

ADMINISTRATIVE GUIDELINES:

EMPLOYEE CODE OF CONDUCT



VERSION CONTROL

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COMPANY

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INTRODUCTION



October 16, 2015

Dear Employee:

Throughout its history, Littleton Elementary School District has maintained and enforced high standards for employee ethics, conduct and professional competency. The district's *Employee Code of Conduct* (ECOC) is one tool for assisting all staff in meeting these standards.

Because problems involving staff ethics or conduct have the potential to either support or undermine the stated mission, beliefs, and educational philosophy of the district, the ECOC was developed to provide all employees with a better understanding of:

- The district's expectations for staff ethics and conduct outlined in district policies GBEA et seq. and GBEB et seq.;
- Their responsibilities to our community for meeting these expectations;
- The types of incidents that demonstrate a failure to meet these expectations;
- The rationale for the district's approach to staff misconduct; and
- Their rights before, during, and after any informal or formal personnel action, where applicable.

Where applicable, any such action will be taken:

- In accordance with federal law, state statute, and Board policy;
- In a reasonable, fair, and consistent manner; and
- Without regard to race, color, religion, sex, age, national origin, disability, or any other basis in federal law, state statute, or Board policy in accordance with district policies AC et seq., GBA et seq., GCF et seq., and GDF et seq.

The ECOC is intended to support existing Governing Board policies and administrative regulations in areas involving staff ethics or conduct. The ECOC does not establish new procedures in these areas.

Further, the ECOC is not a substitute for good judgment, nor does it cover every possible ethics or conduct situation that may be encountered by a staff member or a supervisor during his or her career. When in doubt about any specific action or behavior, please consult with your direct supervisor or Human Resources.

Sincerely,

Dr. Roger Freeman, Superintendent
Littleton Elementary School District

Littleton Elementary School District #65 • PO Box 280 • Cashion, Arizona 85329 • (623) 478-5600 Reception • (623) 478-5625 Facsimile
Underdown Learning Center and Administrative Offices • 1600 South 107th Avenue, Avondale, Arizona 85323

www.littletonaz.org

Collier Elementary
(623) 478-5900
www.coes.littletonaz.org

Country Place Elementary
(623) 478-6100
www.cpes.littletonaz.org

Estrella Vista Elementary
(623) 478-6200
www.eves.littletonaz.org

Littleton Elementary
(623) 478-5700
www.lnes.littletonaz.org

Quentin Elementary
(623) 478-6000
www.ques.littletonaz.org

Tres Rios Elementary
(623) 478-6300
www.tres.littletonaz.org

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1.0 STATEMENTS OF PURPOSE AND INTENT

The following guidelines were developed to assist all employees in their understanding of the purpose and intent of the District *Employee Code of Conduct* (ECOC).

PURPOSE OF THE EMPLOYEE CODE OF CONDUCT

The purpose of the ECOC is to ensure that each Employee is aware of his or her responsibility for supporting the mission, beliefs, and educational philosophy of the District as follows:

- **Mission.** The mission of the District is to provide comprehensive, success-oriented learning activities for young people in our schools [AAC R7-2-603 (B); LESD A and AD].
- **Beliefs.** Our beliefs are as follows [LESD A]:
 - **Board.** We believe: 1) Students are the number-one priority; 2) The Board conveys the educational needs and desires of the community to the District and establishes policies accordingly; and 3) The Board maintains high expectations for the District and themselves in working toward excellence.
 - **Superintendent.** We believe: 1) The Superintendent is the leader, implementer, and facilitator of a successful school district; 2) The Superintendent promotes and upholds the positive educational climate of the school district.
 - **Principals.** We believe: 1) A principal is the instructional leader of the school; 2) A principal is the facilitator for a positive learning environment; 3) A principal actively seeks parent support and involvement; 4) A principal serves as a liaison between school and community; and 5) A principal maintains high expectations for students and staff members.
 - **Management principles.** We believe: 1) In human beings as the single most important element in all transactions; 2) In behaving with uncompromising honesty and integrity; 3) In challenging people to experience their full potential so each individual contributes to educational excellence; 4) In reaching quality decisions through the involvement of people; 5) In establishing priorities that respond to the needs of our students, staff members, and community, and serve as the driving force behind all of our actions; and 6) In focusing on excellence in everything we do [LESD A].
 - **Teachers.** We believe: 1) Teachers are the foundation of a strong educational system; 2) Teachers will maintain high expectations for themselves and their students; 3) Teachers should serve as positive role models for students; and 4) Teachers will actively seek parent support and involvement.
 - **Students.** We believe: 1) Every student will be educated academically and socially so as to be a productive citizen; 2) All students will have equal educational opportunities to achieve their individual potential; 3) We have something to offer every student; 4) Each student is unique; and 5) Successful education depends on parental commitment to education.
- **Educational philosophy.** The District was established by the state legislature, under the authority contained in the Arizona State Constitution, for the sole purpose of providing an education to the students of the District [LESD AD]. While the establishment of the District also provides other services, such as caring for students during the school day, providing employment to the school staff, and providing facilities for the use of the community, all of these services are necessarily subordinate to the District's prime function of providing an education to students [LESD AD].

The Board is selected by the citizens of the community to ensure that this responsibility is accomplished; however, the Board recognizes that it cannot accomplish this objective unless all of the sectors of the school community also accept and perform their responsibilities [LESD AD]. The Board considers the responsibilities of these elements of the school community to be as follows:

- **Community.** The resources necessary to provide education for students are provided by members of the community through their taxes and other supporting services [LESD AD]. The Board's goal is that all members of the community, both individually and through their governmental, civic, and social organizations, will continue to support the educational activities of the District [LESD AD].

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1.0 STATEMENTS OF PURPOSE AND INTENT (CONT'D)

PURPOSE OF THE EMPLOYEE CODE OF CONDUCT (CONT'D)

- **Parents.** The Board recognizes that the ultimate responsibility for the well-being of all children rests with their parents [LESD AD]. All parents are expected to cooperate in the District's educational effort by ensuring maximum attendance of their children, by requiring that their children cooperate in the educational endeavor of the District, and by fostering an attitude in their children that recognizes the importance of education [LESD AD].
- **Staff.** The Board fulfills its responsibility for the education of students by employing first a competent Superintendent, on whose recommendation it also employs a competent staff [LESD AD]. As a condition of this employment, the Board expects each staff member's best efforts to be exerted toward the accomplishment of the educational objectives of the District [LESD AD]. Because education is imparted primarily by teachers, the Board specifically places responsibility for maintaining and expanding educational ability on each Teacher, to the end that each student may reach maximum potential and develop a sense of dignity and self-worth [LESD AD].
- **Students.** Education is an opportunity provided to the children of the District by their community [LESD AD]. The Board expects that all students will learn to recognize the value of this opportunity, and will therefore work diligently to help ensure that their maximum potentials are realized [LESD AD]. The Board further expects that all students will recognize that their fellow students have the right to be educated, and will avoid any action that may interfere with their ability to exercise that right [LESD AD].

The Board believes that education should develop habits, attitudes, understanding, and skills necessary for a productive, satisfying life in our society [LESD AD]. Students should be taught to understand the duties and privileges of responsible citizenship as such duties and privileges relate to themselves as individuals and to the whole community [LESD AD]. The vast changes brought about by increasing technology, population, and urbanization must also be taught [LESD AD]. The input and support of the citizens of the community, and especially the professional staff, are solicited as the school community endeavors to develop the attitudes and abilities demanded in this age of rapid change [LESD AD].

In consideration of the accomplishment of these responsibilities by each sector of the school community, the Board, with the concurrence of each individual Board member, pledges its best efforts to ensure that the District is governed effectively and efficiently so that the goal of an appropriate and outstanding educational experience is available for all students of the District [LESD AD].

Employees fulfill this responsibility when their actions and behaviors – both professionally and personally – reflect the following general standards for ethics and conduct:

- **Legal expectations for ethics and conduct.** All employees are expected to remain familiar with, and abide by, applicable federal laws, state statutes, and local ordinances.
- **Professional expectations for ethics and conduct.** Each certificated Employee is expected to comply with the state's *Professional Teaching Standards* [AAC R7-2-602] or *Professional Administrative Standards* [AAC R7-2-603], as appropriate.
- **Board expectations for ethics and conduct.** All employees are expected to comply with the Board *Staff Ethics Policy* (SEP) [LESD GBEA], *Staff Conduct Policy* (SCP) [LESD GBEB], related regulations, and all other Board policies and/or related regulation(s), and any other procedures, rules, or routines established by the Superintendent or his/her designee(s).

INTENT OF THE EMPLOYEE CODE OF CONDUCT

Consistent with its purpose, the intent of the ECOC is:

- To alert employees to the types of actions and behaviors that most commonly represent violations of the general standards for ethics and conduct, and as such, grounds for disciplinary action; and
- To define a rational course of action for addressing the inappropriate or unacceptable actions or

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1.0 STATEMENTS OF PURPOSE AND INTENT (CONT'D) ***INTENT OF THE EMPLOYEE CODE OF CONDUCT (CONT'D)***

behaviors of employees in a manner consistent with federal law, state statute, and Board policy.

NOTE: The District does not participate in a Meet and Confer process.

Neither the ECOC nor these guidelines are intended to address every possible type of misconduct. District personnel should not conclude that disciplinary action cannot arise out of actions or behaviors not specifically referenced herein where supported by federal law, state statute, local ordinance, and/or Board policy [LESD GCQF].

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1.0 STATEMENTS OF PURPOSE AND INTENT (CONT'D) *INTENT OF THE EMPLOYEE CODE OF CONDUCT (CONT'D)*

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2.0 EMPLOYEE CODE OF CONDUCT

GBEA-RA

REGULATION

STAFF ETHICS

(Employee Code of Conduct Expected Behaviors)

All Littleton Elementary School District No. 65 employees shall:

- Comply with established policy, routine and procedure relating to an employee's attendance and punctuality, and adhere to scheduled roles and responsibilities.
- Be trustworthy, respectful, and honest regarding all matters of interest to the Littleton Elementary School District.
- Promote a safe and healthy environment and conduct themselves in a manner free from hazing, harassment, intimidation, bullying, substance abuse, bias, discrimination, and violence.
- Comply with justifiable directives issued by a recognized source of authority.
- Properly present and use documents, data and other information sources of interest to the Littleton Elementary School District.
- Conduct themselves in a manner, on or off Littleton Elementary School District property or outside the established contract day, that does not affect the ability of the employee to perform his/her job duties.
- Maintain confidentiality in all matters pertinent to the Littleton Elementary School District including but not limited to local, state and federal policies.
- Plan, prepare and provide for optimal execution of job responsibilities.
- Promptly intervene and/or report any code of conduct violation that negatively impacts an environment conducive to safe and supportive learning.
- Comply with all Littleton Elementary School District, local, state and federal policies, regulations and procedures.

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2.0 EMPLOYEE CODE OF CONDUCT (CONT'D)

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3.0 CONDUCT MANAGEMENT OVERVIEW

The following guidelines were developed to ensure that staff ethics or conduct issues are managed in accordance with the purpose and intent of the ECOC [ARS §15-341 (F) and §15-503; LESD BDD, BG, BGB, BGC, BGD, BGE, BGF, CB, CH, CHCA, CHD, and/or related regulations and/or exhibits].

RATIONALE FOR DISTRICT ACTIONS

It is essential that prompt, corrective action is taken when standards for ethics or conduct are not being met by an Employee. If it is determined that a violation of the ECOC was involved, disciplinary action: 1) Will be considered; and 2) Will reflect the following District goals for the disciplinary process:

GOALS FOR EACH DISCIPLINARY ACTION	
1	REASONABLENESS: For the purpose of the ECOC, <i>reasonableness</i> means the management of incidents of comparable severity in a similar manner (i.e., “ <i>like penalties for like offenses in like circumstances</i> ”).
2	FAIRNESS: For the purpose of the ECOC, <i>fairness</i> means the full consideration of all relevant case facts before a specific action is selected or recommended in response to any specific incident. Because no two disciplinary situations are completely identical, the ECOC was designed to support the consideration of all pertinent aggravating and mitigating circumstances before a specific action is selected or recommended to ensure that the accused is treated in a just manner before, during, and after any disciplinary action.
3	CONSISTENCY: For the purpose of the ECOC, <i>consistency</i> means the use of the same or substantially similar actions in situations involving the same or substantially similar incidents. As such, the ECOC was designed to ensure a high level of internal consistency between disciplinary cases under these circumstances.

Any disciplinary action taken: 1) Will be in proportion to the Employee’s offense or misconduct and 2) Will be consistent with any applicable Due Process required under state statute and/or Board policy. Each such action will be taken equitably and without regard to race, color, religion, sex, age, national origin, disability, or any other basis in federal law, state statute, and/or Board policy, and the private and confidential nature of each such action will be respected at all times [ARS §23-340 et seq. and §41-1461 et seq.; LESD AC, GBA, GCF, and GDF].

An overview of the general incident management workflow is as follows (see [Resource 3.01](#)):

- **Step #1: Establish the ECOC violation.** The grounds for disciplinary action must be determined. Where required, Cause must be established [LESD GCQF and GDQD].
- **Step #2: Verify the ECOC violation.** The allegation(s) must be substantiated or refuted by either an informal inquiry or a formal investigation conducted under presumption of innocence (see [Form 3.01](#) and [Form 3.02](#) for documentation examples). If the allegation(s) is/are substantiated, the specifics of a charge must be described in as much detail (e.g., the “who”, “what”, “where”, “when” and “how”) as possible supported by all relevant evidence.

NOTE: Upon request, an association member should be permitted association representation at any investigatory interview (or follow-up meeting) by the administration that the member reasonably believes may result in Formal Action (see [Form 3.03A](#) and [Form 3.05A](#) [NLRB v. Weingarten, Inc., 420 U.S. 251 (1975)]). In some locations, this privilege may be extended to a non-association member as well.

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3.0 CONDUCT MANAGEMENT OVERVIEW (CONT'D) RATIONALE FOR DISTRICT ACTIONS (CONT'D)

- **Step #3: Determine a course of action.** If the allegation(s) has/have been substantiated, one of the following general courses of action will be determined: 1) **Verbal Redirection**; 2) **Informal Action**; or 3) **Formal Action**. For the purposes of the ECOC, a “reasonable” course of action means one that “fits” both the specific offense and the Employee’s disciplinary record where applicable (i.e., presence or absence of the same or substantially similar disciplinary events in the past).

Supervisor Tip: Consider the relative severity of an offense

Each offense listed in the ECOC is assigned to one of the following six (6) classifications based on its severity relative to all other ECOC violations:

#	CLASS	DEFINITION
1	Concern	This term means a very low level ECOC violation managed on first offense with Verbal Redirection only.
2	Minor	This term means a low level ECOC violation managed on first offense with mostly Informal Action (Formal Action in more serious cases only).
3	Moderate	This term means a mid-level ECOC violation managed on first offense with mostly Formal Action (Informal Action in less serious cases only).
4	Major	This term means a high-level ECOC violation managed on first offense with Formal Action only.
5	Severe	This term means a high level ECOC violation that always places the Employee in jeopardy of Dismissal upon second offense.
6	Extreme	This term means a very high level ECOC violation managed on first offense with Dismissal only per state statute.

The classification assigned to each ECOC violation determines the case management strategy for either an initial offense or repeat offenses (if applicable), and the range of District-permitted disciplinary options for each ECOC violation / event interval pairing shown herein.

NOTE: Where applicable, a connection should be made for the Employee between the charge and the District’s mission, beliefs, and educational philosophy (see [Section 1.0](#)).

- **Step #4: Consider the case facts.** Unless otherwise not applicable under state statute, all relevant aggravating and mitigating factors in the case should be considered by the Supervisor or investigator before a specific action is selected or recommended. This process will be accomplished by the completion of a case evaluation modeled after the “Douglas Factors” [*Douglas v. Veterans Administration*, 5 M.S.P.R. 280 (1981)]:

DOUGLAS FACTORS

- 1 The nature and seriousness of the offense and its relation to the Employee’s duties, position, and responsibilities, including whether the offense was intentional or inadvertent, or was committed Maliciously or For Gain, or was frequently repeated.
- 2 The Employee’s job level and type of employment, including supervisory or Fiduciary Role, contacts with the public, and prominence of the position.
- 3 The Employee’s past disciplinary record.
- 4 The Employee’s employment record, including length of service, performance on the job, ability to get along with fellow workers, and dependability.
- 5 The effects of the offense upon the Employee’s ability to perform at a satisfactory level and its effect upon the supervisor’s confidence in the Employee’s ability to perform assigned duties.

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3.0 CONDUCT MANAGEMENT OVERVIEW (CONT'D) RATIONALE FOR DISTRICT ACTIONS (CONT'D)

- 6 The consistency of the penalty with those imposed upon and on other employees for the same or similar offenses.
- 7 The consistency of the penalty with any applicable District table of penalties.
- 8 The notoriety of the offense or its impact upon the reputation of the District.
- 9 The clarity with which the Employee was previously notified of any rules violated in committing the offense, or had previously received non-disciplinary counseling regarding the conduct in question, if applicable.
- 10 The Employee's potential for rehabilitation, if applicable.
- 11 Any special circumstances surrounding the offense such as unusual job tension, personality problems, mental impairment, harassment, or bad faith, malice or provocation on the part of others involved in the matter.
- 12 The adequacy and effectiveness of alternative sanctions to deter such conduct in the future by the Employee or by others.

For the purposes of the ECOC, an “appropriate” action will “fit” the aggravating factors and mitigating factors involved in the case. General rules for applying the Douglas Factors to a disciplinary case are as follows:

- Aggravating factors support the selection or recommendation of a more severe action, while mitigating factors support the selection or recommendation of a less severe action.
- Any of these factors can be either mitigating or aggravating depending on the circumstances.

Supervisor Tip: Consider the need for progressive discipline

While some incidents are so grave as to warrant immediate Formal Action up to and including Dismissal, repetitive misconduct of a lesser nature may require progressively more serious sanctions [LESD GDQD]. In cases of chronic Employee misconduct, progressively more serious action should be taken or recommended when it is evident that either: 1) Non-disciplinary strategies (if used) did not result in modification or suppression of the action(s) or behavior(s) involved; or 2) Previous disciplinary actions failed to correct a chronic ECOC violation.

- **Step #5: Document and deliver the action.** Accurate documentation must be maintained before, during, and after each disciplinary action to protect both the interests of the [District](#) and the applicable rights of the Employee involved (see [Form 3.04A](#), [Form 5.01A](#), [Form 5.01B](#), [Form 5.02A](#), [Form 5.02B](#), [Form 6.01A](#), [Form 6.01B](#), [Form 6.02A](#), and [Form 6.02B](#) for documentation examples).

NOTE: Documentation of the action: 1) Is subject to applicable records management provisions of state statute and Board policy; and 2) May be subject to open records provisions of state statute and Board policy (see [Section 8.0](#)).

DELEGATION OF AUTHORITY

Each Supervising Administrator or Immediate Supervisor should be aware of all disciplinary policies and/or related regulation(s) including those involving actions outside of his or her scope of authority to execute that must be referred to the Superintendent or his/her designee. While the Superintendent and the Board are ultimately responsible for all actions within the District, the following lines of authority are designated for each specific type of disciplinary action [LESD CBCA, GCQF, and GDQD]:

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3.0 CONDUCT MANAGEMENT OVERVIEW (CONT'D) DELEGATION OF AUTHORITY (CONT'D)

Oral Warning Summary	
Professional Staff Member	Support Staff Member
Authority to take this Informal Action is delegated by the Superintendent to the Supervising Administrator who plans, directs, and/or oversees the work of the Employee.	Authority to take this Informal Action is delegated by the Superintendent to the Immediate Supervisor who plans, directs, and/or oversees the work of the Employee.
Written Warning	
Professional Staff Member	Support Staff Member
Authority to take this Informal Action is delegated by the Superintendent to the Supervising Administrator who plans, directs, and/or oversees the work of the Employee.	Authority to take this Informal Action is delegated by the Superintendent to the Immediate Supervisor who plans, directs, and/or oversees the work of the Employee.
Official Reprimand	
Professional Staff Member	Support Staff Member
Authority to take this Formal Action is delegated by the Superintendent to the Supervising Administrator who plans, directs, and/or oversees the work of the Employee.	Authority to take this Formal Action is delegated by the Superintendent to the Immediate Supervisor who plans, directs, and/or oversees the work of the Employee.
Minor Suspension	
Professional Staff Member	Support Staff Member
Authority to take this Formal Action is delegated by the Superintendent to the Supervising Administrator who plans, directs, and/or oversees the work of the Employee.	Authority to take this Formal Action is delegated by the Superintendent to the Immediate Supervisor who plans, directs, and/or oversees the work of the Employee.
Major Suspension	
Professional Staff Member	Support Staff Member
Authority to recommend this Formal Action will remain with the Superintendent, and authority to take this action will remain with the Board.	<p><u>Term Employee</u></p> <p>Authority to recommend this Formal Action will remain with the Superintendent, and authority to take this action will remain with the Board.</p> <p><u>At-Will Employee</u></p> <p>Authority to take this Formal Action will remain with the Superintendent.</p>
Dismissal	
Professional Staff Member	Support Staff Member
Authority to recommend this Formal Action will remain with the Superintendent, and authority to take the action will remain with the Board.	<p><u>Term Employee</u></p> <p>Authority to recommend this Formal Action will</p>

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3.0 CONDUCT MANAGEMENT OVERVIEW (CONT'D) DELEGATION OF AUTHORITY (CONT'D)

	<p>remain with the Superintendent, and authority to take the action will remain with the Board.</p> <p><u>At-Will Employee</u></p> <p>Authority to recommend this Formal Action will remain with the Superintendent, and authority to take the action will remain with the Board.</p>
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ROLES & RESPONSIBILITIES

Responsibilities related either directly or indirectly to disciplinary action within the District include, but are not limited to, the following [ARS §15-101 et seq., §15-201 et seq., §15-301 et seq., §15-401 et seq., §15-501 et seq., §15-701 et seq., §15-801 et seq., §15-901 et seq., §15-1101 et seq., §15-2001 et seq. and §15-2301; LESD A et seq., BA et seq., CA et seq., DA et seq., EA et seq., FA et seq., GA et seq., HA et seq., IA et seq., JA et seq., KA et seq. and LB et seq.]:

The Board is responsible for:

- Adopting conduct-related and performance-related Board policies and charging administrative employees with implementing them.
- Maintaining fairness and equity in the application of policies.
- Ensuring that all decisions are reviewed and decided objectively.
- Recruiting and appointing a Superintendent.

The Superintendent is responsible for:

- Making regulations and other conditions of employment known to all employees.
- Assisting designees in determining the appropriate action to be taken in specific cases.
- Conducting technical reviews of proposals for major suspensions or dismissals.
- Ensuring that all actions are: 1) Administered fairly, impartially and uniformly; and 2) Taken in accordance with applicable federal law, state statute, and Board policy.
- Making decisions in cases involving major suspensions or dismissals, or referring such cases to the Board for action when required under state statute or Board policy.
- Participating in complaint, appeal, or Grievance proceedings as necessary.
- Maintaining and reviewing data regarding formal actions.

The Superintendent's District-level designee(s) are responsible for:

- Communicating all regulations and other conditions of employment to subordinates.
- Gathering, analyzing, and carefully considering all facts and circumstances before taking informal actions or recommending formal actions.
- Using Verbal Redirection [LESD GCQF and GDQD] prior to disciplinary action, if reasonable and appropriate.
- Making decisions in cases involving oral warnings, written warnings, official reprimands, and minor suspensions involving their subordinates.
- Referring recommendations for major suspensions or dismissals up the chain of command.
- Ensuring that all actions are: 1) Administered fairly, impartially and uniformly; and 2) Taken in accordance with applicable federal law, state statute, and Board policy; and 3) Issued constructively, individually and in private.
- Holding those supervising administrators and immediate supervisors who report to them accountable for following progressive action guidelines.

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3.0 CONDUCT MANAGEMENT OVERVIEW (CONT'D) ROLES & RESPONSIBILITIES (CONT'D)

- Participating in complaint, appeal, or Grievance proceedings as necessary.
- Maintaining and reviewing data regarding informal actions and formal actions.

The Superintendent's building level or site-level designee(s) are responsible for:

- Communicating all regulations and other conditions of employment to subordinates.
- Gathering, analyzing, and carefully considering all facts and circumstances before taking informal actions or recommending formal actions.
- Using Verbal Redirection [LESD GCQF and GDQD] prior to disciplinary action, if reasonable and appropriate.
- Making decisions in cases involving oral warnings, written warnings, official reprimands, and minor suspensions involving their subordinates.
- Referring recommendations for major suspensions or dismissals up the chain of command.
- Ensuring that all actions are: 1) Administered fairly, impartially and uniformly; and 2) Taken in accordance with applicable federal law, state statute, and Board policy; and 3) Issued constructively, individually and in private.
- Participating in complaint, appeal, or Grievance proceedings as necessary.
- Maintaining and reviewing data regarding informal actions and formal actions.

All employees are responsible for:

- Thoroughly acquainting themselves with the rules, regulations, and other information applicable to them contained within the policies of the Board [LESD GBEB].
- Reading, understanding, abiding by, and asking questions about the EBE and/or ECOC.
- Discharging their assigned professional duties ethically, conscientiously, competently and professionally.
- Maintaining their personal lives in a manner that avoids potential off-duty ECOC conflicts.

