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## Consequence Chart and Definitions of Consequences

The Definitions of Consequences table below provides general guidance in determining appropriate consequences for student misconduct. Please note that the table below is a guideline, and Legacy Traditional Schools reserves the right to impose more serious consequences, up to and including expulsion—even for a first offense—depending on the nature and severity of the misconduct at issue.

House Bill 2123 prohibits the suspension or expulsion of students under the age of seven, except for possession of a firearm at school. HB 2123 limits suspension and expulsion of students seven and older in grades K–4 to offenses that involve drugs, weapons, and immediate endangerment of the health and safety of others. The law provides an exception in the event of aggravating circumstances, in which persistent behavior has been documented by the school and prevents others from learning and/or the teacher from maintaining control of the classroom and in which the student has been unresponsive to targeted interventions. The aggravating circumstances exception requires governing board approval for disciplinary removal and does not permit school administrators to assign consequences.

<b>Definitions of Consequences for K–4 Students (7 years of age and older)</b>	
<p><b>1<sup>st</sup> Offense</b> (Any combination of the consequences listed may be imposed)</p>	<p><b>For Drugs, Weapons, and Immediate Endangerment of the Health and Safety of Others Only</b> Student sent to the office • Consultation • Parent notified to pick up student immediately • 1–3 day suspension (or longer, up to 10 days depending on the severity of the offense), and a conference between parent and the school principal, prior to student re-entering school • ISS</p> <p><b>For Egregious and Obnoxious Behavioral Infractions</b></p>
<p><b>2<sup>nd</sup> Offense</b> (Any combination of the consequences listed may be imposed)</p>	<p><b>For Drugs, Weapons, and Immediate Endangerment of the Health and Safety of Others Only</b> Student sent to the office • Consultation • Parent notified to pick up student immediately • 3–5 day suspension (or longer, up to 10 days, or expulsion depending on the severity of the offense), and a conference between parent and the school principal, prior to student re-entering school • ISS • Failure to comply with the specifics of the instructional discipline action plan may result in expulsion • The superintendent is notified regarding possible expulsion</p>
<p><b>3<sup>rd</sup> Offense</b> (Any combination of the consequences listed may be imposed)</p>	<p><b>For Drugs, Weapons, Immediate Endangerment of the Health and Safety of Others, and Persistent Egregious Behavioral Infractions Only</b> Student sent to the office • Parent notified to pick up student immediately • Short-term suspension up to 10 days, long-term suspension (greater than 10 days) or expulsion, and a conference between parent and principal, prior to student re-entering school, if student not expelled • Superintendent is notified regarding possible expulsion</p>

## General Behavioral Expectations

Students are expected to conduct themselves in an honest, responsible, respectful, and mature manner and to refrain from any behavior that fails to comport with such general behavioral expectation, regardless of whether such behavior is referenced in a specific prohibition in this document. Consistent with this expectation, all students are required to:

- Conduct themselves in a courteous and respectful manner;
- Observe federal, state, and local laws and ordinances;
- Comply with the specific standards of behavior set forth below and elsewhere in the Parent & Student Handbook or other school publication;
- Refrain from engaging in behavior that obstructs, disrupts, or interferes with any educational, administrative, disciplinary, or other activity sponsored or approved by the school;
- Refrain from any behavior that endangers or threatens the safety or physical, mental, or emotional health of any person, or that inflicts, or threatens to inflict, damage to property of the school or a member of the school community.

\* Reported to ADE

\*\* Mandated to report to local law enforcement, also ADE

In addition to abiding by the general behavioral expectations, the following behaviors are prohibited on campus and at school-related events. In addition, students are subject to potential discipline for engaging in prohibited behaviors off campus or at non-school-related events/functions, if the behavior at issue may result in substantial disruption of the school community or otherwise directly and adversely affects the school or members of the school community.

<b>Aggression</b>	
<b>Verbal Provocation</b>	Use of language or gestures that may incite another person or other people to fight.
<b>Minor Aggressive Act</b>	Engaging in non-serious but inappropriate physical contact, e.g., hitting, poking, pulling, or pushing. Other behaviors that may be considered as minor aggressive acts include running in the building, hallways, or corridors; pulling a chair out from underneath another person; or other conduct that demonstrates low-level hostile behavior.
<b>Recklessness</b>	Unintentional, careless behavior that may pose a safety or health risk for others.
<b>*Endangerment</b>	Recklessly endangering another person with a substantial risk of imminent death or physical injury. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>
<b>*Fighting/Assault</b>	Engaging in an act of physical violence against another person.
<b>Other Aggression</b>	Defined by school district policy.

