

ARTICLE IX. STUDENT POLICIES AND PROCEDURES

Section 9.01 Statement of Fundamental Policy

Flagstaff Bordertown Dormitory Board, Inc. (hereinafter “FBD”) states that students residing at FBD have rights and responsibilities. While at FBD, students have expected behaviors to promote citizenship and develop good character while engaging in quality educational opportunities.

Students violating FBD policies and rules will be held accountable for their behavior or actions and are subject to disciplinary action as set forth herein. The penalty for an infraction may include, but is not limited to restrictions, suspension, and/or expulsion (see FBD Disciplinary Matrix).

Section 9.02 Expected Behavior

Students are expected to conduct themselves in keeping with their levels of development, maturity and demonstrated capabilities with a proper regard for the rights and welfare of others, the mission of FBD, and the care of FBD property.

All students are expected:

- a. To maintain or exceed a GPA of 2.5 by attending all classes and scheduled study halls. To attend one (1) hour per day of scheduled, structured study pursuant to 25 CFR 36.92
- b. To complete assigned chores.
- c. To maintain a healthy and safe environment by displaying good character.

Section 9.03 Students’ Rights

All students at the FBD have, and must be accorded, at least the following rights:

- a. The right to an education that may take into consideration Diné/Navajo and Native American beliefs and values;
- b. The right to an education that incorporates applicable Federal and Tribal constitutional and statutory protections for individuals; and
- c. The right to due process in instances of disciplinary actions.

Section 9.04 Students’ Responsibilities

All students are responsible as follows:

- To attend all classes each day except when ill or properly excused.
- To vacate public areas at scheduled hours.
- To be responsible for all personal belongings.

- To limit electronic device use after 10 pm.
- To maintain a clean dorm environment by completing assigned chores.
- To allow others the freedom to learn without interrupting study sessions and the dorm environment.
- To not be in possession of anything that is forbidden by law such as alcoholic beverages, drugs, weapons or stolen property.
- To express their own religion and culture in a manner that is not prohibited by law or violative of other individual's rights.
- To express opinions and ideas respectfully so as not to slander or offend others and to understand that others should be allowed to express their ideas.
- To not discriminate against others.

Section 9.05 General Rules Amended October 4, 2019

Any violations of these rules will result in disciplinary action. (See Appendix-IX)

1. Students must comply with the FBD policies, procedures, rules and regulations established by the dormitory at all times.
2. Misuse of common household products for illegal purposes is prohibited.
3. The possession, use, distribution or selling of drugs, alcohol, tobacco, or mind-altering substances *including energy drinks* by students on or adjacent to FBD property or at FBD sponsored activities is prohibited. Law enforcement and parents will be notified immediately of any violation of this rule.
4. All visitors must sign in and out at the front office and are required to obtain a visitor's badge to be worn at all times and returned upon leaving. Visiting hours are 4:00 p.m. to 6:00 p.m., except on weekends which visiting hours are 2:00 p.m. to 6:00 p.m. Parents/guardians and grandparents will be given extended visitation per their request. All visitations must be in designated areas: gym, physical activity (PA) room and cafeteria. Visitors must abide by all dormitory policies and procedures. Visitors are not allowed in student rooms. Visiting students in the parking lot is prohibited.
5. Students, staff and visitors are to maintain buildings and quarters in good condition. Vandalism or property damage will not be tolerated. Law enforcement will be notified. Parents/guardians will be held responsible for students causing property damage and all costs necessary to repair or replace said damage.

6. Stealing from students, FBD, and staff is prohibited. Law enforcement will be notified in the event of a theft of an item over \$100.
7. Due to health, safety, and welfare factors, hoverboards, bikes, and skateboards are prohibited on and off campus.
8. All FBD, FHS and community partner field trips will require itinerary and proof of attendance; must have valid prior consent.
9. Students will not be allowed outdoors after 8 pm; front doors are locked.

Section 9.06 Student Dress Code

The FBD believes that students should take pride in their attire and dress appropriately. In addition to the following guidelines, students should dress in a manner that considers FBD standards on student attire which are intended to help promote and nurture self-respect. The following guidelines are provided to assist students, staff and parents in determining what “is” and what “is not” appropriate with respect to student attire. Failure to abide by the dress code may result in disciplinary action. FBD recognizes that students have the right to express themselves through dress and personal appearance.

1. Clothes should not expose areas of cleavage, stomach, sides, back or thighs. Visible undergarments, such as straps and underwear, are inappropriate. Exposed undergarments are not permissible. Shorts, skirts, cutoffs, or slits that go above the mid-thigh are inappropriate.
2. Excessive jewelry or body adornment presenting a health and/or safety hazard to self or others is prohibited.
3. Any clothing or jewelry that symbolizes drugs, alcohol, sex, occult, tobacco, or any lewd act is expressively forbidden. This includes profanity or defamatory writing on clothing or jewelry.
4. Gang-related personalization of any sort is not permitted on hats, clothing, or one’s person. This includes anything worn or carried on campus. Any type of clothing or headgear which promotes gang activities or is worn in a manner that promotes gang activities is prohibited.
5. Shoes must be worn at all times. Appropriate footwear must be worn for any type of physical activity, such as recreation.
6. Offensive body language or movements and hand gestures (including gang related) will not be allowed.

Section 9.07 Electronic Posting of Attendance and Academic Status

FBD will post attendance and academic information regarding children on a secure electronic

site in compliance with NASIS.

Parents are encouraged to contact the FBD for student's attendance and academic status and are further encouraged to apply and access the Flagstaff Unified School District ParentVUE and/or StudentVue program for such information.

Section 9.08 Reports and Report Cards

FBD utilizes the Flagstaff Unified School District system of academic and attendance reporting relative to the academic setting. Progress report are issued every three weeks throughout the school year. Parents are encouraged to call, email or meet with the teachers regarding their child's academic progress. Parent/teacher conferences are scheduled as needed.

Academic achievement will be recognized in the spring for students.

Section 9.09 AWOL (Absent Without Leave)

In AWOL cases, the FBD will notify the student's parents. *A student is considered AWOL after 1 hour of being absent without notifying or checking in with a dormitory staff.* After the notification or attempted notification of the student's parents, the FBD may request assistance in locating the student from search and rescue teams and law enforcement agencies.

Students who have been AWOL are subject to disciplinary action as set forth herein or as determined by the administration. (See appendix-IX)

Section 9.10 Safety

Students will obey all safety signs and rules posted on and around the FBD campus. Students assigned to kitchen or multi-purpose building duty will adhere to instructions and rules set forth by the staff who works there. Students who handle food must have a food handler's permit.

Section 9.11 Transportation Safety and Rules

At any time when the FBD provides transportation to the students, students shall:

1. Be ready to board the vehicle on time.
2. Stand 12 feet away from the road where the vehicle stops.
3. Wait until the vehicle comes to a complete stop to board and remain in seats until the vehicle comes to a complete stop before exiting the vehicle.
4. Assist in keeping the vehicle safe and clean at all times.
5. Never stick hands, arms, or any part of the body out of the windows.
6. Never experiment or tamper with vehicle or any of its equipment.

7. Keep personal possessions out of the aisle.
8. Never throw anything in the vehicle or out the window.
9. Not engage in disorderly behavior and obscene language. Students may be assigned seats if they misbehave or it is otherwise necessary.
10. Be courteous to fellow passengers and vehicle drivers.
11. Use seat belts as they are available on vehicles from the time of entry until they exit the vehicle.
12. Remain in the FBD vehicle until mode of transportation arrives and board transportation safely. If student is not picked up, the driver will be required to return student to the FBD.
13. Not ride in privately-owned vehicle (POV) while under the care of FBD.
14. All students are prohibited from operating a privately-owned vehicle on FBD property.
15. Students enrolled in the CAVIAT Program are required to utilize transportation provided by FHS to and from CCC.
16. Submit a transportation request two days in advance for any pre-scheduled events sponsored by FBD or FHS.

Section 9.12 Property Damage (See appendix-IX)

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

Section 9.13 Personal Items

The FBD provides sheets and pillowcases, but students may bring blankets, pillows, bath towels and other approved items. Electronic devices such as refrigerators, televisions, microwaves, portable heaters, coffeemakers, fans and electric blankets are not allowed in the FBD areas for safety purposes. Electronic gaming devices may be used in the physical activity (PA) and the living room only on weekends. iPods, cell phones, portable video games, hairdryers and curlers are discouraged. Only the use of rubber coated weights is allowed; weight limits will apply. No pull up bars allowed in student rooms. **Students are solely responsible for any personal items they bring to the FBD.** The FBD is not responsible for any lost, loaned, damaged or stolen items.

For health reasons, the loaning of personal clothing items to another is discouraged.