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4.0 ECOC VIOLATIONS *POTENTIAL VIOLATIONS OF POLICY ALONE*

The following actions and/or behaviors represent grounds for disciplinary action within the District based on violations of Board policy alone:

ATTENDANCE, PUNCTUALITY, OR CONTRACT DAY POLICY VIOLATION

Definition: This ECOC violation means any conduct that involves a lack of compliance with an established Board policy, approved schedule, routine, or procedure relating to an Employee's availability for duty, or time on duty.

Examples: Include, but are not limited to, the following:

- Taking leave in a manner inconsistent with Board policy or regulation such as:
 - Logging absences in excess of available days without prior approval.
 - Abusing sick leave or other leave.
 - Taking leave in a manner that constitutes a pattern (e.g., on Fridays or Mondays) without prior approval.
 - Taking leave immediately before and/or after a scheduled District break without prior approval.
- Being absent without approved leave.
- Failing to follow proper absence notification procedures.
- Arriving late or leaving an assigned duty station early without prior authorization.

Related alignments include, but are not limited to, the following:

Federal level: *Fair Labor Standards Act of 1938* [FLSA; 29 USC §201 et seq.] as amended; *Family Medical Leave Act of 1993* [FMLA; 29 USC §2601 et seq.; 29 CFR §825.100 et seq.]; *Uniformed Services Employment and Re-employment Rights Act of 2005* [USERRA; 38 USC §4301 et seq.]; 42 USC §12631

State level: ARS §1-301 et seq.; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-504; §15-510; §15-511; §15-539; §15-540; §15-801 et seq.; §15-854 et seq.; §15-861; §15-881; §16-402

Board level: LESD A; AD; BBA; EBCD; EG; GBEA; GBEB; GBGD; GBI; GDBD; GCC; GCCA; GCCB; GCCC; GCCD; GCCE; GCCF; GCCH; GCD; GCGB; GCG; GCI; GCL; GCMC; GCQE; GCQF; GDBC; GDCB; GDD; GDK; GDL; GDLB; GDM; GDQC; GDQD; IC; ID; IHBf; IHCA; IJOA; IMA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

ATTENDANCE, PUNCTUALITY, OR CONTRACT POLICY VIOLATION (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Attendance, Punctuality or Contract Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- All leave must be taken in accordance with the appropriate Board policies and/or regulations. Guidelines include, but are not limited to, the following:
 - Consistent with the Board *Employee Leaves and Absences Policies* (ELAPs) [LESD GCC and GDC] and/or related regulations: 1) An Employee shall be deemed "absent without leave" when absent because of a reason that conforms to a policy currently in effect, but the maximum days provided for therein are exceeded; a reason that does not conform to any Board policy currently in effect; or failure to report to work without prior notification to the Employee's supervisor or the Superintendent; and 2) An Employee who is absent without prior approval is subject to disciplinary action, as is one who was unable to obtain prior approval due to unusual circumstances and such approval is denied upon the Employee's return.
NOTE: An Employee shall not be compensated for time lost due to being absent without leave [LESD GCC and GDC].
 - Consistent with the Board *Staff Sick Leave Policy* (SSLP) [LESD GCCA] and/or related regulations: 1) Such leave may only be taken for the purposes outlined therein; and 2) Any Employee who can be shown to have wilfully violated or misused the policy or misrepresented any statement or condition will be subject to discipline.
Consistent with the Board *Personal Leave Policies* (PLPs) [LESD GCCB and GDCB] and/or related regulations, such leave will not be routinely approved during the designated "blackout" days, except as approved by the Superintendent or his/her designee.
 - Consistent with the Board *Arrangements for Substitute Staff Members Policy* (ASSMP) [LESD GCGB] and/or related regulations: 1) Notice of impending teacher absence should be made to the principal as early as possible, so that substitute arrangements can be made; and 2) Whenever absence is known to be forthcoming, a teacher shall prepare his or her students in advance for instruction by substitutes, using appropriate instructional materials and discussing with students their expected respect and cooperation.
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A "Reasonable Person Standard" should be used to establish this ECOC violation [LESD GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

BREACH OF CHAIN OF COMMAND PROTOCOL

Definition: This ECOC violation means any conduct that bypasses an established line of authority under Board policy without authorization.

Examples: Include, but are not limited to, the following:

- Bringing a problem to a District level Supervisor that could have been directly addressed at the building or site level or encouraging others to do so.
- Failing to follow established Grievance channels.
- Requesting that a higher level Supervisor overrule an operational decision by a lower level Supervisor that was within the scope of his or her authority to make.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-110; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540; §38-431 et seq.; §38-532

Board level: LESD A; AD; BBA; BBAA; BEDBA; BHC; BHD; CCB; GBEA; GBEB; GBK; GBP; GCQF; GDQD; KD; KDD; KDDA; KE; KEB

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

BREACH OF CHAIN OF COMMAND PROTOCOL (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: NO

Initial classification: [MODERATE](#)

Case Management Options: Breach of Chain of Command Protocol				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written Warning	Official Reprimand	Suspension	Dismissal
Relatively Equal	Official Reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

- As a general rule, an issue or concern must first be shared with the Employee's Immediate Supervisor. In a situation in which there may be justification to breach protocol with an Immediate Supervisor, the issue or concern must be brought to the attention of the next level supervisor in writing along with the reason for the breach. If the issue or concern involves a potential civil rights or criminal violation, authorization is granted to breach protocol and go directly to the Superintendent or his/her designee.
- Consistent with the Board *Staff Grievances Policy* (SGP) [LESD GBK] and/or related regulations: 1) Before filing a formal written Grievance, the Grievant must attempt to resolve the matter by one (1) or more formal conferences with the Immediate Supervisor; and 2) If not settled through the informal conference(s), and if the dispute, disagreement, or difference falls within the definition of a Grievance, a formal Grievance then may be initiated by the Employee using the designated Grievance Procedure and related form(s).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A "Reasonable Person Standard" should be used to establish this ECOC violation [LESD GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).



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4.0 ECOC VIOLATIONS (CONT'D)
POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

DISHONESTY (NON-CRIMINAL)

Definition: This ECOC violation means any conduct: 1) That involves a verbal lack of truthfulness or deception; and 2) That is a matter of interest to the District only.

Examples: Include, but are not limited to, the following:

- Engaging in an act of commission (e.g., misrepresenting facts in a non-criminal manner, such as the reporting of an uncompleted task as completed; or failing to make a required report, when such failure does not have potential criminal consequences).
- Engaging in an act of omission (e.g., failing to relate all pertinent details to an Immediate Supervisor, such as giving an incomplete account of an event or incident).

Related alignments include, but are not limited to, the following:

Federal level: *Education Department General Administrative Regulations* [EDGAR; 34 CFR §74-86 and 97-99]

State level: ARS §15-103; §15-107; §15-189; §15-213; §15-239; §15-271; §15-272; §15-304; §15-323; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-342 (5); §15-515; §15-354; §15-539; §15-540; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-621 et seq.; §41-1279.04 et seq.

AAC R7-2-603 (F)

Board level: LESD A; AD; BBA; BCB; CM; DA; DB; DBC; DBF; DBI; DBJ; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DH; DI; DIA; DIB; DIC; DID; DIE; DJ; DJB; DJE; DJG; DK; DKC; DM; DN; EFI; GBEA; GBEAA; GBEB; GBEB; GBEF; GBGD; GCCA; GCQF; GCF; GDF; GDQD; ICG; IJNDB; IKAA; ILB; JJE; JJF; JLF; JP; KCD; KHA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

DISHONESTY (NON-CRIMINAL) (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Dishonesty (Non-criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- Consistent with the Board *Staff Conduct Policy* (SCP) [LESD GBEB] and/or related regulations: 1) Employees must report any suspected crime against a person or property that is a serious offense, that involves a deadly weapon or dangerous instrument, or that could pose a threat of death or serious injury to employees, students, or others on School property; and 2) All such reports shall be communicated to the Superintendent, who shall be responsible for reporting to local law enforcement.
- Consistent with the Board *Test/Assessment Administration Policy* (TAAP) [LESD ILB] and/or related regulations: 1) Failure to comply with testing material security requirements or others as required by state statute or by other rules or regulations shall be considered Cause for discipline, including, but not limited, to Suspension or Dismissal; and 2) All violations of related policy shall be reported to the State Superintendent.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A "Reasonable Person Standard" should be used to establish this ECOC violation [LESD GCQF].
- Acts that may represent violations of [civil law](#) or [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

DRESS CODE VIOLATION

Definition: This ECOC violation means any unauthorized deviation from the expectations for Employee attire, appearance, or hygiene outlined in the Board *Employee Dress and Grooming Policy* (EDGP) While on Duty.

Examples: Include, but are not limited to, the following:

- Failing to be physically clean, neat, and well-groomed.
- Dressing in a manner inconsistent with one's professional responsibilities.
- Dressing in a manner that does not communicate pride in personal appearance to students.
- Dressing in a manner that causes damage to District property.
- Being groomed in such a way that hair style or dress disrupts the educational process (e.g., wearing items that display abusive, vulgar or offensive language; wearing items that contain offensive symbols; wearing items that advertise Alcohol or tobacco products; wearing or items that promote drug use or other illegal activity; wearing items that cause a health or safety hazard, such as clothing that causes an unsafe working environment; or neglecting to wear safety equipment when required).
- Failing to wear a uniform when required.
- Neglecting to wear a Board-issued ID badge While on Duty.

Related alignments include, but are not limited to, the following:

Federal level: *Occupational Safety & Health Act of 1970* [OSHA; 29 USC §651 et seq.; Public Law 91-596; 29 CFR §1910.1 et seq.]

State level: ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540

Board level: LESD A; AD; BBAL; EFH; GBEA; GBEB; GCQF; GDQD; JICA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

DRESS CODE VIOLATION (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Dress Code Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- Consistent with the Board *Staff Conduct Policy* (SCP) [LESD GBEB] and/or related regulations: 1) All employees are expected to dress and maintain a general appearance that reflects their position and does not detract from the educational program; 2) Clothing and shoes must be clean and present a professional appearance; 3) Common sense should prevail as a guide to proper attire; and 4) Some roles may require job-specific dress that is appropriate for the duties typically encountered during the Work Day (e.g., District-issued or approved uniforms).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- For management guidelines beyond a second occurrence, see [Insubordination](#).
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INADEQUATE PREPARATION FOR EMPLOYEE JOB RESPONSIBILITIES

- Definition:** This ECOC violation means any demonstration of substandard and/or inconsistent use of required skills or resources to fulfill one or more established job responsibilities.
- Examples:** Include, but are not limited to, the following:
- Failing to prepare for the optimal execution of job responsibilities as assigned.
 - Remaining unwilling or unable to plan for the optimization of allotted time.
 - Failing to plan for and provide adequate direction during an absence.
 - Remaining unwilling to grow in the use of equipment or resources appropriately for assigned duties.
 - Performing duties outside of one's job classification without approval.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-102; §15-103; §15-107; §15-203 (A)(38); §15-241; §15-241.01; §15-249; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(40); §15-341 (A)(42); §15-353; §15-502; §15-503; §15-536; §15-537; §15-537.01; §15-538; §15-539; §15-540; §15-701 et seq.; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-795 et seq.; §15-808; §15-881; §15-918 et seq.; §28-3228; §38-201

AAC R7-2-602 (A) et seq.; R7-2-603 (A) et seq.

Board level: LESD A; AD; BBA; CBA; CBCA; CBI; EEAEA; EB; EFH; GA; GBEA; GBEB; GBJ; GCA; GCBDA; GCF; GCH; GCI; GCJ; GCK; GCMF; GCO; GCP; GCQF; GDA; GDF; GDH; GDJ; GDM; GDO; GDQA; GDQD; IA; ICG; IHA; IHAA; IHAMC; IHBB; IHBE; ILB; ILE; IMA; JLDB; LF

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INADEQUATE PREPARATION FOR EMPLOYEE JOB RESPONSIBILITIES (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Inadequate Preparation for Employee Job Responsibilities				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF]. Evidence gathered during the course of the investigation should be able to support a conclusion regarding whether the Employee is unable or unwilling to adhere to the Board policy or policies involved.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INADEQUATE SUPERVISION OF STAFF

Definition: This ECOC violation means any conduct involving the neglect or failure to provide reasonable monitoring, guidance, oversight, or direction to subordinates, substitutes, student teachers, or volunteers at a time or location required by the Employee's job description(s).

Examples: Include, but are not limited to, the following:

- Delegating staff supervision responsibilities to an individual not authorized to fulfill them.
- Failing to properly orient new employees to their work environments.
- Failing to ensure that subordinates are provided sufficient opportunities or equipment to demonstrate the skills needed to perform their job duties as required.
- Neglecting Performance Evaluation responsibilities.
- Neglecting to communicate with subordinates in a timely manner.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-353; §15-539; §15-540
AAC R7-2-603 (C)

Board level: LESD A; AD; BBA; CCB; GBEA; GBEB; GCO; GCQF; GDN; GDO; GDQD; IJOC

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INADEQUATE SUPERVISION OF STAFF (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Inadequate Supervision of Staff				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INADEQUATE SUPERVISION OF STUDENTS

Definition: This ECOC violation means any conduct involving the neglect or failure to provide assigned monitoring, oversight, direction, and/or guidance to students at a time, or in a location, required by the Employee's job description(s).

Examples: Include, but are not limited to, the following:

- Knowingly leaving students unsupervised during a School-related event or activity (e.g., an athletic function, an athletic practice, an approved activity, a field trip, during recess, or while performing an assigned duty).
- Knowingly placing students in a hallway during instructional time without proper oversight.
- Knowingly engaging in actions or behaviors on assigned duty that distract from supervision responsibilities.
- Knowingly neglecting to address a *Student Code of Conduct* (SCOC) violation when required to do so by the District.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-151; §15-235; §15-341 (A)(1); §15-341 (A)(12); §15-341 (A)(16); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(24); §15-341 (A)(27); §15-341 (A)(35); §15-341 (A)(36); §15-341 (A)(37); §15-342 (12); §15-344; §15-344.01; §15-521 (2); §15-521 (3); §15-539; §15-540; §15-705; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-802; §15-807; §15-881; §28-900

AAC R7-2-602 (D); R7-2-602 (J); R7-2-603 (D)

Board level: LESD A; AD; BBA; EB; EEAE; EEAEC; GBEA; GBEB; GBEBB; GBEF; GBGB; GCMF; GCQF; GDQD; IHBA; IHBB; IIB; IJNDB; IJOA; IMH; JE; JIBA; JIC; JICA; JICB; JICC; JICE; JICF; JICFA; JICG; JICH; JICK; JII; JJA; JJAB; JJB; JJC; JJE; JJIB; JK; JKB; JLCD; JLDB; JLI; JLIB; JN; JO

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INADEQUATE SUPERVISION OF STUDENTS (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Inadequate Supervision of Students				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- Consistent with the Board *Staff Conduct with Students Policy* (SCWSP) [LESD GBEBB] and/or related regulations: 1) Employees are expected to exercise general supervision over the conduct of students, not only while in the classroom, but also before and after the school day and during recess; and 2) Violations shall be considered serious, and may result in severe disciplinary action.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL)

Definition: This ECOC violation means any conduct: 1) That is inappropriate or unacceptable in the environment in which it occurs; and 2) That is a matter of interest to the District only.

Examples: Include, but are not limited to, the following:

- Engaging in conduct directed toward supervisors, employees or students that is improper for the circumstances in which it occurs.
- Engaging in discourteous, derisive, or disruptive action(s) or behavior(s).
- Failing to follow an established operational procedure.
- Engaging in an act of retaliation not prohibited by law.

Related alignments include, but are not limited to, the following:

Federal level: *Occupational Safety & Health Act of 1970* [OSHA; 29 USC §651 et seq.; Public Law 91-596; 29 CFR §1910.1 et seq.]; *Education Department General Administrative Regulations* [EDGAR; 34 CFR §74-86 and 97-99]

State level: ARS §15-102; §15-103; §15-104; §15-107; §15-110; §15-112; §15-113; §15-115; §15-141; §15-142; §15-151; §15-152; §15-153; §15-153.01; §15-154; §15-156; §15-184; §15-189; §15-213; §15-231.03; §15-235; §15-239; §15-271; §15-272; §15-304; §15-341 (A)(1); §15-341 (A)(2); §15-341 (A)(3); §15-341 (A)(4); §15-341 (A)(5); §15-341 (A)(6); §15-341 (A)(12); §15-341 (A)(14); §15-341 (A)(15); §15-341 (A)(17); §15-341 (A)(18); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(24); §15-341 (A)(26); §15-341 (A)(27); §15-341 (A)(28); §15-341 (A)(29); §15-341 (A)(30); §15-341 (A)(32); §15-341 (A)(33); §15-341 (A)(34); §15-341 (A)(35); §15-341 (A)(36); §15-341 (A)(37); §15-341 (A)(41); §15-341 (A)(42); §15-341 (G); §15-341.01; §15-342 (1); §15-342 (2); §15-342 (3); §15-342 (4); §15-342 (5); §15-342 (11); §15-342 (12); §15-342 (18); §15-342 (19); §15-342 (20); §15-342 (21); §15-342 (22); §15-342 (24); §15-342 (27); §15-342 (28); §15-342.01; §15-344; §15-344.01; §15-346; §15-347; §15-349; §15-354; §15-361; §15-362; §15-363; §15-505; §15-506; §15-507; §15-511; §15-521 (1); §15-521 (2); §15-521 (3); §15-521 (4); §15-521 (5); §15-539; §15-540; §15-701 et seq.; §15-721 et seq.; §15-731; §15-732; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-795 et seq.; §15-796 et seq.; §15-802.01; §15-803; §15-806; §15-807; §15-808; §15-816.01; §15-821 et seq.; §15-840 et seq.; §15-871 et seq.; §15-881; §15-891 et seq.; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §15-2131; §15-2132; §15-2301, §23-401 et seq.; §23-476; §23-721; §23-901 et seq.; §28-901; §32-2307; §36-621 et seq.; §38-431.01; §38-621 et seq.; §41-1279.04 et seq.

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL) (CONT'D)

AAC R7-2-602 (B); R7-2-602 (C); R7-2-602 (D); R7-2-602 (E); R7-2-602 (F); R7-2-602 (G); R7-2-602 (H); R7-2-602 (I); R7-2-602 (J); R7-2-603 (B); R7-2-603 (C); R7-2-603 (D); R7-2-603 (E); R7-2-603 (F); AAC R7-2-803

Board level:

LESD A; ABA; ABAA; AD; BBA; BCB; BEDA; BEDB; BEDBA; BEDH; BEDI; CCB; CF; CM; DA; DB; DBC; DBF; DBI; DBJ; DDA; DEC; DFA; DFB; DFD; DFF; DG; DGA; DGD; DH; DI; DIA; DIB; DIC; DID; DIE; DJG; DJGA; DK; DKC; DM; DN; EB; EBAA; EBB; EBC; EBCD; ECA; ECAA; ECB; ED; EDB; EDBA; EDC; EE; EEAA; EEAE; EEAF; EEAG; EEB; EFDA; EFH; EFI; EGAE; EHB; FA; FCB; FEA; FF; GA; GBEA; GBEB; GBEBB; GBGB; GBGC; GBGCA; GBGCB; GBGD; GBI; GBJ; GBP; GCBDA; GCF; GCK; GCMF; GCP; GCQF; GDF; GDJ; GDOB; GDP; GDQA; GDQD; IA; IB; IE; IGA; IGD; IGE; IHA; IHAA; IHAMA; IHAMB; IHAMC; IHB; IHBA; IHBB; IHBCA; IHBD; IHBE; IHBFI; IHBHD; IIB; IJ; IJJ; IJL; IJM; IJND; IJNDB; IJOA; IJOB; IJOC; IKA; IKA; IKAB; IKACA; IKB; IKD; IKE; IKEA; IKEB; IKFB; ILB; ILC; IMA; IMB; IMD; IMG; IMH; JE; JEB; JF; JFAA; JFAB; JFABB; JFABD; JFB; JFC; JH; JHB; JHCB; JHD; JI; JIA; JIC; JICC; JICEC; JICK; JII; JJA; JJAB; JJB; JJC; JJE; JJF; JJG; JJIB; JJJ; JK; JKB; JKD; JKDA; JKE; JL; JLC; JLCa; JLCB; JLCC; JLCCA; JLCD; JLD; JLDA; JLD; JLB; JLI; JLIA; JLIB; JLIF; JN; JO; JQ; JR; JRCA; JRD; JRE; JRR; KB; KCD; KD; KDC; KDCa; KDD; KDDA; KEC; KED; KF; KHA; KHB; KHC; KI; LB; LC

See also related regulations and/or exhibits

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Inappropriate, Abusive or Offensive Conduct (Non-criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- Consistent with the Board *Staff Conduct with Students Policy* (SCWSP) [LESD GBEBB] and/or related regulations: 1) Teachers and other staff members will accord students the dignity and respect that they deserve at all times, and avoid embarrassing any student unnecessarily; 2) Staff/student relationships shall reflect mutual respect between staff members and students, and shall support the dignity of the entire profession and educational process; and

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL) (CONT'D)

- 3) Violations shall be considered serious, and may result in severe disciplinary action.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- Acts that may represent violations of [civil law](#) or [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (NON-CRIMINAL) (CONT'D)

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INAPPROPRIATE USE OF TECHNOLOGY

Definition: This ECOC violation means any conduct: 1) That violates the Board *Digital Communications and Electronic Devices Policies* (DCEDPs) or the *Electronic Information Services Agreement* (EISA); and 2) That is a matter of interest to the District only.

Examples: Include, but are not limited to, the following:

- Using District technology resources excessively for personal reasons; providing authentication data to unauthorized parties (e.g., giving a student the password to a computer or program).
- Accessing online websites deemed unacceptable by the District during the work day (e.g., using Social Media for personal reasons While on Duty).
- Accessing or displaying materials, content, or information deemed unacceptable by the District using the Network.
- Failing to monitor student use of technology or failing to limit student access to the Internet and/or World Wide Web as required.
- Compromising Network security (intentionally or through neglect).
- Knowingly failing to monitor the safety and security of minor students using electronic mail, chat rooms or other forms of direct electronic communications.
- Connecting personal equipment to hardware or the Network in a manner that violates a *Bring Your Own Device* (BYOD) provision(s) of any related Board policy.
- Loading unapproved software on computers owned by the District.
- Transferring or permitting the transfer of District software to personal computers.

Related alignments include, but are not limited to, the following:

Federal level: *Communications Act of 1934; Family Educational Rights and Privacy Act of 1974* [FERPA; 20 USC §1232g]; 20 USC §9134; *Children's Online Privacy Protection Act of 1998* [COPPA; 15 USC §6501 et seq.]; *Children's Internet Protection Act of 2000/Neighborhood Children's Internet Protection Act of 2002/Protecting Children in the 21st Century Act of 2008* [CIPA; 47 USC §254; Public Law 106-554; FCC Order 03-188]

State level: ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-539; §15-540; §15-721 et seq.; §15-731; §15-732; §15-808; §34-501; §34-502
AAC R7-2-602 (C); R7-2-602 (D); R7-2-602 (E); R7-2-602 (I); R7-2-602 (J); R7-2-603 (C); R7-2-603 (G)

Board level: LESD A; AD; BBA; EDC; EHB; GBEA; GBEB; GBEF; GCQF; GDQD; IHBHD; IJ; IJJ; IJL; IJND; IJNDB

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INAPPROPRIATE USE OF TECHNOLOGY (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Inappropriate Use of Technology				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- For guidance on investigating this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- Acts that may represent violations of [civil law](#) or [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INSUBORDINATION

Definition: This ECOC violation means any refusal to comply with a legitimate directive issued by a duly empowered source of authority which the Employee had both the knowledge of, and the capacity to, carry out.

Examples: Include, but are not limited to, the following:

- Refusing to complete a reasonably assigned task.
- Acting in defiance of an established authority.
- Failing to recognize or refusing to submit to an established authority to which the Employee is subordinate.
- Disobeying the legal directive of an established authority.
- Defying an established authority.
- Being involved in a revolt against established authority.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-112; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-521 (5); §15-539; §15-540

Board level: LESD A; AD; BBA; GBEA; GBEB; GCQF; GDQD; IGD

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

INSUBORDINATION (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Insubordination				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- Consistent with ARS §15-508, willful neglect or failure on the part of the Superintendent, a principal, a teacher, or other District officer to observe and carry out the requirements of ARS §15-532 and §15-710 is sufficient cause for Dismissal or removal of such person from his position.
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A "Reasonable Person Standard" should be used to establish this ECOC violation (see [Form 3.02](#)) [LES D GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

LACK OF TEAMWORK

Definition: This ECOC violation means any conduct involving a refusal to work cooperatively with others or to implement agreed-upon strategies with a designated or assigned team.

Examples: Include, but are not limited to, the following:

- Refusing to share resources as appropriate with team members.
- Remaining unavailable for planning activities with other team members.
- Refusing to cooperate with other team members.
- Failing to communicate with others in advance of an expected absence when required.
- Refusing to offer or render assistance to other employees, substitutes, or parents/guardians as needed, when requested, and/or without reason.
- Impeding the progress of a work team without any rational basis.
- Neglecting to communicate with parents, stakeholders, or community partners as expected.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-102 (1); §15-113; §15-191; §15-192; §15-244; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-351; §15-539; §15-540; §15-730
AAC R7-2-602 (D); R7-2-602 (H); R7-2-602 (K); R7-2-603 (E)

Board level: LESD A; ABA; ABAA; AD; BBA; CE; CFD; DEC; FI; GBB; GBEA; GBEB; GCQF; GDQD; IGA; IHBD; IJND; IKAB; IKACA; IKEB; KB
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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

LACK OF TEAMWORK (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Lack of Teamwork				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

OFF-DUTY MISCONDUCT

Definition: This ECOC violation means any conduct: 1) That occurs outside of the Workplace, contract day, or work day that impacts the ability of an Employee to perform his or her job duties, undermines the legitimate interests of the District, or creates a disruption of District operations; and 2) That is a matter of interest to the District only.

