



# 2023-2024 Student Handbook

## **Our Mission:**

*To empower all students, especially the academically underserved, with the educational support they need to reach their potential, succeed in life and realize the American dream.*

## Welcome

Welcome to the New America School – Las Cruces (NAS-LC). In order to support our students' success, we have continued to improve our policies to provide a safe learning environment. We expect **all** of our students to follow these guidelines as they earn their high school diploma. All staff members are dedicated to help students succeed.

### NAS-LC POLICY

School safety is a commitment shared by students, staff, parents, board members, and community partners. NAS-LC has developed a school code of behavior that underscores a respect for self and others. Student expectations are outlined and a grid of consequences for infractions has been developed. In addition, a Safe School Plan (SSP) has been developed for the school. SSPs are available for review in every classroom (red folders) and are continually modified to improve student safety. All NAS-LC staff members have been trained on all safety protocols aligned to New Mexico Public Education Department recommendations. School officials and staff respond appropriately, consistently and in a timely manner in dealing with safe school issues. Communication with parents and students will be ongoing.

### 2023-24 School Calendar

<b>July 18, 2023</b>	<b>First Day of School for Students</b>
<b>August 11, 2023</b>	<b>Parent-Teacher Conferences</b>
<b>Sept. 4, 2023</b>	<b>Labor Day, no school</b>
<b>Sept. 21, 2023</b>	<b>End of First Quarter (Finals)</b>
<b>Sept. 25-October 6, 2023</b>	<b>Break, No school</b>
<b>October 9, 2023</b>	<b>Second Quarter begins</b>
<b>November 20-24, 2023</b>	<b>Thanksgiving Break: Office and School Closed</b>
<b>December 14, 2023</b>	<b>End of Second Quarter (Finals)</b>
<b>December 15-January 3, 2023</b>	<b>Winter Break: School Closed. Office opens on January 2, 2024</b>
<b>January 4, 2024</b>	<b>Students Return and Third Quarter Begins</b>
<b>January 15, 2024 (MLK Day)</b>	<b>MANDATORY ATTENDANCE: Community Service Day</b>
<b>February 9, 2024</b>	<b>Parent Teacher Conferences</b>
<b>February 19, 2024</b>	<b>Presidents Day Holiday: Office and School Closed</b>
<b>February 29, 2024</b>	<b>End of Third Quarter (Finals)</b>
<b>March 4-15, 2024</b>	<b>Spring Break, No school</b>
<b>March 18, 2024</b>	<b>Fourth Quarter begins</b>
<b>April 1, 2024</b>	<b>Easter Monday, No school</b>
<b>May 29 and 30, 2024</b>	<b>Finals</b>
<b>May 31</b>	<b>Last day, release is after lunch at 12:30</b>
<b>End of June</b>	<b>Graduation</b>

**MANDATORY FRIDAYS (9) 8:30-2:30: AUGUST 25, SEPTEMBER 8, OCTOBER 13, NOVEMBER 3, DECEMBER 8, JANUARY 26, FEBRUARY 23, MARCH 22, APRIL 19**

**STAFF DIRECTORY**

<b>Office and Support Staff</b>	
Margarita Leza Porter, Principal	<a href="mailto:mporter@lcnas.org">mporter@lcnas.org</a>
Christina Montoya, Assistant Principal	<a href="mailto:cmontoya@lcnas.org">cmontoya@lcnas.org</a>
Sarah Baker, Academic Advisor	<a href="mailto:sbaker@lcnas.org">sbaker@lcnas.org</a>
Jack Fitzpatrick, IT	<a href="mailto:jfitzpatrick@lcnas.org">jfitzpatrick@lcnas.org</a>
Holly Cordova, Registrar/STARS	<a href="mailto:hcordova@lcnas.org">hcordova@lcnas.org</a>
Frances Gutierrez, Homeless Liaison	<a href="mailto:fgutierrez@lcnas.org">fgutierrez@lcnas.org</a>
Gena Trujillo, College Advisor	<a href="mailto:gtrujillo@lcnas.org">gtrujillo@lcnas.org</a>
Helen Diaz, Head of Security	<a href="mailto:hdiaz@lcnas.org">hdiaz@lcnas.org</a>
Lorena Cisneroz, Daytime Receptionist	<a href="mailto:lcisneroz@lcnas.org">lcisneroz@lcnas.org</a>
Jackie Macho, Front Desk-evenings /Cafeteria	<a href="mailto:jmacho@lcnas.org">jmacho@lcnas.org</a>
Elena Velasco, Social Worker	<a href="mailto:evelasco@lcnas.org">evelasco@lcnas.org</a>
<b>Teaching Staff</b>	
A. Hernandez , English Lang Arts	<a href="mailto:sbaker@lcnas.org">sbaker@lcnas.org</a>
N. Paz, English Lang. Arts/ESL	<a href="mailto:sdavey@lcnas.org">sdavey@lcnas.org</a>
R. Reyes, Math	<a href="mailto:rreyes@lcnas.org">rreyes@lcnas.org</a>
C. Serna, Math	<a href="mailto:cserna@lcnas.org">cserna@lcnas.org</a>
Science	
J. Medina, Social Studies	<a href="mailto:jmedina@lcnas.org">jmedina@lcnas.org</a>
N. Medina, Social Studies	<a href="mailto:nmedina@lcnas.org">nmedina@lcnas.org</a>
S. Dozier, SPED Teacher and Coordinator	<a href="mailto:sdozier@lcnas.org">sdozier@lcnas.org</a>
M. Stine, Art teacher	<a href="mailto:mstine@lcnas.org">mstine@lcnas.org</a>
S. Ochoa, Digital Media	<a href="mailto:sochoa@lcnas.org">sochoa@lcnas.org</a>
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K. Myers, Ethnic Studies/Grad Specialist	<a href="mailto:kmyers@lcnas.org">kmyers@lcnas.org</a>
S. Solis, EA/Intern Coordinator	<a href="mailto:ssolis@lcnas.org">ssolis@lcnas.org</a>
J. Berroteran, Daycare Director	<a href="mailto:jberroteran@lcnas.org">jberroteran@lcnas.org</a>
J. Porter, Assistant Daycare Director	<a href="mailto:jporter@lcnas.org">jporter@lcnas.org</a>

**CLASS SCHEDULE**

Period	Time (57 min core class)	SNOW Day (44 min class)
1 <sup>st</sup> Period	8:30-9:27 am	No breakfast will be served
2 <sup>nd</sup> Period	9:30– 10:27 am	1 <sup>st</sup> Period 10:30-11:14
3 <sup>rd</sup> Period	10:30 – 11:27 am	2 <sup>nd</sup> period 11:17-:12:01
Lunch Served	11:27– 11:57 pm	Lunch 12:04-12:35
4 <sup>th</sup> Period	12:00-12:25 pm HOMEROOM	3 <sup>rd</sup> Period 12:38 – 1:22
5 <sup>th</sup> Period	12:28 – 1:25pm	4 <sup>th</sup> Period 1:25- 2:09
6 <sup>th</sup> Period	1:38-2:25	5 <sup>th</sup> Period 1:12- 2:56
7 <sup>th</sup> Period	2:33 – 3:30 pm	6 <sup>th</sup> Period 2:59- 3:43
8 <sup>th</sup> Period	3:33 – 4:30 pm	7 <sup>th</sup> Period 3:46-4:30
10 <sup>th</sup> Period/11 <sup>th</sup>	5:30 – 7:15 pm Semester I	5:30 – 6:57 pm Semester 1
12 <sup>th</sup> period/13 <sup>th</sup>	5:30 – 7:15 pm Semester II	5:30 – 6:57 pm Semester II

**Inclement Weather:** Please listen to the radio, 103.1 or 104.9 for inclement weather. We will follow Las Cruces Public Schools’ hours during inclement weather.

**Breakfast and Lunch:** Students aged 18 and under are eligible for a FREE breakfast/lunch through the Community Eligibility Program or through Seamless Summer Option.

**STUDENT SCHEDULES**

As the NMPED has increased the number of hours a student is in class, New America School will increase instructional time. First period begins at 8:30 sharp. Students will be marked tardy once class begins. This is important for weekly incentives. There is no tardy bell. NAS-LC is committed to our students’ safety; therefore, we ensure that students over the age of 19 do not attend class with minors, unless they are special education students. Students will be scheduled to attend class according to their age. All students under the age of 18 will attend school during the day (8:30am-4:30 pm). Students who are 19 and older will attend class from 5:30pm -7:15pm. Students over 22 on the first day of school will need to meet with the Superintendent and Dean of Students to create an academic plan if it is possible to graduate within one or two years of attending night school.

**ABBREVIATED (DUE TO WEATHER) DAY**

NAS-LC will follow the Las Cruces Public Schools’ (“LCPS”) schedule on days where weather prevents school from beginning on time or where an early release is ordered. Parents should stay tuned to the available news media on days of inclement weather. If weather conditions worsen during the day and the School is directed to close early, NAS-LC will notify parents by phone or other means of communication to come pick up their student(s).

The following emergency procedures will be followed at NAS-LC in the event of early dismissal due to inclement weather or other unforeseen event which necessitates closing the school early:

- Parents will be notified by phone and through the local media that students will be dismissed early.
- We will keep students at a safe place at the school site until parents or their listed designee arrives for them, i.e., relative, friend, etc.
- If the parent cannot be reached, the designee will be contacted at the emergency telephone number listed on the enrollment card.
- If we are unable to contact anyone listed on the enrollment card, we will refer to the information requested on the attached Early Dismissal Release Form.
- Teachers will request identification of any person they do not recognize as the parent or designee before releasing the student.

It is important to realize that under some emergency situations, it may not be possible to notify everyone by telephone, but we will do our very best with your cooperation. Your assistance is necessary in order to have a safe and orderly dismissal.

**STUDENT SERVICES**

NAS-LC provides assistance to students at all levels of ability and achievement, primarily through contractors such as our school psychologist, social worker, counselor interns, the assessment coordinator, Academic Advisor, Attendance Success Coach, and the College Navigator. All of the listed professionals provide a strong program in personal, academic, college, and vocational counseling; short-term psychological counseling, testing, regular attendance and referrals; and the administration of standardized tests and the interpretation of test scores to students, teachers and parents.

**ACADEMIC ADVISING OFFICE**

The academic advising office provides the planning and monitoring of student's academic programs and progress, assists students who experience academic or personal difficulties, and stresses decision making, self-advocacy and personal responsibility. The office also has information on universities, the application process, financial aid, scholarship services, and adjusting to university life. Students or parents who wish to discuss university plans or wish to discuss any academic or personal difficulties should feel free to make an appointment with the school's academic advisor.

### **CONFERENCES**

Parent Conferences are held twice a year on August 11, 2023 and February 9, 2024. This provides parents the opportunity to discuss their child's progress with all of his or her teachers. If a parent would like to meet with our advisor, principal, or teacher at any other time during the school year, please call the school to make an appointment. On an as needed basis, individual teachers may request to meet with a parent and student.

### **GOVERNING COUNCIL**

The NAS-LC Governing Council makes policy decisions concerning the school and interviews and hires the Superintendent/Principal for her position. The members of the governing council operate according to council bylaws. The council members are volunteers who oversee the operation of the school and ensure that NAS-LC's charter goals and mission are carried out. Regular meetings are held on the second Thursdays of each month at 5pm (unless otherwise indicated) . Notices of the Governing Council meetings will be posted on the website, at the school and/or advertised on our website and on the school front door. Meetings are offered in-person and virtually.

Parents and other community members who are interested in serving on the Governing Council should contact a Governing Council Member. All parents are encouraged to attend Governing Council meetings as a way to keep informed about our school. Often committees are formed to carry out specific functions and parent and community participation is encouraged.

### **MEDICATIONS POLICY**

Diagnosis, treatment of illness, or prescribing drugs and medications are never responsibilities of a school and should not be practiced by any school personnel. School personnel will dispense only medications that have been prescribed by a physician. When possible, medication doses should be given at home to avoid interruptions in the school day. If medication is needed during the school day, the policy is as follows:

*1. Inform.* Parents/guardians must inform the nurse or administrator when a pupil requires medications during the school day. Students observed by school personnel self-administering unauthorized medications shall be reported to their parents/guardians.

*Written Permission.* A written statement is required from the parent/guardian and physician authorizing the administration of all medications and releasing school personnel from liability should reactions result from the medication. The written statement must include the student's name, diagnosis, name of medication, dose, time to be given, and signatures of parent/guardian and physician. Forms are available from the office.

*2. Labeled Containers.* Medication must be provided in pharmacy labeled containers that indicate pharmacy name and telephone number, student's name, physician, name and dosage of medication. The dispensing pharmacy must split medication into duplicate bottles if it is necessary to give medication during school hours. One bottle will be kept at home and the other at school under the care of school authorities.

*3. Administration.* A nurse will administer prescribed medication. In the absence of the nurse, the medication will be dispensed by an administrator. Students will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency (See additional requirement below).

*4. Doctor's Orders.* Tylenol or other over-the-counter medicines will be administered to students only with a physician's written order in addition to the parent authorization as required above. Such over-the counter medication must be in the original container. Again, parents are urged to administer such medication at home when possible.

*5. Disposal.* When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

### **MEDICAL CANNABIS POLICY**

Pursuant to the New Mexico Medical Cannabis in Schools Act ("Act"), qualified students certified for use of medical cannabis pursuant to the Lynn and Erin Compassionate Use Act who require medical cannabis as a reasonable accommodation necessary for the student to attend school may be administered medical cannabis before attending school, or at NAS-LC. Medical cannabis may be administered at School only if:

1. A written treatment plan for the administration of the medical cannabis is agreed to and signed by the Principal or designee, and by the qualified student's parent or legal guardian; and
2. Before the first administration of medical cannabis in a school setting, the qualified student's parent or legal guardian completes and submits documentation to the Principal that includes a:
  - a. Copy of the qualified student's written certification for use of medical cannabis pursuant to the Lynn and Erin Compassionate Use Act from a certifying practitioner; and
  - b. Written statement from the qualified student's parent or legal guardian releasing the school and school personnel from liability (see Principal for copy of required form), except in cases of willful or wanton misconduct or disregard of the qualified student's treatment plan.

