

STUDENT/FAMILY
HANDBOOK
FOR 2024-2025

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ALBUQUERQUE BILINGUAL ACADEMY

STUDENT/FAMILY HANDBOOK

I. GENERAL INFORMATION

1.1. MISSION AND VISION

1.1.01 *Mission* - The MISSION of Albuquerque Bilingual Academy ensures that culturally and linguistically diverse students thrive in an academic, family centered, developmentally seamless continuum of learning where high expectations, PRIDE, respect and empowerment meet grade level proficiency.

1.2. WELCOME AND STAFF INTRODUCTION.

1.2.01 *THE ALBUQUERQUE BILINGUAL ACADEMY STAFF WELCOMES YOU!*

Dear Parents & Guardians,

Welcome to Albuquerque Bilingual Academy for the 2024-2025 academic year. We are excited to start a new school year with your student(s) ready to learn and enjoy school. Albuquerque Bilingual Academy utilizes a dual Language 50-50 Immersion Model. One or more teachers at each grade level provide English or Spanish instruction to our students. Please be advised that students with limited proficiency in the Spanish or English languages might find this program challenging, especially at upper grade levels. The best programs are successful due to the presence of a strong home/school relationship. We believe our partnership with each of you will create a powerful force in the academic, social, emotional and physical success of Albuquerque Bilingual Academy students. The first week of school is critical to the long-term success students achieve. During the first week(s), our teachers spend a lot of time establishing community and building a positive culture in their classrooms. During this time, our staff gathers critical information and introduces students to systems and programs they will utilize during the school year. Please ensure that your student(s) are in attendance and in uniform daily. Students will receive FREE breakfast & lunch each day that school is in session throughout the academic year.

Sincerely,

David Bryant, Principal

1.2.02 ALBUQUERQUE BILINGUAL ACADEMY 2022-23 Staff

TEACHERS and EDUCATIONAL ASSISTANTS	GRADE LEVEL	ADMINISTRATION	OFFICE and SUPPORT STAFF
Raelene Martinez	Pre-K	Chris Jones, Executive Director	Danielle Miranda, School Counselor
Flor Guaderrama (EA)	Pre-K	Kyle Hunt, Operations Director	Cecy Barffuson, School Social Worker
Melissa Aleman	K	David Bryant, Principal	Yvette Barnwell, K-5SPED Teacher /Community Schools Coordinator
Marilisa Silva (EA)	K	Jimmy Gonzalez, Dean of Students	Monica Lopez-Chavez, 6-8 SPED Teacher
Gina Gonzales- Young	K		Martha Chavez, SLP
Elsa Andrade	K		Vondie Burrola, COTA
Michelle Cordova	I		Lisa Gabaldon, Diagnostician
Pilar Juarrieta	I		Bonnie Kaufman, Registered Nurse
Angelica Delgado (EA)	I		Esteban Cole, District Test Coordinator
Deanne Pauley	2		Priyam Banerjee Interventionist
Marisa Rios	2		Toni Bazan, Health Assistant (Part Time)
Brenda Olave (Sub)	3		Yenifeer Lopez, Health Assistant
Cindy Segura	3		Julie Rubi Secretary
Ashley Torres	4		Jaqueline Sanchez STARS Coordinator
Vilma Sarmiento	4		Anne Luthi Long term Substitute
Christie Graham	5		Ashley Alfaro Long Term Substitute
Hilda Alvarez	5		
Sara Perez	6-8 ELA		
Ludmila Layne	6-8 LA (Sp.)		
Ana Cotrina	6-8 Math Sp		
Javier Ortiz	6-8 SS (Sp.)		
Robert Duncan	6-8 Science		
Kevin Kahn	PE K,2,4,6th		
David Marquez	PE 1,3,5 Health 7-8		
Daniel Villa	K-8 Music		
Jaqueline Arellano	K-8 Art		

1.3 CAMPUS MAP

Please see the Campus Map in the back of this handbook (Appendix A). The Campus Map will show classrooms and classroom teacher assignments and the map for pickup and drop of locations and routes on the Albuquerque Bilingual Academy campus.

1.4 ALBUQUERQUE BILINGUAL ACADEMY GOVERNING COUNCIL

The Albuquerque Bilingual Academy Governing Council makes policy decisions concerning the Albuquerque Bilingual Academy, and interviews and hires the principal for his/her position. The members of the governing council operate according to its bylaws. The council members are volunteers who oversee the operation of the Albuquerque Bilingual Academy and ensure that Albuquerque Bilingual Academy's charter's goals and missions are carried out. Regular meetings are held on the final Monday of each month at 5:30 pm (unless otherwise indicated) and often, other meetings are convened to discuss Albuquerque Bilingual Academy business. Notices of the Albuquerque Bilingual Academy Governing Council meetings will be posted on the website at the Albuquerque Bilingual Academy and/or advertised in the Albuquerque Bilingual Academy's reception area.

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

The Governing Council members for Albuquerque Bilingual Academy Year 22-23 are:

Julian Munoz , President

Jose Garcia , Vice President

Brenda Baca , Secretary

Doris Cole, Member

Melissa Trujeque, Member

Danielle Miranda, Scribe (non-voting member)

Kyle Hunt, Business Manager (non-voting member)

Chris Jones, Executive Director (non-voting member)

1.5 ALBUQUERQUE BILINGUAL ACADEMY PTA

Albuquerque Bilingual Academy has a very active PTA and works hard to support the education our students are receiving in many ways. Contact information and planned events including meetings will be listed in a PTA calendar that will be given to each Albuquerque Bilingual Academy Family. Our PTA President this year is Brenda Baca. .

1.6 STUDENTS ARE UNDER CONTROL OF ALBUQUERQUE BILINGUAL ACADEMY

All students are under the control and direction of the Albuquerque Bilingual Academy Principal, or designee(s) and the immediate control and direction of the teacher or another member of the instructional staff or bus driver to whom such responsibility may be assigned by the Principal:

- while they are being transported to or from Albuquerque Bilingual Academy at public expense
- when they are attending Albuquerque Bilingual Academy
- when they are engaged in a Albuquerque Bilingual Academy-sponsored activity on the Albuquerque Bilingual Academy premises or away from Albuquerque Bilingual Academy premises
- during a reasonable time before and after a student is on the premises for attendance at Albuquerque Bilingual Academy or for authorized participation in a Albuquerque Bilingual Academy-sponsored activity
- whenever students are lawfully subject to the Albuquerque Bilingual Academy's control, regardless of place

A "reasonable time" shall mean fifteen (15) minutes before the Albuquerque Bilingual Academy day or Albuquerque Bilingual Academy-sponsored activity is scheduled or actually begins or ends, whichever period is longer.