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<b>Alcohol, Tobacco, and Other Drugs</b>	
<b>Alcohol Violation</b>	Manufacture, sale, purchase, possession, or use of alcoholic beverages or substances represented as alcohol. This includes being intoxicated at school, at school-sponsored events, and on school-sponsored transportation. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>
<b>Drug Violation</b>	Use, cultivation, manufacture, distribution, sale, purchase, or possession of any controlled drug or narcotic substance, or of drug paraphernalia/equipment or devices used for preparing or taking drugs or narcotics. This includes being under the influence of drugs at school, at school-sponsored events, and on school-sponsored transportation. <u>"Drug"</u> means any narcotic drug, dangerous drug, illicit drug, or other controlled substance, including marijuana. For purposes of this policy, "drug" includes: (1) prescription medication, unless approved for use at school or school sponsored events and taken in accordance with the associated prescription; (2) over-the-counter medications, unless approved for use at school or school-sponsored events and taken in accordance with manufacturer's direction. For purposes of this policy, "drug" does not include tobacco or alcohol. <u>"Drug paraphernalia"</u> means all equipment, products, and materials of any kind that are used, intended for use, or designed for use in planting, propagating, cultivating, growing, harvesting, manufacturing, compounding, converting, producing, processing, preparing, testing, analyzing, packaging, repackaging, storing, containing, concealing, injecting, ingesting, inhaling, or otherwise introducing into the human body a drug. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>
<b>Tobacco/Tobacco Products/Vapor Products</b>	A student shall not possess, sell, distribute, or use tobacco or tobacco products, matches, lighters, or electronic cigarettes/vaporizer pens, e-liquids, or other vapor products. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>

<b>Arson</b>	
<b>**Arson</b>	Causing a fire or explosion. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>

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<b>Attendance Policy Violation:</b> Violation of state, school district, or school policy relating to attendance.	
<b>Tardy</b>	Arriving at school or class after the scheduled start time. <i>Consequences for tardies are set forth in the Parent &amp; Student Handbook and/or school policy.</i>
<b>Leaving School Grounds without Permission</b>	Leaving school grounds or being in an “out-of-bounds” area during regular school hours without permission of the principal or principal designee.
<b>Truancy</b>	Unexcused absence from school. <i>Consequences for truancy are set forth in the Parent &amp; Student Handbook and/or school policy and may include referral to local law enforcement, in compliance with Arizona law.</i>
<b>Other Attendance Violation</b>	Defined by school policy.

<b>Harassment, Threat, and Intimidation</b>	
<b>Note:</b> If a violation is known to be bullying or hazing, record the violation as such. Otherwise, indicate harassment, nonsexual. <b>If the harassment or intimidation is of a sexual nature, record under Sexual Offenses as harassment, sexual.</b>	
<b>*Harassment (nonsexual)</b>  (See <i>also</i> specific policies below regarding sexual harassment and bullying)	Unwelcome behavior intended to demean, humiliate, embarrass, or seriously annoy a person, which a reasonable person would find demeaning, humiliating, embarrassing, or seriously annoying. Harassment may occur through verbal or nonverbal means, including through the use of electronic technology or electronic communication.  Examples of harassment: Anonymously or otherwise communicating or causing a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses. • Continuing to follow another person in or about a public place for no legitimate purpose after being asked to desist. • Surveilling or causing another person to surveil a person for no legitimate purpose.  <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>
<b>*Bullying</b>	Repeated acts over time that involve a real or perceived imbalance of power, with the more powerful person or group attacking a less powerful person or group. Bullying can be physical in form (e.g., pushing, hitting, kicking, spitting, stealing); verbal (e.g., making threats, taunting, teasing, name-calling); or psychological (e.g., social exclusion, spreading rumors, manipulating social relationships).

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<p><b>*Threat or Intimidation</b></p>	<p>When a person indicates by word or conduct the intent to cause physical injury or serious damage to a person or their property.  <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i></p>
<p><b>*Hazing</b> (A.R.S. §15-2301)</p>	<p>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:</p> <p>(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.</p> <p>(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.</p> <p><u>"Organization"</u> means an athletic team, association, order, society, corps, cooperative, club, or other similar group that is affiliated with an educational institution and whose membership consists primarily of students enrolled at that educational institution.</p> <p>Violations of this hazing prevention policy do not include either of the following:</p> <ol style="list-style-type: none"> <li>1. Customary athletic events, contests, or competitions that are sponsored by an educational institution.</li> <li>2. Any <b>activity</b> or conduct that furthers the goals of a legitimate educational curriculum, a legitimate extracurricular program, or a legitimate military training program.</li> </ol>

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<b>Lying, Cheating, Forgery, or Plagiarism</b>	
<b>Cheating</b>	Academic dishonesty.
<b>Forgery</b>	Falsely and fraudulently making or altering a document.
<b>Lying</b>	Making an untrue statement with intent to deceive; creating a false or misleading impression.
<b>Plagiarism</b>	Passing off the ideas or words of another as one's own.