Only the following NAS-LC personnel may administer medical cannabis to qualified students: Principal, Assistant Principal, or Health Assistant. Administration and use of medical cannabis in a school setting is not authorized, and being under the influence of cannabis in a school setting is not authorized, where the student is not a qualified student pursuant to the Lynn and Erin Compassionate Use Act who requires medical cannabis as a reasonable accommodation necessary for the student to attend school, where the student's performance/behavior at school/school activities is adversely affected by such use, where it may pose a danger to other students, and/or where it disrupts or has the potential to disrupt the educational process. A student shall not possess, store, or self-administer medical cannabis at a school setting or at a School-related activity. A parent, legal guardian, and/or designated school personnel shall not administer medical cannabis at a school setting or during a school-related activity in a manner that creates disruption to the educational environment or causes other students to be exposed to medical cannabis.

Violation/misuse of this policy shall be considered possession use of an unlawful substance on campus, and shall be disciplined accordingly. Student possession, use, distribution, sale or being under the influence of a cannabis product in a manner inconsistent with this policy is banned.

As used in this section:

- i. "certifying practitioner" means a health care practitioner who issues a written certification to a qualified student;
- ii. "designated school personnel" means a school employee whom MCS authorizes to possess, store and administer medical cannabis to a qualified student in accordance with the Act;
- iii. "medical cannabis" means cannabis that is:
  - a. Authorized for use by qualified patients in accordance with the provisions of the Lynn and Erin Compassionate Use Act; and
  - b. In a form that is not an aerosol and cannot be smoked or inhaled in particulate form as a vapor or by burning;
- iv. "qualified student" means a student who demonstrates evidence to the Principal that the student is authorized as a qualified patient pursuant to the Lynn and Erin Compassionate Use Act to carry and use medical cannabis in accordance with the provisions of that act;
- v. "school setting" means any of the following locations during a school day:
  - a. A school building;
  - b. A school bus or activity vehicle used within the state during, in transit to or in transit from a school-sponsored activity;
  - c. A public vehicle used within the state during, in transit to or in transit from a school-sponsored activity in the state; or
  - d. A public site in the state where a school-sponsored activity takes place;
- vi. "written certification" means a statement in a qualified student's medical records or a statement signed by a qualified student's certifying practitioner that, in the certifying practitioner's professional opinion, the qualified student has a debilitating medical condition and the certifying practitioner believes that the potential health benefits of the medical use of cannabis would likely outweigh the health risks for the qualified student. A written certification is not valid for more than one year from the date of issuance.

This policy is subject to change in accordance with regulations subsequently adopted by the NMPED. Approved 7/2023

**SELF-ADMINISTRATION OF CERTAIN DRUGS.** Students will be allowed to carry and self-administer asthma medication, emergency anaphylaxis medication, and/or equipment and supplies for storage and disposal of sharps for self-assessment and for self-administration of diabetes treatment medications, if it has been legally prescribed to the student by a health care provider under the following circumstances:

1. The health care provider has instructed the student in the correct and responsible use of the medication;
2. The student has demonstrated to the health care provider and the school nurse or other school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;
3. The school nurse or health care provider, within input from the parent or guardian and based on the student's health care practitioner's medical orders, has formulated a written treatment plan for managing the student's care and for medication use by the student during school hours or school-sponsored activities, including transit to or from school or school-sponsored activities; and
4. The student's parent has completed and submitted to the school any written documentation required by the school, including the treatment plan required in paragraph (3) above and a statement relieving the school and its employees and agents from liability arising from the performance the student's self-administration, carrying or storage of medication, supplies and medication-administration equipment.

The parent of a student who is allowed to carry and self-administer asthma medication, emergency anaphylaxis medication, or diabetes medication/equipment may provide the school with backup medication and equipment that shall be kept in a location to which the student has immediate access in the event of an asthma, anaphylaxis or diabetes emergency.

**THE SCHOOL SHALL NOT BE LIABLE AS A RESULT OF ANY INJURY ARISING FROM THE PERFORMANCE OF SELF-ASSESSMENT PROCEDURES AND THE SELF-ADMINISTRATION OF MEDICATION NOR FROM ANY INJURY ARISING FROM THE STUDENT CARRYING AND, IF APPLICABLE, DISPOSING OF THE MEDICATION OR SUPPLIES NEED TO ADMINISTER MEDICATIONS.**

## **MEDICAL SITUATIONS AND EMERGENCIES**

- *Emergencies.* In the event of a medical emergency or an accident, we will first attempt to contact the parent/guardian or the doctor of the student, unless NAS-LC determines that the circumstances merit contacting 911 for emergency response. After 911 is called, the school will make every effort to reach the student's parent/guardian, or other emergency contact prior to treatment, however, this may not always be possible. For this reason, it is absolutely necessary that all contact information on the "Permission for Medical Attention" be completed and kept current.
- *Staff Aid.* Staff members are encouraged to have current first aid and CPR certification. Should first aid be needed, a first aid-certified staff member or other person assigned to take care of a particular situation will administer first aid or give instructions for proper care. All staff members will follow these instructions carefully.
- *Incidents at School/Reports Home.* Health office visits will be charted and nurse pass slips describing the nature of health-related visits will be sent home with students. Minor accidents (e.g., bruises, scratches, bumps, cuts, scrapes, etc.), which can be taken care of by staff members, will be attended to immediately. The staff member will document the accident on an "Accident Report" form. The staff member will sign the form and submit it to a school administrator for review and signature. A copy will be placed in the parent's file and in the student's file. Parents will be notified of any situation that involves trauma to the head
- *Accidental Poisoning.* In the case of poisoning, the staff member will call Poison Control immediately and follow their instructions carefully. Parents will be notified and an "Accident Report" written. A first aid kit is readily available and all emergency numbers are posted.

**EXCUSE FROM PHYSICAL EDUCATION** Please send a request to the teacher if your student needs to be excused from physical education. Written instructions are required from the student's physician if the student is to be excused for more than two days, and must include a re-entry date.

**PROTECTION OF STUDENTS** Use or administration of medication on school premises may be disallowed or strictly limited if it is determined by the Principal, in consultation with medical personnel, that a threat of abuse or misuse of the medicine may pose a risk of harm to a member of the student population.

The student shall take extraordinary precautions to keep secure any medication or drug, and under no circumstances shall make available, provide, or give the item to another person. The student shall immediately report the loss or theft of any medication brought onto school campus. Violation of this rule may subject the student to disciplinary action.

**ILLNESSES/CONTAGIOUS DISEASES.** For the protection of all students, your student should be kept at home if he/she has any of the following symptoms: fever, diarrhea, vomiting, a rash, nasal discharge, or discharge from the eyes or ears. Parents should exercise every caution and keep their student home should other unusual symptoms occur. If a student becomes ill while at school, a parent will be called to pick up the student immediately.

If your student has been exposed to a contagious disease, he/she should be kept at home and the occurrence of his/her condition should be reported to the school immediately. COVID-19, chicken pox, ear infections, giardia, hepatitis, measles, mumps, scarlet fever, strep, and viral infections are among those conditions categorized as "highly contagious".

### **CHANGE OF RESIDENCE/EMERGENCY INFORMATION**

It is the responsibility of parents, guardians, and students over 18, to inform the school of any change of address, email, telephone number or emergency information. Parents must provide a manner to receive both written (U.S. Mail, electronic mail) and oral communication (telephone, cell) regarding their student. For the protection of the student's health and welfare, and to facilitate immediate communication with the parent/legal guardian or caregiver, NAS-LC requires the parent/legal guardian to provide current emergency information to the school. Every parent/legal guardian must complete the emergency information form for each student at the time of enrollment. Emergency information should include, but is not limited to the following:

- Home address and current telephone, including cell phone
- Employment/business addresses and phone numbers
- Relative/Friend's name, address, and telephone numbers authorized to pick up and care for the student in an emergency situation, if the parent/legal guardian cannot be reached. Parents of students with disabilities should also have the name of any other designated adult who can receive their child in case of an emergency. Students will not be released to anyone not listed on the emergency card unless the parent/legal guardian has provided written authorization on a case by case basis. Parents are required to update this information as soon as it is changed. The school will not be responsible for any failure to update contact information.

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### **IMPORTANT NOTICE INFORMATION**

**A. PARENTS' RIGHT TO KNOW ABOUT TEACHERS' CREDENTIALS.** Upon request, parents shall be notified of the professional qualifications of their child's teacher in core academic subjects. This information includes:

- The type of credential the teacher holds.
- The teacher's college degree(s) and major(s).

A parent may also request information regarding the professional qualifications of a teacher assistant who provides services to his/her child. Additionally, schools must provide timely notice to the parents of a child who has been assigned to, or has been taught in, a core academic subject for four or more consecutive weeks by a teacher who does not meet the "highly qualified" teacher requirements

**B. RESTITUTION/PARENT LIABILITY.** New Mexico Statutes Annotated §32A-2-27 provides that any act of willful misconduct of a minor which results in any injury to the property or person of another shall be the responsibility of the parent or guardian having custody and control of the minor for all purposes of civil damages, and the parent or guardian having custody and control shall be liable for any damages resulting from the willful misconduct not to exceed \$4,000.

**C. SCHOOL AND PUPIL RECORDS: FEDERAL AND STATE LAWS AFFECTING FAMILY EDUCATIONAL RIGHTS AND PRIVACY.** The Family Educational Rights and Privacy Act (FERPA) affords parents, students over 18 years of age ("eligible students"), and those with custodial rights certain rights with respect to the student's education records. The privacy of school records is protected by federal and state laws which cover nearly every type of pupil record maintained by the school. Such records might include information about attendance, health, grades, behavior, athletic ability, or activities in class. The law generally prohibits the release of pupil records information without written consent of the parent, guardian or adult student (18 years or older). Records or information maintained by the school official exclusively for personal reference or use are not considered pupil records and are not subject to federal and state privacy laws. Unless otherwise prohibited by law, any natural parent, adopted parent, or legal guardian may have access to and review the pupil records of their child. School, school district, and state employees and officials who have a legitimate educational interest have a right to access pupil record information without the consent of the parent or student. A "legitimate educational interest" is defined as a need for the employee/official to access pupil record information in order to perform his/her job duties. In general, other individuals or agencies may be authorized to access, review and /or obtain pupil records by court order, parent/guardian consent, or by statute.

The School provides the following notice regarding those rights:

- *Inspection* - You may inspect and review the student's education records within 45 days of the day the school receives a written request for access. Parents/guardians of students should submit to the Principal or designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- *Amendment* - You may request the amendment of your student's education records if you believe they are inaccurate or misleading. To amend the record, the parent should write to the Principal and clearly identify the part of the record the parents want changed, and specify why it is inaccurate or misleading. If NAS-LC decides not to amend the record as requested by the parent or eligible student, NAS-LC will notify the parent of the decision and advise of the parent's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent when notified of the right to a hearing.
- *Disclosure/Consent* - A parent or student over the age of 18 has the right to consent to disclosures of personally identifiable information contained in the student's education records. Note that FERPA authorizes disclosure without the parent's consent to school officials with legitimate educational interests. A "school official" is a person employed by NAS-LC as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Governing Council; a person or company with whom NAS-LC has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- *Directory Information - Right to Opt Out.* NAS-LC classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, dates of attendance, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. **Any parent or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the principal of the school where the records are kept by no later than September 15 each year.** The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received by September 15 of each year, information designated above will be classified as Directory Information until the beginning of the next school year. ***By signing that you received this policy in connection with the Student/Family Information Book, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.*** If you chose to opt out for permitting your student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook.
- *Complaint* - You have the right to file a complaint with the U.S. Department of Education concerning alleged failures by SCHOOL to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

### **DRUG/TOBACCO FREE SCHOOL**

No student, staff member or school visitor is permitted to use any tobacco product at any time while on campus, including non-school hours:

- in any building, facility, or vehicle owned, leased, rented or chartered by the NAS-LC
- on any school grounds and property – including parking lot, patios – owned leased, rented or chartered by NAS-LC; or
- at any school-sponsored or school-related event on-campus or off-campus.



Any tobacco product found in the student's possession will be immediately confiscated and either disposed of (if the student is a minor) or returned at the end of the school day. **Definition of Tobacco Products and Tobacco Use:** "Tobacco product" is defined to include cigarettes, e-cigarettes, cigars, pipes, chewing tobacco, snuff, vapes and **any other items containing or reasonably resembling** tobacco or tobacco products. "Tobacco use" includes smoking, chewing, dipping, or any other use of tobacco products. Any products containing THC in any form, will constitute a suspension and a possible law officer to be called.

There have been an increasing number of vaping incidents during school. On the first infraction of vaping, parents will be notified and the student will be placed on a behavior contract. Upon the second incident, the student will be suspended for 3 days and the student will be ineligible for any incentives.

### **PARKING AND DRIVING ON CAMPUS**

Any vehicles driven to school by students must be parked in the designated student parking areas and must be registered in the administrative/security office. The parking area is provided as a convenience for students who drive to school, and the privilege is conditioned on the student's adherence to the school's rules/regulations. Students desiring to park in the student parking lot may do so only so long as they comply with rules/regulations and normal safe driving procedures and only after presenting a registration, proof of insurance and driver's license to the schools administrative/security office. Failure to comply with rules/regulations is sufficient cause for removal of the student's vehicle from the school parking area, either temporarily or permanently. Vehicles parked on school property are subject to the search and seizure provisions of this handbook. The school reserves the right to have the student's vehicle towed at the student's expense. Students are not to loiter in or around their cars. The school assumes no responsibility for the vehicles or their contents.