Examples: Include, but are not limited to, the following:

- Accepting part-time employment or engaging in any outside activity that creates either an actual or a potential conflict of interest or a disruption for the Employee.
- Selling or publishing works containing the intellectual property of the District without prior written approval.
- Speaking on behalf of the District without authorization.
- Misrepresenting the District in person, in print, or on websites.
- Posting information on Social Media that disrupts, interferes with the goals of, or unduly harms the District.

Related alignments include, but are not limited to, the following:

Federal level: NONE

State level: ARS §15-341 (A)(1); §15-341 (A)(2); §15-341 (A)(21); §15-341 (A)(22); §15-511; §15-539; §15-540
AAC R7-2-602 (J); R7-2-603 (G)

Board level: LESD A; AD; BBA; GBEA; GBEB; GBEF; GBI; GCBDA; GCQF; GCR; GCRD; GCS; GDQD; GDR; IHBf; IJNDB; IJOA; KN; KHA; KHB; KHC
See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

OFF-DUTY MISCONDUCT (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: NO

Initial classification: [MODERATE](#)

Case Management Options: Off-Duty Misconduct				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written Warning	Official Reprimand	Suspension	Dismissal
Relatively Equal	Official Reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

- While the District does not wish to become involved in the personal lives of employees, disciplinary action may result when a “rational nexus” can be established between any off-duty or “mixed duty” incident and the legitimate interests of the District. As such:
 - Consistent with the Board *Staff Conduct with Students Policy* (SCWSP) [LESD GBEBB], and/or related regulations: 1) All personnel employed by the District are expected to relate to students of the District in a manner that maintains social and moral patterns of behavior consistent with acceptable professional conduct; and 2) Violations shall be considered serious, and may result in severe disciplinary action.
 - Consistent with the Board *Staff Participation in Political Activities Policy* (SPPAP) [LESD GBI] and/or related regulations, the Board recognizes the right of its employees, as citizens, to engage in political activity; however: 1) Work time, personnel, equipment, supplies, materials, buildings, or other resources may not be used to influence the outcomes of elections; and 2) An Employee, a person acting on behalf of the District, or a person who aids another person acting on behalf of the District, shall be guided by the guidelines of Board policy; and 3) Employees of the District may not use the authority of their position to influence the vote or political activities of any subordinate employees.
 - Consistent with the Board *Intellectual Property Policy* (IPP) [LESD GCS] d/or related regulations: 1) The Board has proprietary rights to publications, instructional materials, and devices prepared by employees, unless prepared by such employees on their own time and without use of School facilities and/or equipment; and 2) Any Employee who submits professional materials for publication in which the District is mentioned will submit all such material to the Superintendent prior to release for publication, including materials developed on the Employee's own time.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

OFF-DUTY MISCONDUCT (CONT'D)

- Acts that may represent violations of [civil law](#) or [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

OFF-DUTY MISCONDUCT (CONT'D)

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

RECORDS FALSIFICATION OR FAILURE TO ACCURATELY PROVIDE INFORMATION (NON-CRIMINAL)

Definition: This ECOC violation means any conduct: 1) That involves a non-verbal lack of truthfulness or deception; and 2) That is a matter of interest to the District only.

Examples: Include, but are not limited to, the following:

- Misrepresenting one's professional qualifications.
- Falsifying documentation related to the completion of in-service or continuing education credit hours.
- Making a non-disqualifying false statement on an application for employment.
- Writing a recommendation for employment, promotion, admission, or a scholarship known to contain incorrect information.
- Knowingly making a false statement on a written Performance Evaluation.
- Knowingly assigning an improper grade to a student.
- Knowingly filing an inaccurate report and/or legally binding document.
- Failing to account for the receipt, deposit, or disbursement of funds in a manner required by policy and/or procedure.

Related alignments include, but are not limited to, the following:

Federal level: *Education Department General Administrative Regulations [EDGAR; 34 CFR §74-86 and 97-99]*

State level: ARS §15-103; §15-107; §15-189; §15-213; §15-239; §15-271; §15-272; §15-304; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(18); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(41); §15-342 (5); §15-354; §15-521 (3); §15-539; §15-540; §15-756.10; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-621 et seq.; §41-1279.04 et seq.
AAC R7-2-603 (F); AAC R7-2-803

Board level: LESD A; AD; BBA; BCB; CM; DA; DB; DBC; DBF; DBI; DBJ; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DH; DI; DIA; DIB; DIC; DID; DIE; DK; DKC; DM; DN; EBBB; EFI; EHB; GBEA; GBEB; GCCA; GCF; GCQF; GDA; GDF; GDQD; IKA; ILB; JE; JJE; JJF; JR

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

RECORDS FALSIFICATION OR FAILURE TO ACCURATELY PROVIDE INFORMATION (NON-CRIMINAL) (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MODERATE](#)

Case Management Options: Records Falsification or Failure to Accurately Provide Information (Non-Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written Warning	Official Reprimand	Suspension	Dismissal
Relatively Equal	Official Reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

- Consistent with the Board *Test/Assessment Administration Policy* (TAAP) [LESD ILB] and/or related regulations: 1) Failure to comply with testing material security requirements or others as required by state statute or by other rules or regulations shall be considered Cause for discipline, including, but not limited, to Suspension or Dismissal; and 2) All violations of related policy shall be reported to the State Superintendent.
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- Acts that may represent violations of [civil law](#) or [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

TOBACCO POLICY VIOLATION

- Definition:** This ECOC violation means any conduct that violates one or more of the Board *Tobacco-Free Schools Policies* (TFSPs).
- Examples:** Include, but are not limited to, the following:
- Using tobacco products (including, but not limited to, cigarettes, cigarette papers, and cigars) [ARS §36-798(9)], smoking tobacco (including, but not limited to, any tobacco or tobacco product, other than cigarettes and cigars, that is intended to be smoked)) [ARS §36-798(8)], smokeless tobacco (including, but not limited to, shredded tobacco, snuff, cavendish and plug, twist, and other tobacco products that are intended for oral use, but not for smoking) [ARS §36-798(7)], tobacco substitutes, simulated tobacco products, electronic cigarettes (“e-cigarettes”), vapor cigarettes, or other lighted smoking devices on School grounds, inside School buildings, in School parking lots or playing fields, in buses or vehicles, or at off-campus School sponsored events [ARS §36-798.03 (A)].
 - Using any of these products within any other enclosed facility owned by, leased by, or contracted for by the Board.
 - Using any of these products in areas directly or indirectly under the control of the Board (e.g., immediately adjacent to locations of ingress or egress to such facilities).
 - Using any of these products in any other Board- operated vehicle.
 - Using any of these products at any on-campus School-related event.

Related alignments include, but are not limited to, the following:

- Federal level:** *Pro-Children Acts of 1994* [20 USC §6081 et seq.; Public Law 103-227] and *2001* [20 USC §7181; Public Law 107-110]; 20 USC §7161; 20 USC §7184; *Food, Drug, and Cosmetic Act of 1938*, as amended [21 USC §321 et seq.]
- State level:** ARS §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(25); §15-342 (27); §15-346; §15-347; §15-539; §15-540; §15-712; §36-601.01; §36-798(7); §36-798(8); §36-798(9); 36-798.03
AAC R7-2-603 (C)
- Board level:** LESD A; AD; BBA; GBEA; GBEB; GBED; GCQF; GDQD; IHAMA; JIC
See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

TOBACCO POLICY VIOLATION (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Tobacco Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- Consistent with the *Smoke-Free Arizona Act* (SFAA):
 - Smoking is prohibited: 1) In any any public, charter or private school where children attend classes in kindergarten programs or grades one through twelve [ARS §36-798.03 (A)]; and 2) In all public places and places of employment within the state, except the locations identified in the SFAA [ARS §36-601.01 (B)].
 - Notwithstanding any other provision of the SFAA, an owner, operator, manager, or other person or entity in control of an establishment, facility, or outdoor area may declare that entire establishment, facility, or outdoor area as a non-smoking place [ARS §36-601.01 (D)].
 - The prohibition on smoking in places of employment shall be communicated: 1) To all existing employees by the effective date of the SFAA; and 2) To all prospective employees upon their application for employment [ARS §36-601.01 (C)].
 - “No Smoking” signs shall be clearly and conspicuously posted, along with information about where complaints regarding violations may be registered [ARS §36-601.01 (E)(1) and (2)].
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

OTHER POLICY VIOLATION

Definition: This ECOC violation means any conduct not specified elsewhere in this section of the ECOC: 1) That involves neglect or failure to follow an established Board policy, District procedure, or School rule; and 2) That is a matter of interest to the District only.

Examples: Include, but are not limited to, the following:

- Engaging in an action or behavior that violates a Board policy or an established administrative procedure.
- Engaging in an action or behavior that violates a regulatory directive of the Superintendent or his/her designee of which the Employee has been made duly aware.

Related alignments include, but are not limited to, the following:

Federal level: Includes any federal level statutes or implementing regulations (non-criminal/non-civil) not otherwise specified

State level: Includes ARS §15-341 (A)(1), §15-341 (A)(21), §15-341 (A)(22), §15-539, §15-540, and any state statutes (non-criminal/non-civil) not otherwise specified

Includes AAC R7-2-602, R7-2-603, and any state level implementing regulations (non-criminal/non-civil) not otherwise specified

Board level: Includes LESD A, AD, BBA, GBEA, GBEB, GCQF, GDQD, and any Board level policies (non-criminal/non-civil) not otherwise specified

Includes related regulations and/or exhibits (non-criminal/non-civil) not otherwise specified

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF POLICY ALONE (CONT'D)

OTHER POLICY VIOLATION (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: BUILDING OR SITE LEVEL

Mandatory reporting: NO

Initial classification: [MINOR](#)

Case Management Options: Other Policy Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Oral Warning Summary	Written Warning	Official Reprimand	Suspension
Relatively Equal	Written Warning	Official Reprimand	Suspension	Dismissal
Mostly Aggravating	Official Reprimand	Suspension	Dismissal	Dismissal

Commentary:

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- A “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF].
- Acts that may represent violations of [civil law](#) or [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF CIVIL STATUTE

The following actions and/or behaviors represent grounds for disciplinary action within the District based on violations of Board policy that may also involve violations of federal and/or state civil law:

BREACH OF CONFIDENTIALITY

Definition: This ECOC violation means any act, or failure to act: 1) That involves the inappropriate access, use, disclosure, misuse, lack of protection, or improper disposition of private, confidential, restricted, secure, or proprietary information, data, or records; and 2) That may be a matter of interest to an outside agency.

Examples: Include, but are not limited to, the following:

- Compromising financial, payroll, personnel, student, or health records.
- Disclosing identifiable educational data or other information under FERPA, IDEA or HIPAA in an improper manner.
- Accessing or using information contained within an IEP, Section 504 Plan, ADA Plan or other confidential record without a “need to know”.
- Disclosing potentially sensitive District operational information without proper authorization.
- Assisting an unauthorized user to access secure information.
- Leaving confidential information unattended in a non-secure area.
- Removing sensitive data from the District either physically or electronically regardless of purpose or stated intent.
- Disposing of protected information in a manner contrary to established routine or Board policy.
- Disclosing PI about staff or PII about a student on Social Media.

Related alignments include, but are not limited to, the following:

Federal level: 5 USC §552a; *Fair Credit Reporting Act* [15 USC §1681 et seq.; 20 USC §1232f; *Family Education Rights Privacy Act of 1974* [FERPA; 20 USC §1232g; 34 CFR §99 et seq.]; *Protection of Pupil Rights Act of 1998* [PPRA; 20 USC §1232h]; *Individuals with Disabilities Education Act of 1997 and 2004* [IDEA; 20 USC §1400 et seq.; 34 CFR §300.1 et seq.; Public Law 94-142]; 20 USC §6311 et seq.; 20 USC §7908; Section 504 of the *Rehabilitation Act of 1973* [29 USC §701 et seq.; Public Law 93-112]; *Health Insurance Portability and Accountability Act of 1996* [HIPAA; 29 USC §1181 et seq.; 45 CFR §160 and §164]; 42 USC §13942; *Children’s Internet Protection Act of 2000* [CIPA; 47 USC §254; FCC Order 03-188]; 47 CFR §54.503; 47 CFR §54.520

State level: ARS §12-2451 et seq.; §15-102; §15-104; §15-109; §15-113; §15-114; §15-115; §15-141; §15-142; §15-184; §15-235; §15-239; §15-242; §15-249.01; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(26); §15-341 (A)(27); §15-341 (A)(30); §15-341 (A)(35); §15-341 (A)(36); §15-341 (A)(41); §15-342 (1); §15-342 (2); §15-342 (3); §15-342 (4); §15-344; §15-346; §15-350; §15-344.01; §15-345; §15-384; §15-388; §15-503; §15-505; §15-537; §15-539; §15-540; §15-551; §15-712.01; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

BREACH OF CONFIDENTIALITY (CONT'D)

seq.; §15-796 et seq.; §15-807; §15-821 et seq.; §15-840 et seq.; §15-871 et seq.; §15-881; §15-891 et seq.; §15-1041 et seq.; §15-1151 et seq.; §15-1881; §23-493 et seq.; §23-1361; §36-555; §36-621 et seq.; §38-531 et seq.; §39-128; §41-1482; §42-2001 et seq.

AAC R7-2-602 (J); AAC R7-2-803

Board level:

LESD A; AB; AC; ACA; AD; BBA; BEDB; BEDBA; BEDI; DKB; ECA; ECAA; EEAEAA; EF; EFC; EHB; GBEA; GBEB; GBEC; GBECA; GBEF; GBGC; GBGCA; GBGCB; GBGD; GBJ; GCF; GCO; GCQF; GDF; GDOB; GDQD; IHA; IHAMA; IHB; IHBA; IHBB; IHBCA; IHBD; IHBf; IJND; IJNDB; IJOC; IKD; ILC; JF; JFAA; JFAB; JFABD; JFB; JFC; JHD; JI; JICK; JK; JKD; JKDA; JKE; JL; JLC; JLCA; JLCB; JLCC; JLCCA; JLCD; JLD; JLDA; JLH; JLIF; JR; JRCA; JRD; JRE; JRR; KB; KD; KDB; KDCA; KDD; KDDA; LB; LC; LD

See also related regulations and/or exhibits

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [MAJOR](#)

Case Management Options: Breach of Confidentiality				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official Reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

- Consistent with IDEA Part B, all persons collecting or using PII must receive training or instruction regarding state confidentiality policies and procedures under IDEA Part B and FERPA. Additionally, the District must maintain, for public inspection, a current listing of the names and positions of employees who may have access to PII [34 CFR §300.623].
- Consistent with ARS §15-503 (E), the Board shall make available the evaluation and Performance Classification pursuant to ARS §15-203 (A)(38) of a principal to schools and charter schools that are inquiring about the performance of the principal for hiring purposes.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

BREACH OF CONFIDENTIALITY (CONT'D)

his/her designee; and 2) Will be investigated and resolved in accordance with Board policy and/or related regulations. In all cases, a “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF]; however, the following are not required for establishing or verifying this ECOC violation: 1) The filing of an actionable civil complaint with an outside agency; 2) Evidence of intentionality; or 3) Evidence of an actual injury to a student, Employee, or the interests of the District.

- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D) *POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)*

BREACH OF CONFIDENTIALITY (CONT'D)

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

DISCRIMINATION

Definition:

This ECOC violation means any act, or failure to act: 1) That unreasonably and unfavorably differentiates treatment of others based solely on their membership in a socially distinct group or category, such as race, color, religion, sex, age, national origin, disability, or any other basis in federal law, state statute, or Board policy; and 2) That may be a matter of interest to an outside agency.

Examples:

Include, but are not limited to, the following:

- Making inappropriate comments referencing any of the above.
- Seeking Dismissal of an Employee based on his or her age.
- Excluding student subgroups from opportunities available to other students.
- Harassing a co-worker on the basis of his or her faith.
- Denying a promotion opportunity to a subordinate on the basis of his or her disability.
- Disparaging a student or staff member based on his or her real or perceived sexual orientation or gender identity.

Related alignments include, but are not limited to, the following:

Federal level:

Amendment XIV, U.S. Constitution; *Immigration Reform and Control Act of 1986* [IRCA; 8 USC §1324(a) et seq.; Public Law 99-603]; *Individuals with Disabilities Education Act of 1997 and 2004* [IDEA; 20 USC §1400 et seq.; 34 CFR §300.1 et seq.; Public Law 94-142]; Title IX of the *Education Amendments of 1972* [20 USC §1681 et seq.; 34 CFR §106.1 et seq.]; 20 USC §1684; 20 USC §1703 et seq.; *General Education Provisions Act* [GEPA; 20 USC §1221 et seq.]; *Equal Access Act of 1984* [20 USC §4071 et seq.; 28 CFR §36.101 et seq.]; *Elementary and Secondary Education Act of 1965*, as amended (*Every Student Succeeds Act of 2015*) [20 USC §6301 et seq.; Public Laws 17-110 and 114-95]; *Boy Scouts of America Equal Access Act of 2002* [20 USC §7905; 34 CFR §108.1 et seq.]; 29 USC §158(a)(3) and (4); *Equal Pay Act of 1963* [29 USC §206(d)]; 29 USC §660; Sections 501 through 505 of the *Rehabilitation Act of 1973* [29 USC §701 et seq.; Public Law 93- 112]; 29 USC §794; *Age Discrimination in Employment Act of 1967* [ADEA; 29 USC §621; 29 CFR §1625.1 et seq.]; *Uniformed Services Employment and Re-employment Rights Act of 2005* [USERRA; 38 USC §4301 et seq.]; *Civil Rights Act of 1991* [42 USC §1981 et seq.; Public Law 102-166]; Title VI of the *Civil Rights Act of 1964* [42 USC §2000d; Public Law 88-352]; Title VII of the *Civil Rights Act of 1964* [42 USC §2000e et seq.; 29 CFR §1604.1 et seq.]; *Pregnancy Discrimination Act of 1978* [Public Law 95-555]; *Genetic Information Non-Discrimination Act of 2008* [GINA; 42 USC §2000ff et seq.; 29 CFR §1635 et seq.]; *McKinney-Vento Homeless Assistance Act of 1987* [42 USC §11301 et seq.; Public Law 100-77]; *Americans with Disabilities Act of 1990* and *Americans with Disabilities Act Amendments of 2008* [ADA and ADAAA; 42 USC §12101 et seq.; 42 USC §12631; 7 CFR §15b.1 et seq.; 7 CFR §15d.1 et seq.; 7 CFR §15e.101 et seq.; 28 CFR §35.101 et seq.; 28 CFR §37.1 et seq.];

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

DISCRIMINATION (CONT'D)

28 CFR §38.1 and §38.2; 28 CFR §39.101 et seq.; 28 CFR §41.1 et seq.; 28 CFR §42.1 et seq.; 29 CFR §1600.101 et seq.; 34 CFR §100.1 et seq.; 34 CFR §200.1 et seq.; 45 CFR §86.1 et seq.

State level:

ARS §11-1024; §15-102; §15-110; §15-111; §15-112; §15-113; §15-115; §15-131 et seq.; §15-184; §15-187.01; §15-191; §15-192; §15-235; §15-239; §15-341 (A)(1); §15-341 (A)(2); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(27); §15-341 (A)(34); §15-342 (1); §15-342 (2); §15-342 (3); §15-342 (4); §15-342 (6); §15-342 (19); §15-342 (20); §15-342 (21); §15-342 (22); §15-342 (24); §15-342 (28); §15-346; §15-347; §15-361; §15-362; §15-363; §15-514; §15-535; §15-539; §15-540; §15-701 et seq.; §15-721 et seq.; §15-731; §15-732; §15-741 et seq.; §15-751 et seq.; §15-761 et seq.; §15-779 et seq.; §15-781 et seq.; §15-796 et seq.; §15-816.01; §15-816.02; §15-816.07; §15-821 et seq.; §15-840 et seq.; §15-881; §15-891 et seq.; §15-1151 et seq.; §15-2301; §23-340 et seq.; §23-425; §41-1461 et seq.; §41-1492 et seq.

AAC R7-2-602 (C); R7-2-602 (D); R7-2-602 (F); R7-2-602 (H); R7-2-602 (I); R7-2-602 (J); R7-2-602 (K); R7-2-603 (C); R7-2-603 (D); R7-2-603 (E); R7-2-603 (F); R7-2-603 (G)

Board level:

LES D A; AC; AD; BBA; EE; EF; EFC; FA; FEA; GA; GBA; GBAB; GBEA; GBEB; GBEBB; GBEC; GBECA; GBEF; GBGC; GCBDA; GCCB; GCF; GCMF; GCP; GCQF; GDCB; GDF; GDOB; GDP; GDQA; GDQD; IGD; IHA; IHAA; IHAL; IHAMA; IHAMB; IHB; IHBA; IHBB; IHBCA; IHBD; IHBE; IHBF; IJ; IJJ; IJL; IJM; IJND; IJNDB; IKE; IMB; IMG; JB; JF; JFAA; JFAB; JFABD; JFB; JHCB; JI; JICEC; JICF; JICFA; JICK; JII; JJA; JJAB; JK; JKD; JKDA; JKE; JQ; KB; KEC; KF; KHB; KHC

See also related regulations and/or exhibits

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [MAJOR](#)

Case Management Options: Discrimination				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official Reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

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4.0 ECOC VIOLATIONS (CONT'D) *POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)*

DISCRIMINATION (CONT'D)

Commentary:

- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents alleging this ECOC violation: 1) Must be reported to the designated compliance officer using the required form(s); and 2) Will be investigated and resolved by the designated compliance officer in accordance with Board policy and/or related regulations. In all cases, a “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF]; however, the following are not required for establishing or verifying this ECOC violation: 1) The filing of an actionable civil complaint with an outside agency; 2) Evidence of intentionality; or 3) Evidence of an actual injury to the complainant.
- Acts that may represent violations of [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D) *POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)*

DISCRIMINATION (CONT'D)

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

SEXUAL HARASSMENT

Definition:

This ECOC violation means any act, or failure to act: 1) That involves the unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature that may be a matter of interest to an outside agency when: 1) Submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or educational development; 2) Submission to, or rejection of, such conduct by an individual is used as the basis for employment or education decisions affecting such individual or 3) Such conduct has the purpose or effect of unreasonably interfering with an individual's work (or educational) performance or creating an intimidating, hostile, or offensive work (or educational) environment [29 CFR §1604.11 (a)]; and 2) That may be a matter of interest to an outside agency.

Examples:

Include, but are not limited to, the following:

- Engaging in prohibited physical actions or behaviors (e.g., unwelcome sexual advances; touching; indecent exposure; or sexual contact).
- Engaging in prohibited verbal actions or behaviors (e.g., unwelcome requests for sexual favors; propositions or pressure for sexual activity; continued suggestions for a date or social activity outside the workplace after it has been made clear that such suggestions are unwelcome; unwanted or offensive flirtations; offensive jokes; suggestive remarks; sexual innuendos or double entendres; lewd comments; inquiring about someone's sexual preferences, fantasies or activities; and sexually harassing communications).
- Engaging in prohibited non-verbal actions or behaviors (e.g., the display of pornographic or sexually suggestive images, objects, written materials, emails, text-messages or faxes; leering; whistling, or sexually suggestive gestures, movements, or facial expressions).
- Engaging in prohibited gender-specific actions or behaviors (e.g., conduct that denigrates, ridicules, or intimidates another person; conduct that leads to physical abuse of a person because of his or her sex; or derogatory/degrading remarks or insults about a person's gender or body).
- Engaging in prohibited job-specific actions or behaviors (e.g., explicit or implicit pressure for sexual activity as a condition of hire, continued employment, or potential for advancement).

Related alignments include, but are not limited to, the following:

Federal level:

Title VI of the *Civil Rights Act of 1964* [42 USC §2000d]; Title VII of the *Civil Rights Act of 1964* [42 USC §2000e et seq.]; Title IX of the *Education Amendments of 1972* [20 USC §1681 et seq.; 34 CFR §106.1 et seq.]; 29 CFR §1604.11

State level:

ARS §15-239; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-342.02; §15-539; §15-540; §15-712.01; §15-2301; §41-1461 (6)(a)

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

SEXUAL HARASSMENT (CONT'D)

AAC R7-2-602 (J); R7-2-603 (C); R7-2-603 (D); R7-2-603 (G)

Board level:

LESD A; ACA; AD; BBA; GA; GBEA; GBEB; GBEF; GCQF; GDQD;
IJNDB; JICF; JICFA; JII

See also related regulations and/or exhibits

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [MODERATE](#)

Case Management Options: Sexual Harassment				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written Warning	Official Reprimand	Suspension	Dismissal
Relatively Equal	Official Reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents alleging this ECOC violation: 1) Must be reported to the designated compliance officer using the required form(s); and 2) Will be investigated and resolved by the designated compliance officer in accordance with Board policy and/or related regulations. In all cases, a “Reasonable Person Standard” should be used to establish this ECOC violation [LESD GCQF]; however, the following are not required for establishing or verifying this ECOC violation: 1) The filing of an actionable civil complaint with an outside agency; 2) Evidence of intentionality; or 3) Evidence of an actual injury to the complainant.
- Acts that may represent violations of [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

OTHER CIVIL VIOLATION

Definition: This ECOC violation means any act, or failure to act, not specified elsewhere in this section of the ECOC: 1) That negatively impact(s) the work or learning environment, or the rights of one or more students, employees, or other parties; and 2) That may be a matter of interest to an outside agency.

