has happened at home that could affect how your child does in school.
- Contact my child's teacher first regarding classroom matters. Refrain from disciplining your own or other children while at school.
- Sign in at the office upon entering the school and seek permission prior to going to other areas of the building.
- Refrain from the use of profanity when talking with school personnel.
- Refrain from use of physical contact or force at all times when meeting with school personnel or when on school property. Verbal threats, intimidating behavior and/or physical violence on school property will result in police involvement and the pursuance of the appropriate legal actions.
- Each year provide your child's school with your current telephone number, home address, work telephone number and emergency contact number. Parents must immediately notify the school of any changes in contact information.
- Understand and support the rules in the Parent/Student Handbook and talk to your child about them.
- Teach your child to follow the dress code as outlined in the handbook. It is important to dress neatly and appropriately for school, because it is a place to work and learn.
- Make every effort to ensure that your child arrives at school on time every day.
- Contact the school when your child is absent and explain the reason for the absence.
- Be aware that when parents are divorced or separated, both parents have full rights to participate in the child's school activities and to know what is happening at school, unless there is a court documentation limiting that access. If such an injunction document exists, you must provide the director a certified copy. The non-custodial parent will not be allowed to remove the child from the school without the permission of the residential parent. A non-custodial parent has the right of access to student records and information unless a court order prohibits such access.
- Give the school written permission if you want a stepparent who is not the legal guardian of the child to have information about the child or to sign forms related to the child. Permission must be submitted to the school every year.
- Be aware that only people listed on the Emergency Information Form or on the Enrollment Form may pick up a student from school during the school day.
- Adhere to school developed, on-site traffic plans for vehicles when bringing students to school or picking them up after school. Do not park in handicapped parking space unless medically necessary and only with an appropriate Handicapped sticker. Do not park in the apartment parking lot across the street.
- Do my best to volunteer at my child's school in a capacity where my skills can be utilized.

CONSEQUENCES:

Consequences will be enacted by the Director when the Parent Code of Conduct is not followed. Consequences may include: conference with the director and/or FJA Board, or a meeting before the Board to discuss the inappropriate action(s). Serious violations of the Code of Conduct may result in legal sanctions or injunctions. Any abusive or profane language or physical contact with employees or among visitors will result in charges being filed and the parties will be issued a No Trespassing notice. Additionally, the Local Law Enforcement Department will be contacted in the event of any physical or verbal abuse.

Printed Name of Parent/Guardian

Signature of Parent/Guardian

Date