- Parking lot speed limit is 5 mph.
- Parking stickers are \$10 and students must purchase one to park in the NAS parking lot.
- Speeding/Hazardous Driving/Parking in Unassigned Areas will result in removal of parking privileges.
- Repeated offenses will result in loss of parking privileges and towing of vehicle.

### **DELIVERIES**

Because NAS-LC is a closed campus, deliveries of flowers, candy, food, balloons, etc., to campus are not allowed. These items are distractions to the learning environment and are burdensome for students to carry. If any deliveries are made, it will remain in the office until the end of the day. Please be aware that latex balloons are NEVER permitted on campus. Some of our students and staff are allergic to latex and any exposure could be life threatening. **Food items being delivered are not allowed due to NAS-LC's participation in the Federal Food Program. This includes drop off from parents. Students are encouraged to bring their lunch with them as they begin school.** If these items are received, students will not be permitted to accept them until the end of their class day.

### **FOOD AND DRINKS IN CLASS**

Food and drinks in class have become an issue during instructional time. Our policy is that no food items are to be in any classroom. Any food and drink items will be kept in the front office.

NAS allows water. This is also a healthier choice. NAS has created a snack time, at 2:30pm to allow students a 10-minute break to have a snack or have their beverage. Students are encouraged to bring their own snacks.

### **SUICIDE THREATS/ATTEMPTS**

If a student demonstrates any suicidal tendencies (verbal or other signs), NAS-LC staff will keep student under close observation until a trained professional in mental health services arrives. Staff receives training on suicide prevention.

Parents/guardians shall be notified if school staff receives any information regarding a student suicide threat. NAS-LC staff will abide by the following guidelines when they identify a suicidal student:

- Take suicide threats seriously.
- Remain with the person until help is obtained.
- Seek immediate help from a trained professional.

**Please refer to New America School-Las Cruces safety plan manual that is available at our front office and in each classroom for further information on fire drill procedures, evacuations, and other emergency safety procedures. Please note that in case of an evacuation for any emergency situation, students and staff will meet at the Rio Grande Theatre.**

### **ADMISSION**

For information concerning enrollment or the lottery process, please refer to the Admission Section of our school website ([www.lcnas.org](http://www.lcnas.org)). NAS-LC does not discriminate against any student based on race, gender, religious affiliation, national origin, ethnicity, physical or mental disability, sexual orientation, or on any other legally protected basis. The school is nonsectarian in its programs, admission policies, and employment practices.

### **REGISTRATION/ENROLLMENT**

All students must be in compliance with state immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before starting school. Exemptions are permitted for medical reasons or due to the conscientiously held beliefs of the parent/guardian. Proof of an exemption must be provided in lieu of immunizations records to be allowed to enroll.

Once all applicable forms are completed and returned to the school, your student's registration will be deemed completed and you will be notified if he/she is officially enrolled. Please contact the office as soon as possible with any change of address, contact information, emergency information, custody modification orders or phone numbers.

### LANGUAGE USAGE SURVEY

Each student entering NAS-LC for the first time must complete a Language Usage Survey. The survey form, needs to be answered concerning the student's language, is a part of the enrollment packet. If a student answers "yes" to any one of the three questions on the survey, the school will assess the student's English proficiency to determine eligibility for services. Please contact the school's principal for more information on the English Language Learner program at NAS-LC.

### PARENT CUSTODY

When parents are separated or divorced, it is recommended that parents provide the school with a signed and certified court order defining custody and visitation rights. When parents share custody, i.e. have "joint custody," each parent has the right to access and to receive copies of school records and information, to attend conferences, and to be informed about the student's welfare, educational progress, and status. In the absence of a certified court order defining parental rights otherwise, the School will assume that parents share custody.

The custodial parent(s) are responsible for:

- providing a copy of the signed and certified court order to the school; and
- providing the school with any revisions/updates to the court order that affect custody, visitation, or student record-access rights.

The school is responsible to:

- maintain a copy of the relevant sections of the court order;
- inform appropriate school personnel of the provisions or restrictions in the court order; and
- abide by the provisions and/or restrictions ordered, and the non-custodial parents requests that are consistent with the order.

The school is not required to hold a separate conference for each parent. Please be sure that the school has appropriate contact information for both parents to ensure consistent communications. Unless prohibited by a certified court order presented to the school, **and upon request**, the school will:

- send duplicate correspondence to the non-custodial parent **or both custodial parents**;
- arrange for review of school records by the non-custodial parents;
- keep non-custodial parents apprised of major school events.

### FOUR YEAR PLANS & GRADUATION REQUIREMENTS

The New Mexico law requires that every New Mexico high school student complete a "next step plan" each year. Next Step plans begin as students are registering for the ninth grade. The plan lays out the courses that the student plans to take over the next four years to reach graduation requirements and college entrance requirements, if applicable. The school will assist students in preparing next-step plans. Below are the minimum graduation unit requirements prescribed by the New Mexico Public Education Department: **\*Please note that individual graduation requirements will be addressed by Academic Advisor if graduation requirements are not outlined below.**

As stated in PED 22-13-1.1. Graduation requirements.

J. Successful completion of the requirements of the New Mexico diploma of excellence shall be required for graduation for students entering the ninth grade beginning in the 2009-2010 school year. Successful completion of a minimum of twenty-four units aligned to the state academic content and performance standards shall be required to earn a New Mexico diploma of excellence. These units shall be as follows:

- (1) four units in English, with major emphasis on grammar, nonfiction writing and literature;
- (2) four units in mathematics, of which one shall be the equivalent to or higher than the level of algebra 2, unless the parent submitted written, signed permission for the student to complete a lesser mathematics unit; and provided that a financial literacy course that meets state mathematics academic content and performance standards shall qualify as one of the four required mathematics units;
- (3) three units in science, two of which shall have a laboratory component;
- (4) three and one-half units in social science, which shall include United States history and geography, world history and geography, government and economics and one-half unit of New Mexico history;
- (5) one unit in physical education, as determined by each school district, which may include a physical education program that meets state content and performance standards or participation in marching band, junior reserve officers' training corps or interscholastic sports sanctioned by the New Mexico activities association or any other co-curricular physical activity;
- (6) one unit in one of the following: a career cluster course, workplace readiness or a language other than English; and

(7) seven and one-half elective units that meet department content and performance standards. Career and technical education courses shall be offered as an elective. Student service learning shall be offered as an elective. Financial literacy shall be offered as an elective. Pre-apprenticeship programs may be offered as electives. Media literacy may be offered as an elective.

**Requirement:** 4 credits of English with major emphasis on grammar, nonfiction writing, and literature.

**Options:** English Language Arts (ELA) 1 (1001)/English Language Arts (ELA)-English Language Development (ELD) I (1064)\*\* , ELA 2 (1002)\*\*/ELA-ELD II (1065), ELA 3 (1003)/ELA-ELD III(1066)\*\* , ELA 4 (1004)/ELA-ELD IV (1067)\*\* , SREB Literacy Ready (1037). AP and IB courses covering the required content are also permitted.

**Requirement:** 4 credits of math in high school, one of which shall be the equivalent to or higher than the level of Algebra II

**Options:** Algebra I, Geometry, Algebra II, Applied Math, Probability and Statistics, Algebra II/Trig, Financial Literacy, Integrated Pathway: Math I, Integrated Pathway: Math II, Integrated Pathway: Math III, AP Courses, IB courses, and courses at a higher level than Algebra II.

**Computer science:** Computer Science A, Computer Science Principles, Fractal Mathematics, Mathematical Modeling, Scientific Technologies.

**Requirement:** 3 credits of science, two of which must have a laboratory component.

**Options:** Secondary courses under STARS codes in the 1700s (includes AP and IB courses)

**Computer science:** Computer Science A, Computer Science Principles, Fractal Mathematics, Mathematical Modeling, Scientific Technologies

**Requirement:** 3.5 credits to include US History and Geography, World History and Geography, Government and Economics, and 0.5 credit of NM History.

**Requirement:** one course 0.5 credit of Health

Credit may be earned either as an elective unit above (E) or as completed in Middle School (MS).

### **DUAL ENROLLMENT**

NAS-LC has a dual enrollment agreement with Dona Ana Community College. Dual enrollment provides an opportunity for high school students to take college level courses while still attending high school. Dual enrollment courses may only be taken for elective credit; however, college grades are reflected on a college transcript as well. In accordance with our agreements with this institution, students may not take a dual enrollment course to meet a core graduation requirement or take a course that is already offered at high school. These college credits earned at DACC results in 1 high school elective credit being awarded toward graduation. Tuition at these colleges is waived. To qualify students must: **a.** be juniors or seniors **b.** maintain a 2.0 grade point average or above **c.** maintain a 2.0 grade point average or above once enrolled in a dual credit course to continue in the program.

Distance learning fees, course/lab fees, and transportation costs are the responsibility of the student. Students are eligible for dual enrollment beginning as juniors. Eligibility requirements to enroll in dual enrollment course are established by the post-secondary institution and vary with the institution and the desired course. It is the student's responsibility to provide NAS-LC registrar with an official college transcript to get the course included on the student's NAS-LC transcript. *Students must see the Academic Advisor to obtain approval prior to enrolling in any dual enrollment course.*

### **CREDIT RECOVERY/DISTANCE LEARNING/CORRESPONDENCE COURSES**

Students must request prior approval from their Academic Advisor and complete an "Off Campus Course Agreement" form signed by the student, parent and Academic Advisor before enrolling in any off-campus course if the student expects the course to qualify for credit toward graduation at NAS-LC. Students must have a full schedule to take a distance learning/correspondence course. NAS-LC requires that the final exam be supervised by certified school personnel and be earned from an accredited school. NAS-LC reserves the right to evaluate a course before credit is given. NAS-LC must receive an official transcript for the course to meet graduation credit requirements. Institutions charge a fee for this service.

### **REMOTE LEARNING AND HYBRID**

As the pandemic changed our society, NAS-LC has also changed the policy of the learning environment. For the next 5 years, students have the opportunity to select the best setting that fits their learning style. NAS-LC is offering the following: fully in-person, fully remote learning and hybrid learning. If a student chooses remote or hybrid learning, a meeting with the student, parent (if student is a minor), and the counselor will be held in which a contract will be signed by all parties. This contract is binding and holds all parties accountable for staying on track and maintaining passing grades. The contract will also include the expectations of the technology each student may receive. The student may check-out a laptop and/or hotspot in order to independently work on their courses. At the end of each progress reporting period

(approx. 4 weeks into the quarter), a review of all online classes will occur. The Academic Advisor will make a determination of the student's progress and success. If the student is not on target with either, the recommendation will be to return to fully in-person learning.

**Fully remote setting:** students will be issued three online classes on Edgenuity. The student is expected to stay on target that is set by the program. Students may reach out to the school during the remote learning office hours. All classes must be completed by semester's end. NAS-LC requires that the final exams/cumulative exams to be completed on-campus and be supervised by certified school personnel. This ensures the validity of academic honesty.

**Hybrid setting:** students will be issued three in-person classes and only one additional online classes on Edgenuity. The student is expected to stay on target that is set by the program. Students may reach out to the school during the remote learning office hours. All classes must be completed by semester's end. NAS-LC requires that the final exams/cumulative exams to be completed on-campus and be supervised by certified school personnel. This ensures the validity of academic honesty.

### **GRADING POLICY**

Grades for all courses are percentage-based. Grades are issued each quarter based on the following standards:

100 – 90%	A = 4.0 GPA	Superior
89 – 80%	B = 3.0 GPA	Above Average
79 – 70 %	C = 2.0 GPA	Average
69 – 60 %	D = 1.0 GPA	Below Average
59 – below	F	Failing
	I	Incomplete
	WNC	Withdrawal No Credit

### **HOMEWORK POLICY**

Homework assignments are designed to reinforce classroom instruction and to promote good study habits and skills. Assignments must be completed and submitted as directed by teachers. At the beginning of each semester, teachers will inform students in writing of their homework policies. Occasional failure to complete assignments will be addressed by the teachers. Repeated offenses will be reported to parents and may result in a failing grade. Please see Attendance policy for further details.

### **TEXTBOOK CHECK-OUT POLICY**

Textbooks may be checked-out from teachers when needed for make-up work due to illness or extensive excused absences. The student must complete the "Textbook Check-out Form". If a student does not return the textbook, he/she will be charged for the cost of the textbook. Transcripts, report cards and diplomas will be held until all charges have been paid.

### **POLICY PROHIBITING RACIALIZED AGGRESSION**

*Racialized Aggression* – racialized aggression (defined broadly as hostility/aggression toward, or denigration/invalidation of, a different racial group or member(s) thereof) involving any student or school personnel, is strictly prohibited. When statewide hotline is established/available, add link on school website to statewide hotline for reporting racial incidents/aggression.

Ref: NMSA 1978 §22-5.4.3; Black Education Act, NMSA 1978 §22-23C-1 et seq.

### **STUDENT DENTAL EXAM VERIFICATION POLICY**

New Mexico law requires NAS-LC to verify student records of dental examination prior to the student's initial enrollment in school. Parents/guardians of students (or, if over 18, the student) are required to provide an executed Student Dental Examination Verification Form as part of NAS-LC's enrollment process prior to school initially enrolling the student. Parents/guardians/students over 18 may request a waiver from this verification process by checking the correct box on the Form.

This Form shall be collected and stored by NAS-LC as part of student records; confidentiality shall be maintained and shall be only accessible to NAS-LC individuals on a need-to-know basis, consistent with the privacy protections of FERPA. End-of-year student data regarding student dental examination shall be reported to NMPED consistent with NMPED requirements.