1.7 CALENDAR AND HOURS

The following is the 2022-23 Albuquerque Bilingual Academy calendar. Students are to arrive no earlier than 7:30 am and no later than 7:45 am. The opening of the Albuquerque Bilingual Academy day is very important and we expect all students to be on time. Students entering after 8:00 am must report to the office for admittance into class and must be signed in by a parent or adult.

CALENDAR:

Please see the Pre-K and K-8 calendars at the back of this handbook (Appendix B).

HOURS:

Albuquerque Bilingual Academy's hours of operation for Kindergarten through 8th grade are 7:45 am – 3:00 pm (full days); 7:45 am – 11:00 am (half days). Albuquerque Bilingual Academy's hours of operation for Pre-K are 8:00 am – 2:45 pm (M-TH); No School on Fridays.

II. ADMISSIONS AND ATTENDANCE

2.1 ADMISSION

For information concerning enrollment or the lottery process, please refer to the Admission Section of our school website (<https://www.lpelc.com/Content2/68>). Albuquerque Bilingual Academy does not discriminate against any student based on race, gender, gender identity, religious affiliation, national origin, ethnicity, physical or mental disability, or sexual orientation. The school is nonsectarian in its programs, admission policies, and employment practices.

2.2 REGISTRATION/ENROLLMENT

Registration is completed or updated each year to ensure that all information is current on each student. All the following information is to be completed as part of the enrollment process. Failure to provide the required information may delay or result in a student not being officially enrolled at Albuquerque Bilingual Academy, jeopardizing his/her place at our charter school where space is limited. Consequently, at the time of enrollment please provide the following completed forms:

- enrollment forms
- emergency information forms
- health/medical consent forms
- immunization records
- free and reduced lunch forms (if applicable)
- copy of birth certificate
- custody orders (if applicable)
- Non-transportation permission form
- Home language survey
- Student dental examination verification form
- McKinney Vento Act questionnaire

Please note that according to state law, 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 at Albuquerque Bilingual Academy. 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. In addition, state law requires that students enrolling at Albuquerque Bilingual Academy receive an annual dental exam, or a parent/legal guardian written waiver of this requirement; see Appendix D for the Albuquerque Bilingual Academy dental exam policy and forms.

Once all applicable forms are completed and returned to the Albuquerque Bilingual Academy, your student’s registration will be deemed completed and you will be notified when 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.

2.3 HOME LANGUAGE SURVEY

Each student entering Albuquerque Bilingual Academy for the first time must complete a Home Language Survey. The survey form 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 Albuquerque Bilingual Academy.

2.4 PARENT CUSTODY

When parents are separated or divorced, it is recommended that the school be provided with a signed and certified court order defining custody and visitation rights. When parents have joint legal custody, each parent has the right to access and to receive copies of school/student records and information, to attend conferences, and to be informed about the student’s welfare, educational progress, and status.

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 Albuquerque Bilingual Academy personnel of the provisions or restrictions in the court order; and

- abide by the provisions and/or restrictions ordered, and the non-custodial parent requests that are consistent with the order.

Albuquerque Bilingual Academy 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, **and upon request**, the school will:

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

2.5 CHANGE OF CONTACT INFORMATION

It is most important that parents notify the school immediately of any change in their contact information, including their physical address, telephone number (s) and email address. Unlisted numbers will be held in confidence when requested.

2.6 ATTENDANCE

Albuquerque Bilingual Academy students are expected to arrive on time (7:45 am) and adequately prepared for their day. If your student is absent or late, please contact the school at (505) 836-7706. If your student is late (all arrivals after 8:00 am, he/she will need to be escorted into the front office and signed in). While regular attendance is required, SICK STUDENTS SHOULD REMAIN AT HOME.

2.7 ALBUQUERQUE BILINGUAL ACADEMY ATTENDANCE POLICY

Albuquerque Bilingual Academy is committed (and legally obligated) to enforce the New Mexico Attendance for Success Act. The following attendance requirements are consistent with a student's obligation to attend and a parent/guardian's obligation to ensure that their student attends school. Albuquerque Bilingual Academy hopes that every parent will consider regular and timely attendance to be imperative to their student's educational success.

This policy applies to students and their parents or legal guardians.

2.7.01 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 Albuquerque Bilingual Academy to participate in religious instruction for not more than 1 class period of the Albuquerque Bilingual Academy day with the written consent of the parent/guardian, at a time that is not in conflict with the academic program of the school. Albuquerque Bilingual Academy does not assume responsibility for the religious instruction for any student, nor does it permit religious instruction to be conducted on Albuquerque Bilingual Academy property. Albuquerque Bilingual Academy 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.
- 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.
- d. “Half Day Absence” is an absence from school for less than half the school day.
 - i. “Excused half day absence” is a half day absence from school for reasons identified in this Policy.
 - ii. “Unexcused half day absence” is a half day absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy.
- e. Absence equivalencies:
 - I. Any combination of two half-day excused absences will equate to one excused absence.

2. Any combination of two half day unexcused absences will equate to one unexcused absence.
- f. “Tardy” is an arrival to school after the start of the day, but 30 minutes or less late. Late arrivals in excess of 30 minutes will be considered a “half day absent.”
 - i. “Excused tardy” is a tardy for reasons listed in this Policy.
 - ii. “Unexcused tardy” is a tardy for reasons not listed in this Policy.
 - g. “Early Release” is a student’s departure from school 30 minutes or less prior to dismissal for reasons listed in this Policy. Early releases longer than 30 minutes will be considered an “excused half day absence.”
 - i. “Excused early release” is an early release for reasons listed in this Policy.
 - ii. “Unexcused early release” is an early release for reasons not listed in this Policy.
 - h. “Chronically Absent” is a student with an absenteeism rate of 10%, but less than 20% regardless of the reason for absence, and/or whether excused or not. Chronically absent students require Early Intervention; see below.
 - i. “Excessively Absent” is a student with an absenteeism of 20% or greater, regardless of the reason for the absence and/or whether excused or not. Excessively absent students require Intensive Support; see below.
 - j. “Voluntary Withdrawal” is Albuquerque Bilingual Academy interpreting a student’s continued unexcused absences to constitute a voluntary disenrollment of the child from school, after the school’s intervention attempts have been exhausted. Voluntary withdrawal is not an expulsion of a student and does not require the due process for expulsion.