Examples: Include, but are not limited to, the following:

- Disregarding established student search procedures.
- Endangering students, staff, or the interests of the District.
- Failing to take reasonable action to protect students, other employees, or the interests of the District.
- Creating, contributing to, or failing to address a hostile environment (e.g., bullying, harassing, or intimidating behavior) in a manner that has neither a discriminatory nor a sexually harassing effect in the Workplace, on Social Media, or elsewhere.
- Engaging in an act of retaliation prohibited under federal and/or state civil statute.
- Taking, neglecting to take, or refusing to take, any action that results in the unreasonable denial of an individual's right under law.
- Copying software purchased by the District for personal use.
- Using a technological resource in a manner that violates federal or state statute relating to copyrights, trademarks, or public records (e.g., failing to acquire the permission of a copyright owner prior to copying copyrighted material, unless "fair use" conditions are met).
- Restricting student access to ideas, perspectives, or viewpoints motivated solely by personal disapproval of such.
- Taking, or neglecting to take, any other action that exposes the District to civil liability.

Related alignments include, but are not limited to, the following:

Federal level: Includes U.S. Constitution Amendments I, IV, V, VI and XIV, 5 USC §552b, *Asbestos Hazard Emergency Response Act* [AHERA; 15 USC §2641 et seq.; 40 CFR §763.80 et seq.], 17 USC §101 et seq., *Protection of Pupil Rights Act of 1998* [PPRA; 20 USC §1232h], *Elementary and Secondary Education Act of 1965*, as amended (*Every Student Succeeds Act of 2015*) [20 USC §6301 et seq.; Public Laws 17-110 and 114-95], *National Labor Relations Act* [NLRA; 29 USC §151-169], *Fair Labor Standards Act of 1938* [FLSA; 29 USC §201 et seq.] as amended, 29 USC §660, *Occupational Safety & Health Act of 1970* [OSHA; 29 USC §651 et seq.; Public Law 91-596; 29 CFR §1910.1 et seq.], 36 USC §101 et seq., *National School Lunch Act of 1946*, as amended [42 USC §1751 et seq.; 7 CFR §210.1 et seq.], *Healthy, Hunger-Free Kids Act of 2010* [Reauthorization of the *Child Nutrition Act of 1966*; 42 USC §1771 et seq.; Public Law 111-296], 49 USC §30125 and §30165, 34 CFR §200.55 et seq., and any federal level statutes or implementing regulations (civil) not otherwise specified

State level: Includes ARS §1-601 et seq., §8-303, §8-821, §8-350, §8-371, §11-1024, §12-601 et seq., §13-3881, §13-3883, §13-3884, §15-102,

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

OTHER CIVIL VIOLATION (CONT'D)

§15-110, §15-113, §15-115, §15-121, §15-131 et seq., §15-151, §15-153, §15-153.01, §15-154, §15-182, §15-184, §15-185, §15-187, §15-187.01, §15-189.03, §15-191, §15-192, §15-231.03, §15-235, §15-239, §15-242, §15-326, §15-341 (A)(1), §15-341 (A)(2), §15-341 (A)(6), §15-341 (A)(13), §15-341 (A)(15), §15-341 (A)(17), §15-341 (A)(21), §15-341 (A)(22), §15-341 (A)(24), §15-341 (A)(27), §15-341 (A)(29), §15-341 (A)(32), §15-341 (A)(33), §15-341 (A)(34), §15-341 (A)(35), §15-341 (A)(36), §15-341 (A)(37), §15-341 (E), §15-341 (G), §15-341.01, §15-342 (1), §15-342 (2), §15-342 (3), §15-342 (4), §15-342 (11), §15-342 (12), §15-342 (19), §15-342 (20), §15-342 (21), §15-342 (22), §15-342 (24), §15-342 (28), §15-342 (32), §15-342.01, §15-344, §15-344.01, §15-346, §15-347, §15-361, §15-362, §15-363, §15-381, §15-382, §15-383, §15-384, §15-387, §15-388, §15-502, §15-505, §15-506, §15-511, §15-514, §15-516, §15-521 (5), §15-535, §15-539, §15-540, §15-544, §15-545, §15-546, §15-701 et seq., §15-721 et seq., §15-731, §15-732, §15-741 et seq., §15-751 et seq., §15-761 et seq., §15-779 et seq., §15-781 et seq., §15-796 et seq., §15-802.01, §15-803, §15-806, §15-807, §15-808, §15-816.01, §15-816.07, §15-821 et seq., §15-840 et seq., §15-871 et seq., §15-881, §15-891 et seq., §15-918 et seq., §15-1151 et seq., §15-2131, §15-2132, §15-2301, §23-211 et seq., §23-230 et seq., §23-350 et seq., §23-391 et seq., §23-401 et seq., §23-476, §23-493 et seq., §23-801 et seq., §23-901 et seq., §23-1301 et seq., §23-1501 et seq., §28-900, §28-901, §36-601.01 (F), §36-621 et seq., §38-532, §39-121.02, §39-121.03, §41-1492 et seq., §41-1493 et seq., and any state statutes (civil) not otherwise specified

Includes AAC R7-2-602 (J), R7-2-602 (K), R7-2-603 (C), R7-2-603 (F), and R7-2-603 (G) and any state level implementing regulations (civil) not otherwise specified

Board level:

Includes LESD A, AD, BBA, BBAA, BEDA, BEDB, BEDBA, BIE, DKA, DKB, EB, EBB, EBBB, EBC, EBCD, ECA, ECAA, ECAD, ECB, EE, EEAA, EEAE, EEAE, EEAG, EEB, EF, EFC, EFDA, EFH, EGAD, EGAE, EHB, EI, FA, FEA, GA, GB, GBEA, GBEB, GBEBB, GBEF, GBGB, GBGC, GBGCA, GBGCB, GBGD, GBI, GBK, GBP, GCB, GCBA, GCBC, GCBD, GCBDA, GCF, GCG, GCMF, GCO, GCQA, GCQC, GCQE, GCQF, GDB, GDBA, GDBC, GDF, GDG, GDJ, GDL, GDO, GDOB, GDQ, GDQA, GDQD, GDQC, IB, IHA, IHAA, IHAMA, IHAMB, IHAMC, IHB, IHBA, IHBB, IHBCA, IHBD, IHBE, IHB, IJ, IJJ, IJL, IJM, IJND, IJNDB, IJOA, IJOC, IKA, IKAB, IKE, IKEB, IMB, IMD, IMG, JE, JEA, JF, JFAA, JFAB, JFABB, JFABD, JFB, JFC, JH, JHB, JHCB, JHD, JI, JIA, JICA, JICC, JJIA, JICE, JICEC, JICF, JICFA, JICK, JIH, JII, JJA, JJAB, JJIB, JJJ, JK, JKD, JKDA, JKE, JLA, JLCD, JLDB, JLI, JLIA, JLIB, JLIF, JN, JO, JR, JRE, JRR, KB, KEC, KED, KF, KHB, KHC, KI, and any Board level policies (civil) not otherwise specified

Includes related regulations and/or exhibits (civil) not otherwise specified

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

OTHER CIVIL VIOLATION (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [MODERATE](#)

Case Management Options: Other Civil Violation				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Written Warning	Official Reprimand	Suspension	Dismissal
Relatively Equal	Official Reprimand	Suspension	Dismissal	Dismissal
Mostly Aggravating	Suspension	Dismissal	Dismissal	Dismissal

Commentary:

- Consistent with ARS §15-535, a teacher who uses sectarian or denominational books or teaches any sectarian doctrine or conducts any religious exercises in School in a non-elective manner is guilty of Unprofessional Conduct, and his or her certificate shall be revoked.
- Consistent with ARS §15-545: 1) A Certificated Teacher shall not resign after signing and returning his contract, unless the resignation is first approved by the Board; and 2) A teacher who resigns contrary to ARS §15-545 shall be deemed to commit an unprofessional act and, upon request of the Board, shall be subject to discipline, including suspension of certificate or revocation of certificate, as the State Board deems appropriate.
- Consistent with ARS §36-601.01 (F), no employer may discharge or retaliate against an Employee because that Employee: 1) Exercises any rights afforded by the SFAA; or 2) Reports or attempts to prosecute a violation of the *Smoke-Free Arizona Act* (SFAA).
- Consistent with the Board *Staff Conduct with Students Policy* (SCWSP) [LESD GBEBB] and/or related regulations: 1) Teachers and other staff members will accord students the dignity and respect that they deserve at all times, and avoid embarrassing any student unnecessarily; 2) Staff/student relationships shall reflect mutual respect between staff members and students, and shall support the dignity of the entire profession and educational process; and 3) Violations shall be considered serious, and may result in severe disciplinary action.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents alleging bullying, harassment, or intimidation-related instances of this ECOC violation: 1) Must be reported to the designated compliance officer using the required form(s); and 2) Will be investigated and resolved by the designated compliance officer in accordance with Board policy and/or related regulations. In all cases, a "Reasonable Person Standard" should be used to establish this ECOC violation [LESD GCQF]; however, the following are not required for establishing or verifying this ECOC violation: 1) The filing of an actionable civil complaint with an outside agency; 2) Evidence of intentionality; or 3) Evidence of an actual injury to the complainant. All incidents potentially involving other forms of this ECOC violation must be reported to the

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CIVIL STATUTE (CONT'D)

OTHER CIVIL VIOLATION (CONT'D)

Superintendent or his/her designee.

- Acts that may represent violations of [criminal law](#) are addressed elsewhere in the ECOC.
- For state level reporting and potential license action considerations, if any, see [Section 9.0](#).

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF CRIMINAL LAW

The following actions and/or behaviors represent grounds for disciplinary action within the District based on violations of Board policy that may also involve violations of federal and/or state criminal law:

ALCOHOL OR DRUG-RELATED INFRACTION

Definition: This ECOC violation means any conduct that violates one or more of the Board *Alcohol, Drug, or Intoxicant Policies* (ADIPs); and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Engaging in the unlawful manufacture, distribution, possession, or use of Alcohol or any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, or intoxicant, or any other Controlled Substance: 1) While on or in the Workplace [LESD GBEC and GBECB]; or 2) While on Duty.
- Failing to notify the supervisor of any indictment or conviction under any criminal drug statute within five (5) days of an event occurring in the Workplace [34 CFR §84.205 (2); LESD GBEC].
- Reporting for duty, or remaining on duty requiring the performance of a Safety-Sensitive Function:
 - While having an Alcohol Concentration in excess of the state limit (or a blood or urine test corresponding to such) [49 CFR §382.107; LESD EEAEAA and GBEC].
 - After using any drug or substance defined in Schedule I of 21 CFR §1308.11 [49 CFR §382.213 (a); LESD EEAEAA and GBEC].
 - After using any drug or substance defined in the other Schedules of 21 CFR §1308.11, except when the use is pursuant to the instructions of a licensed medical practitioner, as defined in 49 CFR §382.107, who: 1) Is familiar with the driver's medical history; and 2) Has advised the driver that the substance will not adversely affect the driver's ability to safely operate a commercial motor vehicle [49 CFR §382.213 (b); LESD EEAEAA and GBEC].

NOTE: The driver will inform the Supervising Administrator or any therapeutic drug use [LESD EEAEAA and GBEC].

- Possessing Alcohol While on Duty, unless the Alcohol is manifested and transported as part of a shipment (this includes an OTC or prescription medicine containing Alcohol, unless the packaging seal is unbroken) [LESD EEAEAA and GBEC].
- Using Alcohol while performing a Safety-Sensitive Function [49 CFR §382.205; LESD EEAEAA and GBEC].
- Performing a Safety-Sensitive Function within eight (8) hours after using Alcohol [49 CFR §382.207; AAC R17-9-102C.1 (c); LESD EEAEAA and GBEC].
- Testing positive for a Controlled Substance [49 CFR §382.215; LESD GBEC].
- Adulterating or substituting a Controlled Substance test specimen [49 CFR §382.215; LESD GBEC].

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

ALCOHOL OR DRUG-RELATED INFRACTION (CONT'D)

- Refusing to submit to: 1) A pre-employment Controlled Substance test required under 49 CFR §382.301; 2) A post-accident Alcohol or Controlled Substance test required under 49 CFR §382.303; 3) A random Alcohol or Controlled Substance test required under 49 CFR §382.305; 4) A reasonable suspicion Alcohol or Controlled Substance test required under 49 CFR §382.307; 5) A return-to-duty Alcohol or Controlled Substance test required under 49 CFR §382.309; or 6) A follow-up Alcohol or Controlled Substance test required under 49 CFR §382.311 [49 CFR §382.211 and §382.301 through §382.311; AAC R17-9-102C.1; LESD EEAEAA and GBEC].
- Using Alcohol within eight (8) hours following an accident, or prior to undergoing post-accident testing, whichever comes first [49 CFR §382.209; LESD EEAEAA and GBEC].
- Failing to remain readily available for post-accident testing (e.g., leaving the scene of an accident prior to the submission of a post-accident test, unless emergency care is needed, or failing to notify the supervisor of one's location).
- Failing to enroll, when requested by the Board, in an Alcohol or other drug treatment or counseling program, or failing to adhere to the requirements of the program.
- Possessing, using, selling, distributing, or dispensing any drug paraphernalia (e.g., accessories, chemical precursors, or equipment) as defined by federal law and/or state statute.

Related alignments include, but are not limited to, the following:

Federal level:

18 USC §341 et seq.; *Drug-Free Schools and Communities Act Amendments of 1989* [20 USC §1145g; 34 CFR §86.1 et seq.]; 20 USC §7101 et seq.; 20 USC §7912; 34 CFR §200.44; *Comprehensive Drug Abuse Prevention and Control Act of 1970* ["Controlled Substances Act" or "CSA"]; 21 USC §801 et seq.; 21 CFR §1300.01 et seq.; *Mental Health Parity and Addiction Equity Act of 2008* ["MHPAEA"]; 29 USC §1185a; *Drug Free Workplace Act of 1988* [41 USC §8101 et seq.; 34 CFR §84.100 et seq.; Public Law 100-690]; 42 USC §1996 and §1996a; 42 USC §12644; 42 USC §12645g; *Omnibus Transportation Employee Testing Act of 1991* [49 USC §31301 et seq.; 49 CFR §382.01 et seq.; 49 CFR §40.1 et seq.

State level:

ARS §13-105; §13-503; §13-601 et seq.; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1205; §13-3401 et seq.; §13-3451 et seq.; §15-106; §15-108; §15-131 et seq.; §15-183; §15-240; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-342 (26); §15-342 (27); §15-345; §15-350; §15-502; §15-512; §15-513; §15-514; §15-534; §15-539; §15-540; §15-550; §15-712; §15-716; §15-782.02; §23-493 et seq.; §28-1301 et seq.; §28-3228; *Arizona Medical Marijuana Act* [§36-2801 et seq.]; §41-1750; §41-1758.03 (B); §41-1758.03 (C)

AAC R7-2-603 (C); R7-2-603 (D); AAC R17-9-102C

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

ALCOHOL OR DRUG-RELATED INFRACTION (CONT'D)

Board level: LESD A; AD; BBA; EEAEAA; GA; GBAB; GBEA; GBEB; GBEC; GBECA; GBECB; GBGC; GBGD; GCBDA; GCF; GCFC; GCQF; GDF; GDFA; GDOB; GDQD; IHAMA; IHAMB; JICH; KFA; KL; LDA

See also related regulations and/or exhibits

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [SEVERE](#)

Case Management Options: Alcohol or Drug-Related Infraction				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Suspension	Dismissal	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Dismissal	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Not Applicable	Not Applicable

Commentary:

- Consistent with ARS §15-108 and §36-2802 and the Board *Medical Marijuana Standards and Conditions for Employees Policy* (MMSCEP) [LESD GBAB], *Non-Medical Use or Abuse of Drugs or Alcohol Policy* (NUADAP) [LESD GBECA], and/or related regulations, the District recognizes Arizona's medical marijuana law, and shall not discriminate against a person in hiring, termination, or imposition of any term or condition of employment or otherwise penalize a person on the basis of the person's status as an eligible medical marijuana cardholder, or as a registered qualifying patient, having a positive drug test for marijuana components or metabolites, unless the person used, possessed, or was impaired by marijuana: 1) On District property; 2) At a District event; 3) During the hours of the person's regular or extended hours of employment; or 4) As prescribed by law.
- Consistent with AAC R17-9-102C.5 and R17-9-102C.6: 1) The employer shall submit any and all negative results of testing done under AAC R17-9-102C to the Department within thirty (30) days of the date of testing, or within twelve (12) months of the bus driver's previous test, whichever is sooner, by providing DPS a copy of the report submitted to the employer by the entity that conducted the testing; 2) The employer shall immediately notify DPS by telephone of any and all positive results of testing done under AAC R17-9-102C; and 3) The employer shall submit to DPS within five (5) days a copy of the report submitted to the employer by the entity that conducted the testing.
- For guidance on investigating this ECOC violation, consult the Board *Drug and Alcohol Testing of Transportation Employees Policy* (DATTEP) [LESD EEAEAA], *Medical Marijuana Standards and Conditions for Employees Policy* (MMSCEP) [LESD GBAB], *Drug-Free Workplace Policy* (DFWP) [LESD GBEC], *Drug and Alcohol Testing of Transportation Employees Policy* (DATTEP) [LESD EEAEAA], *Non-Medical Use or Abuse of Drugs or Alcohol Policy* (NUADAP) [LESD GBECA], (WCP) [LESD GBGD], and/or related regulations.

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

ALCOHOL OR DRUG-RELATED INFRACTION (CONT'D)

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services. Etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).
- Some examples of this ECOC violation may be incompatible with initial or continued employment by the District. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

COMMISSION OF A SEX OFFENSE

Definition: This ECOC violation means any conduct that violates one or more of the Board *Sexual Misconduct Policies* (SIPs); and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Engaging in an inappropriate relationship with a student or other minor.
- Touching a staff member, student or other person in a sexually inappropriate manner.
- Engaging in sexual conduct with a minor student or other minor regardless of location or consent.
- Accessing, possessing or distributing child pornography.
- Committing any other act of sexual misconduct prohibited under federal and/or state criminal law.

Related alignments include, but are not limited to, the following:

Federal level: 18 USC §2241 to §2248; 18 USC §2250 et seq.; 18 USC §2421; 18 USC §3600a; 20 USC §7912; 34 CFR §200.44; 42 USC §12645g; *Adam Walsh Child Protection and Safety Act of 2006* [AWA; 42 USC §16902; Public Law 109-248]; *Sex Offender Registration and Notification Act* [SORNA; 42 USC §16911 et seq.]; *Children's Internet Protection Act of 2000* [CIPA; 47 USC §254; FCC Order 03-188]; 47 CFR §54.520

State level: ARS §13-105; §13-601 et seq.; §13-706; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1401 et seq.; §13-3201 et seq.; §13-3501 et seq.; §13-3551 et seq.; §15-106; §15-131 et seq.; §15-183; §15-203 (20); §15-240; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(31); §15-342 (26); §15-350; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-550; §15-711; §15-711.01; §15-712; §15-712.01; §15-782.02; §28-3228; §34-501; §34-502; §41-1750; §41-1758.03 (B); §41-1758.03 (C)
AAC R7-2-603 (C); R7-2-603 (D)

Board level: LESD A; AD; BBA; GA; GBEA; GBEB; GBEBB; GBEF; GGCQF; GDF; GDFA; GDQD; IJNDB; JLIF; KL; LDA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D) POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

COMMISSION OF A SEX OFFENSE (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [EXTREME](#)

Case Management Options: Commission of a Sex Offense				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Dismissal	Not Applicable	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Not Applicable	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Not Applicable	Not Applicable	Not Applicable

Commentary:

- Consistent with the Board *Staff Conduct with Students Policy* (SCWSP) [LESD GBEBB] and/or related regulations: 1) Relationships between staff members and students that include "dating," "courtship," or "romantic involvement" are prohibited; 2) These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and contrary to the expectations of District governance; and 3) Violations shall be considered serious, and may result in severe disciplinary action.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEP], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).
- Most examples of this ECOC violation are incompatible with initial or continued employment by the District. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

DISHONESTY (CRIMINAL)

Definition: This ECOC violation means any conduct: 1) That involves a verbal lack of truthfulness or deception; and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Engaging in an act of commission (e.g., the criminal misrepresentation of facts, such as initiating a false complaint alleging criminal activity or making false statements to law enforcement during the course of an investigation).
- Engaging in an act of omission (e.g., the failure to relate all pertinent details to an investigator, such as neglecting mandatory reporting responsibilities regarding suspected child abuse or withholding knowledge of the existence of contradictory evidence).

Related alignments include, but are not limited to, the following:

Federal level: 18 USC §201 et seq.; 18 USC §663; 18 USC §911; 18 USC §1001 et seq.; 18 USC §1169; 18 USC §1501 et seq.; 18 USC §1621 et seq.; 18 USC §2258; 18 USC §3600a; 42 USC §5119; 42 USC §12645g; 42 USC §13031; 42 USC §16990; *Education Department General Administrative Regulations* [EDGAR; 34 CFR §74-86 and 97-99]; 47 CFR §54.503

State level: ARS §13-105; §13-302; §13-303; §13-601 et seq.; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-3620; §13-3716; §15-103; §15-105; §15-106; §15-107; §15-131 et seq.; §15-183; §15-189; §15-210; §15-213; §15-239; §15-240; §15-271; §15-272; §15-304; §15-323; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-342 (5); §15-342 (26); §15-350; §15-354; §15-502; §15-512; §15-514; §15-515; §15-534; §15-539; §15-540; §15-782.02; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-481; §38-501 et seq.; §38-621 et seq.; §41-1279.04 et seq.; §41-1750; §41-1758.03 (C); §46-454

AAC R7-2-603 (F)

Board level: LESD A; AD; BBA; BCB; CH; CHCA; CM; DA; DB; DBC; DBF; DBI; DBJ; DD; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DH; DI; DIA; DIB; DIC; DID; DIE; DJ; DJB; DJE; DJG; DK; DKC; DM; DN; EF; EFI; GA; GBEA; GBEEA; GBEB; GBEC; GCF; GCQF; GDF; GDFA; GDQD; JICF; JICFA; JICH; JICI; JICL; JJE; JJF; JLF; KCD; KL; LDA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

DISHONESTY (CRIMINAL) (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [SEVERE](#)

Case Management Options: Dishonesty (Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Suspension	Dismissal	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Dismissal	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Not Applicable	Not Applicable

Commentary:

- Consistent with the Board *Staff Conduct Policy* (SCP) [LESD GBEB] and/or related regulations: 1) Employees must report any suspected crime against a person or property that is a serious offense, that involves a deadly weapon or dangerous instrument, or that could pose a threat of death or serious injury to employees, students, or others on School property; and 2) All such reports shall be communicated to the Superintendent, who shall be responsible for reporting to local law enforcement.
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (CRIMINAL)

Definition: This ECOC violation means any conduct: 1) That is inappropriate or unacceptable in the environment in which it occurs; and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Committing Workplace violence.
- Causing injury or endangering a person directly or through Neglect of Duty.
- Assaulting or battering a person.
- Threatening or injuring a person, or damaging property, in an act of criminal harassment or civil rights intimidation.
- Stalking a person.
- Committing an act of indecent exposure.
- Engaging in an act of retaliation prohibited under federal and/or state criminal law.

Related alignments include, but are not limited to, the following:

Federal level: 18 USC §111 et seq.; 18 USC §241 et seq.; 18 USC §1513; 18 USC §2231 et seq.; 18 USC §2261; 20 USC §7912; 34 CFR §200.44; 42 USC §12645g

State level: ARS §13-105; §13-118; §13-401 et seq.; §13-601 et seq.; §13-706; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1201; §13-1202; §13-1203; §13-1204; §13-1208; §13-1209; §13-1210; §13-1213; §13-1402; §13-1403; §15-106; §15-131 et seq.; §15-151; §15-156; §15-182; §15-183; §15-240; §15-341 (A)(1); §15-341 (A)(12); §15-341 (A)(13); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(24); §15-341 (A)(31); §15-341 (A)(37); §15-342 (12); §15-342 (26); §15-342.02; §15-350; §15-502; §15-507; §15-512; §15-514; §15-521 (2); §15-534; §15-539; §15-540; §15-550; §15-712.01; §15-782.02; §15-2301; §41-1750; §41-1758.03 (B); §41-1758.03 (C)

State regulations: AAC R7-2-603 (C); R7-2-603 (D)

Board level: LESD A; AC; AD; BBA; GA; GBEA; GBEB; GBEBB; GBGB; GBP; GCF; GCQF; GDF; GDFA; GDQD; JICF; JICFA; JII; JK; JKA; JLDB; KL; LDA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

INAPPROPRIATE, ABUSIVE, OR OFFENSIVE CONDUCT (CRIMINAL) (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [SEVERE](#)

Case Management Options: Inappropriate, Abusive or Offensive Conduct (Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Suspension	Dismissal	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Dismissal	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Not Applicable	Not Applicable

Commentary:

- Consistent with the Board *Staff Conduct Policy* (SCP) [LESD GBEB] and/or related regulations: 1) Any Administrator, teacher, or other Employee entrusted with the care and supervision of a minor may use reasonable and appropriate physical force upon the minor to the extent reasonably necessary and appropriate to maintain order; and 2) Similar physical force will be appropriate in self-defense, in the defense of other student(s) or Employee(s), and to prevent or terminate the commission of theft or criminal damage to the property of the District or the property of persons lawfully on the premises of the District.