Parents/guardians/students over 18 who wish to receive information about local resources regarding access to oral health care should see Elena Velasco for information. In addition to local resources, the New Mexico Department of Health, Office of Oral Health is available at 505-827-0837. Ref: 6.12.13 NMAC

### **ACADEMIC HONESTY**

The success of our academic community demands honesty, which serves as the basis of respect towards both ideas and persons. Academic honesty requires the production and submission of one's own work. In contrast, academic dishonesty is an act of deception by which a student

misrepresents that he/she has produced or mastered the information on an academic exercise or assignment that, in reality, has not been produced or mastered by that student. The integrity of our school community depends on each student accepting responsibility for his/her conduct in both social and academic endeavors. Academic dishonesty may result in student discipline and negatively affect a student's grade(s). See Student Discipline, below.

### STUDENT RECOGNITIONS

NAS-LC takes pride in recognizing students who demonstrate exceptional academic achievement and character recognition. Each month, each teacher may recognize a student for demonstrating academic improvement or recognize other improved areas in their achievements and will be recognized at the GC meetings. In addition to these honors, various student recognitions will be held throughout the year to recognize students.

### COMPUTER USE

At NAS-LC, students have access to many valuable instructional technology tools as well as Internet access. Our goal is to teach students to utilize these electronic resources to enhance our school's instructional goals. NAS-LC has taken precautions to ensure that students are using the Internet and other electronic resources for appropriate educational activities. Student use of the Internet and multimedia resources on campus will be supervised by an adult at all times. However, we cannot guarantee that students will refrain from locating inappropriate sources.

**No profane, abusive, impolite, racist, or sexist language may be used to communicate across the school's network or the Internet, nor should materials be accessed or distributed which are not in accordance with the rules and expectations of school behavior. If you encounter material by accident, please notify the adult in charge immediately. All use of NAS-LC computers, networks, and the Internet must be in support of educational goals.**

These guidelines must be followed to prevent loss of network and Internet privileges. Students:

1. Will keep confidential and protect all computer and Internet passwords, access codes, or logon information from disclosure to anyone.
2. Will respect the privacy of other users. Students will not use other students' passwords.
3. Will be ethical, courteous, and respectful on electronic media and while using electronic resources. Students will not send harassing, or obscene e-mail, discriminatory remarks, or demonstrate other antisocial behaviors to other students, to school staff, or to anyone. Students participating in discussion forums will post threads that are on topic and appropriate.
4. Will maintain the integrity of files and data. Students will not modify, copy files, or data of other users without their consent.
5. Will treat information created by others as the private property of the creator and respect copyrights. Software protected by copyright shall not be copied except as licensed and stipulated by the copyright owner. Students will not bring software from home to use or copy on school workstations.
6. Will use the network in a way that does not disrupt its use by others. Students will not use the Internet for commercial or non-school-related purposes.
7. Will not destroy, modify, or abuse the hardware or software in any way. Users shall report any suspected abuse, damage to equipment, or tampering with files to the school district system operator.
8. Will not develop or pass on programs that harass other users, infiltrate a computer or computing system, or damage the software components of a computer or computing system, such as viruses, worms, chain messages, global mailings, etc.
9. Will not "hack" the local computer, network, or web sites.
10. Will not use the Internet to view, access, or download or process pornographic, obscene, indecent, profane, or otherwise inappropriate material.
11. Will not use personal computing devices or cell phones during instructional time unless directed by an instructor or administrator and will not access inappropriate sites or use devices in any way.
12. Will not use the school's systems to access games or social media networks. Use of computer time for game-playing shall be restricted to instances directed and monitored by teachers and to sites that address educational goals.
13. Will not reveal their full name, home address, telephone number, school address, or parent's/guardian names, or those of any classmates on the Internet.
14. Will not meet in person anyone you or your classmates have met on the Internet.
15. Will use respect and show proper care and handling of all school media equipment. Any student found to be intentionally damaging any hardware or software will be cited for school property abuse and the student's parent/guardian will be financially responsible for any damages.
16. Students and parents/legal guardians are required to sign and return the NAS-LC Technology Acceptable Use Agreement form attached to registration packet before the student will be permitted to use School technology and related equipment.

SCHOOL NETWORK SPACES MAY BE INSPECTED WHEN NETWORK MAINTENANCE BECOMES NECESSARY OR IF STUDENTS ARE SUSPECTED OF ABUSING ACCESS RIGHTS, AND TO ENSURE COMPLIANCE WITH SCHOOL POLICY AND APPLICABLE LAWS AND REGULATIONS.

### CLOSED CAMPUS

Students are NOT permitted to leave the campus during the school day without permission from School administration. Anyone needing to leave campus during the school day for any reason must report to the Principal's office for permission. Students who leave campus for any reason without NAS-LC's permission, or without appropriately signing out with the administrative office, will NOT be allowed to return to campus that day, and will be counted as unexcused absence. If a minor student leaves campus without permission, parents will be immediately notified and the student will be required to attend lunch detention for 3 days or will be assigned to In-School Suspension, whichever the administration deems appropriate. Students are not allowed to go to their vehicle for any reason without prior permission from the administration or accompanied by school personnel. When students arrive onto campus, they must immediately enter the building.

Parents/Guardians and students over 18 are encouraged to schedule doctor, dental and other appointments to occur after school or on Fridays when school is not in session. For all minors, parents/guardians must come into the front office and present an ID to verify that this person is listed on the student's records to determine if the person is allowed to check out the student. A note is not sufficient for early dismissal of the student from the school. On occasion, NAS will allow "open campus" privileges for certain students who have earned this privilege according to standards met and verified by administration, in accordance with guidelines set by School administration. Permission slips will be distributed for those students who have earned this privilege; this privilege may be revoked by school administration at any time, for any reason.

As part of the attendance incentive, students may earn a longer lunch on Thursdays. Permission slips will be given to students who have perfect attendance for the week. This includes having no tardiness in any class period, specifically first period. Classes start at 8:30am. This will be documented at the front desk as all late students must sign in.

### FIELD TRIPS

For school year 2023-24, field trips will be conducted on specific days. If a student is unable to attend, an alternative assignment will be given and must be completed in a timely manner. Students should remember that when they are on a field trip of any kind, they are representing the entire NAS-LC community, that all school rules/regulations apply, and that they should behave in a way that reflects the values and standards of our community. Students under the age of 18 MUST submit a permission slip signed by parent or guardian prior to attending the field trip. No student will be allowed to attend any field trips if they are not in good academic standing. Good academic standing is defined as having an 80% attendance rate and have at least a 60% in all classes. **The calculation for this rate will be from Fun Friday to Fun Friday. Students are not allowed to attend any field trips if they have been suspended within the 9-week period.**

### STUDENT IDENTIFICATION CARDS

Students are required to wear or display IDs on school- issued lanyards at **ALL** times while they are on campus. Initial purchase of ID will be \$7 or \$10 with a USB lanyard. If students habitually violate this requirement, disciplinary actions will be taken, such as lunch detention. No alterations of any kind to IDs are allowed. If alterations are made, student must get a new ID at student's expense. There is a \$5 fee for any replacement ID that is issued to students. Students will be required to use the NAS-LC lanyard unless they get approval by an administrator/security for use of a different lanyard.

### STUDENT ATTENDANCE POLICY

Daily school attendance is essential to our children and youth acquiring the knowledge, skills, and values to become self-sufficient citizens. Parents/ guardians and students are responsible for ensuring regular daily attendance. NAS-LC will develop and implement plans consistent with New Mexico state laws and procedures to encourage daily student attendance. NAS-LC requires that all enrolled students attend classes regularly. The New Mexico Attendance for Success Act requires that all school-age children attend school until the age of eighteen, or until they graduate from high school or receive a GED certificate. This Policy implements state law; to the extent that any portion of this Policy conflicts with state law, the state law shall control. This policy applies to students and their parents or legal guardians. PLEASE CONTACT THE SCHOOL OFFICE AT (575)527-9085 TO NOTIFY US OF YOUR STUDENT'S ABSENCE.

### DEFINITIONS

- a. "Absence" is when a child is not at school for a class or school day, whether excused or not, provided that "absence" does not apply to participation in interscholastic extracurricular activities.
- b. "Excused absence" is an absence due to **illness, appointments with health or mental health care providers, death in the family, or religious instruction or tribal obligations.** At the school's discretion, a written confirmation may be required by the office when the student returns to school. If requested, such letter should come from medical practitioner, funeral service provider, or provider of religious education or tribal official. Special family situations may

be considered appropriate for excused absence when *prior* approval is received from the Principal. The Principal's decision on the request shall be considered final.

- i. Excused Absence due to Religious Instruction: A student may, subject to the approval of the Principal, be absent from school to participate in religious instruction for not more than 1 class period of the school day with the written consent of the parent/guardian, at a time that is not in conflict with the academic program of the school. School does not assume responsibility for the religious instruction for any student, nor does it permit religious instruction to be conducted on school property. School shall provide time for the student to make up the school work missed during the absence.
  - ii. Excused Absence due to Tribal Obligations: A student may, subject to the approval of the Principal, be absent from school to participate in tribal obligations with the written consent of the parent/guardian. The School shall provide time for the student to make up the school work missed during the absence.
  - iii. The Principal in his/her sole discretion shall determine whether there is a sufficient basis to excuse a student absence. Absences due to extenuating circumstances may be excused by the Principal. The Principal may request additional documentation to substantiate an "excuse" for an absence at his/her discretion.
  - iv. Whenever possible, notification of a student's absence should be given prior to missing school. However, when circumstances dictate, the information concerning a student's absence should be provided as soon after the missed school as possible. Failure to advise the school's attendance clerk in writing or by a telephone call within two days of a student's absence will result in the absence being designated as unexcused.
  - v. Assignments missed due to excused absences must be made up by the student. The student is responsible for obtaining his/her assignments from his/her teacher and completing it within the time frame determined by the teacher. Students will be allowed time to turn in make-up work at least equal to the time he/she was absent. **Failure to turn in make-up work will result in the student receiving a zero for every incomplete assignment. Students have the opportunity to make up work on Fridays.**
- c. "Unexcused absence" is an absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy. Unexcused absences:
- \* Tardy will be marked for the class if at any point, a student is out of class for school more than 15 minutes
  - \* If pre-registered, not showing up for first day of school
  - \* Leaving school for non-school sponsored trips
  - \* Absences related to custodial parent changes
  - \* Trips to other countries for non-school related legal problems
  - \* Lack of transportation to or from school
  - \* Family vacations outside of scheduled school breaks
  - \* Leaving school during the school day without permission
  - \* Any other absence for which the Principal deems the reason insufficient

## PROCEDURES

- a. Attendance Requirement
  1. The New Mexico Attendance for Success Act requires that all persons between the ages of five and eighteen attend a public, private, or home school, or a state institution, unless that person has graduated from high school or has received a general education development certificate, or that person's parent or guardian provides written, signed permission for that person to leave school for health reasons or in case of hardship, and that permission is approved by the Principal.
  2. Students enrolled in NAS-LC shall attend school for the length of time of the school year as established by the school charter and any resulting reauthorization thereof.
  3. Students are expected to have no more than 5% (7.5) absentee rate per school year, which includes both excused and unexcused absences.
  4. Students are expected to arrive on time to school each day and to remain in school until the scheduled dismissal.
- b. Whole School Efforts to Ensure Student Attendance
  - i. Notification of an Absence by a Parent or Guardian: The parent or guardian shall notify School's front office each day that his or her student will be absent from any part of the school day, except in the case of an emergency, and shall give the reason for the absence and shall provide a written parental verification upon the child's return to school.
  - ii. Notification of an Unexcused Absence by the School: If a student is absent from school or class without a parent or guardian's notification of absence, School (or the designee) will, as soon as practicable, contact the parent or legal guardian by telephone or e-mail to give notice of the student's unexcused absence and to ascertain and document the reason for absence.
  - iii. The School Registrar shall notify parent/guardian of a child who has reached a 5% (7.5) absentee rate regardless of reason for absence and shall keep a record of notification(s).
- c. Make up of Work Missed

- i. Following an excused absence, parent or guardians shall discuss make-up work with the student's teacher. A student shall be given a reasonable time by the teacher within which to make up the work the student missed during the absence. Following an unexcused absence, make-up work is at the discretion of the teacher.
- d. School Actions for Poor Attendance
  - i. Out-of-school suspension and expulsion will not be used as punishment for truancy or unexcused absences. However, after explicit notification to the parent/guardian that the student is excessively absent despite exhaustion of all intervention efforts described in this Policy, the school may consider further unexcused absences to constitute a voluntary withdrawal of the child from school enrollment.
  - ii. Students in need of individualized prevention (5-9% absent) (7.5-13.5)
    - 1. The Principal shall talk to the parent/guardian (either in writing or in person) and inform them of the student's attendance history, the impact of student absenteeism on student academic outcomes, the intervention or services available to the family, and the consequences of further absences, which may include referral to the Children, Youth and Families Department (CYFD) for chronic absenteeism.
  - iii. Early Intervention for Chronically Absent Students (10 – 19% absent) (15-28.5)
    - 1. Parents/guardians of students found to be Chronically Absent shall meet with the Principal.
      - a. The school registrar shall notify parent/guardian of a child found to be chronically absent in writing, and include the date, time and location for parent/guardian to meet with Principal.
      - b. The purpose of the meeting will be to establish an Early Intervention Plan. This plan will include an Attendance Contract and weekly monitoring and reporting of student attendance to the parent/guardian.
    - 2. Parents of students with any further unexcused absence after meeting with Principal to develop an Early Intervention Plan may be referred to the Children Youth and Families Department for suspected neglect.
  - iv. Intensive Support for Excessively Absent Students (20% or greater absent) (30)
    - 1. Parents/guardians of students found to be Excessively Absent shall meet with the School Director.
      - a. The school registrar shall notify the parent/guardian of the student found to be excessively absent in writing, and include the date, time and location for parent/guardian to meet with the Principal.
      - b. The purpose of this meeting will be to establish non punitive consequences and school level supports to eliminate future absences, and to apprise the student and parent of the consequences of further absences.
    - i. Parents of students with any future absences of any type after meeting with the Principal for Intensive Support shall be reported to the probation services office of the local judicial district within 10 days after such absence. Such referrals shall include documentation of interventions provided to the family.
  - v. Voluntary withdrawal for 10 Consecutive Unexcused Absences: The school will consider 10 consecutive unexcused absences as a voluntary withdrawal from enrollment at NAS-LC. Voluntary withdrawal will be processed by the school only after:
    - 1. The school has documented and exhausted intervention efforts to keep the child in school per this Policy.
    - 2. The school has contacted the juvenile probation department.
    - 3. The school has notified the parent/guardian in writing upon the fifth consecutive unexcused absence that accumulating ten consecutive unexcused absences will constitute a voluntary disenrollment of the child. Such notice will require a scheduled meeting between the parent and Principal.
  - vi. The Public Education Department's truancy prevention coordinator (or designate) or Children Youth and Families Department representative, or representative of the Probation Services Office, shall be permitted access to any records and information related to chronically absent students or excessively absent students.
  - vii. The School's Registrar shall provide a parent/guardian, within 5 days of parent's written request, access to attendance data of the student, including information about any intervention strategies that have been employed.
- e. School Action for Students sleeping in class
 