2.7.02 PROCEDURES

a. Attendance Requirement. 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. Students enrolled in Albuquerque Bilingual Academy shall attend school for the length of time of the school year as established by Albuquerque Bilingual Academy’s charter and any resulting reauthorization thereof.

Students are expected to have no more than 5% absentee rate per school year, which includes both excused and unexcused absences. 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 Albuquerque Bilingual Academy's attendance officer 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, the Albuquerque Bilingual Academy attendance officer (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 Albuquerque Bilingual Academy Registrar shall notify parent/guardian of a child who has reached a 5% absentee rate regardless of reason for absence and shall keep a record of notification(s).

c. Make up of Work Missed. Following an excused absence, parents 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. Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy enrollment.
- ii. Students in need of individualized prevention (5-9% absent)
 - a. 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)

a. Parents/guardians of students found to be Chronically Absent shall meet with the Principal.

b. The Albuquerque Bilingual Academy 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.

c. 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.

d. 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)

a. Parents/guardians of students found to be Excessively Absent shall meet with the Principal.

i. The Albuquerque Bilingual Academy 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.

ii. 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.

iii. 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 Albuquerque Bilingual Academy. Voluntary withdrawal will be processed by the school only after:

a. Albuquerque Bilingual Academy has documented and exhausted intervention efforts to keep the child in school per this Policy.

- b. Albuquerque Bilingual Academy has contacted the juvenile probation department.
- c. Albuquerque Bilingual Academy 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. Albuquerque Bilingual Academy'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.

2.7.03. Albuquerque Bilingual Academy Action for Tardy/Early Release.

- a. Albuquerque Bilingual Academy Registrar shall notify parent/guardian of a child when the child has accumulated 5 or more of any combination of Tardies or Early Releases.
- b. Chronically late/leaving early: When a child's combined total of Tardies and/or Early Releases reaches 7, the parents/guardians shall be required to meet with the Principal.
 - i. Albuquerque Bilingual Academy Registrar shall notify the parent/guardian of the student found to have 7 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 3 instances of tardies or early releases.
- c. Excessively late/leaving early: When a child's combined total of Tardies and/or Early Releases reaches 10, the parents/guardians shall be required to meet with the Principal.
 - i. The Albuquerque Bilingual Academy registrar shall notify the parent/guardian of the student found to have 10 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Principal.
 - ii. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.

iii. The Principal will decide on appropriate parental consequences for continued Tardies or Early Releases.

d. The Principal or designee may create and implement additional measures to address chronic or excessive late arrivals/early releases.

2.7.04 Native American Students.

In carrying out its duties under this rule and the school attendance law, Albuquerque Bilingual Academy 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.

2.8 EXCUSED ABSENCES FOR PREGNANT/PARENTING STUDENTS

Students will be permitted 10 (ten) 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 Albuquerque Bilingual Academy 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 off 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 Albuquerque Bilingual Academy administration. A student missing Albuquerque Bilingual Academy 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.

2.9 LEAVING ALBUQUERQUE BILINGUAL ACADEMY BEFORE DAY'S END

A student is not permitted to leave the school grounds before regular dismissal, without a parent/guardian checking them out, in person, through the office. Parents are to come directly to the

office, sign their student out, and the student will be called from the classroom. Unless authorized by administrative staff, parents should wait for their student in the office. No one may check your student out of school unless they are listed on the registration card or you have notified us, in writing, prior to the dismissal. Parents are strongly encouraged to schedule doctor and dentist appointments after 3:15pm or on Fridays. See attendance policy/procedures, above.

2.10 DROP OFF AND PICK UP

BEFORE SCHOOL STUDENT DROP-OFF – 7:30 AM – 7:45 AM

(STUDENTS ARRIVING AFTER 7:45 AM MUST BE BROUGHT TO THE OFFICE AND SIGNED IN)

AM Drop-Off:

To review the **AM Drop-Off procedures** (red note sent home yesterday): You can drop your students off beginning 8/9/21 at 7:30 AM, Again, if you are escorting them to classrooms, please wait until the teacher enters the room before you leave your student. Teachers will be taking their classes in at 7:45 AM, and the gates will be locked.

Students arriving from 7:45 AM – 8:00 AM will need to be escorted to their classrooms. They will need to be signed-in by a parent from 7:45 AM on. We will escort students arriving after 7:45 AM to their classroom.

PM Pick Up:

Please see the Albuquerque Bilingual Academy Student Welcome Packet located on our school website at: <https://www.lpelc.com/Content2/84>

2.11 ABBREVIATED (DUE TO WEATHER) DAY

2.11.01 *Notice -*

Albuquerque Bilingual Academy will follow its Abbreviated schedule on days where weather prevents the 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 Albuquerque Bilingual Academy Administration directs that schools close early, the school will notify parents by phone or other means of communication to come pick up their student(s).

2.11.02 *Early Dismissal -*

The following emergency procedures will be followed at Albuquerque Bilingual Academy 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.

Albuquerque Bilingual Academy will make every effort to follow the Safe School Plan during emergencies. Contact the Principal to review the Safe School Plan or receive a copy.

2.12 HOMELESS CHILDREN AND YOUTH.

Children and youth who are: sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations; living in emergency transition shelter; abandoned in hospitals; have a primary nighttime residence that is a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings; living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or migratory children who qualify as homeless because they are living in circumstances described above, have certain rights under the McKinney-Vento Homeless Assistance Act of 2001, 42 USC Section 1142(g)(1)c), and under New Mexico. Please see the Albuquerque Bilingual Academy's liaison for homeless students, Chris Jones, (505) 836-7706 or cjones@lpelc.com and the Albuquerque Bilingual Academy's Homeless Student/McKinney-Vento Act policies and procedures (Appendix E), for more information about support, services, admission, enrollment, and other matters relating to homeless children and youth.