Section 9.14 Section 9.14 Cafeteria

The cafeteria provides meals for students on campus and on some field trips. Students are counted for each meal they eat; meals should be eaten in the cafeteria. Students are expected to use good table manners and to behave appropriately in the dining room. Shoes must be worn while in the cafeteria. Students shall assist in maintaining a clean and attractive cafeteria.

Section 9.15 Energy and Recycling Program

Recycling bins are provided to encourage students to recycle plastics, paper, and cans. All items except for glass can be placed in one bin. Good practices for energy conservation include limiting shower time, turn off lights when not needed, turn off water while brushing teeth, make sure you have full load when washing clothes, etc. Limit food waste by choosing only foods you will consume.

Section 9.16 Recreational Activities and Leadership Programs

FBD provides students the opportunity to participate in a wide range of recreational activities designed to enhance their quality of life while residing at FBD. Structured recreation activities provide students the means to relieve stress, improve mood, meet other students who share the same interest, and, overall, supplement their leisure time with extracurricular activities that are healthy and fun.

- A. In pursuant to the federal requirements, (25 CFR section 36.92), the FBD Recreational Department provides health programs, fitness/wellness, cultural activities, social activities, life skills, leadership programs, and art/ music.

- i. Health program:

Health programs are designed to enhance an individual's knowledge as well as address individual holistic wellbeing. The program provides classes and workshops to prevent the use of illegal substances such as: alcohol, tobacco, and drugs. Although the health program addresses drug prevention, it also serves as a preventative educational course that would educate FBD students about other health risks coupled with information on various health-related topics. The program will promote student preparedness in making good decision to help them avoid high-risk behaviors in addition to ensure they develop an understanding of healthy living.

- ii. Fitness/Wellness:

The fitness/wellness program provides a diverse selection of quality recreational activities for individuals to establish habits for a healthy lifestyle. Fitness/Wellness activities are offered daily. Examples of recreation activities include volleyball, basketball, football, softball, tennis, dodge ball, hiking, aerobic, yoga, swimming, weight training, bowling and intramural sports with other residential halls.

- iii. Cultural activities:

Cultural activities are designed to provide students, parents, and staff members an opportunity to participate in cultural enrichment programs. The program is essential to developing the students' self-awareness and cultural sensitivity, through cultural exploration. The based program will focus on their Native culture and other cultures by providing students with field trips, shoe game, off-site sweat lodge, guest speakers, talking circle, drum circle, arts and craft activities and collaboration with community partners.

iv. Social activities:

Social activities provide opportunities for individuals who share a common interest in a specific event and enjoy the benefits of a group experience. Examples of social activities include clubs, dances, team building events, volunteer work, and board games.

v. Life Skills-based education:

Life skills-based education is a means to empower the younger generation and assist them in facing the challenging situations in their lives. Including both the processes of teaching and learning, the life skills-based education caters to the acquisition of knowledge and in doing so develop the needed skills and attitudes to support their basic living skills. Examples of life skills activities include outdoor survival, DIY activities, sewing, cooking, banking, and office and employment skills.

vi. Leadership programs:

Leadership programs are offered through student clubs. Each club is self-initiated by elected officers and adheres to departmental, program and dormitory policies and procedures. Clubs provide students with the opportunity to extend their common interest and to experience a variety of leadership and team roles. Membership in clubs and organizations is open to all students. All students are encouraged to join dormitory clubs and organizations.

1. Students wishing to form a club must apply for a charter with the student council and administration.
2. All clubs are organized and approved by the student council. All such clubs shall have a staff sponsor.
3. All fund-raising activities must be pre-approved by the student council. Individual fund-raising is prohibited.

The FBD Student Council enhances the campus recreation community by organizing diverse activities while offering extensive leadership opportunities. The purpose of the student council is to create good relationships between the members of the student body, staff, administration and the community. Student council will meet weekly.

The FBD peer mentorship program provides opportunities for students to mentor and help new students transition to FBD and FHS communities.

vii. Art and Music Events:

Art and music events provide a diverse selection of quality activities in a leisure environment that enhances personal development through social and personal interaction. The Flagstaff community offers many unique and interesting programs such as ballet, music festivals, and screen plays.

B. Sportsmanship

Player's responsibility:

You, as a Player, are expected to:

1. Play, have fun, and enjoy the game. The game is for you!
2. Demonstrate good sportsmanship toward your opponents and treat them with respect.
3. Exercise self-control at all times; accept decisions and abide by them.
4. Respect the officials' judgment and interpretations of the rules.
5. Regarding clarification of a ruling, communicate with the officials through your captain only.
6. Accept victory with humility and defeat with grace. Be neither boastful nor bitter.

Spectator's responsibility:

You, as a Spectator, are expected to:

1. Remember that the game is for the players. They are here because they want to play and enjoy the experience. Your good sportsmanship will enhance this educational experience.
2. Refrain from distracting the players during play.
3. Recognize and appreciate skill in performance regardless of affiliation. Applause for an opponent's good performance is a demonstration of generosity and good will.
4. Treat the officials with respect before, during, and after the contest. We cannot play the game without officials as they are an integral part of the game, and they should be considered impartial arbitrators.

C. Student council election process

Nominations

1. Each nominee must complete an official nomination form. Each nomination must be supported by students and staff.
2. Nominations must be submitted within a specified period of time to be determined student council sponsor. Nominations received after this deadline will not be considered.

Campaign guidelines

1. Prospective nominees may not campaign until the student council sponsor has designated them as an official nominee.
2. Each nominee will provide a 250-word statement of their views to the student council sponsor. This statement, along with the statements of other candidates, will be posted.
3. Nominees will be allowed to campaign up to one hour before the election is to take place.
4. All prospective candidates will be required to remove and properly dispose of all campaign materials.

Election process

1. At the close of nominations, the student council sponsor will announce candidate names.
2. Candidate campaigning and the voting process will occur over a period designated by the student council sponsor.
3. Balloting procedures will ensure that only eligible voters cast a ballot and that anonymity is guaranteed for the voter.
4. The student council sponsor will be responsible for the counting of ballots.
5. Candidates may request a recount if the official count indicates that there is a margin of difference between the candidates of 10 votes or less.
6. In case of a tie vote, the student council sponsor, in conjunction with the two candidates, will decide the outcome by a revote.

Announcement of results

1. The student council sponsor will announce the name(s) of the successful candidates. Ballot totals will be available to candidates only.

D. Student transportation

When traveling, students are considered representatives of FBD and are therefore expected to conduct themselves accordingly. Appropriate conduct by students and sponsors while attending sponsored events must be in accordance with the Student Policies and Procedures -.

Transportation will be provided for FBD and FHS sponsored events only. The types of travel available to students vary according to activity, scheduling, and staff availability. Student travel include academic, community service, intermural, recreation, collaborative partnership activities, and supply runs. Supply runs will be authorized for academic and personal hygiene supplies. Medical appointment transportation is the responsibility of the parent(s)/guardian(s).

E. Snow Day Schedule

The FBD will schedule student activities for all students during snow day. Students also have the option to go on a pass to off-site recreational areas or to local shopping venues but during heavy winter weather students will not be issued a pass due to their safety and welfare. Students who request

off-site passes must be in good academic standing and no violations.

Section 9.17 Students with Disabilities/Section 504 of the Rehabilitation Act of 1973

In accordance with Section 504 of the Rehabilitation Act of 1973, no qualified individual with a disability will, solely by reason of her or his disability, be excluded from participation in, denied the benefits of, or subject to discrimination in the programs and services offered by FBD. The CEO, or designee, will serve as the compliance officer for Section 504 at FBD. Any student with a disability who requires reasonable accommodations to participate in FBD's programs should contact the CEO or designee to discuss the accommodations being requested. If FBD declines a request for an accommodation, FBD will notify student in writing that the request is declined and the reason(s) for the denial of the request. Any accommodations agreed to by FBD and the student will be documented in a Letter of Accommodations that will be maintained in the student's file. Any changes to such accommodations will also be confirmed in writing through either an Addendum to a Letter of Accommodations or a new Letter of Accommodations. Any student with a disability who has a complaint of discrimination should present the complaint to the CEO. The CEO will respond to such complaints using the procedures described in Section 9.21 for handling complaints of Harassment, Intimidation and Bullying.

Section 9.18 Health Policies Amended October 4, 2019

- A. General. Comprehensive health care remains the responsibility of the student's parent(s) and/or guardian(s). Students may be referred to Native Americans for Community Action (NACA) Health Care Center or Sacred Peaks Health Center.

The FBD does not assume responsibility for treating any student who appears to be under the influence of any drug, chemical, alcohol or any other intoxicating substance. Law enforcement will be notified in cases which involve illegal substances and FBD will cooperate with the decision of local law authorities regarding their health status. However, it reserves the right to administer emergency first aid treatment in the above circumstances.