Many students attend class but are found to be sleeping. NAS will allow students to step away from the classroom for 10 minutes to rest. If the student spends more than 15 minutes out of the classroom and misses instructional time, it is deemed an absence from class.
- f. School Action for Tardy/Early Release
 

Students have sufficient time between classes and are tardy if they are not in their assigned classrooms ready to work when class begins. Tardy students will report directly to the classroom teacher. All tardies are considered unexcused unless excused by a staff member. A student who is more than 15 minutes late or who leaves 15 minutes early without written permission by teacher or school personnel will be marked absent from that class. Students who are repeatedly tardy will be referred to the Principal for disciplinary action in accordance with the following:

**Every 3rd Unexcused Tardy: Referral for lunch detention.**

  - i. The School Registrar shall notify parent/guardian of a child when the child has accumulated 15 or more of any combination of Tardies or Early Releases.
  - ii. Chronically late/leaving early: When a child's combined total of Tardies and/or Early Releases reaches 25, the parents/guardians shall be required to meet with the Principal.
    - 1. The School Registrar shall notify the parent/guardian of the student found to have 25 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Principal.
      - a. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.



- b. The Principal will decide on appropriate consequences for continued Tardies or Early Releases.
    - c. Continued meetings will be scheduled for every 10 instances of tardies or early releases.
  - iii. Excessively late/leaving early: When a child's combined total of Tardies and/or Early Releases reaches 55, the parents/guardians shall be required to meet with the Principal.
    - 1. The school registrar shall notify the parent/guardian of the student found to have 55 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Principal.
      - a. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.
      - b. The Principal will decide on appropriate parental consequences for continued Tardies or Early Releases.
  - iv. Principal or designate may create and implement additional measures to address chronic or excessive late arrivals/early releases.
- g. Native American Students.
  - i. In carrying out its duties under this rule and the school attendance law, the School shall take into consideration the sovereignty of a Native American tribe. While all children attending public schools will still be subject to being reported to the Public Education Department or other authorities per this Policy, the School shall respect tribal laws and traditions in carrying out its duties of early identification, intervention, and parental notification.
- h. Interscholastic Extracurricular Activities (High Schools Only):
  - i. A student shall not be absent for interscholastic extracurricular activities in excess of 15 days per semester, and no class shall be missed in excess of 15 times per semester for Interscholastic Extracurricular Activities.
  - ii. A student shall have at least a 2.0 grade point average on a 4.0 scale, or its equivalent, either cumulatively or for the grading period immediately preceding participation, to be eligible to participate in any interscholastic extracurricular activity. For purposes of this section, "grading period" is a period of time not less than six weeks. This subsection shall not apply to students receiving C or D level special education services.
  - iii. The Secretary of the Public Education Department may issue a waiver relating to the number of absences for participation in any state or national competition that is not an interscholastic extracurricular activity.
- i. Pregnant/Parenting Students.
  - i. NAS-LC shall provide 12 days (3 weeks) of excused medical absences during the school year for a student who provides documentation of the birth of the student's child, and the School shall provide time for the student to make up the school work missed during the absence.
  - ii. NAS-LC shall provide 4 days of excused absences for a student who provides appropriate documentation of pregnancy or that the student is the parent of a child under the age of thirteen needing care, and the School shall provide time for the student to make up the school work missed during the absence.

### **EXCUSED ABSENCES FOR PREGNANT/PARENTING STUDENTS**

Students will be permitted 12 (twelve) school days of excused absences upon documentation of the birth of that student's child. Documentation in the case of the mother can be a note from her medical provider; for the mother or father, a copy of the child's birth certificate. Students missing school due to the birth of a child, shall have the same number of days that he/she was absent for the birth to make up the class assignments missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

Pregnant students may take up to four (4) days for pregnancy related health care for herself and if she provides a health care provider note. Students missing work related to pregnancy shall have the same number of days that she was absent to make up the work missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

Parenting students (father or mother) may take up to four (4) days to care for a child. Documentation of parent status may be requested by school administration. A student missing school for care related to his/her child shall have the same number of days that he/she was absent to make up the class work missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

**III. Grades.** An incomplete or N/C (no credit) may be given for the quarter by a teacher when a student has accumulated more than 5 absences, excused or unexcused, per quarter. A student who believes that he/she should be given credit or a different grade must follow the School's appeal policy, below, and/or Grade Change Policy, available from the administration office.

#### **IV. APPEALS OF ATTENDANCE-RELATED ACTIONS:**

Actions taken by teachers due to absences may be appealed to the NAS-LC committee.

1. Students over 18 or parent/guardian of students under 18 must appeal in writing to the Absence Appeals Committee, which will be composed of the Principal and/or community liaison and at least two certified employees. After reviewing the appeal, and any response by the teacher, the committee will render a written decision as to whether the action taken should be upheld, modified, or overturned. The review and decision of the Committee shall be subject to and in accordance with the School's Grade Change Policy.
2. The decision of the committee is FINAL and a record of the appeal and decision will be placed in the student's working file.
3. Any grade changes may only be made subject to and in accordance with the school's grade change policy.

4. When an incomplete or N/C (no credit) has been given for a quarter by a teacher when a student has accumulated more than 5 absences per quarter, students will need to appeal for the grade. Appeal packets must be submitted within thirty calendar days of the quarter closing. If packets are not submitted within this time period, administration will not review them, and N/C or an incomplete will remain on the transcript. **Only one appeal per class per year will be allowed.**

## STANDARDS OF BEHAVIOR

### STUDENT EXPECTATIONS/ STUDENT BEHAVIOR

A primary responsibility of NAS-LC and its professional staff shall be to instill in students an appreciation of our representative form of government, the rights and responsibilities of the individual or group and the legal processes whereby necessary changes are made. NAS-LC is a community and the rules and regulations of our school are the laws of our community. All members of our community are subject to NAS-LC rules, which carry corresponding obligations. The right to attend public school is not absolute. It is conditioned on each student's acceptance of the obligation to abide by the lawful rules of the school community until and unless the rules are changed through lawful processes. Teachers, administrators and other school employees also have rights and duties. Teachers are required by law to maintain a suitable environment for teaching in their classes and to assist in maintaining school order and discipline. The administration is responsible for maintaining and facilitating the educational program by ensuring an orderly, safe environment at school. In discharging their duties, all school employees have the right to be free from intimidation or abuse by all community members, including students, parents and visitors and to have their lawful requests and instructions followed.

**GENERAL STATEMENT OF CITIZENSHIP.** Being a member of a school is like being a part of a family or a nation. In order for everyone to get along and to have freedom, all must share certain duties. Rights (freedom) and responsibilities (duties) go hand in hand; the most important rights and responsibilities you have while at SCHOOL are as follows:

- \* *Have Respect* - At school everyone works to make sure that you are safe and well and that your day will be pleasant. You must do your part by:
  - Following directions
  - Respecting others' personal space
  - Respecting other people's and our school's property
  - Exhibiting respectful behavior and language
  - Practicing safety at all times
  - Using school equipment and materials appropriately
  - Staying on school grounds in assigned areas
  - Putting forth your best effort
  - Being thoughtful and attentive when listening
- \* *Free Speech* - All students have the right to express themselves as long as it does not hurt others or disrupt the learning environment.
- \* *Knowing the Rules* -The school has rules for all students, which you must know and follow. If you break a rule, you will be treated fairly. You will be allowed to tell your side of the story to your teacher or someone in the office. Punishment may include talking with you, talking with your parents or guardians, or your staying after school or more severe consequences depending on your behavior.
- \* *Learning in School* – NAS-LC will help you grow into a productive and successful adult. To do this, you must take part in all of your classes and other activities to the best of your ability. All school workers are there to help you do your best. If you have any questions or problems, ask for help. Students who bother others and make it hard for them to learn may be removed from the classroom.
- \* *People Who Are Different* - Everyone is different in his or her own way. We should treat all people fairly, as we would like to be treated.
- \* *Coming to School* - You must attend school each day and be on time. When you are sick or have a family emergency, you may remain at home. When you return to school, be sure to have a note from your parent or guardian, explaining why you were absent and to ask your teachers about missed assignments.

### NAS-LC ZERO TOLERANCE:

The following prohibited acts are considered “Zero Tolerance” and WILL result in an out-of-school suspension.

1. Verbal or physical abuse of staff
2. Fighting, assault, and/or battery
3. Possession of alcohol and/or drugs
4. Possession of weapons or any item or device that may be used as a weapon
5. Threats and other acts of violence
6. Initiations or hazing
7. Promoting, initiating, or encouraging behavior in others that may result in physical, emotional, or social harm.

**SPECIFIC PROHIBITED CONDUCT** The following conduct is prohibited at NAS-LC and will result in disciplinary actions as described in this policy. NAS-LC gives notice that not all inappropriate student behavior can be identified in this Handbook and consequently there may be other circumstances that result in a student being disciplined for his or her conduct, and the School reserves the right to do so.

1. *Cheating or plagiarism/academic dishonesty* – means, for example, to take a test in a dishonest way, copying somebody’s homework, or by improper access to answers on classroom assignments, tests or homework, copying work done by somebody else and claiming it to be your own.
2. *Misconduct* - Actions by students which are insubordinate or show disrespect for others or general misconduct which disrupts the learning situation
3. *Violation of Dress Code* - Instances in which students deliberately defy the school dress guideline. This school year, masks will be a part of dress code, if students are not vaccinated.
4. *Inappropriate Public Display of Affection* - mutually consensual sexual contact beyond holding hands, hugs, brief kiss -- including, but not limited to intentional touching of the other person’s genitals, groin, inner thigh, buttocks, or breasts, or clothing covering these areas.
5. *Verbal Abuse or Profanity* – Verbal abuse shall be interpreted to include any profane, obscene, vulgar, racial slur or slang or unnecessarily crude utterance, gesture, or display reflecting on an individual’s gender, race, color, religion, ethnic or national origin, age, sexual orientation, social and family background, linguistic preference, or disability, which has the purpose or effect of creating an intimidating, hostile or offensive educational environment. It shall not matter for disciplinary purposes whether it is directed toward the teacher, classmates, or merely done overtly.
6. *Theft or Pilfering* – Taking someone else’s belongings without his/her permission, no matter how small. A student involved in the act of stealing or in possession of stolen property may face criminal charges along with other disciplinary actions by NAS-LC.
7. *Violation of Tobacco Policy* - While at school or a school sponsored event, students shall be prohibited at all times from smoking or having tobacco in any form in their possession. Punishment shall include definite corrective action; see policy on page 8.
8. *Vandalism and Tampering* - Any abuse of school or private property shall be considered vandalism. The parent or guardian shall be requested to meet with the school officials to make arrangements to pay for the damage caused by the student. Criminal charges may be filed along with other disciplinary actions by NAS-LC.
9. *Violent Behavior* - Acts of assault, violence, intimidation, fighting, or extreme antagonism toward other persons shall immediately be reported to the Principal or his/her designee. Criminal charges may also be filed along with other disciplinary actions by NAS-LC.
10. *Gang Related Activities* – Means for example; wearing clothing, displaying paraphernalia, and altering one’s appearance, the display of gang signs, symbols, monikers or signals, that signifies or exhibits an individual’s affiliation with, or representation of, a gang. Also included is recruitment, harassment, intimidation, posturing, bullying, tagging or marking, assault, battery, theft, trespassing, or extortion, or criminal activity performed by an individual affiliated with, or on behalf of a gang. Gang affiliation and/or intent can be implied from the character of the individual’s acts as well as the circumstances surrounding the misconduct.
11. *Threats* - Serious threats made by a student against the life of another student, teacher or other school personnel shall immediately be reported to the Principal or his/her designee. The Principal may at his/her discretion under the circumstances inform the person to whom the threat was directed of the situation. Appropriate authorities may be called.
12. *False Accusations* - Accusations or charges made by a student against a teacher, administrator or other school personnel shall be reported to the Principal or designee, who shall conduct a complete investigation of the accusations or charges made by the student. Any student found to have intentionally made false accusations or charges that jeopardize the professional reputation, employment, or professional certification of a teacher, administrator or other school district personnel, shall be subject to disciplinary action for a serious breach of conduct.
13. *Failure to Report Serious Offenses* – Students who are aware of serious offenses, which include but are not limited to, the possession of weapons, firearms, and drugs, must report that information to a teacher or Principal at their earliest opportunity. Failure to report serious offenses may be cause for disciplinary action.
14. *Bullying and/or Harassment* – If, upon investigation, a student has been found to have committed an act(s) of bullying and/or harassment, the student may be suspended or recommended for expulsion. Criminal charges may also be filed if warranted.
15. *Possession of Dangerous or Disruptive Items* - Any item in the possession of or being used by a student which disrupts the class, distracts his/her attention from the class, defaces school property, or in any way endangers the safety of himself/herself or others shall be taken by the teacher and held until proper disposition of the item(s) can be made. Teachers are not to destroy such items. Students who refuse to cooperate shall be reported to the Principal for further action. Possession or use of a dangerous or disruptive item while on school property or in attendance at a school function may be grounds for suspension and/or expulsion and referral to proper law enforcement agencies.
16. *Weapons* – NAS-LC prohibits students from possessing, storing, making, carrying, concealing in a backpack or on their persons, or using a weapon or other devices designed to inflict serious bodily harm in any setting that is under the control and supervision of the school. This includes school activities, property leased, owned, or contracted for by the school, a school-sponsored event, and/or while in school sponsored transportation. The term “weapon” includes a firearm, destructive device, knife/cutting instrument and other weapon as defined herein.
  - *A firearm* is any device which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive

device; or any machine gun. Weapon includes firearms of any kind (operable or inoperable, loaded or unloaded, commercial or homemade); including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun, or tear gas gun.