III. ALBUQUERQUE BILINGUAL ACADEMY HEALTH

3.1 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 Albuquerque Bilingual Academy, 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. Chicken pox, ear infections, giardia, hepatitis, measles, mumps, scarlet fever, strep, and viral infections including COVID-19 are among those conditions categorized as "highly contagious".

3.2 MEDICATIONS POLICY.

Diagnosis, treatment of illness, or prescribing drugs and medications are never responsibilities of Albuquerque Bilingual Academy and should not be practiced by any school personnel. School personnel will dispense only medications that have been prescribed by a physician. Students may be treated with an epinephrine auto injector, as directed by standing order of the student's physician, for life-threatening episodes of allergic reaction or asthma. 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:

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 Albuquerque Bilingual Academy 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.

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 Albuquerque Bilingual Academy authorities.

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).

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.

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.

PLEASE DO NOT SEND COUGH DROPS IN YOUR STUDENT'S POCKETS, BACKPACK, OR LUNCH BOX. THESE ARE CONSIDERED MEDICATIONS AND ARE TO BE TREATED AS OUTLINED ABOVE.

3.3 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 Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy-sponsored activities, including transit to or from school or Albuquerque Bilingual Academy-sponsored activities; and

4. The student's parent has completed and submitted to the school any written documentation required by Albuquerque Bilingual Academy, including the treatment plan required in paragraph (3) above and a statement relieving Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy 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.

Please see the Student Diabetes Management Policy and Procedure in Appendix F for important information about student diabetes management procedures at Albuquerque Bilingual Academy. To the extent that anything in this Section conflicts with the Student Diabetes Management Policy and procedure, that policy shall control.

ALBUQUERQUE BILINGUAL ACADEMY 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.

3.4 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 Albuquerque Bilingual Academy 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. Designated Staff members are required 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 Albuquerque Bilingual Academy/Reports Home. Health office visits will be charted and nurse pass slips describing the nature of health office 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 Albuquerque Bilingual Academy 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.

3.5 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.

3.6 MEDICAL CANNABIS POLICY/PROCEDURE

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 school. **Medical cannabis may be administered at Albuquerque Bilingual Academy only if:**

- I. 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. The treatment plan must be on the written treatment plan form posted on the NMPED's website, and must include:

- a. An affirmation of diagnosis of a qualifying debilitating medical condition, and description of the qualified student's debilitating medical condition per the Lynn and Erin Compassionate Use Act;
 - b. Description of the plan of treatment with medical cannabis, including:
 - i. Recommended dosage allotment;
 - ii. Recommended frequency of administration in a school setting; and
 - iii. Signature of the parent/guardian and the certifying practitioner;(treatment plan form may be found at <https://webnew.ped.state.nm.s/bureaus/safe-healthy-schools/medical-cannabis-in-schools/>); 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;
 - b. A copy of the student's New Mexico Department of Health (NMDOH)-issued ID card, which includes the name of the primary caregiver;
 - c. A signed Health Insurance Portability and Accountability Act (HIPAA) authorization, using the HIPAA authorization form posted on the NMDOH's website (<http://nmhealth.org/publication/view/form/137/>), which shall be retained by the School as a medical record; and
 - d. Written statement from the qualified student's parent or legal guardian releasing Albuquerque Bilingual Academy 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.
 3. The written certification and written treatment plan shall be valid for no more than one year from the date of issuance and shall be presented to the School at or prior to the school year for which the certification and treatment plan shall apply.
 4. In case of spillage or waste of medical cannabis on Albuquerque Bilingual Academy premises, cleanup and destruction of spillage or waste shall be immediate and shall be documented by a School employee witness.
 5. The parent/guardian shall provide the written certification and written treatment plan, a new release from liability, and a new package or container with clearly labeled identifiers including the

qualified student's name, date of birth, and dosage allotment, upon enrollment in a new public school following disenrollment, withdrawal, transfer, or graduation from another school.

6. Albuquerque Bilingual Academy personnel shall not administer medical cannabis on campus or at school-related activities; only a qualified student's parent/legal guardian may administer medical cannabis, in accordance with state law and this policy.
7. Parents/guardians administering medical cannabis to their student in the school setting may only do so in accordance with the student's written treatment plan and this Policy. The School shall not store medical cannabis administered by the parent/guardian. The Albuquerque Bilingual Academy Principal shall designate the School location at which parent/guardian administration of medical cannabis shall occur. Any administration of medical cannabis on school campus must take place out of view of other students and with the Principal or designee present. Parents/guardians administering medical cannabis to their student must check in and out with the Principal prior to and after each administration of medical cannabis to their student.
8. **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 Albuquerque Bilingual Academy 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.
9. **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/during 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.**
10. Student possession, use, distribution, sale or being under the influence of a cannabis product in a manner inconsistent with this Policy, inconsistent with the Medical Marijuana in Schools Act, and/or inconsistent with the Lynn and Erin Compassionate Use Act, is banned and will be considered a violation of Albuquerque Bilingual Academy's policies against distribution/possession/use of an unlawful substance on campus, and shall be disciplined accordingly.

11. Albuquerque Bilingual Academy shall not discipline a qualified student on the basis that the student requires medical cannabis as necessary for the student to attend school, or deny eligibility to attend school to a qualified student on the basis that the qualified student requires medical cannabis as a reasonable accommodation necessary for the student to attend school or an in-state school-sponsored activity.
12. Albuquerque Bilingual Academy shall annually provide appropriate training on this Medical Cannabis Policy to all school personnel.