In the event of a serious illness or injury, parents are required to check out their child immediately to avoid contagion or further injury. It is each student's responsibility to inform FBD staff of an illness or injury. Medical expenses remain the sole responsibility of the parent.

Parents/guardians remain responsible for obtaining physicals as they may be required for sports. Parents/guardian must provide updated immunization records annually.

- B. Harm or Threat to Self. If a staff member believes, or a student reports to a staff member that a student may be depressed or may do harm to himself/herself or has threatened to do harm to himself/herself, the staff member shall immediately contact 911 for emergency assistance and shall thereafter immediately contact the behavior health counselor, supervisor on duty and the CEO. In such situations, the FBD staff will undertake immediate intervention and make immediate referral for assistance.

- C. Medication. If a student is placed on a special medication by a licensed physician or health service provider, the medication will be kept in a locked cabinet in a designated area. Medication will be dispensed and administered by a trained staff member to the student in accordance with the directions given by the treating physician. Medication will not be dispensed by FBD staff without current written directions signed by the treating physician. All medication including over-the-counter will be kept in the RA office.
- D. Dental. When a student complains of a toothache, the parents will be notified. Dental clinics only allow the parent(s) or legal guardian(s) to authorize treatment for children.
- E. Emergencies. In emergency situations, students will be transported to Flagstaff Medical Center, parents will be notified and shall respond and attend to their child's emergency situation.
- F. Isolation Room. Pursuant to 25 CFR 36.98, an isolation room will be temporarily utilized for contagion prevention and/or close monitoring of an at-risk student until a parent or guardian arrives.
- G. Adequate hours of sleep are advised and encouraged.

Section 9.19 Grooming/Personal Hygiene

1. Students shall practice personal hygiene including taking daily showers, brushing teeth daily, and foot care to prevent illnesses and promote self-esteem.
2. Students are expected to wash clothes frequently to promote cleanliness and well-being.
3. Students infested with hair lice or nits will be required to go home until treated.
4. Hair cutting and hair color processing is not allowed on dormitory property.

Section 9.20 Social Interaction

Students are expected to behave and conduct themselves in a respectful, appropriate manner on campus and in public. A clanship chart will be displayed to inform and advise all students and staff of the clan system and to establish relationship expectations.

Inappropriate behavior, such as cursing, throwing hand gestures, and public displays of affection (inappropriate touching, kissing and hickies), are prohibited. FBD staff is expected to counsel students who are not adhering to these rules. (See appendix-IX)

The social interaction should not compromise the integrity of the healthy homeliving

environment of the FBD. The development of friendship among students is encouraged however, FBD establishes restrictions to avoid the potential for abuse (i.e. emotional, verbal, physical) for such relationships. Any violation of restriction will be ground for disciplinary action. Academics should be a priority of your residential experience at FBD.

Section 9.21 Prohibition of Harassment, Intimidation and Bullying

A. Purpose

Student Harassment and Bullying: The Board prohibits harassment and bullying of any student on FBD campus, in a vehicle, at a school-sponsored activity, while the student is walking to and from school or including the use of electronic communication. FBD will provide notice of this policy to students and dorm employees, investigate all reports of harassment and bullying, and take disciplinary or other appropriate action against any student or FBD employee who is found to have violated this policy.

“Harassment and bullying” mean any severe or persistent physical or psychological abuse of a student by means of physical threats or assaults, verbal threats or assaults, insults, or other hostile or degrading acts.

“Harassment and bullying” include any hostile or degrading act inflicted because of the student’s actual or perceived race, ethnicity, gender, sexual orientation, disability, religious or political beliefs regardless of whether the act itself is severe or persistent.

“Harassment and bullying” include sexual harassment, which means any unwelcome sexual advances, request for sexual favors, or other verbal or physical conduct of a sexual nature made by a dorm employee or a student or by a student to another student.

“Harassment and bullying” include retaliation, which means any adverse action, taken against a student for reporting a complaint of harassment and bullying when the reporter honestly believes harassment and bullying has occurred or is occurring, or for participating in or cooperating with an investigation. Adverse action includes any form of intimidation, reprisal or harassment such as diminishment of grades, suspension, expulsion, and change in educational conditions, loss of privileges or benefits, or other unwarranted disciplinary action in the case of students.

This policy will be interpreted and applied so as to comply with state and federal legal requirements, including without limitations, the Arizona Revised Statutes 15-341, Title IX of the Education Amendments of 1972, and Navajo Nation Law and Custom. The CEO is authorized and directed to adopt administrative regulations for the implementation of this policy, including without limitation, procedures for the investigation of reports of harassment and bullying.

Administration Regulation Code

A. Notice

The FBD will use its Student Policies and Procedures for student behavior to provide notice of this policy and encourage students to report harassment and bullying. CEO, residential manager or their

designees will review the FBD policy against harassment and bullying with students at the start of each school year and distribute written information about rights, protection, and service available to students who are alleged victims of harassment. (See appendix-IX)

B. Reporting

1. **Students.** The FBD staff will encourage students and parents of students who are harassed or bullied, or who have first-hand knowledge of harassment and bullying, to report such incidents. Students and their parents should report an incident to any residential staff, or administrator.
2. **Employees.** An FBD employee who witnesses, overhears, or receives a report, formal or informal, written or oral, of harassment or bullying of a student at the dorm, on a school vehicle or while traveling to or from school, or during school sponsored activities must immediately document in writing the incident and report it to the employee's supervisor.
3. **Alternative Reporting.** A student, parent, or employee may report harassment or bullying to any administrator or supervisor to whom the student or employee feels comfortable making the report. A report of harassment or bullying will be made to the CEO.
4. **Privacy.** Reports of harassment or bullying will be kept confidential.

C. FBD response to reports

FBD will uphold its commitment to a safe environment of its students and staff and will follow its reporting protocol according to applicable mandates including tribal, state, and federal.

D. Informal Resolution

The CEO may attempt to informally resolve a report of student to student harassment and bullying by meeting with the alleged offender and the alleged victim, individually or together. The CEO will promptly contact parents of the alleged offender and alleged victim and inform them of the allegations. At the conclusion of attempts to achieve informal resolution, the CEO will advise the alleged victim or his or her parents that the student may request a formal investigation of the report. If it appears to the CEO that the alleged victim's concerns have been successfully resolved, the CEO will document the informal resolution and maintain it as a record.

E. Formal Investigations of Student-to-Student Harassment & Bullying

1. **Investigator.** The CEO or a designee will conduct an investigation upon receipt of a report alleging student-to-student harassment that cannot be resolved with informal resolution. Ordinarily, the CEO will conduct the investigation; however, a designee may be assigned, whenever necessary or appropriate, to expedite the investigation or remove a concern for bias or conflict of interest.
2. **Investigation.** The investigator will interview the alleged victim and alleged offender,

and any other persons who may have knowledge of the circumstances giving rise to the report and may use other methods and documentation. Witnesses will be advised to keep their statements and knowledge of the matter confidential.

3. **Timeframe.** The investigator will complete the investigation as soon as practicable. If the investigation will require more than five school days, the investigator may contact the alleged victim's parents to inform them of the progress on the investigation.
4. **Findings.** Upon completion of the investigation, the investigator will decide whether harassment and bullying occurred, or the evidence is inconclusive. The investigator's findings will be entered on the Incident Report form.
5. **Notification of Alleged Victim.** Upon completion of the investigation, the investigator will promptly notify the victim and the victim's parents of his or her findings and what disciplinary and remedial action, if any, will be pursued against the perpetrator.
6. **Record Keeping.** A written record of any complaints of harassment and bullying and its resolution will be maintained by the CEO for a period of at least three years. A record of harassment or bullying will not be maintained in the file of the alleged offender unless the investigator finds that the alleged offender harassed or bullied the alleged victim.

F. Formal Investigation of Employee-to-Student Harassment

1. **Investigator.** The CEO or a designee will conduct an investigation upon receipt of a report alleging employee-to-student harassment that cannot be resolved with informal resolution. Ordinarily, the investigator will be the CEO, however, a designee may be assigned whenever necessary or appropriate to expedite the investigation or remove a concern for bias or conflict of interest.
2. **Investigation.** The investigator will interview the alleged student victim and alleged offending employee and any other persons who may have knowledge of the circumstance giving rise to the report and may use other methods and documentation. Witnesses will be advised to keep their statements and knowledge on the matter confidential.
3. **Timeframe.** The investigator will complete the investigation as soon as practicable. If the investigation will require more than five school days, the investigator may contact the alleged student victim's parents to inform them of the progress of the investigation.
4. **Findings.** Upon completion of the investigation, the investigator will decide whether harassment or bullying occurred or did not occur, or that the evidence is inconclusive. The investigator's findings will be entered on the Incident Report.
5. **Notification of Alleged Victim.** Upon completion of the investigation, the investigator will promptly notify the alleged victim and the victim's parent of his or her findings and what disciplinary and remedial action, if any, will be pursued against the alleged

offender.