NOTE: The threat or use of physical force is not justified: 1) As a response to verbal provocation alone; 2) When the degree of physical force used is disproportionate to the circumstances; or 3) When the degree of physical force used exceeds that necessary to avoid injury to oneself or to others or to preserve property at risk.

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).
- Some examples of this ECOC violation may be incompatible with initial or continued employment by the District. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

POSSESSION OF A FIREARM OR OTHER WEAPON ON OR NEAR DISTRICT PROPERTY

Definition: This ECOC violation means any conduct that violates one or more of the Board *Weapons Policies* (WPs); and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- An offense involving a Dangerous Instrument, such as possessing, transporting, receiving, exchanging, selling, transferring, distributing or exhibiting any of the following:
 - Ammunition for a Firearm (e.g., a bullet, shotgun shell or other round).
 - An object that emits noxious gases (e.g., tear gas, a “smoke bomb” or a “stink bomb”).
 - An electrically charged stun device (e.g., a Taser® or other brand stun gun).
 - A defensive repellant (e.g., mace, “pepper spray” or other similar chemical spray).
 - An office implement (e.g., a letter opener, pen or laser pointer) used for either recklessly or for offensive purposes.
 - A utility tool (e.g., a razor blade, box cutter or knife with a blade less than two and a half (2 1/2) inches) used either recklessly or for offensive purposes.
- An offense involving a Deadly Weapon, Firearm, Explosive or Prohibited Weapon, such as knowingly:
 - Carrying a Deadly Weapon (except a pocket knife concealed on the individual’s person or within his immediate control in or on a means of transportation): 1) In the furtherance of a serious offense as defined in ARS §13-706, a violent crime as defined in ARS § 13-901.03 or any other felony offense [ARS §13-3102 (A)(1)]; 2) When contacted by a Law Enforcement Officer and failing to accurately answer the officer if the officer asks whether the person is carrying a concealed Deadly Weapon [ARS §13-3102 (A)(1)]; or 3) If the person is under twenty-one (21) years of age [ARS §13-3102 (A)(2)].

NOTE: The pocket knife exception does not apply if: 1) The blade is more than two and a half (2 1/2) inches in length [18 USC §930 (g)(2)]; or 2) The blade can be locked in an open position.

- Manufacturing, possessing, transporting, selling or transferring a Prohibited Weapon (e.g., spring stick or loaded cane, brass knuckles or blackjack), except that if the violation involves dry ice, a person commits misconduct involving weapons by knowingly possessing the dry ice with the intent to cause injury to or death of another person or to cause damage to the property of another person [ARS §13-3102 (A)(3)].
- Possessing a Deadly Weapon or Prohibited Weapon (if such person is a Prohibited Possessor) [ARS §13-3102 (A)(4)].
- Selling or transferring a Deadly Weapon to a Prohibited

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

POSSESSION OF A FIREARM OR OTHER WEAPON ON OR NEAR DISTRICT PROPERTY (CONT'D)

- Possessor [ARS §13-3102 (A)(5)].
- Defacing a Deadly Weapon [ARS §13-3102 (A)(6)].
- Possessing a defaced Deadly Weapon knowing the Deadly Weapon was defaced [ARS §13-3102 (A)(7)].
- Using or possessing a Deadly Weapon during the commission of any felony in ARS §13-3401 et seq. [ARS §13-3102 (A)(8)].
- Discharging a Firearm at an occupied structure in order to assist, promote or further the interests of a criminal street gang, a criminal syndicate or a racketeering enterprise [ARS §13-3102 (A)(9)].
- Possessing a Deadly Weapon on School grounds [ARS §13-3102 (A)(12)].

NOTE: ARS §13-3102 (A)(12) shall not apply to the possession of a Firearm for use on School grounds in a School-approved program [ARS §13-3102 (H)(2)].

- Supplying, selling or giving possession or control of a Firearm to another person if the person knows or has reason to know that the other person would use the Firearm in the commission of any felony [ARS §13-3102 (A)(14)].
- Using, possessing or exercising control over a Deadly Weapon in furtherance of any act of Terrorism as defined in ARS §13-2301 or possessing or exercising control over a Deadly Weapon knowing or having reason to know that it will be used to facilitate any act of terrorism as defined in ARS §13-2301 [ARS §13-3102 (A)(15)].
- Trafficking in weapons or explosives for financial gain in order to assist, promote or further the interests of a criminal street gang, a criminal syndicate or a racketeering enterprise [ARS §13-3102 (A)(16)].
- An offense involving a Destructive Device, such as possessing, transporting, receiving, exchanging, selling, transferring, distributing or exhibiting any of the following:
 - Any device other than a Firearm that will, or is designed to or may be readily converted to expel a projectile by any means of propulsion (e.g., a BB gun, Air Soft gun, paintball gun, pellet gun, flare gun, starter gun, slingshot, bow or crossbow).
 - Any collection of parts that could be readily assembled to form a destructive device.
- An offense involving a Simulated Weapon (e.g., a plastic axe, rubber knife, toy gun or cap gun).

Related alignments include, but are not limited to, the following:

Federal level:

18 USC §175 et seq.; 18 USC §229 et seq.; 18 USC §831 et seq.; 18 USC §841 et seq.; *Gun Control Act of 1968* [GCA; 18 USC §921 et seq.; Public Law 90-618]; *Gun Free School Zones Act of 1990* [GFSZA; 18 USC §922 and 924]; 20 USC §7912; *Gun Free Schools Act*

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

POSSESSION OF A FIREARM OR OTHER WEAPON ON OR NEAR DISTRICT PROPERTY (CONT'D)

[20 USC §7151 and §7961]; 42 USC §12645g; 27 CFR §447.1 et seq.; 34 CFR §200.44

State level:

ARS §13-105; §13-601 et seq.; §13-706; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1211; §13-3101 et seq.; §15-106; §15-131 et seq.; §15-183; §15-240; §15-341 (A)(1); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(23); §15-341 (A)(31); §15-342 (26); §15-350; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-713; §15-714; §15-714.01; §15-782.02; §41-1750; §41-1758.03 (C)

AAC R7-2-603 (C); R7-2-603 (D)

Board level:

LESD A; AD; BBA; GA; GBEA; GBEB; GCF; GCQF; GDF; GDFA; GDQD; JICI; KL; LDA

See also related regulations and/or exhibits

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [SEVERE](#)

Case Management Options: Possession of a Firearm or Other Weapon on or Near District Property				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Suspension	Dismissal	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Dismissal	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Not Applicable	Not Applicable

Commentary:

- Consistent with the Board *Staff Conduct Policy* (SCP) [LESD GBEB] and/or related regulations, no Employee, other than one who has obtained authorization from the appropriate Administrator, shall carry or possess a weapon on School grounds.
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).
- Some examples of this ECOC violation may be incompatible with initial or continued employment by the District. For management guidelines, see [Other Criminal Violation \(Disqualifying\)](#).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

POSSESSION OF A FIREARM OR OTHER WEAPON ON OR NEAR DISTRICT PROPERTY (CONT'D)

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

RECORDS FALSIFICATION OR FAILURE TO ACCURATELY PROVIDE INFORMATION (CRIMINAL)

Definition: This ECOC violation means any conduct: 1) That involves a non-verbal lack of truthfulness or deception; and 2) That may be a matter of interest to a law enforcement agency

Examples: Include, but are not limited to, the following:

- Submitting a signed testimony known to contain false information.
- Knowingly filing a report required by federal, state or local authorities containing false, missing, incomplete or incorrect information.
- Altering official applications or records after their submittal.
- Presenting forged credentials relating to eligibility for initial or continued employment.
- Making a false disqualifying statement on a fingerprint clearance card.
- Accounting for the receipt, deposit, or disbursement of funds in a manner prohibited by federal and/or state criminal law.

Related alignments include, but are not limited to, the following:

Federal level: 18 USC §285 et seq.; 18 USC §470 et seq.; 18 USC §1001 et seq.; 18 USC §1341 et seq.; 18 USC §1426; *Education Department General Administrative Regulations* [EDGAR; 34 CFR §74-86 and 97-99]

State level: ARS §13-105; §13-601 et seq.; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-713; §13-2001 et seq.; §13-2101 et seq.; §13-2201 et seq.; §13-2907 et seq.; §15-103; §15-106; §15-107; §15-131 et seq.; §15-183; §15-189; §15-210; §15-213; §15-239; §15-240; §15-271; §15-272; §15-304; §15-341 (A)(1); §15-341 (A)(14); §15-341 (A)(17); §15-341 (A)(18); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-341 (A)(41); §15-342 (5); §15-342 (26); §15-350; §15-354; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-756.10; §15-782.02; §15-901 et seq.; §15-918 et seq.; §15-921 et seq.; §15-941 et seq.; §15-961 et seq.; §15-971 et seq.; §15-991 et seq.; §15-1021 et seq.; §15-1041 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-421; §38-423; §38-621 et seq.; §39-161; §41-1279.04 et seq.; §41-1750; §41-1758.03 (C); §46-215
AAC R7-2-603 (F); AAC R7-2-803

Board level: LESD A; AD; BBA; CM; DA; DB; DBC; DBF; DBI; DBJ; DD; DDA; DEC; DFB; DFD; DFF; DG; DGA; DGD; DI; DIA; DIB; DIC; DID; DIE; DK; DKC; DM; DN; EBBB; EFI; EHB; GA; GBEA; GBEB; GCF; GCQF; GDF; GDFA; GDQD; JJE; JJF; JR; KL; LDA
See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

RECORDS FALSIFICATION OR FAILURE TO ACCURATELY PROVIDE INFORMATION (CRIMINAL) (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [SEVERE](#)

Case Management Options: Records Falsification or Failure to Accurately Provide Information (Criminal)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Suspension	Dismissal	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Dismissal	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Not Applicable	Not Applicable

Commentary:

- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

THEFT, ABUSE, OR UNAUTHORIZED USE OF PROPERTY

Definition: This ECOC violation means any conduct: 1) That involves the stealing, wrongful appropriation, improper diversion, misuse, or destruction of property belonging to the Board, an Employee, a student, or other party; and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Stealing funds from a petty cash account.
- Diverting District technology or other assets for personal use.
- Damaging property in an act of vandalism or retaliation.
- Misusing a vehicle owned by the District.
- Using District-owned equipment after hours without proper authorization or approval.
- Knowingly including unauthorized personal expenses on an expense report.

Related alignments include, but are not limited to, the following:

Federal level: 18 USC §641 et seq.; 18 USC §871 et seq.; 18 USC §891 et seq.; 18 USC §2311 et seq.; 42 USC §12645g; *Education Department General Administrative Regulations* [EDGAR; 34 CFR §74-86 and 97-99]

State level: ARS §13-105; §13-601 et seq.; §13-713; §13-1001; §13-1002; §13-1003; §13-1004; §13-1005; §13-1006; §13-1601 et seq.; §13-1801 et seq.; §15-103; §15-105; §15-106; §15-107; §15-131 et seq.; §15-183; §15-189; §15-213; §15-240; §15-326; §15-341 (A)(1); §15-341 (A)(3); §15-341 (A)(6); §15-341 (A)(14); §15-341 (A)(19); §15-341 (A)(20); §15-341 (A)(21); §15-341 (A)(22); §15-342 (5); §15-342 (18); §15-342 (26); §15-350; §15-354; §15-502; §15-512; §15-514; §15-534; §15-539; §15-540; §15-727; §15-782.02; §15-901 et seq.; §15-1101 et seq.; §15-1121 et seq.; §15-1141 et seq.; §15-1151 et seq.; §15-1171 et seq.; §15-1181 et seq.; §15-1201 et seq.; §15-1221 et seq.; §15-1231; §15-1241; §15-1251; §15-1261; §38-538 et seq.; §38-621 et seq.; §41-1750; §41-1758.03 (C)

AAC R7-2-603 (C); R7-2-603 (D)

Board level: LESD A; AD; BBA; DA; DBJ; DEC; DFD; DGD; DH; DID; DJ; DKC; DM; DN; ECA; ECAA; ECAC; ECAD; EDB; EDBA; EDC; GA; GBEA; GBEB; GBEF; GCF; GCQF; GDF; GDFA; GDQD; IJNDB; JJE; JJF; KL; LDA

See also related regulations and/or exhibits

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

THEFT, ABUSE OR UNAUTHORIZED USE OF PROPERTY (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [MAJOR](#)

Case Management Options: Theft, Abuse or Unauthorized Use of Property				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official Reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

OTHER CRIMINAL VIOLATION (NON-DISQUALIFYING)

Definition: This ECOC violation means any conduct not specified elsewhere in this section of the ECOC: 1) That does not statutorily render an applicant ineligible for initial employment, or an existing Employee from continued employment; and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Breaking and entering into a District-owned structure.
- Creating or contributing to an unlawful civil disturbance.
- Coercing a witness.
- Being convicted of Driving Under the Influence (DUI) when no transportation duties are required of the Employee.

Related alignments include, but are not limited to, the following:

Federal level: Includes 18 USC §81, 18 USC §228, 18 USC §231 et seq., 18 USC §331 et seq., 18 USC §351 et seq., 18 USC §371 et seq., 18 USC §401 et seq., 18 USC §1071 et seq., 18 USC §1081 et seq., 18 USC §1261 et seq., 18 USC §1301 et seq., 18 USC §1361 et seq., 18 USC §1425, 18 USC §1460 through 1466, 18 USC §1470, 18 USC §1581 et seq., 18 USC §1751 et seq., 18 USC §1801, 18 USC §1831 et seq., 18 USC §1951 et seq., 18 USC §1961 et seq., 18 USC §2101 et seq., 18 USC §2111 et seq., 18 USC §2325 et seq., 18 USC §2331 et seq., 18 USC §2341 et seq., 18 USC §2381 et seq., *Electronic Communications Privacy Act of 1986* [18 USC §2510 et seq.], 18 USC §2701 et seq., 42 USC §12645g, and any federal level statutes or implementing regulations (criminal, but non-disqualifying) not otherwise specified

State level: Includes ARS §13-105, §13-302, §13-303, §13-305, §13-305, §13-601 et seq., §13-706, §13-713, §13-1001, §13-1002, §13-1003, §13-1004, §13-1005, §13-1006, §13-1102, §13-1103, §13-1302, §13-1303, §13-1304, §13-1305, §13-1306, §13-1308, §13-1501 et seq., §13-1701 et seq., §13-1901 et seq., §13-2301 et seq., §13-2401 et seq., §13-2501 et seq., §13-2601 et seq., §13-2701 et seq., §13-2801 et seq., §13-2901 through §13-2906, §13-2908 through §13-2930, §13-3001 et seq., §13-3301 et seq., §13-3601 et seq., §13-3701 et seq., §15-106, §15-131 et seq., §15-183, §15-240, §15-341 (A)(1), §15-341 (A)(21), §15-341 (A)(22), §15-341 (A)(31), §15-342 (26), §15-350, §15-502, §15-512, §15-514, §15-534, §15-539, §15-540, §15-782.02, §16-402, §23-201, §23-202, §23-203, §23-212, §23-1362, §28-601 through §28-1205, §38-231, §39-101 et seq., §41-1750, §41-1758.03 (C), and any state statutes (criminal, but non-disqualifying) not otherwise specified

Includes AAC R7-2-603 (C) and R7-2-603 (D) and any state level implementing regulations (criminal, but non-disqualifying) not otherwise specified

Board level: Includes LESD A, AD, BBA, EB, EBB, EBC, ECA, ECAA, GA, GBEA, GBEB, GBED, GBEF, GCF, GCFC, GCFE, GCQF, GDF, GDFA, GDFF, GDQD, IJNDB, KFA, KL, LDA, and any Board level policies

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

OTHER CRIMINAL VIOLATION (NON-DISQUALIFYING) (CONT'D)

(criminal, but non-disqualifying) not otherwise specified

Includes related regulations and/or exhibits (criminal, but non-disqualifying) not otherwise specified

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [MAJOR](#)

Case Management Options: Other Criminal Violation (Non-Disqualifying)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Official Reprimand	Suspension	Dismissal	Not Applicable
Relatively Equal	Suspension	Dismissal	Dismissal	Not Applicable
Mostly Aggravating	Dismissal	Dismissal	Dismissal	Not Applicable

Commentary:

- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEF], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

OTHER CRIMINAL VIOLATION (DISQUALIFYING)

Definition: This ECOC violation means any conduct not specified elsewhere in this section of the ECOC: 1) That statutorily renders an applicant ineligible for initial employment, or an existing Employee from continued employment; and 2) That may be a matter of interest to a law enforcement agency.

Examples: Include, but are not limited to, the following:

- Receiving a conviction that results in denial or subsequent forfeiture of a fingerprint clearance.
- Receiving a conviction on an “absolute bar” offense reportable to the State Board or State Department for major licensure action.

Related alignments include, but are not limited to, the following:

Federal level: Includes 18 USC §1111 et seq., 18 USC §1201 et seq., 18 USC §1466a, 18 USC §2243, 18 USC §2250, 18 USC §2251 et seq., 18 USC §2423, 18 USC §2425, 18 USC §2427, 18 USC §3283, 20 USC §7912, 34 CFR §200.44, 42 USC §12645g, and any federal level statutes or implementing regulations (criminal and disqualifying) not otherwise specified

State level: Includes ARS §8-800 et seq., §13-105, §13-118, §13-601 et seq., §13-705, §13-706, §13-713, §13-1001, §13-1002, §13-1003, §13-1004, §13-1005, §13-1006, §13-1104, §13-1105, §13-1307, §13-1403, §13-1404, §13-1405, §13-1406, §13-1410, §13-1417, §13-3201, §13-3202, §13-3203, §13-3204, §13-3205, §13-3206, §13-3207, §13-3208, §13-3209, §13-3210, §13-3212, §13-3502, §13-3506, §13-3506.01, §13-3512, §13-3552, §13-3553, §13-3554, §13-3555, §13-3558, §13-3560, §13-3608, §13-3609, §13-3623, §13-3625, §13-3821 et seq., §15-106, §15-131 et seq., §15-183, §15-203 (20), §15-240, §15-341 (A)(1), §15-341 (A)(21), §15-341 (A)(22), §15-341 (A)(31), §15-342 (26), §15-350, §15-502, §15-512, §15-514, §15-534, §15-539, §15-540, §15-550, §15-711, §15-711.01, §15-712, §15-782.02, §41-1750, §41-1758.03 (B), and any state statutes (criminal and disqualifying) not otherwise specified

Includes AAC R7-2-603 (C) and R7-2-603 (D) and any state level implementing regulations (criminal and disqualifying) not otherwise specified

Board level: Includes LESD A, AD, BBA, GA, GBEA, GBEB, GBEBB, GBEF, GCF, GCFC, GCQF, GDF, GDFA, GDFE, GDQD, IJNDB, JLIF, KL, LDA, and any Board level policies (criminal and disqualifying) not otherwise specified

Includes related regulations and/or exhibits (criminal and disqualifying) not otherwise specified

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4.0 ECOC VIOLATIONS (CONT'D)

POTENTIAL VIOLATIONS OF CRIMINAL LAW (CONT'D)

OTHER CRIMINAL VIOLATION (DISQUALIFYING) (CONT'D)

Case management considerations include, but are not limited to, the following:

Initial responsibility: DISTRICT LEVEL

Mandatory reporting: YES

Initial classification: [EXTREME](#)

Case Management Options: Other Criminal Violation (Disqualifying)				
Case Facts	1 st Occurrence	2 nd Occurrence	3 rd Occurrence	4 th Occurrence
Mostly Mitigating	Dismissal	Not Applicable	Not Applicable	Not Applicable
Relatively Equal	Dismissal	Not Applicable	Not Applicable	Not Applicable
Mostly Aggravating	Dismissal	Not Applicable	Not Applicable	Not Applicable

Commentary:

- Consistent with the Board *Staff Conduct with Students Policy* (SCWSP) [LESD GBEBB] and/or related regulations, relationships between staff members and students that include "dating," "courtship," or "romantic involvement" are prohibited; 2) These behaviors deviate from ethical or professional standards and shall be deemed unacceptable and contrary to the expectations of District governance; and 3) Violations shall be considered serious, and may result in severe disciplinary action.
- For guidance on investigating technology-related instances of this ECOC violation, consult the Board *Staff Use of Digital Communications and Electronic Devices Policy* (SUDGEDP) [LESD GBEP], *Use of Technology Resources in Instruction Policy* (UTRIP) [LESD IJNDB], related regulations, [Resource 4.01](#), and/or [Form 4.01](#).
- For additional information and examples, consult: 1) Your Immediate Supervisor; or 2) HR.
- All incidents potentially involving this ECOC violation: 1) Must be reported to the Superintendent or his/her designee; and 2) Must be reported to the appropriate outside agency (e.g. law enforcement, social services, etc.) where mandated; and 3) Must be reported to the State Board or State Department) by District employees and the Superintendent when required (see [Section 9.0](#)).
- All examples of this ECOC violation are incompatible with initial or continued employment by the District.

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5.0 PROCEDURES FOR INFORMAL ACTIONS *ORAL WARNING SUMMARIES*

An Employee facing this action will receive the following:

Professional Staff Member

- An informal meeting with his or her Supervising Administrator [LESD GCQF] in a private location.
- An explanation of the allegation(s) involved.
- An opportunity to respond to the allegation(s).
- Consideration of the response and all pertinent [aggravating and/or mitigating factors](#) in the case prior to any decision to take action.
- An explanation of the reason(s) for taking action.
- A written, signed, and dated copy of the action that specifies: 1) The specific incident(s) upon which the action was based; 2) The statute and/or policy that was violated; 3) The specific action taken to address the incident(s); 4) Expectations for correction, if any; 5) Notice that repeat offenses may result in more severe disciplinary action; 6) Disclosure of any and all remedies available; and 7) A disposition disclosure.

NOTE: There are no representation requirements for an Informal Action [LESD GCQF].

Support Staff Member

- An informal meeting with his or her Immediate Supervisor [LESD GDQD] in a private location.
- An explanation of the allegation(s) involved.
- An opportunity to respond to the allegation(s).
- Consideration of the response and all pertinent [aggravating and/or mitigating factors](#) in the case prior to any decision to take action.
- An explanation of the reason(s) for taking action.
- A written, signed, and dated copy of the action that specifies: 1) The specific incident(s) upon which the action was based; 2) The statute and/or policy that was violated; 3) The specific action taken to address the incident(s); 4) Expectations for correction, if any; 5) Notice that repeat offenses may result in more severe disciplinary action; 6) Disclosure of any and all remedies available; and 7) A disposition disclosure.

NOTE: LESD GDQD does not apply to counseling of, or directives to, a Support Staff Member regarding future conduct [LESD GDQD].

Workflows for this type of Informal Action are as follows:

Professional Staff Member

- **Before action.** The Supervising Administrator will complete an inquiry of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.
- **During action.** The Supervising Administrator will:
 - Meet with the Employee within a reasonable timeframe to deliver the action.
 - State his or her reason(s) for proceeding with the action.
 - Reference any [aggravating factors](#) or [mitigating factors](#) considered prior to making the decision.
 - Present the Employee with the documentation of the action (see [Form 5.01A](#) for documentation example).
 - Review the documentation with the Employee.
 - Request signed/initialed and dated acknowledgement of receipt from the Employee.

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) ORAL WARNING SUMMARIES (CONT'D)

NOTE: Signed/initialled acknowledgement does not imply agreement with the contents of the documentation. Refusal to sign and date the documentation will be noted on the documentation.

- **After action.** The Supervising Administrator will:
 - Provide the Employee with a copy of the executed action.
 - Offer the Employee an opportunity to respond to the action in writing within a reasonable timeframe, and inform the Employee of his or her right to include any comments he or she deems appropriate.

NOTE: Any written response: 1) Must be signed; and dated; and 2) Will be attached, if received in a timely manner.

- Inform the Employee of his or her contest option(s), if applicable.
- Retain the executed action in the USF (see [Section 8.0](#)).

Support Staff Member

- **Before action.** The Immediate Supervisor will complete an inquiry of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

- **During action.** The Immediate Supervisor will:

- Meet with the Employee within a reasonable timeframe to deliver the action.
- State his or her reason(s) for proceeding with the action.
- Reference any [aggravating factors](#) or [mitigating factors](#) considered prior to making the decision.
- Present the Employee with the documentation of the action (see [Form 5.01B](#) for documentation example).
- Review the documentation with the Employee.
- Request signed/initialled and dated acknowledgement of receipt from the Employee.

NOTE: Signed/initialled acknowledgement does not imply agreement with the contents of the documentation. Refusal to sign and date the documentation will be noted on the documentation.

- **After action.** The Immediate Supervisor will:

- Provide the Employee with a copy of the executed action.
- Offer the Employee an opportunity to respond to the action in writing within a reasonable timeframe, and inform the Employee of his or her right to include any comments he or she deems appropriate.

NOTE: Any written response: 1) Must be signed; and dated; and 2) Will be attached, if received in a timely manner.

- Inform the Employee of his or her contest option(s), if applicable.

NOTE: The filing or pendency of a complaint pursuant to LESD GDQD shall in no way limit or delay action taken by the individual authorized to take such action [LESD GDQD]. Failure to object to a disciplinary action or take other action within the time limitations set forth in LESD GDQD shall mean that the Employee does not wish to pursue the matter further, and complaints filed after the expiration of the applicable time limitation will not be considered [LESD GDQD].