As used in this section:

- i. “certifying practitioner” means a health care practitioner who is licensed in New Mexico to diagnose a qualified patient and recommend medical cannabis as a course of treatment;
- ii. “medical cannabis” means cannabis that is:
 - a. Recommended for treatment of a debilitating medical condition as defined in the Lynn and Erin Compassionate Use Act, in a written certification by a certified practitioner; and
 - b. Dispensed by a cannabis producer that has received approval from the New Mexico Department of Health (NMDOH) to conduct sales of medical cannabis; and
 - c. Is in the form of a capsule, extract, or concentrate to be ingested through the mouth that:
 - i. May be safely divided into measurable doses;
 - ii. is not an aerosol product consumable through smoking or in particulate form as a vapor or by burning;
 - iii. is not a food or a beverage product;
 - iv. is not a salve, balm, or other topical product;
 - v. does not require refrigerated storage; and
 - d. If administered by designated Albuquerque Bilingual Academy personnel, is provided to the school in package or container clearly labeled with the student’s name, date of birth, and dosage allotment; if administered by the parent/guardian, is brought to the school for administration by the parent/guardian in a package or container clearly labeled with the student’s name, date of birth, and dosage allotment.
- iii. “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,

6.12.10 NMAC, the Lynn and Erin Compassionate Use Act, and New Mexico department of health rules regarding the Lynn and Erin Compassionate Use Act. **Note: a qualified student is prohibited from possessing any form of cannabis in a school setting;**

- iv. “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;
- v. “written certification” means a statement written by a qualified student’s certifying practitioner in a qualified student’s medical records or in the written treatment plan statement; certifying that the qualified student has a debilitating medical condition pursuant to the Lynn and Erin Compassionate Use Act; certifying that 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; and signed by the certifying practitioner. A written certification is not valid for more than one year from the date signed by the certifying practitioner.
- vi. “written treatment plan” means a document developed by the parent/guardian in collaboration with the certifying practitioner that:
 - a. Includes the certifying practitioner’s diagnosis and description of the qualified student’s debilitating medical condition per the Lynn and Erin Compassionate Use Act;
 - b. Describes the plan for recommended treatment with medical cannabis, including:
 - i. The recommended dosage allotment;
 - ii. the recommended frequency of administration of medical cannabis in a school setting; and
 - iii. is signed by the parent/guardian and the certifying practitioner.

This Policy is not applicable to any School-related activity taking place outside of the state of New Mexico.
Hemp products are not covered by this policy.

IV. ALBUQUERQUE BILINGUAL ACADEMY RULES AND CONSEQUENCES

4.1 ALBUQUERQUE BILINGUAL ACADEMY POLICY ON DISCIPLINE.

A primary responsibility of Albuquerque Bilingual Academy 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. Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy. 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.

Students may be disciplined for committing any act that endangers the health or safety of students, Albuquerque Bilingual Academy personnel, or others for whose safety the School is responsible, or for conduct that reasonably appears to threaten such dangers if not stopped, regardless of whether an established rule of conduct has been violated; for violating valid rules of student conduct contained in this Handbook, or other rules established by the Governing Council or the Principal, when the student knew or should have known of the rule in question or that the conduct was prohibited; or for committing acts prohibited by 6.11.2 NMACC, when the student knew or should have known that the conduct was prohibited.

4.2 NO DISCRIMINATION BASED ON RACE, CULTURE, RELIGION, HAIRSTYLE.

Albuquerque Bilingual Academy 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).

4.3 AUTHORITY OF ALBUQUERQUE BILINGUAL ACADEMY.

Albuquerque Bilingual Academy has both the authority and the responsibility to ensure that suitable rules of student conduct and appropriate disciplinary processes are established for its school(s). With certain limits, Albuquerque Bilingual Academy's Governing Council has the discretion to develop such rules, policies and procedures as it deems appropriate.

ADMINISTRATIVE DISCRETION WILL BE EXERCISED IN ALL CASES

These represent the recommended minimum guidelines in the disposition of discipline situations. Therefore, depending on the circumstances of the behavior or education status (e.g. A student with an IEP or SAT/504 plan) of the student, responses may vary from situation to situation. In all cases, administration discretion will be exercised.

Special circumstances: Whether or not the behavior was a manifestation of the child's disability, school personnel may remove a student to an interim alternative educational setting (determined by the child's IEP team) for up to 45 school days if the child:

1. Carries weapon to school or has a weapon at school, on school premises or at a school function under the jurisdiction of the PED or school district;
2. Knowingly has or uses illegal drugs or sells or solicits the sale of a controlled substance/cannabis while at the school, on school premises, or at a school function under the jurisdiction of the PED or the school district;
3. Has inflicted serious bodily injury upon another person while at school on school premises or at the school function under the jurisdiction of the PED or school district.

4.4 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 Albuquerque Bilingual Academy are as follows:

4.4.01 *Have Respect* -

At Albuquerque Bilingual Academy 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
- Respect others' personal space
- Respect other people's and our school's property
- Exhibit respectful behavior and language
- Practice safety at all times
- Use of school equipment and materials appropriately
- Stay on school grounds in assigned areas
- Put forth your best effort
- Be thoughtful and attentive when listening

4.4.02 *Free Speech* -

All students have the right to express themselves as long as it does not hurt or negatively impact others or disrupt the learning environment. When pledging the flag, you should stand with everyone else unless your parents say you should not because of religious beliefs. If there is a school program, party, or play which your parents will not allow you to attend because of religious beliefs, let your teacher know in advance.

4.4.03 *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.

4.4.04 *Getting Together* -

During their free time, students may get together on Albuquerque Bilingual Academy grounds or buildings if permission has been given and if it will not disturb others.

4.4.05 *Learning in School -*

Schools 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 Albuquerque Bilingual Academy 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.

4.4.06 *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.

4.4.07 *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.

4.5 DRESS CODE

Freedom of expression, good judgment, respect for others and safety are the foundations of Albuquerque Bilingual Academy's approach towards student dress. Clothing and accessories must be safe and non-distracting or disruptive to the educational program. Without limiting the generality of these principles, the following guidelines will be observed:

- Attire or accessories which advertise, display or promote any drug, alcohol, tobacco, sexual activity, violence, disrespect, racialized aggression or bigotry towards any group are not acceptable.
- Unacceptable clothing includes: sagging/bagging pants, midriff length tops, shorts/skirts shorter than finger-tip length, bare skin or underwear showing around the waste-line area.
- Unacceptable shoes: Flip flop shoes or other footwear not appropriate for the school setting and school activities are not permitted. Shoes must be closed-toed.
- Shoes for PE Days: Sneakers or gym shoes are required for Physical Education. Classroom teachers can provide information concerning the days your students will have PE. Students wearing inappropriate shoes may be prohibited from participating in recess or PE.

Students may be removed from class and be required to obtain appropriate dress before being allowed to return. Repeated violations of the student dress guidelines may result in additional consequences at the sole discretion of the Principal or designee.