6. **Record Keeping.** A written record of any complaints of harassment and bullying and its resolution will be maintained by the CEO.

G. Disciplinary and Remedial Action

When the investigator determines that harassment and bullying occurred, the dorm will take disciplinary or remedial action as appropriate in order to ensure that further harassment does not occur. Disciplinary action for violation of this policy will be taken in accordance with applicable FBD policy governing discipline of students or employees. The investigator may take remedial action to prevent further tensions between the alleged victim and the alleged offender if the investigator finds that the evidence is inconclusive.

H. Appeal

1. **Alleged Victim.** If an alleged victim is not satisfied with the results of an investigation, the student may appeal the matter to the CEO within five school days after the student or the student's parents is informed of the result of the investigation. The CEO will review the investigation and decision and any relevant documents or statement submitted by the alleged victim. Based on the information, the CEO will issue a decision to affirm, reverse, or modify the original decision. The alleged victim may appeal the CEO decision to the Board within five days after the student or student's parent is informed of CEO's decision. The Board will review the matter and issue a final decision.
2. **Alleged Offender.** A person who receives disciplinary action as a result of a violation of this policy may appeal the determination and disciplinary action in accordance with the applicable FBD policy governing discipline of students or employees.

I. Retaliation and False Reporting

1. **Retaliation.** Any person who retaliates against an employee or student who reports, testifies, assists, or participates in an investigation or hearing relating to a harassment and bullying report will be subject to appropriate action and/or discipline by the FBD.
2. **False Reporting.** Any person who knowingly makes a false report of harassment and bullying will be subject to disciplinary or other appropriate action.

Section 9.22 Parent Involvement

Parental involvement is vital and key to student's academic and residential success. FBD provides many opportunities for parents to be involved such as workshops, fundraising, seasonal activities, recreation activities and FHS sponsored activities. Correspondence through newsletters, email, website (www.kinlanidorm.org), Facebook (Kinlani Dormitory) and app (Remind) are available throughout the school year for effective communication. Through active, cooperative partnerships,

parents and FBD staff will prepare and empower students for the future.

Section 9.23 Telephone

FBD office phones and cellular phone are permitted for limited use, and with approval from the staff. Personal cell phone use is not permitted during study hall. Cell phone use is a privilege and not a right (see section 10.03).

Section 9.24 Check-Out Procedures

Only immediate family members who are listed on the checkout card can check-out students. Any student, regardless of age, shall not be authorized to check themselves out and no check-out may be approved to an adult less than 21 years of age. This applies to all parties, including family members. Family members is defined as:

- mother
- father
- legal guardian
- sister
- brother
- grandparent
- aunt or uncle

Proper check-out procedures shall be followed. Valid state IDs are required. All authorized family members listed on check-out cards must sign and agree to “Checkout Authorization Form.”

During school-hour check-outs, authorized immediate family members must check out student at FBD and FHS.

All check-outs must conclude by curfew (8:00 PM) unless pre-approved by staff in charge at the time of check-out. Check-ins after curfew are discouraged. Temporary checkouts must conclude by 8:00 pm.

When there is evidence that the welfare of the student is at risk, the dorm reserves the right to refuse or cancel the check out. If a conflict arises concerning the student check-out process, the dorm supervisor or acting designee reserves the right to revoke any check-out privileges.

In the event of local emergencies, i.e., natural disasters, fire or threatening weather conditions, any previously approved check-outs may be cancelled without prior notice.

FBD, FHS, and any other community partnership organization personnel will not be allowed to check a student out overnight unless they are the parent, or immediate family member as identified above.

Section 9.25 Student Withdrawals Amended August 2, 2018

At the time of an official student withdrawal from FBD, only legal parent(s) and/or guardian(s) will be authorized to withdraw the student. No immediate family members will be authorized to withdraw a student from FBD.

Section 9.26 Student Absences

1. A student who misses three or more days away from the dorm must provide a written explanation for absences.
2. A student who misses ten (10) consecutive days away from the dorm will be withdrawn from the dorm.

Section 9.27 Fire/Emergency Evacuation Plan

All staff are responsible for evacuation. In case of fire, the fire evacuation plan exists to prevent confusion and accidents. The general procedures for evacuation from the building are as follows:

1. Upon exiting the building, activate fire alarm, evacuate immediately to the nearest exist, do not use the elevator, meet at designated area with students.
2. Staff must have radio/phone and clipboard upon existing the building.
3. Staff must designate one person to account for all students.
4. Staff are responsible for student accountability outside the building in a safe location for outside the building to assure all are out.
5. No one will stop to retrieve personal belongings. The building will be evacuated immediately.
6. Report to the outside basketball court or gym during inclement weather with shoes and appropriate clothing.
7. Do not re-enter a building until the fire department instructs them to do so.

Fire drills are to be conducted once a month. The drills shall be conducted different times of the day and under different circumstances to ensure multiple circumstances are practiced. The administrator conducting the fire drill will ensure that an FBD staff member goes from room to room to ensure that all staff and students have evacuated the building.

The staff shall report any safety issues or problems to their supervisor. The supervisor shall

provide said reports to the facility maintenance manager/ and ensure that corrective action is taken.

A fire drill report shall be filled out by a staff member after each fire drill and turned in to the CEO.

NOTE: Tampering with fire alarm and sprinkler system are federal offenses. Proper authorities will be notified. (See appendix-IX).

Section 9.28 Permissible Penalties Amended September, 2024

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

1. Verbal warning
2. Written warning/notification to parents
3. In-house suspension (length contingent on infraction)
4. Out-of-dorm, short-term suspension (1-10 days)
5. Long-term suspension (10 days – or more)
6. Expulsion
7. Loss of privileges will accompany written warnings/notifications and infractions warranting higher penalties. A non-inclusive list of privileges that may be revoked are: sports activities, trips, off-campus pass, other FBD activities, and other extracurricular activities.

Depending upon the nature of the violation, student discipline may be progressive, i.e., a student's first violation could merit a lighter penalty than the subsequent violations. A Flagstaff Bordertown Dormitory employee should take into account all other relevant factors in determining an appropriate penalty, including, but not limited to, the following: the seriousness of the offense, the number of violations, the repetitiousness of the violations, and whether there are any aggravating or mitigating circumstances surrounding the violations. Penalties may be imposed either alone or in combination. For example, a student may receive a written warning and a short- term suspension.

Any disciplinary action taken by the Flagstaff Unified School District will be considered by the FBD staff and appropriate action will be taken.

Section 9.29 General Due Process Rights

Individual students at FBD have and shall be accorded the following due process rights for discipline which involves suspension or expulsion.

A. Discipline Which Involves Short-Term Suspension of 10 Days or Less

1. If the intended discipline to be imposed involves a Short-Term Suspension, the

student shall receive written notice of the intended discipline before it is imposed.

2. After the student has had an informal opportunity to discuss the matter with the CEO, the CEO will decide whether the discipline will be imposed. The decision of the CEO or his/her designee is final.
3. The parent/guardians of the student are to be notified by mail of the suspension, with the notice being mailed within 24 hours of the suspension. The CEO will also attempt to notify the parent/guardian by telephone.
4. The discipline shall be recorded in the student's file.
5. The intention of this section is to allow the accused student an informal opportunity to be heard before discipline is actually imposed on the student. Where appropriate, necessary or due to urgent circumstances, discipline may be imposed prior to an informal opportunity to be heard or reviewed by the CEO. In such urgent situations, the student will, shortly after the imposition of the penalty, be given an opportunity for an informal hearing with the CEO and an opportunity to be heard.

B. Long-Term Suspension/Expulsion

1. When the intended discipline involves a long-term suspension of more than ten (10) days from FBD or expulsion of the student from FBD, the student is entitled to a hearing, unless the student's parent or guardian chooses accept responsibility and waive entitlement to a hearing. The student must be provided with written notice of the charges within a reasonable time prior to a hearing. Said written notice shall consist of notice of the charges, including reference to the regulation allegedly violated, the facts alleged to constitute the violation, copies of FBD policy or policies allegedly violated and copies of any and all pertinent documents or exhibits that FBD intends to use at the long-term suspension/expulsion hearing.
2. A formal hearing will be granted to the student prior to the imposition of disciplinary action, absent the actual existence of an emergency situation seriously and immediately endangering the health or safety of the student or others. In an emergency situation, short-term suspension may be imposed, but the CEO shall immediately thereafter report in writing the facts (not conclusions) giving rise to the emergency and shall afford the student a hearing which fully comports with due process, as described herein, as soon as practicable thereafter.
3. The above hearing shall be conducted by the CEO or his/her designee. The staff member recommending the long-term suspension or expulsion shall

represent FBD in presenting the FBD's case against the student. The student has a right to be represented by his/her parents or legal guardians or, at the student's and student's parent's or guardian's sole expense, to be represented by legal counsel or a legal advocate. FBD may also be assisted by legal counsel. At the student's or student's parent's or legal guardian's request, and at the sole discretion of FBD, said hearing may be delayed. The student, at FBD's discretion and without a hearing, may be removed from the School during any such delay.