➤ *A destructive device* is any bomb, grenade, mine rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage.

➤ *Knife/Cutting Instrument* includes, but is not limited to dagger, dirk, stiletto, shank, knife, razor, box cutter, or Exact-o knife.

➤ *Other weapons* means the possession or intention of using any instrument or object to inflict harm on another person, or to intimidate any person, including, but not limited to chains (even if not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), pointed instruments (including pencils, pens), nunchakus, brass knuckles, Chinese stars, Billy-clubs, bludgeons, slingshots, portable devices or weapons directing electrical current (stun guns), impulse, wave, beam or chemicals, BB pellets, CO2 firing devices, or dart guns, bows, explosives, or propellants. Any other dangerous or deadly weapon including pepper spray.

Students must immediately report knowledge of weapons and threats of violence by students and staff to the Principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school. The Principal shall immediately report to the appropriate law enforcement agency if a dangerous weapon is found or is suspected to be in the possession of a School employee or a visitor.

- *Exception:* Items pre-approved in writing by the Principal as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy; working firearms and any ammunition will never be approved as part of a presentation.
17. *Possession, Sale and/or Use of Alcoholic Beverages, Narcotics, Illegal Drugs, and/or Prohibited Substances.* NAS-LC prohibits students from using, possessing, distributing or trafficking tobacco, alcohol and/or illegal drugs on school property, at school, or at school-sponsored activities. Students, while on school property or attending a school-sponsored activity, who use, possess, distribute, or sell tobacco, alcohol, and/or other drugs or related paraphernalia shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives.
  18. *Extortion* – Is the act of a person who blackmails or otherwise threatens another student for the payment of money of any sum or other consideration.
  19. *Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances* – means making threats, placing, discharging, or throwing a destructive explosive item or noxious substance, or makes a terroristic threat while in or on school property, or on school-sponsored transportation, or during school-sponsored activities.
  20. *Arson* – Means setting fire to school property or while involved in a school activity either as a prank or deliberately to do damage to the property.
  21. *Inciting Others or Disruptions* – The act of encouraging or helping a student to cause a riot, disrupt school activities, or to be absent or otherwise violate school rules, or who disrupts or interferes with the lawful administration or functions of the school activities.
  22. *Assault or Battery on School Personnel* – Causing bodily harm to or threatening to cause bodily to a school official or a teacher.
  23. *Violation of School Policies/Procedures* – a violation of one or more of the policies/procedures set forth in this Handbook or other published school policy/procedures.

### **CONSEQUENCES FOR UNACCEPTABLE BEHAVIOR**

- Minimum mandatory consequences have been established and must be expected for any violation.
- The school will make a good faith effort to notify the parents or legal guardian of the student in any circumstances where the school's disciplinary response will exceed the specified consequence.
- Not all violations are set forth under the following chart; Principal/administrator discretion shall be applied where minimum discipline is not specified.

Administrative response to unacceptable behavior may vary, depending upon which administrator handles an infraction; however, every effort shall be made to respond consistently and appropriately to each infraction.

**\*Administrators may impose consequences beyond those identified as “minimum mandatory”**

### **Chart of Unacceptable Behaviors and Minimum Mandatory Consequences**

	Incidents of misbehavior which do not reach the level of administrative attention will continue to be resolved by the classroom teacher or staff member	Administrative Student	Admin parent contact	Admin student parent contact	Short term suspension	Long Term Suspension	Expulsion	Seek Restitution	Referral for Legal Action	Suspension of Extracurricular	Counselor-Social worker Referral
Occurrence	Behavior Violation	Minimum Mandatory Consequence									
Repeated	Academic Dishonesty			X							X
1st offense	Alcohol		x	x	x				x		
2 <sup>nd</sup> offense			x	x		x					x
Any offense	Arson			x		x	x	x	x	x	
1 <sup>st</sup> offense	Assault/Bullying/Hazing	x									X
2 <sup>nd</sup> offense			x		X						
1 <sup>st</sup> offense	Assault, Aggravated		x		x				x		
2 <sup>nd</sup> offense			x			x			x	x	x
Any offense	Battery/Fighting		x		x						
Any offense	Bomb Threats/False Alarms		x			x			x	x	
Any offense	Bus Disruption (field trips)	x	x		x						
Repeated	Dress Code			x	x						
Any offense	Drug Possession/Paraphernalia		x		x	x			x	x	
Any offense	Drug Sale or Distribution		x			x	x		x	x	
Any offense	Drug Use or Under the Influence		x	x	x				x	x	
1 <sup>st</sup> offense	Defiance of School Personnel		x								
2 <sup>nd</sup> offense			x		x						
1 <sup>st</sup> offense	Extortion		x	x	x			x			
2 <sup>nd</sup> offense			x	x		X		x			
Any offense	False Accusations		x								
Any offense	Firearm Possession		x				x		x		
Any offense	Gang Related Activity		x		x						
1 <sup>st</sup> offense	General Disruptive Conduct	x									
2 <sup>nd</sup> offense			x		x						
1 <sup>st</sup> offense	Harassment, threats		x								
2 <sup>nd</sup> offense						x					
Repeated	Language, Profane, and/or Abusive			x	x						x
1 <sup>st</sup> offense	Materials, Obscene	x	x								
2 <sup>nd</sup> offense			x		x						
Repeated	Public Display of Affection			x							x
1 <sup>st</sup> offense	Robbery	x		x	x			x	x		
2 <sup>nd</sup> offense			x			x		x	x		
1 <sup>st</sup> offense	Sexual Harassment	X									X
2 <sup>nd</sup> offense				X							
1 <sup>st</sup> offense	Sexual Assault			X	X						
2 <sup>nd</sup> offense						X			X		
1 <sup>st</sup> offense	Theft		x	x	x			x			
2 <sup>nd</sup> offense						x					
1 <sup>st</sup> offense	Tobacco Possession or Use/Vaping	x	x		x						x
2 <sup>nd</sup> offense			x			x			x	x	x
Any offense	Trespassing/Unauthorized Presence		x								
Any offense	Vandalism I less than \$200 damage		x	x				x			
Any offense	Vandalism II \$200-\$999 damage			x		x		x			
Any offense	Vandalism III over \$1000 damage			x			x	x	x	x	
1 <sup>st</sup> offense	Vaping	x	x	x							
2 <sup>nd</sup> offense					x						x

1 <sup>st</sup> offense	Weapon Possession						x		x		
Any offense	Weapon Use						x		x		

**DRESS CODE**

Clothing should be appropriate for an educational setting. Clothing or the display of other symbols that are profane, racist, gang-related, illegal, sexist, advocating of drug/alcohol use, provocative or discriminatory are not permitted. Whether or not a student's attire violates the NAS-LC dress code shall be determined by the NAS-LC Staff. The following are examples of clothing/displays which are inappropriate in the educational environment and which **shall not be permitted**:

- Graffiti, and/or other symbols, clothing articles, emblems, badges, jewelry etc., which reflect gang affiliation or represent advocacy of alcohol, tobacco, drug use, disruptive behavior, violence, religious intimidation, racism, sexism, homophobia, and/or other activities including, but not limited to, swastikas and confederate flags.
- **No hats will be allowed on campus including beanies.** Any brought onto campus must be stored in the student's backpack or secured at the front office.
- Body alterations which reflect gang activity, advocate alcohol, tobacco, and drug use, violence, disruptive behavior, criminal activity, and discrimination based on religion, gender, sexual orientation, race, and culture. Such body alterations, if present, must remain covered and invisible on campus and at all school-related events, on and off campus.
- Hazardous apparel or jewelry or other items such as spiked belts, spiked wrist bands, spiked rings, spiked coats, chains, chain wallets, laser pen-lights or any other items which are likely to injure the wearer or someone else.
- Exposed underwear including boxers, sports bras, and bras.
- Any revealing underwear is not allowed.
- "Muscle" shirts are not allowed.
- Dresses, skirts, and shorts must not be inappropriate, i.e., showing private areas.
- Ripped or torn clothing that displays underwear or bra.
- Clothing and/or articles worn or carried by the student (including face painting) displaying words or symbols or colors of gangs, drugs, alcohol, tobacco, violence, racism, inappropriate language or images, or symbols of a sexual/sexist nature
- Visible cleavage, navels, and/or midriffs at to be kept at a minimum. **NO** amounts of skin should be shown between the bottom of the shirt/blouse and the top of the pants/skirt when arms are stretched upward.
- Tube tops (as these can be easily pulled down) or sexually suggestive clothing. Visual bra straps are not appropriate.
- **No beanies and other head coverings.** Beanies are being used as a way to hide earbuds which are not allowed during class time.
- Sunglasses will not be permitted indoors unless they are prescribed.
- **Hoodies pulled over that cover a person's head that may obstruct the student's profile or face, cannot be worn due to safety precautions.**

Students who are dressed inappropriately will be sent to administration. A parent will be called to provide appropriate attire. If a parent cannot be reached, school will issue alternative clothing if available. The administration reserves the right to make final judgment concerning the appropriateness of clothing.

Consequences:

1<sup>st</sup> violation: Student will be asked to change into something appropriate or asked to hide the inappropriate item. The student will be given a shirt in exchange for their personal clothing which will be returned at the end of the day.

2<sup>nd</sup> violation: Student will be asked to change into something appropriate. The student will be given a shirt in exchange for their personal clothing which will be returned at the end of the day. Parents will be notified. Student will need to wait in the office until the clothing is appropriate.

3<sup>rd</sup> violation: Student will have lunch detention. Parents will be notified and asked to bring appropriate clothing. Student will need to wait in the office until change of clothing happens.

4<sup>th</sup> violation: the student will be short termed suspended as per NAS-LC Student Handbook.

SCHOOL shall not discriminate against a student, discipline a student, or impose disparate treatment of a student, because of a student's race, religion or culture or because of a student's use of protective hairstyles or cultural or religious headdresses, as defined in New Mexico statute, NMSA 1978 §22-8B-4(U).

**PERSONAL ELECTRONIC DEVICES AND CELL PHONES**

In a changing world, NAS understands the need to use cellphones and earbuds. However, items such as cameras, electronic games, cell phones and other similar electronic devices disrupt the learning environment and distract students from the primary purpose of education; therefore, they are inappropriate in a classroom setting. **Each class will begin on a RED zone.** This means **NO** cell phones are to be used when a class is on RED. This gives teachers time for warm-up, give direct instruction. During this time, such items may not be used. **This also includes earbuds.** When a teacher moves to GREEN, then the teacher is allowing students to use cellphones and earbuds for music. Students may not use their phones during GREEN to text, or to be on social media. The RED and GREEN zones are up to a teacher's discretion. Some teachers will NEVER be on GREEN, while others may give up to 25 minutes only. All advisory time will be in RED. No cell phones or ear buds will

be used during 12pm-12:25pm. The school is not responsible for a student's personal items if lost, stolen, or damaged on school property or during a school sponsored event.

Violations of this policy during RED shall be handled as follows: When a student is seen using a phone during instructional time (RED), an envelope will be provided to the student in which to place the phone. The envelope will be sealed and kept on the teacher's desk. NAS staff will not handle the electronic device. The front office will keep a running log of the infractions.

1<sup>st</sup> Offense: Student will be given a verbal warning.

2<sup>nd</sup> Offense: Electronic device will be placed in the envelope and returned at the end of class.

3<sup>rd</sup> Offense: Electronic device will be placed in the envelope and taken to the front office. Student may retrieve the item at the end of the day. The office will maintain a running record of this occurrence.

4<sup>th</sup> offense: Lunch detention will be issued. Student must check in the phone at the front office at the beginning of school and phone can be retrieved at the end of the student's school day. This will be for a full calendar week.

5<sup>th</sup>: Parents will be called in to pick up the cellphone.

### **VIOLENT OR AGGRESSIVE BEHAVIOR**

Violent or aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional wellbeing. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyber bullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing. Any student who believes he/she has been or is the victim of aggressive behavior should immediately report his/her concerns to a teacher or counselor who will be responsible for notifying the Principal. Complaints against the Principal should be filed with the Governing Council President. Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

### **BULLYING/CYBERBULLYING PROHIBITION POLICY**

NAS-LC believes that providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. The safety and wellbeing of all students is of primary importance. NAS-LC does not permit and it is the school's goal of preventing and responding to acts of bullying, cyberbullying, intimidation, violence, and other similar disruptive behavior.