Albuquerque Bilingual Academy 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).

4.6 SPECIFIC PROHIBITED CONDUCT

The following conduct is prohibited at Albuquerque Bilingual Academy and whenever students are subject to school control, and will result in disciplinary actions as described in this policy. Albuquerque Bilingual Academy gives notice that not all inappropriate student behavior can be identified and consequently there may be other circumstances that result in a student being disciplined for his or her conduct.

4.6.01 Cheating or plagiarism –

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.

4.6.02 Misconduct -

Actions by students which are insubordinate or show disrespect for others or general misconduct which disrupts the learning situation

4.6.03 Violation of Dress Code -

Instances in which students deliberately defy the school dress guideline.

4.6.04 Public Display of Affection -

mutually consensual sexual contact including, but not limited to kissing, holding hands, intentional touching of the other person's genitals, groin, inner thigh, buttocks, or breasts, or clothing covering these areas.

4.6.05 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.

4.6.06 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 Albuquerque Bilingual Academy.

4.6.07 Student Possession or Use of Tobacco/E-cigarettes/Vapes-

While at school or a school sponsored event, students shall be prohibited at all times from possession or use of cigarettes, vapes, e-cigs, or tobacco in any form.

4.6.08 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 Albuquerque Bilingual Academy.

4.6.09 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 Albuquerque Bilingual Academy.

4.6.10 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.

4.6.11 Threats -

Serious threats made by a student against the life of another student, teacher or other Albuquerque Bilingual Academy 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.

4.6.12 False Accusations -

Accusations or charges made by a student against a teacher, administrator or other Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy personnel, shall be subject to disciplinary action for a serious breach of conduct.

4.6.13 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.

4.6.14 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.

4.6.15 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 Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy property or in attendance at a school function may be grounds for suspension and/or expulsion and referral to proper law enforcement agencies.

4.6.16 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 Albuquerque Bilingual Academy personnel, is strictly prohibited.

4.6.17 Weapons -

Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy. This includes school activities, property leased, owned, or contracted for by Albuquerque Bilingual Academy, 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.

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 Albuquerque Bilingual Academy. 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 upon request of the building 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.

4.6.18 Possession, Sale and/or Use of Alcoholic Beverages, Narcotics, Illegal Drugs, and/or Prohibited Substances.

Albuquerque Bilingual Academy prohibits students from using, possessing, distributing or trafficking alcohol and/or illegal drugs on school property, at school, or at school-sponsored activities. Students, while on Albuquerque Bilingual Academy property or attending a school-sponsored activity, who use, possess, distribute, or sell alcohol, and/or other drugs or related paraphernalia shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives.

4.6.19 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.

4.6.20 Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances –

This means making threats, placing, discharging, or throwing a destructive explosive item or noxious substance, or makes a terroristic threat while in or on Albuquerque Bilingual Academy property, or on school-sponsored transportation, or during school-sponsored activities.

4.6.21 Arson –

This means setting fire to Albuquerque Bilingual Academy property or while involved in a school activity either as a prank or deliberately to do damage to the property.

4.6.22 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 Albuquerque Bilingual Academy rules, or who disrupts or interferes with the lawful administration or functions of the school activities.

4.6.23 Assault or Battery on Albuquerque Bilingual Academy Personnel –

Causing bodily harm to or threatening to cause bodily to a Albuquerque Bilingual Academy official or staff member.

4.6.24 Criminal or Delinquent Acts –

This as defined by New Mexico or federal law.

4.6.25 *Refusal to Identify Self* –

Refusing to identify oneself, and, if deemed necessary, provide valid identification, upon request of School personnel on Albuquerque Bilingual Academy property or during a school -related activity.

4.6.26 *Refusal to Cooperate with Albuquerque Bilingual Academy Personnel.*

4.7 ELECTRONIC DEVICES

Students are not permitted to bring MP3 players, iPods, radios, electronic games, compact disks, pagers, game devices or other electronic devices (see Cell Phone Policy below) to Albuquerque Bilingual Academy during the school day. Teachers and administrators will take appropriate actions if a student is observed using a prohibited electronic device during the school day, or if such devices disrupt the instructional setting. Disciplinary actions may include: immediate confiscation, a parent conference, in-school suspension or suspension, and loss of privileges.

4.8 CELL PHONES

If a family deems it necessary for a student to bring a cell phone to school, the following rule applies. The phone must be in the “off” position and not be displayed for use during school hours while on Albuquerque Bilingual Academy property, unless specifically allowed by the student’s teacher. Abuse of the cell phone rules will result in confiscation and the Principal will call the parents to meet with the Principal for purpose of discussing this policy and in order to retrieve the cell phone. Albuquerque Bilingual Academy is not responsible for the loss and/or theft of any of student cell phones brought to campus.

4.9 CYBER BULLYING

Cyber bullying 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 and the like), and chat rooms, therefore, affecting the student’s learning environment.

Albuquerque Bilingual Academy is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. Albuquerque Bilingual Academy encourages the promotion of positive interpersonal relations between members of the Albuquerque Bilingual Academy

community. Aggressive behavior toward a student, whether by other students, staff, or third parties using social networking technologies is strictly prohibited and will not be tolerated. Albuquerque Bilingual Academy will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation using these social networking technologies. This policy applies to all activities at Albuquerque Bilingual Academy, including activities on school property or while in route to or from school sponsored activities and during any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, where an employee is engaged in school business, or if occurring off Albuquerque Bilingual Academy property if the activity disrupts the school environment or another student's access to a safe and healthy school environment. See Bullying/Cyberbullying/Harassment/Hazing/Violence Prevention Policy, Appendix H.

4.10 SEARCH AND SEIZURE

4.10.01 *Search Generally –*

School property assigned to a student, and a student's person or property while under the authority of a public school, are subject to search, and items found are subject to seizure, in accordance with the following:

4.10.02 *Who May Search-*

Certified school personnel, school security personnel and school bus drivers are authorized to conduct searches when a search is permissible as set forth herein. An authorized person conducting a search may request the assistance of one or more people, who upon consent become authorized to search for the purpose of that search only.

4.10.03 *When A Search is Permissible.*

An authorized person may conduct a search when the authorized person has a reasonable suspicion that a crime or other breach of Albuquerque Bilingual Academy rules is occurring or has occurred. An administrative authority may direct or conduct a search under the same conditions and also when the administrative authority has reasonable cause to believe that a search is necessary to help maintain school discipline.