4. The hearing shall be recorded and a copy of the recording shall be retained for three (3) years following the close of that current school year.
5. FBD, through the staff member or designee recommending said long term suspension or expulsion, shall present all testimony and evidence, including witnesses and documentary evidence against the student. The student and/or his/her representative shall have a right to cross-examine each witness introduced by the FBD staff member.
6. After FBD has presented its case, the student through his/her parent and/or legal guardian and/or his/her legal representative shall have a right to present witnesses and testimony and documentary evidence on the student's behalf. FBD through the staff member or designee shall have the right to cross-examine the student's witnesses.
7. The hearing will be confidential. All students' names and/or student witnesses that may testify at such a hearing shall be kept confidential. It is the intent of FBD to maintain and protect the privacy of its students and student testimony will not be made public. Likewise, student's names and any public documents shall be referred to by a number or an alias so as to protect the confidentiality of the student.
8. If after reviewing all the evidence and testimony, the CEO or his/her designee's decision is to expel or long term suspend the student, the CEO or his/her designee shall make his/her decision to impose discipline in writing and provide findings of fact and reasons for his/her decision.
9. Then the CEO or his/her designee's decision shall be delivered to the Board for consideration at its next scheduled meeting and mailed to the student and his/her parents and/or legal guardians. The mailing to the student and his/her parents/legal guardians shall include a statement setting forth the student's right to appeal this decision. This notice shall be mailed to the student and parents/legal guardians' address of record at FBD.
10. If the student chooses to appeal the decision for long-term

suspension/expulsion, the student may appeal the decision to the Board. Said appeal must be in writing and delivered to the Board at the FBD office within five (5) days of the mailing of the CEO's or his/her designee's decision on the long-term suspension or expulsion. The letter shall describe in detail the reasons for the objections to the CEO or his/her designee's decision.

11. Once the Board has received the decision and/or request for an appeal, the Board has a right to do the following:
 - a) The Board can affirm the CEO or his/her designee's decision.
 - b) The Board can reject the CEO or his/her designee's decision.
 - c) The Board can modify the CEO or his/her designee's decision and impose a lesser discipline on the student.
12. The decision of the Board is final.

C. Expungement

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

Section 9.30 Removal from FBD Residential Facilities

Before a student is removed from the FBD residential facilities, the following must be done:

1. Notify parent(s) and agency of emergency removal by home visit or such other reasonable means available and follow such notification with written notice as soon as practical.
2. If contact with parent(s) cannot be made, the student is not to be allowed to leave the FBD residential facilities unless an alternative, appropriate placement is available.
3. If law enforcement is involved, parent will be notified.

Section 9.31 Incident Report Procedures

A. Discipline Report Procedures

It is the obligation of every staff member to know the contents of this Manual regarding Student Rights and Responsibilities and to correct incidents of student misconduct and behavior if deemed necessary to promote the discipline and to issue an incident report to any student observed violating this code to sign and respond. FBD utilizes the Native American Student Information System (NASIS) database as required by the Bureau of Indian Education to track incidences and other pertinent student information.

B. Incident Report Process (Written Notice of Alleged Violation)

1. Incident reports are to be entered in NASIS by the person(s) who witness and/or report the violation(s), and the student will be notified of their misconduct.
2. Signing of the incident report by the student is an acknowledgement of receipt of the report by the student and is not an admission of guilt. Staff should verbally inform students about this procedure. If the student refuses to sign, the incident report should be signed by someone witnessing the fact that the student received the report and immediately forwarded to the parent, CEO, counselor, and residential manager for a resolution.
3. It is recommended that statements be obtained from students, particularly the statements of the student or students charged, and especially in serious situations such as fighting.
4. If a student wishes to contest the facts on an incident report, the student has three days to appeal the incident report to the residential manager in writing.
5. If no resolution is reached then, the CEO or designee will review and evaluate the incident report with the student and determine if the incident report will be changed or stand as written. If the incident report stands or is modified it will be processed by the CEO. The decision of the CEO or designee is final.

C. Search and Seizure Policy

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

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

1. General search of FBD property (including personal items, such as electronic communications and devices, found on FBD property) or students may be conducted at any time when there is reasonable cause to believe staff, or students' health and

safety, violates a law or an FBD policy. This search of FBD property may be made without the student being present. A search of vehicles, backpacks, automobiles, and other student belongings, as well as lockers, desks, storage areas and other dorm property are subject to the random, unannounced searches and may be conducted with local law enforcement and K-9.

2. Illegal items (firearms, weapons, drugs, alcohol) or other possessions reasonably determined to be a threat to the safety, security of others, or might possibly interfere with FBD purpose, may be seized by employees.
3. Items which are used to disrupt or interfere with the educational process may be temporarily removed from a student's possession and, if appropriate, returned to the parents.
4. A student's person may be searched by FBD employees when there is reasonable cause to believe that the student has on his/her person illegal items that may interfere with FBD purposes, or which may constitute evidence of the violation of an FBD policy.
5. Periodic walk-throughs of rooms will be performed by residential staff every two hours on week days until bed time.

D. The FBD Maintains the Right to Search Student Lockers

The FBD will search student lockers on a periodic basis to protect the health, safety, and welfare of all students or to discover evidence of violations of FBD policy. General searches of lockers may be made without notice. The personal footlockers or luggage items of students are subject to search if there is reasonable cause to believe that lockers or luggage contain illegal items, or items that interfere with FBD purposes.

E. Student Interrogation – Arrest

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

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

F. Student Grievances

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

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

Section 9.32 Student Freedom of Expression

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

1. Expression which for any reason causes or is likely to cause a material and substantial disruption or interference with the FBD mission;
2. Cursing, profanity and other vulgar or indecent language; including media such as movies and music, which contain such language;
3. Speech which is obscene to minors;
4. Speech which is slanderous or libelous;
5. Speech which invades the rights of other persons;
6. Speech which advertises or promotes alcohol, tobacco, illegal drugs, or any product or service harmful to minors and not permitted to minors by law;
7. Rude and discourteous speech inconsistent with habits and manners of civil discourse;
8. Insulting or fighting words (including but not limited to, slurs of another person's character, family, race, religion, sex, ethnic origin, physical appearance, sexual preference, intellectual ability or handicapping conditions);
9. Threats of violence or other intimidating statements;
10. Abusive or harassing conduct (including speech) sufficiently severe and pervasive as to create a hostile learning environment for any student. This section also includes cyber-bullying;
11. Speech which is likely to cause the commission of unlawful acts or the violation of lawful FBD policy, including speech that promotes any illegal gang activities;

12. Statements reflecting biases or prejudice in FBD sponsored expressive activities such as student newspapers, yearbooks, and FBD plays.

Students shall follow the directions of FBD staff and cease prohibited expressions and activities noted above.

Section 9.33 Admissions Policies and Procedures Amended October 4, 2019

A. Purpose of this policy

The purpose of the Flagstaff Bordertown Dormitory Board, Inc. (FBD) admissions policies and procedures is to define the criteria and conditions of admission to FBD of all eligible Native American students, to provide them the opportunity to achieve their educational goals while attending Flagstaff High School and residing at FBD. These policies and procedures will ensure that every student is treated fairly and without prejudice. The committee chair is responsible for ensuring every committee member follows the policy consistently and fairly with respect to all applicants.

B. Admissions Committee

A committee chair will be designated by the CEO annually. The committee chair will then designate 4 to 6 committee members who will aid in mailing, receiving and the review of all admission applications and supporting documents. The admissions committee shall collaborate with the Flagstaff High School registrar and administration. All other committee members must be employees of the FBD. A majority of the committee members are necessary and required to constitute a quorum at every meeting. Majority vote is necessary to make decisions and determinations on all admissions and non-admittance to FBD.