- Retain the executed action in the USF (see [Section 8.0](#)).

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) *ORAL WARNING SUMMARIES (CONT'D)*

Post-action considerations include the following:

Professional Staff Member

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. Grievance is permitted using the defined Grievance Procedure [LESD GBK] if the complaint falls within the definition of a Grievance.
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

Support Staff Member

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. A complaint relating to a Minor Disciplinary Action shall not be processed as a Grievance [LESD GBK and GDQD], but may be filed using the defined procedure [LESD GDQD].

A Support Staff Member who wishes to object to a Minor Disciplinary Action shall submit a written complaint to the issuer's superior within five (5) work days of receiving notice of the Minor Disciplinary Action [LESD GDQD]. The issuer's superior: 1) Will review the complaint; and 2) May confer with the Support Staff Member, the issuer, and such other person(s) as the issuer's superior deems necessary [LESD GDQD].

The decision of the supervisor's superior will be final [LESD GDQD].

- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) *ORAL WARNING SUMMARIES (CONT'D)*

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) WRITTEN WARNINGS

An Employee facing this action will receive the following:

Professional Staff Member

- An informal meeting with his or her Supervising Administrator [LESD GCQF] in a private location.
- An explanation of the allegation(s) involved.
- An opportunity to respond to the allegation(s).
- Consideration of the response and all pertinent [aggravating and/or mitigating factors](#) in the case prior to any decision to take action.
- An explanation of the reason(s) for taking action.
- A written, signed, and dated copy of the action that specifies: 1) The specific incident(s) upon which the action was based; 2) The statute and/or policy that was violated; 3) The specific action taken to address the incident(s); 4) Expectations for correction, if any; 5) Notice that repeat offenses may result in more severe disciplinary action; 6) Disclosure of any and all remedies available; and 7) A disposition disclosure.

NOTE: There are no representation requirements for an Informal Action [LESD GCQF].

Support Staff Member

- An informal meeting with his or her Immediate Supervisor [LESD GDQD] in a private location.
- An explanation of the allegation(s) involved.
- An opportunity to respond to the allegation(s).
- Consideration of the response and all pertinent [aggravating and/or mitigating factors](#) in the case prior to any decision to take action.
- An explanation of the reason(s) for taking action.
- A written, signed, and dated copy of the action that specifies: 1) The specific incident(s) upon which the action was based; 2) The statute and/or policy that was violated; 3) The specific action taken to address the incident(s); 4) Expectations for correction, if any; 5) Notice that repeat offenses may result in more severe disciplinary action; 6) Disclosure of any and all remedies available; and 7) A disposition disclosure.

NOTE: LESD GDQD does not apply to counseling of, or directives to, a [Support Staff Member](#) regarding future conduct [LESD GDQD].

Workflows for this type of Informal Action are as follows:

Professional Staff Member

- **Before action.** The Supervising Administrator will complete an inquiry of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.
- **During action.** The Supervising Administrator will:
 - Meet with the Employee within a reasonable timeframe to deliver the action.
 - State his or her reason(s) for proceeding with the action.
 - Reference any [aggravating factors](#) or [mitigating factors](#) considered prior to making the decision.
 - Present the Employee with the documentation of the action (see [Form 5.02A](#) for documentation example).
 - Review the documentation with the Employee.
 - Request signed/initialed and dated acknowledgement of receipt from the Employee.

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) WRITTEN WARNINGS (CONT'D)

NOTE: Signed/initialed acknowledgement does not imply agreement with the contents of the documentation. Refusal to sign and date the documentation will be noted on the documentation.

- **After action.** The Supervising Administrator will:
 - Provide the Employee with a copy of the executed action.
 - Offer the Employee an opportunity to respond to the action in writing within a reasonable timeframe, and inform the Employee of his or her right to include any comments he or she deems appropriate.

NOTE: Any written response: 1) Must be signed; and dated; and 2) Will be attached, if received in a timely manner.

- Inform the Employee of his or her contest option(s), if applicable.
- Retain the executed action in the USF (see [Section 8.0](#)).

Support Staff Member

- **Before action.** The Immediate Supervisor will complete an inquiry of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

- **During action.** The Immediate Supervisor will:

- Meet with the Employee within a reasonable timeframe to deliver the action.
- State his or her reason(s) for proceeding with the action.
- Reference any [aggravating factors](#) or [mitigating factors](#) considered prior to making the decision.
- Present the Employee with the documentation of the action (see [Form 5.02B](#) for documentation example).
- Review the documentation with the Employee.
- Request signed/initialed and dated acknowledgement of receipt from the Employee.

NOTE: Signed/initialed acknowledgement does not imply agreement with the contents of the documentation. Refusal to sign and date the documentation will be noted on the documentation.

- **After action.** The Immediate Supervisor will:

- Provide the Employee with a copy of the executed action.
- Offer the Employee an opportunity to respond to the action in writing within a reasonable timeframe, and inform the Employee of his or her right to include any comments he or she deems appropriate.

NOTE: Any written response: 1) Must be signed; and dated; and 2) Will be attached, if received in a timely manner.

- Inform the Employee of his or her contest option(s), if applicable.

NOTE: The filing or pendency of a complaint pursuant to LESD GDQD shall in no way limit or delay action taken by the individual authorized to take such action [LESD GDQD]. Failure to object to a disciplinary action or take other action within the time limitations set forth in LESD GDQD shall mean that the Employee does not wish to pursue the matter further, and complaints filed after the expiration of the applicable time limitation will not be considered [LESD GDQD].

- Retain the executed action in the USF (see [Section 8.0](#)).

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) *WRITTEN WARNINGS (CONT'D)*

Post-action considerations include the following:

Professional Staff Member

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. Grievance is permitted using the defined Grievance Procedure [LESD GBK] if the complaint falls within the definition of a Grievance.
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

Support Staff Member

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. A complaint relating to a Minor Disciplinary Action shall not be processed as a Grievance [LESD GBK and GDQD], but may be filed using the defined procedure [LESD GDQD].

A Support Staff Member who wishes to object to a Minor Disciplinary Action shall submit a written complaint to the issuer's superior within five (5) work days of receiving notice of the disciplinary action [LESD GDQD]. The issuer's superior: 1) Will review the complaint; and 2) May confer with the Support Staff Member, the issuer, and such other person(s) as the issuer's superior deems necessary [LESD GDQD].

The decision of the supervisor's superior will be final [LESD GDQD].

- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

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5.0 PROCEDURES FOR INFORMAL ACTIONS (CONT'D) *WRITTEN WARNINGS (CONT'D)*

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6.0 PROCEDURES FOR FORMAL ACTIONS OFFICIAL REPRIMANDS

An Employee facing this action will receive the following:

Professional Staff Member

- The Due Process afforded by state statute and Board policy [ARS §15-341 (21) and (22)]; LESD GBEB and GCQF].

Support Staff Member

- A formal meeting with his or her Immediate Supervisor [LESD GDQD] in a private location.
- An explanation of the allegation(s) involved.
- An opportunity to respond to the allegation(s).
- Consideration of the response and all pertinent [aggravating and/or mitigating factors](#) in the case prior to any decision to take action.
- An explanation of the reason(s) for taking action.
- A written, signed, and dated copy of the action [LESD GBEB] that specifies: 1) The specific incident(s) upon which the action was based; 2) The statute and/or policy that was violated; 3) The specific action taken to address the incident(s); 4) Expectations for correction, if any; 5) Notice that repeat offenses may result in more severe disciplinary action; 6) Disclosure of any and all remedies available; and 7) A disposition disclosure.

Workflows for this type of Formal Action are as follows:

Professional Staff Member

For non-disciplinary Administrative Action considerations, see [Resource 6.01](#).

The Supervising Administrator will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

For the standard procedure [ARS §15-341; LESD GCQF], see [Resource 6.02A](#).

See [Form 3.03A](#), [Form 3.04A](#), [Form 3.05A](#), and [Form 6.01A](#) for documentation examples.

The executed action will be retained in the OPF (see [Section 8.0](#)) [LESD GBEB and GCQF].

For state level reporting and potential certificate action considerations, if any, see [Section 9.0](#).

Support Staff Member

For non-disciplinary Administrative Action considerations, see [Resource 6.01](#).

- **Before action.** The Immediate Supervisor will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.
- **During action.** The Immediate Supervisor will:
 - Meet with the Employee within a reasonable timeframe to deliver the action.
 - State his or her reason(s) for proceeding with the action.
 - Reference any [aggravating factors](#) or [mitigating factors](#) considered prior to making the decision.
 - Present the Employee with the documentation of the action (see [Form 6.01B](#) for documentation example) [LESD GBEB].
 - Review the documentation with the Employee.

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) OFFICIAL REPRIMANDS (CONT'D)

- Request signed/initialed and dated acknowledgement of receipt from the Employee [LESD GBEB].

NOTE: Signed/initialed acknowledgement does not imply agreement with the contents of the documentation. Refusal to sign and date the documentation will be noted on the documentation.

- **After action.** The Immediate Supervisor will:

- Provide the Employee with a copy of the executed action.
- Offer the Employee an opportunity to respond to the action in writing within a reasonable timeframe [LESD GBJ], and inform the Employee of his or her right to include any comments he or she deems appropriate.

NOTE: Any written response: 1) Must be signed; and dated; and 2) Will be attached, if received in a timely manner.

- Inform the Employee of his or her contest option(s), if applicable.

NOTE: The filing or pendency of a complaint pursuant to LESD GDQD shall in no way limit or delay action taken by the individual authorized to take such action [LESD GDQD]. Failure to object to a disciplinary action or take other action within the time limitations set forth in LESD GDQD shall mean that the Employee does not wish to pursue the matter further, and complaints filed after the expiration of the applicable time limitation will not be considered [LESD GDQD].

- Retain the executed action in the OPF (see [Section 8.0](#)) [LESD GBEB].

Post-action considerations include the following:

Professional Staff Member

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is permitted; for the standard procedure [ARS §15-341; LESD GBEB and GCQF], see [Resource 6.02A](#). Grievance is permitted using the defined Grievance Procedure [LESD GBK] if the complaint falls within the definition of a Grievance.
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

Support Staff Member

- **Disposition.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. A complaint relating to a Minor Disciplinary Action shall not be processed as a Grievance [LESD GBK and GDQD], but may be filed using the defined procedure [LESD GDQD].

A Support Staff Member who wishes to object to a Minor Disciplinary Action shall submit a written complaint to the issuer's superior within five (5) work days of receiving notice of the disciplinary action [LESD GDQD]. The issuer's superior: 1) Will review the complaint; and 2) May confer with the Support Staff Member, the issuer, and such other person(s) as the issuer's superior deems necessary [LESD GDQD].

The decision of the supervisor's superior will be final [LESD GDQD].

- **Expiration.** [See Section 8.0.](#)
- **Withdrawal.** [See Section 8.0.](#)

6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) SUSPENSIONS

An Employee facing this action will receive the following:

Professional Staff Member

- The Due Process afforded by state statute and Board policy [ARS §15-341 (21), §15-341 (22), §15-539, and §15-543; LESD GB, GBEB, and GCQF].

NOTE: Certificated staff members disciplined under ARS §15-341, §15-539, or other applicable statutes: 1) May not be suspended with pay or without pay for a period exceeding ten (10) school days under ARS §15-341; 2) May be suspended without pay for a period of time greater than ten (10) school days under ARS §15-539; 3) Shall be disciplined under procedures that provide for notice, hearing, and appeal, subject to the requirements of ARS §15-341 or ARS §15-539, whichever is appropriate; 4) Shall, if disciplined under ARS §15-539 or other applicable statutes, excluding ARS §15-341, receive notice in writing served upon the certificated staff member personally or by United States registered or certified mail addressed to the Employee's last-known address, along with a copy of charge(s) specifying instances of behavior and the acts of omissions constituting the charge(s), and a copy of all applicable statutes (all attached); and 5) Shall have the right to a meeting not less than two (2) days nor more than ten (10) days after the date the certificated staff member receives the notice (for ARS §15-341 actions) OR an opportunity to request a hearing that shall be filed with the Board within ten (10) days after the service of notice (for ARS §15-539 actions) [ARS §15-341 (21), §15-341 (22), §15-342 (15), §15-501 (10), and §15-539; LESD GCQF].

Support Staff Member

- The Due Process afforded by Board policy [LESD GB, GBEB, and GDQD].

Workflows for this type of Formal Action are as follows:

Professional Staff Member

For non-disciplinary Administrative Action considerations, see [Resource 6.01](#).

Minor Suspension

The Supervising Administrator will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

For the standard procedure [ARS §15-341; LESD GCQF], see [Resource 6.02A](#).

See [Form 3.03A](#), [Form 3.04A](#), [Form 3.05A](#), and [Form 6.02A](#) for documentation examples.

The executed action will be retained in the OPF (see [Section 8.0](#)) [LESD GBEB].

For state level reporting and potential certificate action considerations, if any, see [Section 9.0](#).

Major Suspension

If initiated at the building or site level, the Supervising Administrator must transfer the case to the District level. The Superintendent will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given [LESD GCQF].

For the standard procedure [ARS §15-539; LESD GCQF], see [Resource 6.03A](#).

The executed action will be retained in the OPF (see [Section 8.0](#)).

For state level reporting and potential certificate action considerations, if any, see [Section 9.0](#).

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) SUSPENSIONS (CONT'D)

[Support Staff Member](#)

For non-disciplinary Administrative Action considerations, see [Resource 6.01](#).

[Minor Suspension](#)

- **Before action.** The Immediate Supervisor will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.
- **During action.** The Immediate Supervisor will:
 - Meet with the Employee within a reasonable timeframe to deliver the action.
 - State his or her reason(s) for proceeding with the action.
 - Reference any [aggravating factors](#) or [mitigating factors](#) considered prior to making the decision.
 - Present the Employee with the documentation of the action (see [Form 6.02B](#) for documentation example) [LESD GBEB].
 - Review the documentation with the Employee.
 - Request signed/initialed and dated acknowledgement of receipt from the Employee [LESD GBEB].

NOTE: Signed/initialed acknowledgement does not imply agreement with the contents of the documentation. Refusal to sign and date the documentation will be noted on the documentation.

- **After action.** The Immediate Supervisor will:
 - Provide the Employee with a copy of the executed action.
 - Offer the Employee an opportunity to respond to the action in writing within a reasonable timeframe [LESD GBJ], and inform the Employee of his or her right to include any comments he or she deems appropriate.

NOTE: Any written response: 1) Must be signed; and dated; and 2) Will be attached, if received in a timely manner.

- Inform the Employee of his or her contest option(s), if applicable.

NOTE: The filing or pendency of a complaint pursuant to LESD GDQD shall in no way limit or delay action taken by the individual authorized to take such action [LESD GDQD]. Failure to object to a disciplinary action or take other action within the time limitations set forth in LESD GDQD shall mean that the Employee does not wish to pursue the matter further, and complaints filed after the expiration of the applicable time limitation will not be considered [LESD GDQD].

- Retain the executed action in the OPF (see [Section 8.0](#)) [LESD GBEB].

[Major Suspension](#)

[Term Employee](#)

If initiated at the building or site level, the Immediate Supervisor must transfer the case to the District level. The Superintendent will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

The employment of a term Employee may be suspended without pay for a period of more than five (5) days by action of the Superintendent for any conduct that, in the judgment of the Superintendent, is inappropriate [LESD GDQD].

For the standard procedure [LESD GDQD], see [Resource 6.03B](#).

The executed action will be retained in the OPF (see [Section 8.0](#)) [LESD GBEB].

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) SUSPENSIONS (CONT'D)

At-Will Employee

If initiated at the building or site level, the Immediate Supervisor must transfer the case to the District level.

- **Before action.** The Superintendent will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.
- **During action.** The employment of an At-Will Employee may be suspended without pay for a period of more than five (5) days by action of the Superintendent for any conduct by the Employee that, in the judgment of the Superintendent, is inappropriate [LESD GDQD]. Before suspending an At-Will Employee, the Superintendent: 1) Will inform the Employee of intent to suspend the Employee; and 2) Will give the Employee an informal opportunity to explain why, in the Employee's opinion, the suspension should not be imposed [LESD GDQD].

The Superintendent's decision will be final [LESD GDQD].

- **After action.** The Superintendent will document the action. The executed action will be retained in the OPF (see [Section 8.0](#)) [LESD GBEB].

Post-action considerations include the following:

Professional Staff Member

Minor Suspension

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is permitted; for the standard procedure [ARS §15-341; LESD GBEB and GCQF], see [Resource 6.02A](#). Grievance is not permitted [LESD GBK].
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

Major Suspension

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is permitted; for the standard procedure [ARS §15-543; LESD GCQF], see [Resource 6.03A](#). Grievance is not permitted [LESD GBK].
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

Support Staff Member

Minor Suspension

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. A complaint relating to a Minor Disciplinary Action shall not be processed as a Grievance [LESD GBK and GDQD], but may be filed using the defined procedure [LESD GDQD].

A Support Staff Member who wishes to object to a Minor Disciplinary Action shall submit a written complaint to the issuer's superior within five (5) work days of receiving notice of the disciplinary action [LESD GDQD]. The issuer's superior: 1) Will review the complaint; and 2) May confer with the Support Staff Member, the issuer, and such other person(s) as the issuer's superior deems necessary [LESD GDQD].

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) *SUSPENSIONS (CONT'D)*

The decision of the supervisor's superior will be final [LESD GDQD].

- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

Major Suspension.

Term Employee

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted; see [Resource 6.03B](#). A complaint relating to a Major Suspension shall not be processed as a Grievance [LESD GBK and GDQD], but may be filed using the defined procedure [LESD GDQD].
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

At-Will Employee

- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. A complaint relating to a Major Suspension shall not be processed as a Grievance [LESD GBK and GDQD].
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) DISMISSALS

An Employee facing this action will receive the following:

Professional Staff Member

- The Due Process afforded by state statute and Board policy [ARS §15-539 through §15-543 and §15-550 (C)]; LESD GBEB and GCQF].

NOTE: Certificated staff members disciplined under ARS §15-539 or other applicable statutes: 1) Shall be disciplined under procedures that provide for notice, hearing, and appeal, subject to the requirements of ARS §15-539; 2) Shall, if disciplined under ARS §15-539 or other applicable statutes, excluding ARS §15-341, receive notice in writing served upon the certificated staff member personally or by United States registered or certified mail addressed to the Employee's last-known address, along with a copy of charges specifying instances of behavior and the acts of omissions constituting the charge(s) and a copy of all applicable statutes (all attached); and 3) Shall have an opportunity to request a hearing that shall be filed with the Board within ten (10) days after the service of notice (for ARS §15-539 actions) [ARS §15-539; LESD GCQF].

LESD GCQF, under ARS §15-341, does not apply to Dismissal of a certificated staff member, except to the extent that the Board may find, subsequent to Dismissal proceedings, that a lesser form of discipline as set forth therein should be imposed [LESD GCQF]. Additionally, Due Process limitations may apply for certain offenses under ARS §15-550 [LESD GBEB].

Support Staff Member

- The Due Process afforded by Board policy [LESD GB and GDQD].

Workflows for this type of Formal Action are as follows:

Superintendent

For non-disciplinary Administrative Action considerations, see [Resource 6.01](#).

Throughout the term of the Superintendent's contract, he or she will be subject to discharge for Good and Just Cause, provided, however, that the Board does not arbitrarily or capriciously call for his or her Dismissal [ARS §15-502 and §15-503]. The Superintendent shall have the right to written charges, notice of hearing, and a fair hearing before the Board [ARS §15-502 and §15-503].

The executed action will be retained in the OPF (see [Section 8.0](#)).

For state level reporting and potential certificate action considerations, if any, see [Section 9.0](#).

Professional Staff Member

For non-disciplinary [Administrative Action](#) considerations, see [Resource 6.01](#).

If initiated at the building or site level, the Supervising Administrator must transfer the case to the District level. The Superintendent will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

For the standard procedure [ARS §15-539; LESD GCQF], see [Resource 6.03A](#).

NOTE: If the conditions of ARS §15-550 (C) are involved, ARS §15-550 (C) does not entitle a person dismissed pursuant to ARS §15-550 (C) to a right to a hearing pursuant to ARS §15-539 (F) [ARS §15-550 (C); LESD GBEB].

The executed action will be retained in the OPF (see [Section 8.0](#)).

For state level reporting and potential certificate action considerations, if any, see [Section 9.0](#).

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) DISMISSALS (CONT'D)

[Support Staff Member](#)

For non-disciplinary Administrative Action considerations, see [Resource 6.01](#).

[Term Employee](#)

If initiated at the building or site level, the Immediate Supervisor must transfer the case to the District level. The Superintendent will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.

The employment of a Term Employee may be terminated for Cause by action of the Board at any time prior to the expiration of the term of employment [LESD GDQD].

For the standard procedure [LESD GDQD], see [Resource 6.03B](#).

The executed action will be retained in the OPF (see [Section 8.0](#)).

[At-Will Employee](#)

If initiated at the building or site level, the Immediate Supervisor must transfer the case to the District level.

- **Before action.** The Superintendent will complete an investigation of the incident(s) that: 1) Both establishes and verifies grounds that warrant this type of action; and 2) Includes the Employee's response to the allegation(s) involved, if such a response is given.
- **During action.** If the Superintendent recommends that the Board terminate an At-Will Employee, the recommendation shall be submitted to the Board in writing, and a copy of the recommendation shall be delivered to the Employee [LESD GDQD].

The At-Will Employee may submit to the Board prior to the Board meeting a written response to the recommendation [LESD GDQD]. If the At-Will Employee chooses to attend the Board meeting when the recommendation is considered, the Board may, at its discretion, permit the At-Will Employee to address the Board concerning only the recommendation [LESD GDQD].

- **After action.** The Board will document the action. The executed action will be retained in the OPF (see [Section 8.0](#)).

Post-action considerations include the following:

[Professional Staff Member](#)

- **Records management.** [See Section 8.0](#).
- **Contest.** Appeal is permitted; for the standard procedure [ARS §15-543; LESD GCQF], see [Resource 6.03A](#). Grievance is not permitted [LESD GBK].
- **Expiration of action.** [See Section 8.0](#).
- **Withdrawal of action.** [See Section 8.0](#).

[Support Staff Member](#)

[Term Employee](#)

- **Records management.** [See Section 8.0](#).
- **Contest.** Appeal is not permitted; see [Resource 6.03B](#). A complaint relating to a Dismissal shall not be processed as a Grievance [LESD GBK and GDQD].

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) *DISMISSALS (CONT'D)*

- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)
- [At-Will Employee](#)
- **Records management.** [See Section 8.0.](#)
- **Contest.** Appeal is not permitted. A complaint relating to a Dismissal shall not be processed as a Grievance [LESD GBK and GDQD].
- **Expiration of action.** [See Section 8.0.](#)
- **Withdrawal of action.** [See Section 8.0.](#)

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6.0 PROCEDURES FOR FORMAL ACTIONS (CONT'D) *DISMISSALS (CONT'D)*

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7.0 PROCEDURES FOR OTHER ACTIONS CONTRACT ISSUANCE

The following provisions apply for eligible employees under state statute and/or Board policy:

Professional Staff Member

The contracts of all certificated employees shall be in writing, and all employees shall be employed subject to ARS §15-502 (C), §38-481, and §43-1001 [ARS §15-502 (A)]. A teacher shall not be employed if the teacher has not received a certificate for teaching granted by the proper authorities [ARS §15-502 (B)].

Additional provisions include, but are not limited to, the following:

- **Superintendent.** The length of the Superintendent's contract is to be established in discussion with the Board, as specified in ARS §15-503 [ARS §15-502 and §15-503].
- **Administrator or psychologist.** Administrators are not covered under the terms of the teacher appointment and evaluation statutes, and do not gain credit toward continuing status [LESD GCJ]. The Administrator's or the certificated school psychologist's acceptance of the contract shall be indicated within thirty (30) calendar days from the date of the written contract or the offer is revoked [ARS §15-503 (D)]. The Administrator or certificated school psychologist accepts the contract by signing the contract and returning it to the Board or by making a written instrument that accepts the terms of the contract and delivering the written instrument to the Board [ARS §15-503 (D)].
- **Continuing Teacher.** The teacher's acceptance of the contract must be indicated within fifteen (15) business days from the date of the teacher's receipt of the written contract or the offer of a contract is revoked [ARS §15-538.01 (B)]. Receipt under ARS §15-538.01 (B) will be deemed to have occurred when the written contract is personally delivered, placed in the teacher's District-provided mailbox, including electronic mail, or two (2) days after being placed in a U.S. Postal Service mailbox [ARS §15-538.01 (B)]. The teacher accepts the contract by signing the contract and returning it to the Board or by making a written instrument that accepts the terms of the contract and delivering it to the Board [ARS §15-538.01 (B)]. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the teacher fails to accept the contract [ARS §15-538.01 (B)].
- **Probationary Teacher.** The teacher's acceptance of the contract for the ensuing year must be indicated within fifteen (15) business days from the date of the teacher's receipt of the written contract or the offer is revoked [ARS §15-536 (A)]. Receipt under ARS §15-536 (A) will be deemed to have occurred when the written contract is personally delivered, placed in the teacher's District-provided mailbox, including electronic mail, or two (2) days after being placed in a U.S. Postal Service mailbox [ARS §15-536 (A)]. The teacher accepts the contract by signing the contract and returning it to the Board or by making a written instrument which accepts the terms of the contract and delivering it to the Board [ARS §15-536 (A)]. If the written instrument includes terms in addition to the terms of the contract offered by the Board, the teacher fails to accept the contract [ARS §15-536 (A)].