4.10.04 *Conduct of Search.*

a. Albuquerque Bilingual Academy property, including lockers and school buses, may be searched with or without students present. When students are not present for locker searches, another authorized person shall serve as a witness whenever possible. Locks furnished by

students should not be destroyed unless a student refuses to open one, or circumstances otherwise render such action necessary in the judgment of the Principal.

b. Student vehicles when on campus or otherwise under school control and students' personal effects, which are not within their immediate physical possession, may be searched in accordance with the requirements for locker searches, above.

c. Physical searches of a student's person may be conducted only by an authorized person of the same sex as the student and, except when circumstances render it impossible, may be conducted only in the presence of another authorized person of the same sex. The extent of the search must be reasonably related to the infraction, and the search shall not be excessively intrusive in light of the students age and sex, and the nature of the infraction.

4.10.05 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.

4.10.06 Notification of Law Enforcement.

The Principal may notify the local children's court attorney, district attorney, or other law enforcement officers when a search discloses illegally possessed contraband material or evidence of some other crime or delinquent act.

4.11 VIOLENT OR AGGRESSIVE BEHAVIOR.

4.11.01 Defined -

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.

4.11.02 Duty to Report -

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 counselor, Human

Resource Director, or 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. See Bullying/Cyberbullying/Harassment/Hazing/Violence Prevention Policy, Appendix H.

4.12 CLASSROOM RULES

Individual classrooms have additional rules and consequences that will be reviewed with your student by the classroom teacher.

4.13 CONSEQUENCES

Students have certain rights, but also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. Disciplinary consequences may be imposed by the Principal, in addition to consequences developed by the classroom teacher, for violations of Albuquerque Bilingual Academy rules. The Principal has the right to impose discipline in his/her reasonable discretion, in accordance with the circumstances presented. Some of the potential consequences include:

- Principal referral. Students who choose to disobey rules will be sent to meet with the Principal to discuss the behavior. An incident report will be sent to the parent/guardian. The parents are to sign and return the copy of the slip with the student on the day after it was received. Depending upon the infraction, an additional consequence may be applied at the Principal's discretion.

- Parent meeting. When deemed necessary by the Principal, or when a student receives his/her 3rd referral, parents will be contacted by the Principal so that arrangements may be made for the student to meet with the Principal, Classroom Teacher, his/her Parents/Guardians and any other appropriate staff to discuss the referrals and develop a plan/contract.

- Student Assistance Team. Additional referrals will result in a referral to the Student Assistant Team to discuss other possible interventions such as a behavior management program, participation in a "Social Skills" program, a mentorship, screenings or evaluations, or other disciplinary action deemed appropriate by administration.

A progressive discipline continuum shall be used in most instances, in the discretion of the Principal, which provides consequences that range from a warning to suspension or expulsion.

4.14 DETENTIONS, SUSPENSION, AND EXPULSION

Albuquerque Bilingual Academy, along with the cooperation of the student and his/her parent/guardian, seeks to avoid having to impose any stronger measures of discipline than contemplated in Section 4.13 above. However, when prior efforts to correct behavior or if the situation warrants, Albuquerque Bilingual Academy may choose to impose detentions, suspension and/or pursue expulsion.

4.15 DUE PROCESS/REFERRALS

4.15.01 Due Process -

In disciplinary cases, each student is entitled to due process. This means students:

- Will be informed of accusations against them.
- Will have the opportunity to accept or deny the accusations.
- Will have explained to them the factual basis for the accusations.
- Will have a chance to respond to the facts presented against them.
- The extent of the due process required will depend upon the severity of the infraction and the related consequence.

4.15.02 Referrals -

All discipline referrals submitted to the Principal/designee will begin with a conference with the student. In the case of suspensions/expulsions, parents will be notified of consequences by a personal phone call accompanied by a written referral form. If attempts to notify parents by telephone are unsuccessful, parents will be notified by written referral form only. Parent involvement is an important part of the discipline at all levels.

A student suspended from school shall be delivered directly by an Albuquerque Bilingual Academy official to the student's parents/legal guardians or an adult designated by the parent/legal guardian, or kept on Albuquerque Bilingual Academy grounds until the usual end of the school day.

4.16 DETENTION

Detention may be imposed in connection with in-school suspension, but is distinct from in-school suspension in that detention does not entail removing the student from any of the student's regular classes. Albuquerque Bilingual Academy may impose reasonable periods of detention during the day or outside normal school hours as a disciplinary measure.

4.17 IN-SCHOOL SUSPENSION

In-school suspension means requiring a student to spend time in a designated area in the school or in an environment where the student is allowed to continue with their academic learning. In-school suspension may be imposed with or without further restriction of student privileges. Any student placed in in-school suspension which exceeds 10 school days must be provided with an instructional program that meets state and local educational requirements. Student privileges, however, may be restricted for longer than 10 school days.

In-school suspensions of any length shall be accomplished according to the procedures for a short-term suspension as set forth in 6.11.2.12.D NMAC. Students in in-school suspension shall not be denied an opportunity to eat lunch or reasonable opportunities to use the restroom.

4.18 IMMEDIATE REMOVALS

Students whose presence poses a continuing danger to persons or property or on ongoing threat of interfering with the educational process may be immediately removed from school, subject to the following:

4.18.01 A rudimentary hearing, as required for short-term suspensions, shall follow as soon as possible;

4.18.02 Students shall be reinstated after no more than one school day, unless within that time a short-term suspension is also imposed after the required rudimentary hearing. In such circumstances, a single hearing will support both the immediate removal and a short-term suspension imposed in connection with the same incident(s); and

4.18.03 The school shall exert reasonable efforts to inform the student's parent of the charges against the student and the action taken as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the school day following

the immediate removal, the school shall on that day mail a written notice with the required information to the parent's address of record.