C. Admissions Procedures

1. Reapplication

All students who intend to return to the dorm for the next school year will need to reapply when the application process reopens on March 1. The reapplication process will close on March 31. Reapplication does not guarantee readmission (see GPA requirement in c below).

a) Letter of Intent to Return

A letter of intent will be mailed or hand delivered to all current students in the month of April to determine which students are planning on returning for the following school year. The letter of intent must be returned by each current student who intends to return to FBD no later than 14 calendar days.

b) Academic Warning Letter

The admission committee and/or CEO will mail or hand deliver a warning letter to all current FBD students and their parents/guardians at the end of first semester who are below 2.5 GPA in core classes of Math, Science, Social Studies and English advising them to improve their GPA by end of the school year.

c) Admission of Returning Students

The committee will meet on all eligible students who are planning on returning for the following school year. The committee will decide to admit or deny enrollment to current FBD students. Students who have maintained their eligibility to attend Flagstaff High School, have maintained a 2.5 GPA or better in core classes of Math, Science, Social Studies and English for the current school year, have not been previously released from FHS for behavior or academic violations, and who continue to meet all other criteria will be admitted. No one will be denied admissions on grounds of sex, religion, disability, and/or sexual orientation.

2. Prospective Students

a) Application & required documents

All prospective students shall submit the following required documents to be considered for admission to FBD.

1. Enrollment application
2. Copy of birth certificate
3. Copy of certificate of Indian blood
4. Copy of current immunization records
5. Pending availability of final transcript, copies of most recent grades may be accepted
6. Student questionnaire.
7. Custody, guardianship, or other legal documents if applicable.

a) Admission of Prospective Students

The committee will review all completed applications together with the required documents listed above to determine if a student should be granted or denied admission to FBD.

Applicants must meet the following requirements:

- a) Must be an enrolled member of a Federally-recognized Indian tribe;
- b) Must NOT be subject to any of the reasons to deny admissions stated in paragraph E below.

No one will be denied admissions on grounds of sex, religion, disability, and/or sexual orientation.

D. Academic Probation

The purpose of academic probation is to provide the student an opportunity to improve his/her grades and/or conduct. If a student is readmitted into FBD under contract and fails to improve his/her grades and/or correct any identified corrective measures, he/she will not be eligible to return for the following school year.

A student's continued academic success is important to FBD and the committee. If a student is placed on academic probation, before the committee may decide that the student is not eligible to return the following school year, the committee must certify that FBD have provided and exhausted all possible substantive interventions that may assist the student in improving his/her grades and/or conduct.

E. Right to Deny Admissions – FBD reserves the right to deny admission or re-admission to any applicant based on a variety of factors, including, *but not limited to the following*:

1. Admission of the student would cause FBD to exceed its minimum staffing requirements under the federal homeliving program statutes or other capacity set by the FBD Board or would create overcrowding or stress on limited resources. (In such cases, the student may be placed on a waiting list or other equitable method as established by the Board.)
2. Admission of the student would cause FBD to be in violation of any applicable Navajo, state or federal law.
3. The student has been expelled by an educational institution.
4. The student has engaged in conduct that would require expulsion under Navajo, federal, or state law.
5. The student has brought a firearm to school or has possessed a firearm at school pursuant to 20 U.S.C. § 7151.
6. The student foreseeably constitutes a threat to the health, safety or welfare of other students or staff.

The committee will not deny admission based on hearsay or any evidence short of clear and convincing.

F. Appeals and Due Process

If the applicant doesn't agree with the initial decision of the enrollment committee, the applicant is entitled a right to appeal. A letter of appeal must be submitted within ten business days.

1. First Level Appeal – CEO

A letter of appeal should be addressed to the CEO stating the reasons why an appeal of the committee's decision is necessary.

2. Second and Final Appeal – FBD Board

A letter of appeal should be addressed to the Board. The appeal will be put on the next regular board meeting. The Board will review the appeal and make a final determination. All decisions made by the Board are final.

Appendix-IX Discipline Matrix

FLAGSTAFF BORDERTOWN DORMITORY DISCIPLINE MATRIX Page 1			
*Parent contact on each offense/discipline referral will occur in all instances!			
Violations	1st Offense	2nd Offense	3rd Offense
Weapons Possession (Intimidate, threat, injure) (Knives, Firearms, Explosive Devices): NASIS 3700	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)		
Attempted Arson/Arson: NASIS 1100	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)		
Assault and Battery: NASIS, 1300	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)		
Fire Alarm: NASIS 2720	3-10 days Out of School Suspension: NASIS 12	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Sexual Harassment: NASIS 1900, Sexual Assault and other sexual offenses: NASIS 2900	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)		
Alcohol: Sale, Distribution, Distribution, Possession, Suspicion: NASIS 1000, 1010, 1020, 1040, 1050 Drugs and Paraphernalia: Possession, Distribution, Sale or Use: NASIS 1600, 1610, 1620, 1630, 1640, 1650, 1660, 1670, 1697	10 days Suspension to Expulsion (Due Process Hearing), Police Involvement, Mandatory Counseling: NASIS 30, 06	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Vandalism of School Property (e.g., vandalism/loss of property): NASIS 3510	Restitution for Damages, Mandatory Counseling: NASIS 18, 99. 02 Community Service: NASIS 01	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Theft of Money or Property With a Value in Excess of \$100: NASIS 3100	Police Involvement, Mandatory Counseling, 1-2 Day Suspension, Restitution: NASIS 18, 99	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
FLAGSTAFF BORDERTOWN DORMITORY DISCIPLINE MATRIX Page 2			

*Parent contact on each offense/discipline referral will occur in all instances!

Violations	1st Offense	2nd Offense	3rd Offense
Harassment, Nonsexual, Bullying, Hazing, Other Nonsexual Harassment Intimidation, Threat, Intimidation, Physical Threat, Verbal Threat, Written Threats, Electric Threat, Other Threat: NASIS 1800, 1810, 1820, 1897, 3200, 3210, 3220, 3230, 3240, 3297	Interview, Mandatory Counseling, Due Process Hearing, 2-10 days Out of School Suspension to Expulsion, Police Involvement: NASIS 06	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Fornication, Indecent Exposure, NASIS 2900	Mandatory Counseling, 3-10 days Out of School Suspension to Expulsion, Due Process Hearing	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Sexual Battery/Other Sexual Offenses: NASIS 2800, 2900	Investigation, Due Process Hearing, Police Involvement: NASIS 02	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Disorderly Conduct: NASIS 1500, Fighting: NASIS 1700, Domestic Violence	3-10 days Out of School Suspension: NASIS 12, Community Service, Mandatory Counseling	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Sale or Distribution of Medication: NASIS 2110, 2120	10 days Suspension to Expulsion (Due Process Hearing), Police Involvement, Mandatory Counseling: NASIS 30, 06	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)	
Theft, General, Other Theft (Less than \$100): NASIS 3110, 3197	Restitution with Mandatory Counseling: NASIS 02	Restitution with 3-10 Day Suspension: NASIS 12	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)
Burglary, Breaking and Entering: NASIS 1400	3-10 days Suspension, Police Involvement: NASIS 30	10 days Suspension to Expulsion (Due Process Hearing, Police Involvement: NASIS 30, 06)	Expulsion (Due Process Hearing, Police Involvement: NASIS 06)

FLAGSTAFF BORDERTOWN DORMITORY DISCIPLINE MATRIX Page 3

***Parent contact on each offense/discipline referral will occur in all instances!**

Violations	1st Offense	2nd Offense	3rd Offense
Tobacco Sale, Distribution, Use, Possession, Suspicion of Use, and Other Tobacco Use: NASIS 3300, 3310, 3320, 3330, 3340, 3350, 3397.	Mandatory Counseling: NASIS 02, Community Service: NASIS 01	Short Term out of dormitory suspension, 1-2 days: NASIS 11, 12, Community Service: NASIS 01	Long Term out of school suspension, 10+ days or Expulsion: NASIS 13, 06
Inappropriate Use of Medication, Possession in violation of School Rules, Suspicion Use of Meds in Violation of School Rules, Other Inappropriate Use of Medication: NASIS 2100, 2130, 2140, 2050, 2197	Mandatory Counseling: NASIS 02	Short Term out of dormitory suspension, 1-2 days: NASIS 11, 12	Long Term out of school suspension, 10+ days or Expulsion: NASIS 13, 06
Obscene Behavior, Display of Affection (PDA), in Violation of School Policy Obscene Written Message, Drawing Obscene Pictures, Obscene Electronic Pictures, Obscene Electronic Communication, Obscene Gestures, Obscene Language, Profanity, Other Obscene Behavior Profanity: NASIS 2400, 2410, 2420, 2430, 2440, 2450, 2460, 2497.	Mandatory Counseling, Documented Warning: NASIS 02, 05	Mandatory Counseling, Community Service: NASIS 01,02	3-10 Days Out of Dormitory Suspension: NASIS 12
Attendance Policy Violation, Forging Absence Excuse, Skipping Class, Tardiness, Truancy (AWOL), Other Attendance Policy Violations: NASIS 2100, 2110,2120, 2130, 1240, 1297	Privileges Restrictions: NASIS 15	In-House Suspension 3-10 Days: NASIS 15,08	Out of School Suspension 3-10 Days: NASIS 12
Use of Electronic Device: NASIS 3610	Documented Warning: NASIS 05	Device is Confiscated, Returned to Student: NASIS 18	Devise Confiscated and Returned to Parent

FLAGSTAFF BORDERTOWN DORMITORY DISCIPLINE MATRIX Page 4

*Parent contact on each offense/discipline referral will occur in all instances!