<b>School Policies, Other Violations of:</b> This category comprises misbehavior defined in district policy but not captured elsewhere.	
<b>Insubordination, Defiance, Disrespect to Authority, and Noncompliance</b>	Refusing to follow directions; “talking back”; engaging in socially rude interactions.
<b>Combustible</b>	Possession of a substance or object that is readily capable of causing bodily harm or property damage, e.g., matches, lighters, firecrackers, gasoline, and lighter fluid. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>
<b>Contraband</b>	Items that the school, principal, or classroom teacher has indicated are prohibited because they may disrupt the learning environment.
<b>Disruption</b>	Engaging in behavior that causes an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; or sustained out-of-seat behavior.
<b>Dress Code Violation</b>	Wearing clothing that does not fit within the dress code guidelines included in the Parent & Student Handbook.
<b>Language, Inappropriate</b>	Use of profanity, name-calling, or use of words inappropriately.
<b>Parking Lot Violation</b>	Defined by school policy.
<b>Public Display of Affection</b>	Holding hands, kissing, sexual touching, or other displays of affection in violation of school policy.

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<p><b>School Threat (threat of destruction or harm) or Interference with or Disruption of an Educational Institution:</b> Includes any threat (verbal, written, or electronic) by a person to bomb or use other substances or devices for the purpose of exploding, burning, or causing damage to a school building or school property, or to harm students or staff or their property.</p>	
<p><b>**Bomb Threat</b></p>	<p>Threatening to cause harm using a bomb, dynamite, explosive, dangerous chemical, biological agent, or arson-causing device.</p> <p><i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i></p>
<p><b>**Fire Alarm Misuse</b></p>	<p>Intentionally ringing fire alarm when there is no fire.</p> <p><i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i></p>
<p><b>**Interference with or Disruption of School</b> (A.R.S. § 13-2911)</p>	<p>Threatening to cause injury to any member of the school community or to school property or the property of a member of the school community; interfering with the educational use of school property; any act that interferes with or might reasonably interfere with the school schedule or activities; any other activity that violates state or federal law.</p> <p><i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i></p>
<p><b>*Other School Threat</b></p>	<p>The incident cannot be coded in one of the above categories but involved a school threat.</p>

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<b>Sexual Offenses</b>	
<b>Note:</b> Consider age and developmentally appropriate behavior before using this category.	
<b>Pornography</b>	Possession or distribution of sexually explicit depictions of persons, in words or images. <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>
<b>*Harassment, Sexual</b>	Unwelcome conduct of a sexual nature that denies or limits a student's ability to participate in or to receive benefits, services, or opportunities in the school's program. Sexual harassment can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.  Relevant factors in determining whether behavior rises to the level of sexual harassment include: <ul style="list-style-type: none"> <li>● The degree to which the conduct affected one or more students' education</li> <li>● The type, frequency, and duration of the conduct</li> <li>● The identity of and relationship between the alleged harasser and the subject or subjects of the harassment</li> <li>● The number of individuals involved</li> <li>● The age and sex of the alleged harasser and the subject or subjects of the harassment</li> <li>● The size of the school, the location of the incidents, and the context in which they occurred</li> <li>● Other incidents at the school</li> </ul> <i>Due to the nature of the behavior or act, discipline up to expulsion may be considered, even for a first offense.</i>

<b>Technology, Improper Use of</b>	
<b>Computer</b>	Defined by school policy.
<b>Network Infraction</b>	Defined by school policy.
<b>Telecommunication Device</b>	Defined by school policy.
<b>Other Technology</b>	Defined by school policy.

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**Theft:** Indicate whether school property or non-school property.

**Theft**

Taking or attempting to take money or property belonging to another person or the school with the intent to permanently deprive the victim of his or her possessions.  
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**Trespassing:** Entering or remaining on a public-school campus without authorization or invitation and with no lawful purpose for entry. This includes students under suspension or expulsion and unauthorized persons who enter or remain on a campus after being directed to leave by the principal or other school employee with appropriate authority.

**Vandalism or Criminal Damage:** Engaging in willful destruction or defacement (including graffiti or tagging) of school or personal property.  
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**Weapons:** Possessing any gun/firearm, knife, explosive device, or other dangerous instrument, dangerous item, or simulated weapon.

“Dangerous instrument” includes anything that under the circumstances in which it is used, attempted to be used, or threatened to be used is readily capable of causing death or serious physical injury.

“Dangerous item” includes such items as a BB gun, pellet gun, airsoft gun, laser pointer, etc.

“Simulated weapon” includes any simulated firearm made of plastic, wood, metal, or any other material that is a replica, facsimile, or toy version of a firearm or any object such as a stick or finger concealed under clothing and being portrayed as a firearm.

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