Support Staff Member

- **Term Employee.** Any contract with a Term Employee shall not exceed one (1) year in duration [LESD GDB]. Conditions of acceptance shall be referenced in the contract.
- **At-Will Employee.** Not applicable.

DECISIONS NOT TO RE-EMPLOY

Professional Staff Member

For Performance Evaluation considerations, see LESD CBI, GCO, related regulations and/or exhibits, and/or [Resource 7.01A](#).

- **Superintendent.** Failure to notify the Superintendent of the Board's intent not to renew the contract, in writing, by April 15 of the year that his/her contract expires will automatically result in an extension

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7.0 PROCEDURES FOR OTHER ACTIONS (CONT'D) DECISIONS NOT TO RE-EMPLOY (CONT'D)

of the existing contract for one (1) year [ARS §15-502 and §15-503].

- **Administrator or psychologist**

- **Notice of pending action.** If the Administrator's contract with the District is for more than one (1) year, but not exceeding three (3) years, on or before May 15 of the last year of the contract, the Board shall offer a contract for the next school year to the Administrator, unless on or before April 15 the Board gives notice to the Administrator of the Board's intention not to offer a new administrative contract [ARS §15-341 (A)(42), §15-503 (B) and §15-503 (D); LESD CBCA, GCB, GCO, and/or related regulations and/or exhibits]. If the Administrator's or psychologist's contract with the District is for a single year, on or before May 15 of each year the Board shall offer a contract for the next school year to the Administrator, unless on or before April 15 the Board gives notice to the Administrator or psychologist of the Board's intention not to offer a new administrative or psychologist contract [ARS §15-503 (B) and §15-503 (D); LESD CBCA, GCB, GCO, and/or related regulations and/or exhibits], except in cases of concurrent override elections [ARS §15-503 (D) and ARS §15-841].

Notice of the Board's intention not to re-employ the Administrator or certificated school psychologist shall be made by delivering the notice personally to the Administrator or the certificated school psychologist or by sending the notice by certified mail, postmarked on or before the applicable deadline prescribed in ARS §15-503 (D), and directed to the Administrator or the certificated school psychologist at his place of residence as recorded in the District records [ARS §15-503 (E)].

- **Request for hearing.** Not applicable.
- **Requirements for proceedings.** Not applicable.
- **Notice of action.** Not applicable.
- **Contest.** Not applicable.
- **Continuing Teacher.** The Board shall offer to each Continuing Teacher a contract renewal for the next ensuing school year, unless the Board, a member of the Board acting on behalf of the Board or the Superintendent gives notice to the teacher of the Board's intent not to offer a contract and to dismiss the teacher as provided in ARS §15-539 [ARS §15-538.01 (A); LESD CBCA, GCB, GCJ, GCO, and/or related regulations and/or exhibits]. A Certificated Teacher who is currently a Continuing Teacher as defined in ARS §15-538.01 but who has been designated after an evaluation conducted according to the requirements pursuant to ARS § 15-537 in the lowest Performance Classification for the current school year: 1) Shall become a Probationary Teacher as defined in ARS §15-536 for the subsequent school year and; 2) Shall remain a Probationary Teacher until that teacher's Performance Classification is designated in either of the two (2) highest performance classifications [ARS §15-536 (D) and §15-538.01 (C); LESD GCJ].
 - **Notice of pending action.** Not applicable.
 - **Request for hearing.** Not applicable.
 - **Requirements for proceedings.** Not applicable.
 - **Notice of action.** Not applicable.
 - **Contest.** Not applicable.
- **Probationary Teacher.** The Board shall offer a teaching contract for the next ensuing school year to each Probationary Teacher, unless the Board, a member of the Board acting on behalf of the Board, or the Superintendent gives notice to the teacher of the Board's intention not to offer a teaching contract or unless such teacher has been dismissed pursuant to ARS §15-538, §15-539, §15-541 or §15-544 [ARS §15-536 (A); LESD CBCA, GCB, GCJ, GCO, and/or related regulations and/or exhibits].

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7.0 PROCEDURES FOR OTHER ACTIONS (CONT'D) DECISIONS NOT TO RE-EMPLOY (CONT'D)

- **Notice of pending action.** Notice of the Board's intention not to re-employ the teacher shall be by delivering it personally to the teacher or by sending it by registered or certified mail to the teacher at the teacher's place of residence as recorded in the District records [ARS §15-536 (B); LESD CBCA, GCO, GCQ, GCQF, and/or related regulations and/or exhibits]. The notice shall incorporate a statement of reason(s) for not re-employing the teacher [ARS §15-536 (B); LESD CBCA, GCO, GCQF, and/or related regulations and/or exhibits]. If the reason(s) are charges of Inadequacy of Classroom Performance, the Board, or its authorized representative, shall give the teacher written Preliminary Notice of Inadequate Classroom Performance (see [Form 7.01A](#) for documentation example), specifying the nature of the inadequacy with such particularity as to furnish the teacher an opportunity to correct the inadequacies and maintain adequate classroom performance as defined by the Board per ARS §15-538 (C) [ARS §15-536 (B); LESD CBCA, GCO, GCQF, and/or related regulations and/or exhibits].

NOTE: The Board may delegate to employees of the Board the general authority to issue preliminary notices of Inadequacy of Classroom Performance to teachers pursuant to ARS §15-536 (B) without the need for prior approval of each notice by the Board [ARS §15-536 (B)]. In all cases in which an Employee of the Board issues a preliminary notice of Inadequacy of Classroom Performance without prior approval by the Board, the Employee shall report its issuance to the Board within ten (10) school days [ARS §15-536 (B); LESD CBCA, GCO, GCQF, and/or related regulations and/or exhibits]. The written notice of intention not to re-employ shall include a copy of any evaluation pertinent to the charges made and filed with the Board [ARS §15-536 (B); LESD CBCA, GCO, GCQF, and/or related regulations and/or exhibits].

- **Request for hearing.** ARS §15-536 shall not be construed to provide a Probationary Teacher with the right to a hearing pursuant to ARS §15-539 (F) [ARS §15-536 (C); LESD CBCA, GCO, GCQ, GCQF, and/or related regulations and/or exhibits]; however, the Probationary Teacher may request an informal meeting with the Board, and the Board may grant such a meeting [LESD GCQ]. The Probationary Teacher may request that a representative be present and the Board may grant the request, providing the representative is an Employee of the District [LESD GCQ]. Only the Employee and approved representative and administrator(s) may attend the meeting [LESD GCQ] if such a request is granted.
- **Requirements for proceedings.** Not applicable.
- **Notice of action.** Not applicable.
- **Contest.** Not applicable.

Support Staff Member

For evaluation considerations, see LESD GDO and/or related regulations and/or exhibits.

- **Term Employee.** The Probationary Period shall be in two (2) phases:
 - **Phase I; first ninety (90) days.** During this period, the Employee's performance must be evaluated once by the Immediate Supervisor on the District evaluation form [LESD GDO and/or related regulations and/or exhibits]. During the last month of this phase, the Immediate Supervisor shall be notified by the personnel office of this Phase I completion date [LESD GDO and/or related regulations and/or exhibits]. During this time, and before the completion date, the Immediate Supervisor shall make a written recommendation to the personnel office relative to the continuation or termination of employment [LESD GDO and/or related regulations and/or exhibits]. Notification of the recommendation shall be sent to the Employee [LESD GDO and/or related regulations and/or exhibits].
 - **Phase II; second ninety (90) days.** The Employee will be evaluated during this period at least once [LESD GDO]. During this time, and before the completion date, the Immediate Supervisor shall make a written recommendation to the personnel office relative to the continuation or termination of employment [LESD GDO and/or related regulations and/or exhibits]. The recommendation to continue employment or terminate: 1) Will be substantiated by the Immediate Supervisor; and 2) Will be reviewed by the personnel office, with subsequent notification being sent to the Employee [LESD GDO and/or related regulations and/or exhibits].

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7.0 PROCEDURES FOR OTHER ACTIONS (CONT'D) DECISIONS NOT TO RE-EMPLOY (CONT'D)

NOTE: For additional provisions during the Probationary Period, if any, see LESD GDA, GDO, and/or related regulations and/or exhibits.

- **At-Will Employee.** Not applicable.

RESIGNATIONS

For state level reporting and potential certificate action considerations, if any, see [Section 9.0](#).

Professional Staff Member

- **Superintendent.** The Superintendent and the Board may mutually agree to terminate the Superintendent's employment at any time [ARS §15-502 and §15-503].
- **Administrator or psychologist.** Applicable conditions of resignation shall be referenced in the contract [LESD GCQC].
- **Continuing Teacher.** A Certificated Teacher shall not resign after signing and returning his contract, unless the resignation is first approved by the Board [ARS §15-545; LESD GCQC]. A teacher who resigns contrary to ARS §15-545 shall be deemed to commit an unprofessional act and, upon request of the Board, shall be subject to discipline, including suspension of certificate or revocation of certificate, as the State Board deems appropriate [ARS §15-545; LESD GCQC].
- **Probationary Teacher.** See above.

Support Staff Member

- **Term Employee.** Applicable conditions of resignation shall be referenced in the contract.
- **At-Will Employee.** Employees voluntarily terminating their service with the District are expected to give advance notice of not less than ten (10) working days [LESD GDQB].

This notice: 1) Should be submitted to the Immediate Supervisor in writing; and 2) Should specify both the last day of work and the reason for terminating [LESD DKA, GDQ, and GDQB]. Authorized unused vacation credit will be paid to employees with the last paycheck [LESD DKA, GDQ, and GDQB].

REDUCTIONS IN FORCE

Professional Staff Member

- **Administrator or psychologist.** Applicable conditions of modification shall be referenced in the contract.
- **Continuing Teacher.** The Board may reduce salaries or eliminate certificated teachers in order to effectuate economies in the operation of the District or to improve the efficient conduct and administration of the District [ARS §15-544 (A); LESD GCQA]. Notice of a general salary reduction shall be given each Certificated Teacher affected [ARS §15-544 (B); LESD GCQA]. The provisions of ARS §15-544 (C) do not apply to reductions in salary from monies from the classroom site fund pursuant to ARS §15-977 [ARS §15-544 (C)].
- **Probationary Teacher.** See above.

Support Staff Member

- **Term Employee.** Applicable conditions of modification shall be referenced in the contract.
- **At-Will Employee.** Not applicable.

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8.0 PROCEDURES FOR RECORDS MANAGEMENT UNOFFICIAL SUPERVISOR FILES (USFs)

The documentation involved with any Informal Action will be retained in an Unofficial Supervisor's File (or "USF") in "active" status [ARS §39-121.01 (B); LESD EHB and GBJ].

USFs: 1) Shall be maintained in the office of the Supervising Administrator or Immediate Supervisor, separate from OPFs, and under his or her direct supervision; and 2) May be maintained for a reasonable timeframe. Such records may be kept in either: 1) A manual system; or 2) A PI System; however, the Supervising Administrator or Immediate Supervisor may create subfiles within USFs as appropriate: 1) To ensure confidentiality of those files made confidential by law; and 2) To ensure efficient use of the files.

Access to USFs will be limited to authorized School officials and those employees authorized to handle them [ARS §39-121.01 (C); LESD GBJ]. Individual members of the Board may only inspect USFs when specifically authorized by the Board, as evidenced by action of a quorum of the Board in a legal meeting properly noticed [LESD GBK].

Physical removal of the documentation associated with the action may be subject to applicable open records and records maintenance and cycling provisions of the *Arizona Public Records Statutes* as determined by ASLAPR in accordance with applicable provisions of state statute and/or Board policy [ARS §15-341 (A)(41) and §39-101 et seq.; LESD EHB and KDB]. As such, expired and/or withdrawn actions, if permitted, will be retained in an Archived Materials File (or "AMF") maintained in the office of the Superintendent or his/her designee in "inactive" status, and the AMF will be considered to represent a subsidiary record of the Personnel File.

GENERAL PROVISIONS

- **Access, inspection, and copying (Employee).** An Employee will be advised of, and will be permitted to review, all information of a derogatory nature to be placed in his or her USF [LESD GBJ]. The Employee shall have access to any non-confidential material in his or her USF during regular working hours within a reasonable timeframe of his or her advance written request [LESD GBJ].

Any Employee wishing to access, inspect, or copy any non-confidential material in his or her USF: 1) Shall review the record in the presence of the supervisor or his/her designee; 2) Shall make no additions or alterations to the record nor remove any materials; and 3) Shall sign the access log attached to the file.

- **Dispute management (Employee).** An Employee will be permitted to comment on all information of a derogatory nature to be placed in his or her USF [LESD GBJ]. The Employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file [LESD GBJ].
- **Access, inspection, and copying (external).** The public may access, inspect, and copy any non-confidential material in the USF using the defined procedure [ARS §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; LESD GBJ and KDB]. An access log must be maintained for the USF [ARS §39-121.01 (C); LESD GBJ and KDB].

ACTION-RELATED PROVISIONS

- **Expiration of action.** There are no provisions for the expiration of an Informal Action under state statute or Board policy. Considerations include the following:
 - The action will expire: 1) Only if no further incidents of the same or substantially similar nature have been documented; and 2) Only after the following timeframes:

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8.0 PROCEDURES FOR RECORDS MANAGEMENT (CONT'D) UNOFFICIAL SUPERVISOR FILES (USFs) (CONT'D)

Expiration Timeframes (Calendar Months)		
EMPLOYEE CLASSIFICATION:	Professional Staff Member	Support Staff Member
Oral Warning Summary	36	36
Written Warning	36	36

- An expired action may not be used to justify progressive discipline on the same or substantially similar grounds in the future.

To process an expired action, the supervisor:

- Must move all documentation associated with the action from the “active” section of the USF to the “inactive” section of the USF.
- **Withdrawal of action.** There are no provisions for the withdrawal of an Informal Action under state statute or Board policy. Considerations include the following:
 - The action may be withdrawn: 1) Only if no further incidents of the same or substantially similar nature have been documented; and 2) Only after the following timeframes:

Withdrawal Timeframes (Calendar Months)		
EMPLOYEE CLASSIFICATION:	Professional Staff Member	Support Staff Member
Oral Warning Summary	18	18
Written Warning	18	18

- A withdrawn action may not be used to justify progressive discipline on the same or substantially similar grounds in the future.
- The Supervising Administrator or Immediate Supervisor is under no obligation to withdraw the action.
- Withdrawal of the action may be considered only if all of the following conditions are met:

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8.0 PROCEDURES FOR RECORDS MANAGEMENT (CONT'D) *UNOFFICIAL SUPERVISOR FILES (USFs) (CONT'D)*

- The Employee must submit a signed and dated request to his or her current Supervising Administrator or Immediate Supervisor that: 1) Outlines the reason(s) why the Employee believes the withdrawal is warranted; and 2) States that the Employee will adhere to the requirements of the expected action(s) or behavior(s) in the future.
- The Supervising Administrator or Immediate Supervisor must deem that the withdrawal was submitted appropriately by the Employee.
- The written withdrawal request must be retained by the Supervising Administrator or Immediate Supervisor.

To process a withdrawn action, the Supervising Administrator or Immediate Supervisor:

- Must attach the original withdrawal request to the original documentation of the action.
- Must move all documentation associated with the action from the USF to the AMF.
- Must advise the Employee in writing within a reasonable timeframe: 1) That the withdrawal was completed; 2) That both the original withdrawal request and the original action were moved to the AMF; and 3) That the action may not be used to justify progressive discipline should the conduct involved re-occur.

OFFICIAL PERSONNEL FILES (OPFs)

The documentation involved with any Formal Action will be retained in an Official Personnel File (or "OPF" or "Personnel File") in "active" status [ARS §15-341 (41) and §39-121.01 (B); LESD EHB and GBJ]. A single Personnel File, containing the materials either required or permitted under state statute and/or Board policy, shall be maintained by the Superintendent or his/her designee in the central office for each Employee within: 1) A manual system; 2) A PI System; or 3) A combination of both [ARS §15-341 (41); LESD GBJ]; however, the District may create subfiles within OPFs as appropriate: 1) To ensure confidentiality of those files made confidential by law; and 2) To ensure efficient use of the files [ARS §15-341 (A)(30) and §39-121.01 (C); LESD GBJ].

Access to Personnel Files will be limited to those School officials and employees authorized to handle them [ARS §39-121.01 (C); LESD GBJ]. Individual members of the Board may only inspect Personnel Files when specifically authorized by the Board, as evidenced by action of a quorum of the Board in a legal meeting properly noticed [LESD GBK].

Physical removal of the documentation associated with the action may be subject to applicable open records and records maintenance and cycling provisions of the *Arizona Public Records Statutes* as determined by ASLAPR in accordance with applicable provisions of state statute and/or Board policy [ARS §15-341 (A)(41) and §39-101 et seq.; LESD EHB and KDB]. As such, expired and/or withdrawn actions, if permitted, will be retained in an Archived Materials File (or "AMF") maintained in the office of the Director of HR in "inactive" status, and the AMF will be considered to represent a subsidiary record of the Personnel File.

GENERAL PROVISIONS

- **Access, inspection, and copying (Employee).** An Employee will be advised of, and will be permitted to review, all information of a derogatory nature to be placed in his or her Personnel File [LESD GBJ]. The Employee shall have access to any non-confidential material in his or her Personnel File during regular working hours within a reasonable timeframe of his or her advance written request; however, materials obtained prior to the Employee's employment (e.g., confidential recommendations or interview notes) will not be available for review by the Employee [LESD GBJ].

Any Employee wishing to access, inspect, or copy any non-confidential material in his or her

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8.0 PROCEDURES FOR RECORDS MANAGEMENT (CONT'D) *OFFICIAL PERSONNEL FILES (OPFs) (CONT'D)*

Personnel File: 1) Shall review the record in the presence of the supervisor or his/her designee; 2) Shall neither make additions or alterations to the record nor remove any materials; and 3) Shall sign the access log attached to the file.

- **Dispute management (Employee).** An Employee will be permitted to comment on all information of a derogatory nature to be placed in his or her OPF [LESD GBJ]. The Employee may prepare a written reply to such information, and such reply, if any, will be appended to the information in the file [LESD GBJ].
- **Access, inspection, and copying (external).** The District shall maintain all records that are reasonably necessary or appropriate to maintain an accurate knowledge of formal actions, including the Employee responses to all formal actions, involving employees of the District [ARS §39-121.01 (B) and §39-128; LESD GBJ]; such records shall be open to inspection and copying pursuant to ARS §39-121 et seq., unless inspection or disclosure of the records or information in the records is contrary to law [ARS §39-121.01 (D), §39-121.03, §39-123, §39-128 and §44-1373; LESD GBJ and KDB]. An access log must be maintained for the OPF [ARS §39-121.01 (C); LESD GBJ and KDB].

ACTION-RELATED PROVISIONS

- **Expiration of action.** There are no provisions for the expiration of a Formal Action under state statute or Board policy.
- **Withdrawal of action.** There are no provisions for the withdrawal of a Formal Action under state statute or Board policy.

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9.0 STATE LEVEL REPORTS, INVESTIGATIONS & CERTIFICATE ACTIONS REPORTING

REQUIRED PRACTICES

- **Allegation stage; Immoral Conduct or Unprofessional Conduct**

- **Duties of Board members and all certificated employees.** Any certificated person or Board member who reasonably suspects or receives a reasonable allegation that a person certificated by the State Board has engaged in conduct involving minors that would be subject to the reporting requirements of section ARS §13-3620 shall report or cause reports to be made to the State Department in writing as soon as is reasonably practicable, but not later than three (3) business days after the person first suspects or receives an allegation of the conduct [ARS §15-514 (A)].
- **Duties of Superintendent.** The superintendent of a school district or the chief administrator of a charter school who reasonably suspects or receives a reasonable allegation that an act of Immoral Conduct or Unprofessional Conduct that would constitute grounds for Dismissal or criminal charges by a certificated person has occurred shall report the conduct to the State Department [ARS §15-514 (B); LESD GCQF and GCQF-E].

NOTE: A person who reports or provides information pursuant to ARS §15-514 regarding the Immoral Conduct or Unprofessional Conduct of a certificated person in Good Faith is not subject to an action for civil damages as a result [ARS §15-514 (C)]. Failure to report information as required by ARS §15-514 by a certificated person constitutes grounds for disciplinary action by the State Board [ARS §15-514(E)].

- **Conviction stage; non-appealable offenses**

- **Duties of Employee involved.** A person who is employed by the District and who is convicted of any non-appealable offense listed in ARS §41-1758.03 (B), or is convicted of any non-appealable offense that amounts to Unprofessional Conduct under ARS §15-550, shall immediately do all of the following [ARS §15-550 (D); LESD GBEB]: 1) Surrender any certificates issued by the State Department; 2) Notify the person's employer or potential employer of the conviction; 3) Notify DPS of the conviction; and 4) Surrender the person's fingerprint clearance card.

CONDITIONAL PRACTICES

- **Acceptance of resignation.** A Board or school district Employee who has control over personnel decisions and who reasonably suspects or receives a reasonable allegation that a person certificated by the State Board has engaged in conduct involving minors that would be subject to the reporting requirements of ARS §13-3620 and ARS Title 15, Chapter 5, Article 1 shall not accept the resignation of the certificate holder until these suspicions or allegations have been reported to the State Board [ARS §15-514(F)].

PROHIBITED PRACTICES

- **Unlawful Retaliation.** An Employee who has control over personnel decisions shall not take Unlawful Reprisal against an Employee because the Employee reports in Good Faith information as required by ARS §15-514 [ARS §15-514 (D)].

CERTIFICATE ACTIONS

In addition to disciplinary consequences and potential criminal consequences outside of the District for certain offenses defined in state statute and Board policy, certificated employees may also be subject to actions against their credentials by the State Board and/or State Department. The PPAC shall act in an advisory capacity to the State Board in regard to certification or recertification matters related to Immoral Conduct, Unprofessional Conduct, unfitness to teach, and revocation, suspension, or surrender of certificates [AAC R7-205] as follows:

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9.0 STATE LEVEL REPORTS, INVESTIGATIONS & CERTIFICATE ACTIONS (CONT'D)

CERTIFICATE ACTIONS (CONT'D)

- **Dangerous crimes against children.** A teacher who has been convicted of a dangerous crime against children as defined in ARS §13-705, or has been convicted of a violation of ARS §13-1404 or §13-1406 in which the victim was a minor or ARS §13-1405, or an act committed in another state or territory that if committed in this state would have been a dangerous crime against children or a violation of ARS §13-1404 or §13-1406 in which the victim was a minor or a violation of ARS §13-1405, is guilty of Unprofessional Conduct and the teacher's certificate shall be revoked permanently immediately on notification of conviction by the clerk of the court or the magistrate [ARS §15-550 (A); LESD GBEB].
- **Preparatory offenses.** A teacher who has been convicted of a preparatory offense as prescribed in ARS §13-1001 of any of the offenses prescribed in ARS §15-550 (A), or any crime that requires the teacher to register as a sex offender is guilty of Unprofessional Conduct, and the teacher's certificate shall be permanently revoked on notification of the conviction by a court of competent jurisdiction [ARS §15-550 (B); LESD GBEB].
- **Failure to report certain arrests or charges.** A person who is employed by a school district, or who is an applicant for employment with the school district, who is arrested for or charged with any non-appealable offense listed in ARS §41-1758.03 (B) (regarding fingerprint clearance) and who does not immediately report the arrest or charge to the person's supervisor or potential employer is guilty of Unprofessional Conduct, and the person: 1) Shall be immediately dismissed from employment with the District; or 2) Shall be immediately excluded from potential employment with the District [ARS §15-550 (C); LESD GBEB].
- **Failure to comply with certain laws.** A teacher who fails to comply with ARS §15-501, §15-505, §15-507 or §15-508 is guilty of Unprofessional Conduct, and his or her certificate shall be revoked [LESD GBEB and GCQF].

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10.0 PROCEDURES FOR REVIEW AND DISSEMINATION

The Superintendent or his/her designee will ensure that:

- Both the ECOC (see [Section 2.0](#)) and these guidelines are reviewed at regular intervals in conjunction with the policies of the Board; and
- The ECOC is provided to (or made accessible to) and explained to all employees on an annual basis (see [Form 10.01](#)).

Implementation Tip: Obtain acknowledgement of receipt

It is a best practice to obtain such acknowledgements of receipt for the ECOC: 1) Upon revision; or 2) On an annual basis.