Violations	1st Offense	2nd Offense	3rd Offense
Insubordination (Non-Compliance): NASIS 2200,	Mandatory Counseling, Documented Warning: NASIS 02, 05	Short Term 1-2 days Out of School Suspension	Long term 10+ days out of School Suspension, Possible Police Involvement
Detail Violation: NASIS 9000	Warning, Redo Detail.	1-3 Day Pass restriction	
Dress Code Violations: NASIS 3600	Documented Warning/Change of clothes: NASIS 05	One day In- School Suspension: NASIS 07	Short Term 1-2 day In-School Suspension: NASIS 08
Misuse of Technology: NASIS 3600	Loss of privilege up to 5 days, Temporarily Confiscate device	Loss of Privilege – 10 days, Short Term 1-2 days In-School Suspension, Temporarily Confiscate device	Loss of Privileges - permanent, 1-2 days Out-of-School Suspension, Temporarily Confiscate device
Riding in a Privately- Owned Vehicle (POV)NASIS 9000	Counseling and Community Service: NASIS 02	Community Service: NASIS 01	Possible police involvement, Short Term 1-2 out of School Suspension
Dormitory Vehicle Infraction (Breaking Rules): NASIS 9000	Documented Warning: NASIS 05	Community Service: NASIS 01	One-Day Suspension: NASIS 07
Negative Group Affiliation: NASIS 9000	Mandatory Counseling: NASIS 02	3-10 Days In-House Suspension: NASIS 08	3-10 Days Out-of- School Suspension: NASIS 12

ARTICLE X. ELECTRONIC INFORMATION SYSTEM/ INTERNET ACCEPTABLE USE POLICY

Section 10.01 Preamble Amended October 4, 2019

The Flagstaff Bordertown Dormitory, Inc. (hereinafter “FBD”) provides technology resources to its students and staff for educational and administrative purposes. The goal in providing these resources is to promote educational excellence in the FBD by facilitating resource sharing, innovation, and communication with the support and supervision of students, parents, teachers and support staff. The use of these technology resources is a privilege, not a right.

These technology resources include use of an international computer network variously identified as the Electronic Information System, the Internet, the World Wide Web, or the Information Superhighway. This resource provides access to other educational institutions, libraries, agencies, organizations and individual persons. This access can greatly enhance the educational mission of the FBD and its students’ educational experience. This access also has the potential to provide material that may not be considered of educational value, or which may be considered harmful or offensive. The FBD will make every effort to protect students and staff from any misuses or abuses of this service; however, personal responsibility is essential in the use of this system, and all users must be watchful to avoid inappropriate and illegal interaction with the information service. All users and, where applicable, all parents of users must familiarize themselves with the FBD’s policies and rules regarding the usage of this resource and agree to adhere to said policies and rules prior to being granted the privilege of using this resource. Violations of the FBD policies and rules concerning this resource may result in revocation of the user’s privilege and may subject the user to disciplinary action.

Internet access will be provided to the students and staff in accordance with the terms of this policy. Internet access from FBD computers is reserved solely for educational purposes. Use by outside groups is prohibited. The FBD reserves the right to monitor all Internet activity including transmission and receipt of e-mail.

Section 10.02 Acceptable Use Amended October 4, 2019

The following are rules for the use of the FBD’s electronic information system. Use consistent with these rules is acceptable. Use which violates these or other FBD Flagstaff Bordertown Dormitory rules or policies or Navajo or other applicable law (including cyberbullying provisions) is unacceptable use which may result in loss of EIS privileges and/or disciplinary action.

- A. Assigned computer/Internet accounts must only be used for educational research and personal growth.
- B. Users are responsible for the proper use of their account and shall use only their own personal account number to access the electronic information service. Users

shall not allow any other person to use their account, nor give their account number to any other person, on or offline.

- C. Users shall not use the system to promote the use of drugs, alcohol or tobacco, nor deliberately promote unethical practices or practices which violate any law or FBD policy.
- D. Copyrighted material may not be placed on the system without the express permission of the author who must be credited for the material. Copyrighted material may be downloaded for users' use only.
- E. Users shall not read the other users' mail or files; they shall not attempt to interfere with other users' ability to send or receive electronic mail, nor shall they attempt to delete, copy, modify or forge other users' mail or files.
- F. Use of any other organization's networks or computing resources, including FHS and institutes of higher learning, must also comply with the rules of that network.
- G. Transmission of any material in violation of any federal, state or tribal law is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, cyberbullying or material protected by trade secret.
- H. Use for commercial activities, product advertisement or political lobbying is not permitted.
- I. Messages of a private or personal nature involving students, staff or other individuals are not permitted.
- J. Inappropriate use of electronic resources (i.e. piracy, torrent downloads) can also be a violation of Navajo Nation, state and federal laws, and a user can be prosecuted for violating those laws.
- K. Users granted access to the Internet through the FBD information system assume personal responsibility and liability, both civil and criminal, for uses of the Internet not authorized by FBD policy.
- L. No user shall access, transmit or re-transmit material which promotes violence or advocates destruction of property including, but not limited to, access to information concerning the manufacture of destructive devices such as explosives, fireworks, smoke bombs, incendiary devices or the like.
- M. No user shall access, transmit or re-transmit any information containing pornographic or other sexually oriented material (pornographic means pictures or writings that are intended to stimulate prurient or erotic feelings by the description or portrayal of sexual activity or the nude human form).

- N. No user shall access, transmit or re-transmit material which advocates or promotes violence or hatred against particular individuals or groups of individuals or advocates or promotes the superiority of one racial, ethnic or religious group over another.
- O. No user shall use or possess bootleg software (bootleg software means any software which has been downloaded or is otherwise in the user's possession without the appropriate registration of the software including the payment of any fees owing to the owner of the software).
- P. No user shall use encryption software from any access point within the FBD.
- Q. No user shall transmit credit card information or other personal information from an access point within the FBD.
- R. No person shall transmit e-mail through an anonymous e-mailer.
- S. No user shall access the Internet from the FBD access point using a non-FBD Internet account to bypass the content filter.
- T. No user shall commit or attempt to commit any wrongful act involving the use of the network which disrupts the operation of the network within the FBD or any network connected to the Internet including the use or attempted use or possession of computer viruses.
- U. No user shall use the electronic communication system for harassment or bullying, electronic or otherwise. Harassment/Bullying is defined as the persistent annoyance or disruption of another user, or the interference of another user's work. Harassment includes, but is not limited to, the sending of unwanted mail, messages, or chat apps.

Section 10.03 Use is a Privilege Amended October 4, 2019

The use of the FBD's electronic information system is a privilege, not a right, and inappropriate use may result in a cancellation of those privileges and further disciplinary action. The cancellation of this privilege may be appealed through the regular student appeal procedures for disciplinary actions less than a suspension and the staff appeal process for reprimands. Any staff member may recommend that the network administrator deny, revoke or suspend a specific student account. FBD reserves the right to confiscate all electronic devices during study hall. The network administrator shall, prior to denial, revocation or suspension of an account, inform the CEO of the network administrator's intended action in writing and may only take such action upon the CEO's approval.

Section 10.04 Mandatory Internet Filters Amended October 4, 2019

The FBD, through the Network Administrator and CEO, will equip the electronic information system available to users with software that seeks to prevent minors from gaining access to material that is “harmful to minors” or purchase Internet connectivity from an Internet service provider that provides filter services to limit access to material that is “harmful to minors.”

The continuing possibility of encountering offensive or harmful material via the electronic information system should be considered when applying for the privilege of using the electronic information system, when authorizing such use for one’s child or ward, and when using the electronic information system. FBD utilizes the BIE internet service provider and content filter.

Section 10.05 No Warranties

The FBD makes no warranties of any kind, express or implied, relative to the service it is providing through its electronic information system. The FBD will not be responsible for any damage a user suffers. This includes, but is not limited to, loss of data resulting from delays, non- deliveries or service interruptions whether caused by the FBD’s negligence or by the user’s errors or omissions. Use of any information obtained via the electronic information system is at the user’s own risk. The FBD specifically denies any responsibility for the accuracy or quality of information obtained through the electronic information system. All users must consider the source of any information they obtain and consider the validity of that information. Not all information obtained via the electronic information system is accurate or reliable, particularly where the advice of medical or legal or accounting or other professionals would be appropriate. Users are advised not to rely on advice found on the electronic information system. The FBD is not responsible for such advice. -

Opinions, advice, services, and all other information expressed on the electronic information system are those of the on-line authors and not of the FBD.