#### *Definitions-*

- **Bullying.** Bullying is any written, verbal expression, physical act or gesture or pattern of such that causes a student(s) to feel distressed or intimidated and which substantially interferes with another student(s) education, opportunities or performance in school, on school grounds, in school vehicles or at school activities or sanctioned events.
- **Harassment.** Bullying includes harassment which is knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person. (Harassment based on race, sex, ethnicity, national origin, religion, disability, age or sexual orientation is addressed under "Anti-Discrimination and Harassment Policy").
- **Hazing.** Bullying also includes "hazing" which is defined as: committing an act against a student, or coercing a student into committing an act, that creates a risk of harm to a person, in order for that student to be initiated into or affiliated with a student organization, or for any other purpose.
- **Cyber stalking.** means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose.
- **Cyber bullying.** is defined as a situation when a student is repeatedly harassed, humiliated, threatened, and intimidated, or otherwise targeted by another person through the use of digital technologies, including but not limited to, instant and text messaging, email, blogs, social websites (e.g. Facebook, Twitter, Instagram, Snapchat and the like), and chat rooms, therefore affecting the student's learning environment.
  - **Examples -** Actions that will be viewed as "bullying" include but are not limited to:
    - Repeated teasing, use of sarcasm or malicious jokes.
    - Name-calling, belittling comments.
    - Nonverbal behavior such as gestures, or graphic written statements.
    - Conduct that is physically threatening, harmful, intimidating or humiliating.
    - Inappropriate physical restraint.
    - Cyber bullying and Cyber stalking as defined above.

**Reporting and Complaints** - Students and parents may file verbal or written complaints concerning suspected bullying behavior to school personnel and administrators. See "Bullying Complaint Form" attached. Students, parents and/or staff should use the following guidelines when reporting bullying.

- ✓ Any student who believes he/she has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.
- ✓ The report may be made to any staff member including a teacher or the Principal. If the complaint is made by a student, to a staff member he or she will assist the student in reporting to the Principal.
- ✓ Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required to promptly notify the Principal. Reports should be made in writing using the Bullying Complaint Form. A copy of this form will be submitted to the Principal.

If a student makes a verbal report to a teacher, the teacher should complete the form or take the student to the Principal where a form will be completed on the student's behalf.

- *Investigation* - The School principal or designee will accept and promptly investigate *all* reports of intimidation, harassment or bullying. The administrator will make every effort to inform the parents/guardians of the victim and the accused of any report of harassment, intimidation, bullying, or hazing prior to the investigation taking place. NAS-LC administration may take immediate steps to protect the complainant, students, teachers, administrators, or other school personnel pending the completion of an investigation.
- *Process* - The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigator.
- *Confidentiality* - The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and to the extent possible. However, NAS-LC cannot guaranty absolute confidentiality, because it may be necessary to discuss the complaint with others who are witnesses or who may have information about the complaint.
- *Outcome* - The investigation shall be completed as soon as possible. The Principal (or investigator) shall make a written report concerning the bullying. In determining whether the alleged conduct constitutes bullying, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. A copy of the completed report will be maintained by the Principal. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) (to protect the privacy of the student alleged to have committed the bullying) the Principal will notify the parent or guardian making the complaint of the outcome of the investigation. The Principal or designee shall notify the parent or guardian about a determination that their student has committed a verified act of bullying and the consequences for the student's actions.
- *Consequences* - Verified acts of bullying shall result in intervention by the Principal or his/her designee that is intended to ensure that the prohibition against bullying behavior is enforced. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, expulsion, or other consequences to be determined) is a matter for the professional discretion of the Principal. Certainly, repeated offense will warrant increasingly severe consequences, up to and including expulsion.
- *Consequences for Knowingly Making False Reports* - False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.
- *Retaliation* - Retaliation against an individual who either orally reports or files a written complaint regarding harassment, intimidation, bullying, or hazing or who participates in or cooperates with an investigation is prohibited.
- *Anti-Bullying included in Health Education Curriculum*. "Health Education" is the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Bullying behavior is mentioned specifically in many areas of the Health Education performance standards, in all grade levels. All students need to be aware of bullying behavior throughout their school years. It is imperative that students are comfortable with understanding, describing, and recognizing bullying behaviors, and then in the later grades being able to analyze those behaviors and role play refusal skills. Our curriculum does recognize the importance of bully prevention skills in all grade levels.

#### **ANTI-DISCRIMINATION AND HARASSMENT POLICY**



NAS-LC recognizes that a student has the right to learn in an environment untainted by sexual or other forms of harassment or discrimination. Offensive conduct which has the purpose or effect of unreasonably interfering with learning performance or creating an intimidating, hostile, discriminatory, or offensive learning environment disrupts the educational process and impedes the legitimate pedagogical concerns of the SCHOOL community. Sexual and other forms of harassment will not be tolerated.

- *Sexual Harassment* - Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to or rejection of such conduct results in the denial of or provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment.
- *Other Forms of Harassment* - Other prohibited harassment includes conduct which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment; substantially or unreasonably interfering with an individual's academic performance; or otherwise adversely affects an individual's academic opportunities on the basis of race, color, religious creed, age, sex, national origin or ancestry, mental or physical disability, medical condition, sexual orientation, gender identity and/or any other legally protected characteristic. Students shall at all times refrain from using racial slurs, hate-related nicknames, bullying and any other name-calling or put downs.
- *Strictly Prohibited* - The harassment by a student of a staff member, fellow student of NAS-LC or third party (e.g. visitor, volunteer, parent, etc.) is strictly forbidden. In all cases, school personnel will take immediate action to protect the victim of alleged abuse. Any student who is found to have harassed a staff member, third party, or student will be subject to discipline in accordance with law and the Student/Parent Handbook.
- *Reporting Violations of Harassment or Discrimination Policy* - A student who believes he/she has been a victim of discrimination and/or harassment and any third persons with knowledge of such conduct shall report the alleged act immediately to the Principal. NAS-LC will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the obligation to investigate, to take appropriate disciplinary action, and to conform to any discovery or disclosure obligations.
- *Investigation and School Action* - In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. A substantiated charge against a student, employee, visitor, vendor or other individual on NAS-LC premises for harassment shall subject that individual to disciplinary action or other consequences. Disciplinary action may include, but may not be limited to the following: written warning, detention, written reprimand, suspension, and/or expulsion. The severity of the disciplinary action will depend on the frequency, circumstances, and severity of the offense.
- *Retaliation* - NAS-LC will discipline any individual who retaliates against any person who reports, testifies, assists or participates in any manner in any investigation, proceeding or hearing related to complaints of harassment or discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.
- *Notification* - It shall be the responsibility of the Principal to ensure that all employees and students receive appropriate training related to the implementation of this policy. In addition, students, employees, volunteers, and vendors shall receive appropriate information related to this policy, including the name of designated person to contact to file a complaint and/or receive information related to this policy.

### **WEAPONS**

State and federal law requires public school to expel students for one year for carrying guns or items designated by law as weapons onto campus. To avoid misunderstanding or unintended consequences, do not bring toy weapons or "look alike" to school. NAS-LC will report any such violation to the student's parents AND the appropriate legal authorities.

### **DAMAGE BY STUDENTS**

Any malicious or willful act which destroys, injures, mars, defaces, or otherwise alters any school building, grounds material, equipment, or other school property by a student enrolled at NAS-LC shall cause parent, guardian, or person standing in loco parentis of the offending student to restore or replace such damaged property to the satisfaction of the Principal or be assessed to pay all costs to restore or replace such damaged property as determined by the true value established by the Principal.

### **GUESTS**

Students **may not** bring guests to school at any time, this includes boyfriends and girlfriends who are not enrolled at NAS-LC. Visitors are not allowed on campus during the school day, including the lunch period, without written permission from Administration. Parents and/or guardians are welcome to observe in classrooms at any time, provided that parents/guardians sign-in with Administration as soon as they enter the campus and provided that staff is available to supervise parents on campus. Persons who pick up students from school must wait for them in the school parking lot; they may not enter campus to wait. Administration reserves the right to refuse entrance to any visitor. Disruptive or distracting behavior by any visitor, including parents/guardians, shall not be tolerated and visitors exhibiting such behaviors or interfering with the educational process shall be removed from campus.

### SEARCH AND SEIZURE

- i. *Search of Property* - NAS-LC recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. These searches are intended to be minimally intrusive such as emptying pockets, cubby holes, lockers (if applicable), student vehicles parked on campus, backpacks, purses, removal of hats, socks, and shoes may be conducted by the Principal. In the case of storage spaces provided to students by NAS-LC, these spaces shall remain property of NAS-LC and, in accordance with law, may be the subject of random searches. If students are provided places that can be secured by locks, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply during any school-sponsored activity whether on or off campus.
- ii. *Search of Person* - Unless there is an immediate threat of health or safety of the student or others, parents/guardians of the student will be called prior to any search of a student's person. Search of a student's person shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances - that is - when the health or safety of the student or of others is immediately threatened. Except as provided below, a request for the search of a student or a student's possessions will be directed to the Principal who shall seek the freely offered consent of the student to the inspection. Search of a student's person, will involve, at most, a "pat down" of the students outer clothing. Whenever possible, search of a student's person will be conducted by the Principal in the presence of the student's parent and a staff member other than the Principal. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property. In no event shall an NAS-LC student be subjected to a "strip search."
- iii. *Seizure of items* - Illegal items, legal items which threaten the safety or security of others and items which are used to disrupt or interfere with the educational process may be seized by authorized persons. Seized items shall be released to appropriate authorities or a student's parent or returned to the student when and if the administrative authority deems appropriate.
- iv. *Notification of law enforcement authorities* - The Principal shall have discretion to notify the district attorney or other law enforcement officers to conduct the search when search for possession of an illegal substance or prohibited item is suspected. If the school conducts the search and it discloses illegally possessed contraband material or evidence of some other crime or delinquent act, local law enforcement will be called.
- v. *Record Keeping* - The Principal shall promptly make a record of each search of a student' property or person and include the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

The Principal, or designee, may request a search on school premises to be conducted by law enforcement. When law enforcement authorities are involved in a search, the search will be conducted under criminal law standards, rather than the provisions of this policy.

### DUE PROCESS

#### **PROCESS FOR SUSPENSION AND EXPULSION**

- A. Short-Term Suspension.** A student facing in-school or out-of-school suspension for fewer than ten (10) days is not entitled to a formal hearing, but is entitled to notice and an opportunity to be heard as follows:
1. Before the student is placed on short-term suspension, the student shall meet with the Principal or designee and shall be informed of the charges against him or her and, if (s)he denies them, shall be told what evidence supports the charge(s). The student shall be given an opportunity to present his or her version of the facts and refute the charges in that meeting. The administrative

authority is not required to divulge the identity of informants, although (s)he should not withhold such information without good cause. The Principal or designee shall disclose the substance of all evidence on which (s) he proposes to base a decision in the matter. The meeting may be an informal discussion and may follow immediately after the notice of charges is given.

2. If the student denies the charge(s), the Principal or designee, may delay the suspension in order to conduct further investigation, but is not required to. The discussion with the student may take place and a temporary suspension may be imposed within minutes after the alleged misconduct has occurred.
3. The school shall make reasonable efforts to inform the student's parent or guardian of the charges against the student and the possible or actual consequence as soon as practicable. If the school has not communicated with the parent/guardian by telephone or in person by the end of the first full day of suspension, the school shall on that day mail a written notice with the required information to the parent/guardian's address of record. A parent/guardian may request an administrative review of the discipline data and decision to suspend. Homework can be provided at the request of the parent. There is no level of appeal higher than the Principal for a suspension of 10 days or less.
4. Where prompt action to suspend a student long-term is deemed appropriate, a short-term suspension may be imposed while the procedures for long-term suspension or expulsion are activated. However, where a decision following the required formal long-term suspension hearing is delayed beyond the end of the short-term suspension, the student must be returned to school pending the final outcome unless waived by the parent/guardian.

**B. Long-Term Suspension or Expulsion:** A long-term suspension is a mandatory absence from school for a period exceeding 10 days and up to the balance of the school year. If the principal/designee decides that the alleged misconduct is sufficiently serious so that the consequence should be a suspension in excess of 10 days or expulsion, the accused student shall be afforded his or her due process rights: there shall be an investigation to determine if there is sufficient probable cause to charge the student with an act of misconduct, which may result in a suspension in excess of 10 days, or an expulsion. When a student is charged by the principal/designee with misconduct which may result in long-term suspension or expulsion, the parent(s) or guardian of the student shall be informed within a reasonable time period by telephone, letter, or email of the charges against the student.

#### 1. PROCEDURES FOR LONG TERM SUSPENSION/EXPULSION

The long-term suspension process shall be in accord with 6.11.2 of the New Mexico Administrative Code. The ability to make up work for credit during long - term suspension is at the discretion of the hearing officer or the Governing Council and will only be allowed in exceptional circumstances.

- a. *Notice* - If the Principal believes that a long-term suspension may be warranted as a result of alleged misconduct of a student, the Principal will notify the parent(s) in writing of the grounds for the proposed suspension and the date, time and location of the suspension hearing. Notice will be given by certified mail return receipt or by personal delivery addressed to the student and his/her parents/guardians. The notice shall contain:
  - The time, date and place of the hearing
  - The name of the hearing officer
  - A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline
  - A copy of 6.11.2 NMAC, "Students Rights and Responsibilities,"
  - A clear statement that the hearing will take place as scheduled unless the hearing officer grants a delay or the student and parent agrees to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty, and a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default.
- **Note: Expulsion hearings may not be waived.**
- A statement that notice must be given to the Principal at least 72 (seventy-two) hours before the hearing if the student or his parent(s) will have an attorney present.
- Contact information for person from who the parent may request a delay or additional information and.
  - A. description of the hearing proceedings.
- b. *Hearing Officer* – Long-Term Suspension and Expulsion hearings will be conducted by an independent hearing officer.
- c. *Time of Hearing* – The hearing shall not be any sooner than five (5) nor later than 10 (ten) school days from the date the notice was received. The hearing officer shall have the discretion to extend the time for hearing, however, if the delay extends beyond the 10 (ten) school days, the student shall be returned to school pending the outcome of the hearing.
- d. *Decision* – The Hearing Officer may announce a decision at the close of any the hearing. The hearing officer shall also prepare a written decision, including concise reasons for the decision and the penalty to be imposed, if any, and mail or deliver it to the Principal and the student, through the parent/guardian, within five (5) working days after the review is concluded.