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10.0 PROCEDURES FOR REVIEW AND DISSEMINATION (CONT'D)

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GLOSSARY

Unless otherwise required by statute or Board policy, the following definitions apply herein:

TERM	DEFINITION
Administrative Action	This term means a voluntary or involuntary separation from service on a temporary basis, typically with pay, for non-disciplinary purposes (e.g., when the Employee may create a hazard situation during a pending investigation or is otherwise subject to a pending major personnel action). Only the Superintendent/designee may take this type of action.
Administrator	This term means any school district administrator except a principal devoting not less than fifty percent (50%) of his time to classroom teaching [ARS §15-501 (1)].
Alcohol	<p>This term means any fermented, distilled, or manufactured compound containing ethyl alcohol.</p> <p>Examples include, but are not limited to, the following: 1) Fermented beverages (e.g., beer, malt liquor, wine) or their derivatives (e.g., “fortified” wine); 2) Distilled spirits (e.g., whiskey, scotch, vodka, or “fortified” wine); and 3) Over-the-Counter (OTC) products (e.g., cough syrup).</p>
Alcohol Concentration	This term (or “Alcohol Content”) means the Alcohol in a volume of breath expressed in terms of grams of Alcohol per 210 liters of breath as indicated by an evidential breath test under 49 CFR Part 382 [49 CFR §382.107].
ASLAPR	This term means the Arizona State Library, Archives, and Public Records office.
At-Will Employee	<p>This term means a Support Staff Member: 1) Who is employed by the District for no specific term; and 2) Who has no right of continued employment [ARS §23-1501 (1); LESD GB and GDB].</p> <p>NOTE: No Employee or Board member shall have the authority to make any agreement or contract to the contrary or any agreement with an At-Will Employee for any specified period of time [LESD GB and GDB]. No Board policy or regulation or item within the District’s handbook is intended to - and shall not operate to - create any property or contract rights inconsistent with the at-will employment status of a Support Staff Member [LESD GB and GDB]. None of the procedures of LESD GDQD shall alter the status of an At-Will Employee [LESD GDQD].</p>
Board	<p>This term means the Governing Board of the District [ARS §15-501 (4); LESD BB].</p> <p>NOTE: The Governing Board is: 1) The governing body of a school district; or 2) The County Superintendent (in the case of accommodation schools located therein) [ARS §15-501 (4)].</p>
Business Day	This term means a day that the District office is open for business.
Cause	<p>This term (or “Just Cause”, or “Good and Just Cause”) means a reason, if required, under federal law state statute, and/or Board policy for which the District may take disciplinary action against an Employee. Such reasons by Employee classification include the following:</p> <ul style="list-style-type: none"> • Professional Staff Member: Certificated staff members may be disciplined (up to and including Dismissal) for infractions that include, but are not limited to, the following categories: 1) Engaging in Unprofessional Conduct; 2) Committing fraud in securing appointment; 3) Exhibiting incompetency in their work; 4) Exhibiting inefficiency in their work;

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GLOSSARY (CONT'D)

	<p>5) Exhibiting improper attitudes; 6) Neglecting their duties; 7) Engaging in acts of insubordination; 8) Engaging in acts of child abuse or child molestation; 9) Engaging in acts of dishonesty; 10) Being under the influence of Alcohol While on Duty; 11) Engaging in the illicit use of narcotics or habit-forming drugs; 12) Being absent without authorized leave; 13) Engaging in discourteous treatment of the public; 14) Engaging in improper political activity; 15) Engaging in willful disobedience; 16) Being involved in misuse or unauthorized use of School property; 17) Being absent excessively; 18) Carrying or possessing a weapon on School grounds, unless they are peace officers or have obtained specific authorization from the appropriate Administrator; or 19) Conduct that has occurred but that, at or near the time of misconduct, was not the subject of or identified as a reason for a specific proceeding under LESD GCQF [ARS §15-203 (20), §13-1001, §13-1404, §13-1405, §13-1406, §15-203 (A)(38), §15-503, §15-508, §15-532, §15-535, §15-536, §15-537, §15-537.01, §15-538, §15-538.01, §15-539 (C) through (E), §15-550, §15-710, §41-773, and §41-1758.03 (B); LESD CBCA, GB, GBEB, GCMF, GCQF, GBEBB, and/or related regulations and/or exhibits].</p> <p>NOTE: The term "Cause" does not include religious or political beliefs or affiliations, unless they violate the teacher's oath [ARS §15-541 (B); LESD GCQF].</p> <ul style="list-style-type: none"> • Support Staff Member: <ul style="list-style-type: none"> ○ Term Employee: Support staff members may be disciplined for any conduct that, in the judgment of the District, is inappropriate [LESD GDQD], and term employees may be terminated for any conduct that, in the judgment of the District, is detrimental to the interests of the District, its personnel, or its students, and shall include, without limitation thereto, the following: 1) Absence without leave; 2) Insubordination; 3) Abuse of leave; 4) Neglect of duty; 5) Alcohol or drug impairment; 6) Unauthorized possession of a weapon on School grounds; 7) Child abuse or molestation; 8) Discourteous treatment of the public; 9) Unauthorized use of School property; 10) Dishonesty; 11) Unlawful conduct; 12) Excessive absenteeism; 13) Use of illegal drugs; 14) Fraud in securing employment; 15) Violation of a directive of a supervisor; 16) Improper attitude; 17) Incompetence or inefficiency; and 18) Violation of a Board policy or regulation [ARS §23-1501 (1) and (2) and §41-773; LESD CBCA, GB, and GCQD]. ○ At-Will Employee: Not applicable. Support staff members may be disciplined for any conduct that, in the judgment of the District, is inappropriate [LESD GDQD], and at-will employees may be terminated by action of the Board for any reason, or for no reason, with or without advance notice, as the Board desires [ARS §23-1501 (1); LESD GB and GDQD].
CDL Holder	This term means, for the purposes of for the purposes of the ADIPs, an Employee whose position requires a Commercial Driver's License
Certificated Teacher	This term (or "Teacher") means a person: 1) Who holds a certificate from the State Board to work in the schools of this state; and 2) Who is employed under contract in a school district in a position that requires certification [ARS §15-501 (2); LESD GCO and/or related regulations and/or exhibits].

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	<p>NOTE: The term does not include: A psychologist; or 2) An Administrator devoting less than fifty percent (50%) of his or her time to classroom teaching [ARS §15-501 (2)].</p>
Continuing Teacher	<p>This term means a Certificated Teacher for the purposes of ARS §15- 538.01 who has been and is currently employed by the school district for the Major Portion of three (3) school years consecutively and who has not been designated in the lowest Performance Classification for the previous school year or who has not regained continuing status after being designated as a Probationary Teacher pursuant to ARS §15-538.01 (C) [ARS §15-538.01 (D)].</p>
Controlled Substance	<p>This term means, for the purposes of the ADIPs: 1) A substance defined in Schedules I through V of 21 USC §812, as further defined by regulation in 21 CFR §1308.11 through §1308.15 [LESD GBEC]; or 2) Those substances defined in 49 CFR §40.85 [49 CFR §382.107] or AAC R17-9-102C.2 through C.4 for which CDL-related testing is conducted.</p> <p>Examples include, but are not limited to, the following: Opiates (e.g., heroin, morphine, or codeine) and opioids (e.g., oxycontin, oxcycodone, or hydrocodone); hallucinogens and psychedelics (e.g., Marijuana, LSD, and MDMA, or “ecstasy”); depressants (e.g., barbiturates and benzodiazepines); stimulants (e.g., amphetamines, methamphetamines, cocaine, or its “crack” derivative); anabolic steroids (e.g., dehydroepiandrosterone, or DHEA).</p> <p>NOTE: The term includes: 1) Illegal drugs (i.e., naturally occurring or manufactured compound on the United States Drug Enforcement Agency’s schedule of regulated substances with effects on mood, perception, or behavior, either without a legitimate prescription, or for which no prescription may be legally written; 2) Drugs that are being used illegally (e.g., with a prescription that was not legally obtained, in a manner outside of its intended purposes, or not in the prescribed quantity). The term does not include any legally obtained prescription drug used for its intended purpose and in its prescribed quantity, unless such use would impair the individual’s ability to safely perform a Safety-Sensitive Function.</p>
Discipline	<p>This term means a Minor Disciplinary Action or a Major Disciplinary Action [LESD GCQF]; see also “Formal Action.”</p> <p>NOTE: Not all actions regarding a certificated staff member are considered “Discipline”, even though they may involve alleged or possible violations by the certificated staff member [LESD GCQF]. LESD GDQF addresses only “Discipline” and has no application to: 1) The certificated staff member evaluation procedure or the resulting evaluations as they pertain to the adequacy of the certificated staff member’s classroom performance; 2) Letters or memoranda directed to a certificated staff member containing directives or instructions for future conduct; 3) Counseling of a certificated staff member concerning expectations of future conduct [LESD GDQF]; or 4) Non-renewal of a contract of a certificated staff member employed by the District for less than the major portion of three (3) school years consecutively (non-continuing certificated staff member) [LESD GCQF].</p> <p>NOTE: LESD GDQD does not apply to: 1) Any administrative recommendation or Board action, discussion, or consideration involving the non-renewal of a Term Employee; 2) Ratings, comments, and recommendations made in the course of an evaluation of a Support Staff Member; 3) The decision of the Superintendent to place a Support Staff Member on administrative leave; or 4) Counseling of or directives to a Support Staff Member regarding future conduct [LESD GDQD].</p>
Dismissal	<p>This term means a Formal Action that involves an Employee being involuntarily separated from service on a permanent basis when: 1) The issue of Employee remediation is either no longer valid or is otherwise irrelevant; or 2) The misconduct involved is incompatible with initial or continued employment by the District. This action may be sub-characterized as: 1) For Cause (when required under state statute); or 2) For performance-related issues.</p>

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	NOTE: This action requires the level of Due Process outlined in state statute and/or Board policy by Employee classification. The District-approved procedure must be followed, and only the Board may take this type of action.
District	This term (or “LESD”) means Littleton Elementary School District No. 65 [LESD AA].
Due Process	This term means the safeguards to which an Employee is entitled in order to protect his or her applicable rights.
EAP	This term means an Employee Assistance Program.
Employee	<p>This term means any individual who: 1) Is hired by the District for a wage, salary, fee, or payment to perform work for the District; 2) Has signed a written contract or agreement to work for the District and is designated to perform specific roles and responsibilities within the District.</p> <p>NOTE: The term does not include: 1) Volunteers; or 2) Independent contractors.</p>
Employee Organization	This term means a group recognized by the Board that exists for the purpose, in whole or in part, of dealing with the Board in the Meet and Confer process.
ESI	This term means Electronically Stored Information [Federal Rules of Civil Procedure 34 and 37 (28 USC App)].
Fiduciary Role	This term means employment in a position with a duty of confidence or trust, especially with the management of public funds.
For Gain	This term means evidence of getting, or attempting to get, something wanted, valued, or beneficial.
Formal Action	This term means an action for which documentation is typically retained in the Personnel File.
Full-Time	This term means being employed for a full school day, or for a full class load, or their equivalents, as determined by the Board [ARS §15-501 (3)].
Good Faith	This term means having an honest intent to act without taking an unfair advantage or to fulfill a promise to act [The People’s Law Dictionary, Publisher Fine Communications].
Grievance	<p>This term means a complaint by a District Employee alleging a violation or misinterpretation, as to the Employee, of any District policy or regulation that directly and specifically governs the Employee's Terms and Conditions of Employment [LESD GBK and/or related regulations and/or exhibits].</p> <p>NOTE: The term shall not apply to: 1) Any matter for which the method of review is prescribed by law; 2) Any matter for which the Board is without authority to act; 3) Any matter covered by state statute (e.g., the Suspension or Dismissal of an Employee); or 4) Assignment, reassignment, or transfer of an Employee to another position or duties (beyond the Superintendent, unless there is a reduction in compensation or the Superintendent requests that it go to the Board) [LESD GBK].</p>
Grievance Procedure	This term means the established workflow for resolving a Grievance outlined in LESD GBK.
Grievant	This term means an individual or entity authorized to file a Grievance [LESD GBK].
IEP	This term means an Individualized Education Plan.

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Immoral Conduct	This term means any conduct: 1) That is contrary to the moral standards of the community; and 2) That reflects an unfitness to perform the duties assigned to the certificated staff member [LESD GCQF].
Immediate Supervisor	This term means the lowest-level administrator having line supervisory authority over: 1) An Employee; or 2) A Grievant [LESD GBK, GCQF, and GDQD].
Inadequacy of Classroom Performance	This term means the definition of inadequacy classroom performance adopted by the Board pursuant to ARS §15-538 [ARS §15-501 (5); LESD GCO and/or related regulations and/or exhibits].
Informal Action	This term means an action for which documentation is not typically retained in the Personnel File.
Intentionally	This term means evidence of a pre-existing plan, intent, design, or purpose.
Major Disciplinary Action	This term means, for a Professional Staff Member or a Support Staff Member, a Major Suspension or a Dismissal,
Major Portion (of a school year)	This term means Full-Time employment for fifty-one percent (51%) of the school days during which School is in session, except that a Certificated Teacher is not deemed to have completed the major portion of the third school year of three (3) years of employment consecutively until the end of the third school year [ARS §15-501 (6); LESD GCB, GCJ, GCO, and/or related regulations and/or exhibits].
Major Suspension	This term means: 1) For a Professional Staff Member, a Disciplinary Suspension without pay for more than ten (10) school days [ARS §15-539 (A)]; or 2) For a Support Staff Member, a Disciplinary Suspension without pay for more than five (5) days [LESD GDQD].
Maliciously	This term means evidence of having or showing a desire to: 1) Cause harm to another person; or 2) Damage his or her property.
Meet and Confer Team	This term means those employees and/or organizations identified pursuant to Board policy and/or regulation for Meet and Confer activities.
Minor Disciplinary Action	This term means: 1) For a Professional Staff Member, an Official Reprimand or a Minor Suspension; or 2) For a Support Staff Member, an Oral Warning Summary, a Written Warning, an Official Reprimand, a Minor Suspension, without limitation thereto [LESD GDQD].
Minor Suspension	This term means: 1) For a Professional Staff Member, a Disciplinary Suspension without pay for ten (10) school days or less [ARS §15-501 (10)]; or 2) For a Support Staff Member, a Disciplinary Suspension without pay for five (5) days or less [LESD GDQD].
Mobile Technologies	<p>This term means devices that: 1) Transmit sounds, images, texts, messages, videos, or electronic information; 2) Record, play, or store information; 3) Access the Internet, or private communication, or information networks; and 4) Subsequent generations of these and related devices [LESD GBEF].</p> <p>Examples include, but are not limited to, the following: 1) Smartphones (e.g., BlackBerry®, Android®, and iPhone®); and 2) Other such mobile devices [LESD GBEF].</p>

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Neglect of Duty	<p>For the purposes of the ECOC, this term means: 1) Failing to act with the prudence that a reasonable person would exercise under the same circumstances; or 2) Failing to fulfill a work responsibility that is incumbent upon the Employee by virtue his or her office or position under federal law state statute, Board policy, job description, or Supervisor directive.</p> <p>NOTE: It is immaterial whether the neglect was done willfully, out of malice, out of ignorance, or due to an oversight when the result of the neglect was grave or its frequency was such as to endanger or threaten the welfare of self, staff, students, or the legitimate interests of the District.</p>
Network	<p>This term means Board-owned electronic assets that include, but are not limited to, the following: computers; Internet services; email services; electronic subscriptions; research or productivity resources; and other Board-owned electronic resources.</p>
Network Users	<p>This term means staff members who use or otherwise access the network via wireless or hardwired connection.</p>
Official Reprimand	<p>This term (or “Written Reprimand”, or “Letter of Reprimand”) means a Formal Action that involves a statement of censure for misconduct of such concern that a permanent record of the incident(s) needs to be established. The action is used when the ECOC violation involved warrants a response that is more severe than a Written Warning, but less severe than a Minor Suspension.</p> <p>NOTE: This action requires the Due Process outlined in Board policy. No formal disciplinary hearing is required; however, only the Superintendent or his/her designee may issue this type of disciplinary action.</p>
Oral Warning Summary	<p>This term means an Informal Action that involves a conference between a Supervisor and an Employee. The action is the least severe type of response to an ECOC violation, and is meant to ensure an Employee is aware that: 1) A deficiency has been noted; and 2) Self-remediation is expected.</p> <p>NOTE: There is no prescribed format for this action under state statute or Board policy; however, the event must be documented.</p>
OTC	<p>This term means Over-the-Counter.</p>
Performance Improvement Plan	<p>This term means the remediation plan required in the event of that Inadequate Classroom Performance is noted per ARS §15-537 and ARS §15-539.</p>
Performance Classification	<p>This term means any of the four (4) performance classifications adopted by the State Board pursuant to ARS §15-203 (A)(38) [ARS §15-501 (7); LESD GCO and/or related regulations and/or exhibits].</p>
Performance Evaluation	<p>This term means the standardized process by which the Performance Classification of a qualified Employee is determined on an annual basis. Each Performance Evaluation must be completed by a Qualified Evaluator using the approved evaluation instrument against a range of established performance classifications within the context of an Employee evaluation system developed and maintained in conformance with state standards.</p>
Permanent Employee	<p>This term means an Employee: 1) Who is hired by the District to fill a position requiring regular attendance and regular hours regardless of the number of months per year, days per year, or the number of hours per day; 2) Who is categorized as a twelve (12) month, ten (10) month, or nine (9) month Employee; and 3) Who is not a Temporary Employee [LESD GD].</p>

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PI	This term means Personal Information (i.e., that describing anything about a person, indicating actions done by or to a person, or indicating that a person possesses certain characteristics) that: 1) Contains a name, identifying number, symbol, or other identifier; and 2) Can be retrieved from a PI System.
PI System	This term means any collection or group of related records kept in an organized manner and maintained by a state or local agency from which PI is retrieved by: 1) The name of the person; 2) Some identifying number; or 3) Some other identifier assigned to the person.
PII	This term means Personally Identifiable Information. NOTE: In accordance with IDEA Part B, all persons collecting or using PII must receive training or instruction regarding state confidentiality policies and procedures under IDEA Part B and FERPA. Additionally, the District must maintain, for public inspection, a current listing of the names and positions of employees who may have access to PII [34 CFR §300.623].
PPAC	This term (or "Committee") means the Professional Practices Advisory Committee [AAC R7-205].
Probationary Teacher	This term means a Certificated Teacher who is not a Continuing Teacher [ARS §15-536 (E)].
Probationary Period	This term means: 1) The period of time as an Employee of the District before which an eligible Support Staff Member may become a Permanent Employee-seventy-five (75) calendar days [LESD GD]; or 2) The period of time as an Employee of the District before which an eligible Support Staff Member may become a Term Employee-sixty (60) calendar days [LESD GDO].
Professional Staff Member	This term means any Employee of the District who is required by state statute or by a Board policy, regulation, or job description to possess a teaching certificate from the State Department to perform his or her job, including: 1) A Certificated Teacher or an Administrator [LESD GCBA]; or 2) A psychologist.
Qualified Evaluator	This term means a principal or other person trained to evaluate teachers and who is designated by the Board to evaluate the school district's Certificated Teachers [ARS §15-501 (8); LESD GCO and/or related regulations and/or exhibits].
Reasonable Person Standard	This term means: 1) For policy violations, what would be done, or not done, by most people within the District and/or the community in a similar situation; or 2) For civil violations or criminal violations, what would be done, or not done, by a hypothetical person in society who exercises average care, skill, and judgment in conduct and who serves as a comparative standard for determining liability [West's Encyclopedia of American Law, 2 nd Edition. The Gale Group, Inc.].
Safety-Sensitive Employee	This term means, for the purposes of the ADIPs: 1) Any regular or substitute bus driver; 2) Any Employee who is required to be a CDL Holder as a condition of employment; 3) Any Employee who inspects, repairs, and/or maintains Board-owned vehicles; or 4) Any other Employee who may drive students in a Board-owned vehicle.
Safety-Sensitive Function	This term means, for the purposes of the ADIPs, any activity for which a bus driver is on-duty, except when the driver is performing an activity for and being compensated by an entity other than the employer [AAC R17-9-102C.1 (b)].

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School	This term means any public, charter or private school where children attend classes in kindergarten programs or grades one through twelve.
Scope of Meet and Confer	This term means the matters of concern that may be discussed during the Meet and Confer process, which are limited to the Terms and Conditions of Employment.
Social Media	<p>This term means web-based and mobile technologies to communicate through interactive dialogue such as: 1) Weblogs ("blogs") or Wikis; 2) Picture-sharing applications; 3) Video blogs ("vlogs"); 4) Wall-posting sites; 5) Email utilities; 6) Instant messaging services; 7) Music-sharing sites; 8) Crowdsourcing sites; 9) Voice over IP services ("VoIP"), and 10) Successor protocols for transmitting information [LESD GBEF].</p> <p>Examples include, but are not limited to, the following: 1) Facebook®; 2) LinkedIn®; 3) MySpace®; 4) Twitter®; 5) YouTube®; 6) FaceTime®; 7) Skype®; 8) Flickr®; and 9) Instagram [LESD GBEF].</p>
State Board	This term (or "ASBE") means the Arizona State Board of Education.
State Department	This term (or "ADE") means the Arizona Department of Education.
State Police	This term (or "DPS") means the Arizona Department of Public Safety.
State Superintendent	This term means the Arizona State Superintendent of Public Instruction.
Superintendent	This term means the superintendent of a school district [ARS §15-501 (9)].
Supervising Administrator	<p>This term means any Employee designated as an Administrator by the Board.</p> <p>NOTE: At any time, the Superintendent or an Assistant Superintendent may act in place of a lower ranking Supervising Administrator.</p>
Support Staff Member	This term means any District Employee who is not required by state statute or by a Board policy, regulation, or job description to possess a teaching certificate from the State Department for the purpose of performing his or her job, unless he or she has been expressly designated as a Professional Staff Member in a notice of employment or contract executed by the Board [LESD GDB]. Such an Employee is either a Term Employee or an At-Will Employee of the District [LESD GDB].
Suspension	<p>This term means a Formal Action that involves an Employee being involuntarily separated from service on a temporary basis: 1) Without pay (a "Disciplinary Suspension") when the grounds for disciplinary action involved warrant an action that is more severe than an Official Reprimand, but a less severe than a Dismissal; or 2) With pay (an "Administrative Suspension") for <u>non-disciplinary</u> purposes when the Employee may create a hazard situation during a pending investigation or is otherwise subject to a pending Dismissal. A Suspension for disciplinary purposes is the most severe type of action that is still compatible with continued employment, and is meant to serve as a significant consequence for either a serious lapse of judgment, or for misconduct of such concern, that the District must ensure the Employee understands that a repeat incident is likely to result in Dismissal.</p> <p>NOTE: When used for disciplinary purposes, this action requires the Due Process outlined in state statute and/or Board policy by Employee classification. The District-approved procedure must be followed, and only the Superintendent or the Board may take this type of action.</p>

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Temporary Employee	This term means an Employee who : 1) Is hired to fill a position that is not a permanent position; and/or 2) Is categorized as a short-term, long-term, probationary, substitute, or student hire Employee [LESD GD].
Term Employee	<p>This term means a Support Staff Member who is employed by the District pursuant to a written contract that specifies the duration of his or her employment (not to exceed one (1) year) [ARS §23-1501 (1) and (2); LESD GB and GDB].</p> <p>NOTE: A Support Staff Member who is not a Term Employee is an At-Will Employee [LESD GDB].</p>
Terms and Conditions of Employment	<p>This term means: 1) The hours of employment; 2) The compensation therefore, including fringe benefits; and 3) The District's personnel policies directly affecting the Employee [LESD GBK].</p> <p>NOTE: In the case of professional employees, the term does not include educational policies of the District [LESD GBK].</p>
Unlawful Reprisal	This term means an action that is taken by the Board as a direct result of a lawful report pursuant to ARS §15-514 that results in one or more of the following: 1) Disciplinary action; 2) Transfer or reassignment; 3) Suspension, demotion or Dismissal; 4) An unfavorable performance evaluation; or 5) Other significant changes in duties or responsibilities inconsistent with the Employee's salary or employment classification [ARS §15-514 (D)].
Unprofessional Conduct	<p>This term means: 1) Any act or omission by an Employee, whether an Administrator or non-Administrator, which constitutes a breach of the Employee's duties or obligations pursuant to employment, employment contract, policies, rules, and regulations of the District; or 2) Act or omission which adversely affects an interest of the District [ARS §15-203, §15-341, §15-342, §15-521, §15-535, §15-539, §15-550, and §41-1758.03; LESD GCMF, GCQF, and/or related regulations and/or exhibits].</p> <p>NOTE: A teacher guilty of Unprofessional Conduct may be subject to disciplinary action by the Board and by the State Board [LESD GCMF].</p>
Verbal Redirection	<p>This term means any private conversation, non-disciplinary counseling, or similar measure that is: 1) Non-disciplinary in nature; and 2) Undocumented.</p> <p>NOTE: Nothing in Board policy GCQF will limit an Administrator's prerogative to engage in informal consultation with a certificated Employee whom he or she supervises to discuss matters of concern related to the Employee's performance or conduct; however, when it is apparent that disciplinary action toward a certificated Employee is likely to become a part of the certificated staff member's personnel record as permitted by ARS §15-341, the procedures outlined in Board policy GCQF shall be followed [LESD GCQF].</p> <p>NOTE: LESD GDQD does not apply to counseling of or directives to a Support Staff Member regarding future conduct [LESD GDQD].</p>
While on Duty	This term means, for the purposes of the ADIPs (and elsewhere in the ECOC, unless otherwise specified in Board policy), all time from the time the Employee begins to work (or is required to be ready for such) until the time he or she is relieved from work and all responsibility for performing work [49 CFR §382.107].
Work Day	This term (or "Day") means any day that the District's central administrative office is open for business [LESD GBK and GCQF].

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Workplace	This term means, for the purposes of the ADIPs (and elsewhere in the ECOC, unless otherwise specified in Board policy): 1) While in Board buildings; 2) While on Board grounds; 3) While at Board-sponsored or school-sponsored events; 4) While transporting students to or from school or school-sponsored events; or 5) While in any other situation where an Employee is subject to District authority [LESD GBEC].
Written Warning	<p>This term (or “Letter of Direction”) means an Informal Action that involves a conference between a supervisor and an Employee that is meant to put the Employee on notice that the action(s) or behavior(s) involved, if left unremediated, may result in Formal Action in the future. The action is used when the ECOC violation involved warrants a response that is more severe than an Oral Warning Summary, but a less severe than an Official Reprimand.</p> <p>NOTE: There is no prescribed format for this action under state statute or Board policy. However, the event must be documented.</p>



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