The FBD does not guarantee or imply that access to the electronic information system will always be available when users want access or that the software provided by the FBD will always work as intended. The FBD is not responsible for failures in the operation or technical functioning of the electronic information system, computers or software used to access the system.

Section 10.06 Network Etiquette and Privacy Amended October 4, 2019

You are expected to abide by the generally accepted rules of network etiquette. Failure to do so may result in loss of your electronic information system privilege and/or disciplinary action. The rules of network etiquette and privacy include, but are not limited to, the following:

- A. **Be polite.** Never send, or encourage others to send, abusive messages.

- B. **Use appropriate language.** Remember that you are a representative of our FBD on a non-private system. You may be alone with your computer, but what you say and do can be viewed worldwide. NEVER SWEAR, USE VULGARITIES OR ANY OTHER INAPPROPRIATE LANGUAGE. Illegal activities of any kind are strictly prohibited.
- C. **Privacy.** Do not reveal your home address or personal telephone number or the addresses or telephone numbers of students or colleagues.
- D. **Electronic mail.** Electronic mail (e-mail) is not private. Messages relating to or in support of **illegal** activities must be reported to the network administrator and local legal authorities.
- E. **Disruptions.** Do not use the network in any way that would disrupt the use of the network by others.
- F. **Other considerations.**
 - 1. Check for spelling errors and make sure your message is easy to understand and read.
 - 2. Use accurate and descriptive titles for your articles. Tell people what an article is about before they read it.
 - 3. Send your messages to only the most appropriate audience, not to “everyone.”
 - 4. Remember that humor and satire is very often misinterpreted and may not be funny to some people.
 - 5. If you post to multiple groups, specify all groups in a single message.
 - 6. Cite references for any facts you present.
 - 7. Forgive the spelling and grammar errors of others.
 - 8. Remember that all network users are human beings. Do not attack.
 - 9. Post only to groups you know.
 - 10. Video recording or taking photos of others without their consent is prohibited.

Section 10.07 Web Publishing Policies

- A. General statement of policy. It is clear that there are significant risks, as well as significant advantages, involved with allowing students to be identified on the Internet. Therefore, students should not be easily identifiable from materials they might publish on the Internet. No directory information should be posted on the Web for students whose parents have returned the form asking that such information not be released.
- B. Rules for Web publishing.
 - 1. Only a student's first name shall be used in any student published work.
 - 2. Pictures that are a part of student publishing shall not include identifying information.
 - 3. Under no circumstances may students' home address or phone number be included in any publication.
 - 4. If replies to published student work are appropriate, the FBD sponsor's e-mail address should be displayed, not the students.
 - 5. No student's name or picture will be published unless a parent/guardian has signed a release allowing publication.
- C. Closed forum. The FBD's Web site is a closed forum.
 - 1. Any Web site created by the FBD shall be a closed forum for FBD-use only to transmit information to the public. All Web pages created by staff, students and student organizations on the FBD's computer system will be subject to treatment as FBD sponsored publications. Accordingly, the FBD reserves the right to exercise editorial control over such publications. In addition to editorial control, staff and student work published on the Web must meet standards of spelling, grammar, adequate research and other qualitative measures.
- D. Links to third party sites.
 - 1. Any links to the FBD's Web site must be approved in writing by the network administrator and Chief Executive Officer.
 - 2. Links to areas allow you to leave the FBD-site. The link to sites are not under the control of the FBD, and the FBD is not responsible for the contents of any link sites. The FBD-is providing these links to you only as a convenience, and the inclusion of any link does not imply endorsement of the site by the FBD.

Appendix X-A

PERMISSION AND RELEASE TO PUBLISH STUDENT'S FIRST NAME AND/OR PICTURE ON THE INTERNET

As the parent or guardian of _____, I understand the benefits and risks of publishing works on the Internet. In consideration of the benefits of allowing my student to publish his/her work, first name and/or picture on the FBD's Web page, I hereby give permission for the student's a.) first name only to be published on the Web or b.) first name and photograph with no identifying information to be published on the Web.

a. _____

yes no initials

b. _____

yes no initials

Further, I accept full responsibility for the publication of the student's name and/or picture as set forth in the publication attached hereto and agree to release and hold the FBD harmless from any and all damages or injury to me or to the student arising from said publication.

Parent of Guardian (print)

Date _____

Parent of Guardian (signature)

Appendix X-B
FLAGSTAFF BORDERTOWN DORMITORY, INC.
USE OF COMPUTERS, THE INTERNET AND ELECTRONIC
MAIL AGREEMENT AND PERMISSION FORM

Flagstaff Bordertown Dormitory (hereinafter “FBD”) is pleased to offer students and staff (hereinafter jointly referred to as “Users”) access to a computer network for electronic mail and the Internet. To gain access to e-mail and the Internet, all Users must sign this Agreement and students must obtain parental permission as verified by the signatures on the form below. Should a parent prefer that a student not have e-mail and Internet access, use of the computers is still possible for more traditional purposes such as word processing.

What is possible?

Access to e-mail and the Internet will enable staff and students to explore thousands of libraries, databases, museums and other repositories of information and to exchange personal communication with other Internet users around the world. Families should be aware that some material accessible via the Internet may contain items that are illegal, defamatory, inaccurate or potentially offensive. While the purposes of the FBD are to use Internet resources for constructive educational goals, Users may find ways to access other materials. We believe that the benefits to students from access to the Internet in the form of information resources and opportunities for collaboration exceed the disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. Therefore, we support and respect each family’s right to decide whether or not to apply for access.

What is expected?

Users are responsible for appropriate behavior on the FBD’s computer network just as they are in their work, classroom or on FBD campus. Communications on the network are often public in nature. General FBD rules for behavior and communications apply. It is expected that Users will comply with FBD standards, and the specific rules set forth below. The use of the network is a privilege, not a right, and may be revoked and further disciplinary action may be taken if abused. The User is personally responsible for his/her actions in accessing and utilizing the FBD’s computer resources. The Users are advised never to access, keep or send anything that they would not want their supervisors, parents or teachers to see.

General conditions for use

Privacy – Network storage areas may be treated like FBD lockers. Network Administrators may review communications to maintain system integrity and ensure that Users are using the system responsibly and within the FBD’s policies and guidelines.

Storage capacity – Users are expected to remain within allocated disk space and delete e-mail or other material which take up excessive storage space.

Illegal copying – Users should never download or install any commercial software, shareware or freeware onto network drives or disks, unless they have written permission from the Network Administrator. Nor should students copy other people's work or intrude into other people's files.

Plagiarism – Plagiarism is prohibited. This includes submitting papers from the Internet written by another author and claiming it as your own. Copying another author's work is acceptable with proper citation.

Inappropriate materials or language – No profane, abusive or impolite language should be used to communicate, nor should materials be accessed which are not consistent with the rules of FBD behavior. A good rule to follow is never view, send or access materials which you would not want your supervisors, teachers and parents to see. Should users encounter such material by accident, they should report it to the facility maintenance manager or an FBD staff immediately.

Rules for usage

These are rules and guidelines to follow to prevent the loss of network privileges and/or disciplinary action.

1. Do not use a computer to harm or bully other people or their work.
2. Do not damage the computer or the network in any way.
3. Do not interfere with the operation of the network by installing illegal software, shareware or freeware.
4. Do not violate copyright laws. Copyrighted material may not be placed on the system without the express permission of the author who must be credited for the material. Copyrighted material may be downloaded for a user's use only.
5. Do not view, send or display offensive messages or pictures.
6. Do not share your password with another person.
7. Do not waste limited resources such as disk space or printing capacity.
8. Do not trespass in another's folders, work or files.
9. Adhere to the rules of netiquette set forth in the FBD's Internet policy.
10. Read and adhere to the FBD's Internet policy attached hereto.
11. Do not reveal your home address or personal telephone number or the addresses and telephone numbers of students, staff or colleagues.

12. Do notify an adult immediately if, by accident, you encounter materials which violate the Rules of Appropriate Use.
 13. BE PREPARED to be held accountable for your actions and for the loss of privileges and disciplinary action if the Rules of Appropriate Use are violated.
-

USER ACCEPTABLE USE AGREEMENT

USER NAME: _____

I understand that my computer use is not private and that the FBD will monitor my activity on the computer system.

I have read the FBD's electronic communications system policy and administrative regulations and netiquette guidelines and agree to abide by their provisions. I understand that violation of these provisions may result in suspension or revocation of system access and/or disciplinary action against me.

User's signature_____

Date _____

Network Administrator's signature_____

Date _____