## 2. LONG-TERM SUSPENSION/EXPULSION APPEAL

A student aggrieved by the hearing officer's decision has the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one school semester or a denial or restriction of student privileges for one semester or longer. The appeal shall be to the Governing Council or its designee. The Governing Council may grant a right of review for less severe penalties. A student request for review must be submitted to the Governing

Council President within ten (10) school days after the student is informed of the hearing officer's decision.

a. *Conduct of review* - The Governing Council shall have discretion to modify the hearing officer's decision by including imposing any lesser sanction deemed appropriate. The Governing Council shall be bound by the hearing authority's factual determinations unless the student persuades the Governing Council that a finding of fact was arbitrary, capricious or unsupported by substantial evidence or that new evidence which has come to light since the hearing and which could not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the Governing Council shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a new hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

b. *Form of review* - The Governing Council shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved student and school authorities to written materials or to grant a conference or hearing at which the student and his or her representative, and school authorities may present their respective views in person.

c. *Timing of review* - Except in extraordinary circumstances, a review shall be concluded no later than fifteen (15) working days after a student's written request for review is received by the appropriate administrative authority.

d. *Decision* - The Governing Council may announce a decision at the close of conference or hearing held on review. In any event, the Governing Council shall prepare a written decision, including concise reasons, and mail or deliver it to the Principal, the hearing authority and the student, through the parent, within ten (10) working days after the review is concluded.

e. *Effect of decision* - The Governing Council's decision shall be the final administrative action to which a student is entitled.

f. *NMPED Compliance* - The process followed by NAS-LC shall conform to 6.11.2 NMAC and to the extent any provision of this section conflicts with the NMPED regulation, the regulation shall govern.

## **DISCIPLINARY CONSIDERATIONS FOR STUDENTS WITH DISABILITIES**

Students with disabilities are subject to school disciplinary processes. They are also not entitled to remain in a particular educational program when their behavior substantially impairs the education of other students in the program. However, NAS-LC is required by state law and regulations (6.11.2 NMAC) to meet the individual educational needs of students with disabilities as described by their IEP.

*Long-Term Suspensions or Expulsions* - Discipline of students with disabilities shall be governed by the procedures set forth in Section 6.11.2.11 NMAC.

*Temporary Suspension* - of students with disabilities may be imposed in accordance with the normal procedures prescribed in Subsection D of Section 6.11.2.12 NMAC, provided that the student is returned to the same educational placement after the temporary suspension and unless a temporary suspension is prohibited under the provisions of Subsection G, Paragraph (3) of 6.11.2.10 NMAC.

*Program Prescriptions* - A student with a disability's individualized education program (IEP) need not affirmatively authorize disciplinary actions which are not otherwise in conflict with the regulation. However, the IEP Committee may prescribe or prohibit specified disciplinary measures for an individual student with a disability by including appropriate provisions in the student's IEP. Administrative authorities shall adhere to any such provisions contained in a student with a disability's IEP, except that an IEP Committee may not prohibit the initiation of proceedings for long-term suspension or expulsion which are conducted in accordance with this regulation.

*Immediate Removal* - Immediate removal of a student with disabilities may be done when a student brings a weapon to school or a school function; or knowingly possesses or uses illegal drugs or has sold or solicited the sale of a controlled substance while at school or a school function.

## **EQUAL OPPORTUNITY/NON-DISCRIMINATION STATEMENT**

**A. EQUAL OPPORTUNITY.** NAS-LC is committed to providing a working and learning environment that is free from unlawful discrimination and harassment. The school prohibits discrimination and harassment based on an individual's age, ancestry, color, disability (mental or physical), marital status, national origin, race, religion (including religious accommodation), sex (actual or perceived, including pregnancy, childbirth, or related medical condition), sexual orientation, or on the basis of a person's association with a person or group with one or more of these actual or perceived characteristics. Harassment based on any of the above-protected categories is a form of unlawful discrimination and will not be tolerated. Harassment is intimidation or abusive behavior toward a student or employee that creates a hostile environment and can result in disciplinary action against the offending student or employee. Harassing conduct may take many forms, including but not limited to, verbal remarks and name-calling, graphic and written statements, or conduct that is threatening or humiliating. This nondiscrimination policy covers admission or access to, or treatment or employment in, all school programs and activities. The lack of English

language skills will not be a barrier to admission to or participation in school programs or activities. The school prohibits retaliation against anyone who files a complaint or who participates in a complaint investigation.

**B. CONTACT INFORMATION FOR COMPLAINTS.** For assistance or to file complaints related to discrimination or harassment based on student's sex (Title IX); sexual orientation or gender identity (Title 5, CCR, §4910); race, color, or national origin (Title VI); or mental or physical disability (Section 504) contact:

Denver Office  
Office for Civil Rights  
U.S. Department of Education  
Cesar E. Chavez Memorial Building  
1244 Speer Boulevard, Suite 310  
Denver, CO 80204-3582  
Telephone: 303-844-5695  
FAX: 303-844-4303; TDD: 877-521-2172  
Email: [OCR.Denver@ed.gov](mailto:OCR.Denver@ed.gov)

**C. TITLE IX AND STUDENTS.** Federal law, Title IX, State law and policy prohibit anyone from discriminating against any student on the basis of actual or perceived sex, sexual orientation, and gender (including gender identity, marital status, pregnancy, childbirth or related medical condition). Male and female students have the right to equal learning opportunities in their schools and must be treated the same in all activities and programs, including:

- Athletics
- The classes they can take.
- The way they are treated in the classroom.
- The kind of counseling they are given.
- The extracurricular activities in which they can participate.
- The honors, special awards, scholarships and graduation activities in which they can participate.

Students who feel that their rights are being violated have the right to take action and should not be afraid of trying to correct a situation by speaking to a school administrator, counselor, or trusted adult at school, or filling a complaint. Students are encouraged whenever possible to try to resolve their complaints directly at the school site. Any student who believes he or she is being discriminated against in violation of Title IX has the right to file a complaint. See paragraph "B" above.

**D. PREGNANT OR PARENTING STUDENTS.** Pregnant or parenting students, regardless of their marital status, have the right to attend school, and to participate in any program or activity for which they would otherwise qualify in an environment free from discrimination or harassment. Classes, programs and materials offered to pregnant and parenting students must be equal to those offered to other students and students must be provided access to those classes needed to complete their course of study. Pregnant and parenting students have a right to full participation in school classes, programs, and activities and it is the school's responsibility to make reasonable accommodations to keep pregnant students safe on campus and facilitate their continued participation. Such accommodations may include, but are not limited to: additional time for use of facilities and class changes; track changes to minimize missed class time due to child birth and recovery or to facilitate access to child care; providing independent study activities during absences due to pregnancy related illness or recovery at the request of the student/family. Students should not be checked out from a school or program based on their pregnancy or parenting status. Pregnant and parenting students with excused absences such as pregnancy-related illnesses, medical care of related conditions due to the illness or the medical appointment of a child for whom students are the custodial parents shall be treated like all other students with excused absences; see attendance policies above. Students with excused absences shall be allowed to complete all assignments and tests missed, or a reasonable equivalent of the work missed, during the absence and shall be given full credit upon satisfactory completion of that work in a reasonable time period. For assistance or more information regarding pregnant or parenting teens, contact the school's Academic Advisor.

**E. STUDENTS WITH DISABILITIES UNDER SECTION 504.** Section 504 of the Rehabilitation Act of 1973 (Section 504) is a federal civil rights law that prohibits discrimination against individuals with disabilities in programs and activities that receive financial assistance from the U.S. Department of Education. Discrimination/harassment in any form toward individuals on the basis of their actual or perceived disability is unacceptable and will not be tolerated. DCCCHS will promptly investigate all complaints of disability-based discrimination/harassment and take reasonable actions to stop future incidents of discrimination/harassment. Section 504 also requires that students with disabilities be provided a free and appropriate public education (FAPE), a program designed to meet the educational needs of students with disabilities as adequately as the educational needs of students without disabilities. For students who are not eligible for special education services, but meet the federal definition of disabled under Section 504, a Section 504 Plan is developed which indicates the accommodations, supplementary aids and/or services that will be provided to assist the student in accessing the general education program. Parents or guardians must be notified in writing of any school decisions regarding the identification, evaluation, and/or educational placement of students and their right to participate in, and/or appeal these decisions under Section 504. See paragraph B above for complaint contact information.

**F. STUDENTS WITH DISABILITIES AND SPECIAL EDUCATION.** Students learn in a variety of ways, with most students learning effectively in a traditional school setting. However, sometimes students with disabilities need services beyond accommodations and modifications to the general education program. Students with disabilities may be eligible to receive special education services as determined by an Individualized Education Program (IEP) team, which includes the student’s parent (if under 18). Special education services are designed to meet the unique educational needs of students with disabilities and are provided at no cost to parents. To the maximum extent appropriate, students with disabilities must be educated with their nondisabled peers in the general education environment at the school they would attend if they were not disabled. Parents of school age children who suspect their child may have a disability who may need special education should contact the Principal.

**PARENT GRIEVANCE POLICY: REGARDING STUDENTS**

NAS-LC encourages parents/guardians to attempt to resolve unsatisfactory situations concerning their student at the lowest possible level. However, it is recognized that sometimes an intermediary is helpful for both sides to move beyond an impasse. Therefore, the following policy is provided for resolving situations that are **not otherwise covered by formal dispute resolution processes** (e.g. this grievance policy does not apply to student suspensions, special education matters or discrimination/harassment complaints – see those provisions for procedures to follow).

*Step 1.* Speak and/or meet with the person (teacher, staff, or administrator) with whom there is a concern.

*Step 2.* If a resolution cannot be reached at this level, then the parent or guardian may contact the person’s supervisor (likely the Principal) and request a meeting with the Principal and the other NAS-LC employee with whom there is a disagreement. (If it is the principal with whom there is a disagreement, then move to Step 3.)

*Step 3.* If a resolution cannot be reached at Level 2, or the issue is with the Principal, then the parent/guardian should submit a written complaint to the Governing Council President requesting a meeting with the Governing Council or its designated committee in closed session. *Note* - matters concerning a student or employee dispute will not be addressed in an open meeting, unless specifically requested by the parent in writing.

The Governing Council or designated committee will schedule a meeting with the parent/guardian and all NAS-LC employees concerned as soon as practical after the complaint is received by the President. The Governing Council may designate a committee to hear and issue a decision regarding the concern. The Governing Council or its designated committee will be the final step in process to address the concern. Consideration of student matters shall be conducted in closed session. When reaching its decision, the Governing Council or its designated committee will take into consideration the best interest of the student and the mission, goals and policies of NAS-LC.

**GRIEVANCE POLICY: TO ADDRESS MATTERS OTHER THAN STUDENT MATTERS**

*Initial inquiry* - Inquiries or concerns from a community member, parent or student regarding a specific school staff member, policy or program (NOT A STUDENT) should first be directed to the staff member involved or responsible for such policy or program. If a community member, parent or student (hereinafter “community member”) is not sure who is the responsible staff member, or, if the community member has an inquiry or concern of a broad nature, the community member should contact the Principal for clarification on the steps to follow. (*Note:* Grievances by School employees follow a separate Employee Grievance Policy/Process: See Employee Handbook)

*Initial Grievance Process*- If the community member feels the issue has not been satisfactorily handled at the individual staff member level, the issue may be referred to the Principal. After a meeting between the community member and the Principal, the Principal will prepare a written summary of attempt to resolve the community member’s concern of the matter is not resolved. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at the administrative level the community member may take the issue to the Governing Council for disposition.

*Governing Council Review* - The Governing Council, in its sole discretion, may decide whether any particular issue submitted to them is appropriate for Governing Council intervention. Typically, the Governing Council will NOT review administrative decisions regarding the following: complaints about a staff member’s performance (except the Principal), and matters particularly within the expertise of the educational staff and administration. The following procedure shall be followed for a Governing Council Review:

1. The community member may submit his/her grievance in writing to the Governing Council within five days of receiving the Principal’s statement concerning the good faith effort to resolve the dispute.
2. The letter must be in writing, signed by the community member and delivered to the Governing Council at the school. A copy of the Principal’s statement should be enclosed.
3. If the community member does not submit a written grievance within five days from the date the written summary prepared by the administrator is delivered to the community member, the complaint will be deemed “resolved.”
4. The grievance submitted to the Governing Council should include specific reasons why the community member is not satisfied with the administrator’s decision; any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person submitted the complaint.
5. The Governing Council will decide at the first meeting immediately following receipt of the written grievance whether it will hear the matter, and if it agrees to hear the matter, it will schedule a time for the meeting, which shall not be unreasonably delayed. Depending on the substance of the complaint, the Governing Council will also decide whether the grievance shall be heard as an informal meeting of the concerned parties, an informal hearing with each party being allowed to present his/her side of the story or any other procedure the Governing Council deems appropriate.
6. Governing Council members who are interested parties or who may have an actual or apparent conflict of interest shall disclose such conflict and be excused from the grievance meeting if the

Governing Council deems the excusal necessary to provide the complaining community member a fair consideration of the grievance.

7. Any meeting or hearing concerning a matter that relates to personnel issues, that is confidential, or that implicates an individual's privacy rights will be held in a closed meeting in accordance with the Open Meetings Act, unless written permission by the affected individual is obtained prior to the meeting.

8. A decision will be established by a majority vote of the members of the Governing Council hearing the issue. The Governing Council may designate a committee of the Governing Council to meet with or conduct the hearing. Any final action required to be taken by the Governing Council will be made after the committee's recommendation is presented to the full Governing Council.

9. If additional information or investigations are necessary after the initial meeting or hearing, the meeting or hearing may resume as soon as is practical after further information has been gathered or an investigation has been conducted. The Governing Council will issue a final written decision regarding the grievance. The decision of the Governing Council is final.