4.19 SHORT TERM SUSPENSIONS

A short-term suspension is a mandatory absence from school for a period of 10 school days or less. If the Principal decides that the alleged misconduct warrants a consequence of a suspension for 10 school days or less, the Principal shall give the student an informal/rudimentary due process hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights set forth in 6.11.2.12.D NMAC, including the opportunity to present to the principal/designee his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Principal designee, upon the basis of all facts and information learned, shall determine if the student committed a conduct violation. If the student is found to have committed a violation, a consequence or suspension may be imposed for a period of time not to exceed 10 school days. If a suspension is imposed, the principal imposing the suspension shall keep a record of the aforesaid proceedings. A parent may request an administrative review of the discipline data and decision to suspend. Homework can be provided at the request of the parent. Credit for assignments completed while a student is in short-term suspension is at the discretion of the instructor and/or Principal. There is no level of appeal higher than the Principal for a suspension of 10 school days or less.

4.20 LONG TERM SUSPENSION

A long term suspension is a mandatory absence from school for a period exceeding 10 school days, whether consecutive or cumulative, 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 or letter of the charges against the student.

4.21 PROCEDURES FOR LONG TERM SUSPENSION/EXPULSION

The long-term suspension process shall be in accordance with 6.11.2 of the New Mexico Administrative Code. The ability to make up work for credit during long - term suspension will only be allowed in exceptional circumstances.

4.21.01 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, which shall be scheduled no sooner than five nor later than 10 school days from the date of receipt of the notice. Notice will be given by certified mail return receipt or by personal delivery addressed to the student, through his/her parents/guardians. The notice shall contain:

- The school rule(s) alleged to have been violated, a concise statement of the act(s) of the student on which the charge(s) are based, and a statement of the possible penalty;
- The time, date and place of the hearing, and a statement that both the student and parents are entitled and urged to be present;
- The name of the hearing officer;
- 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 the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in written notice filed at least 72 hours before the hearing with the contact person designated in the notice;
 - Contact information (name, business address, phone number) for person from who the parent may request a delay or additional information, including access to any documentary evidence or exhibits which the school proposed to introduce at the hearing;
 - A description of the hearing proceedings; and
 - Any other information, materials or instructions deemed appropriate by the administrative authority who prepares the notice.

4.21.02 Hearing Officer –

Long-Term Suspension and Expulsion hearings will be conducted by an independent hearing officer. No person shall act as hearing officer or review authority in a case where the person was directly involved in or witnessed the incident(s) in question, or if the person has prejudged disputed facts or is biased for or against any person who will actively participate in the proceedings.

4.21.03 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, unless the student/parents have waived the right to a hearing and agreed to comply with the proposed penalty or have waived the hearing and have negotiated a mutually acceptable penalty with the Principal, or the student/parents have knowingly and voluntarily waived the student's right to return to school pending the outcome of the formal proceedings.

4.21.04 Hearing Procedure --

The formal hearing is not a trial; it is an administrative hearing designed to ensure a calm and orderly determination by an impartial hearing officer of the facts of a case of alleged serious misconduct. Technical rules of evidence and procedure do not apply. The following rules govern the conduct of the hearing and the ultimate decision:

1. The school shall have the burden of proof of misconduct.
2. The student and student's parent(s) shall have the following rights:
 - a. the right to be represented by legal counsel or other designated representative, however, the school is not required to provide representation;
 - b. the right to present evidence, subject to reasonable requirements of substantiation at the discretion of the hearing officer and subject to exclusion of evidence deemed irrelevant or redundant;
 - c. the right to confront and cross-examine adverse witnesses, subject to reasonable limitation by the hearing officer;
 - d. the right to have a decision based solely on the evidence presented at the hearing and the applicable legal rules, including the governing rules of student conduct.

3. The hearing officer shall determine whether the alleged acts of misconduct have been proved by a preponderance of the evidence presented at a hearing at which the student or a designated representative have appeared.
4. If no one has appeared on the student's behalf within a reasonable time after the announced time for the hearing, the hearing officer shall determine whether the student, through the parent(s), received notice of the hearing. If so, the hearing officer shall review the ' evidence to determine whether it is sufficient to support the charge(s) of misconduct.
5. The hearing officer shall report the findings, together with any recommended sanction, to the Principal promptly after the hearing.
6. Arrangements to make a recording or keep minutes of the proceedings shall be made by the school. A verbatim written transcript is not required, but any minutes or other written record shall fairly reflect the substance of the evidence presented.
7. The Principal may observe but not participate in the proceedings at a formal hearing. If the Principal is present at the formal hearing and if the hearing officer announces a recommended decision at the close of the hearing, the Principal may also announce the Principal's decision at that time.

4.21.05 Decision –

The Hearing Officer may announce findings of fact and a recommended decision at the close of the hearing. The hearing officer shall also prepare a written recommendation, including written findings of fact and concise reasons for the recommendation and the penalty to be imposed, if any, and mail or deliver it to the Principal and the student, through the parent, within five (5) working days after the review is concluded. The Principal shall adopt the Hearing Officer's factual recommendation(s), but may reject any consequence(s) recommended by the Hearing officer. The Principal shall prepare the final written decision, including reasons for choosing any penalty imposed, and shall mail or deliver it to the student, through the parents, within five working days of receipt of the hearing officer's report.

The Principal's decision shall take effect immediately upon initial notification to the parent(s), either at the close of the hearing or upon receipt of the Principal's written decision. If initial notification is by mail, the parent(s) shall be presumed to have received the notice on the fifty calendar day after the date of mailing unless a receipt for certified mail, if used, indicates a different date of receipt.

If the hearing officer decides that no allegations of misconduct have been proven, or if the Principal declines to impose a penalty despite a finding that an act or acts of misconduct have been proved, the matter shall be closed. If the Principal imposes any sanction on the student, the decision shall take effect immediately upon notification to the parent and shall continue in force during any subsequent review.

4.22 LONG-TERM SUSPENSION/EXPULSION APPEAL

A student aggrieved by the Principal's decision after a formal hearing 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.

4.22.01 Conduct of review -

The Governing Council shall have discretion to modify or overrule the Director's decision, but may not impose harsher consequences. If review is conducted by the Governing Council, the proceedings shall be conducted in accordance with the Open Meetings Act.

4.22.02 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 Albuquerque Bilingual Academy authorities to written materials, or to grant a conference or hearing at which the student and his or her representative, and Albuquerque Bilingual Academy authorities, may present their respective views in person. Where a conference or hearing is granted, the record-keeping requirements of 6.11.2.12.G.4.I.vi NMAC apply.

4.22.03 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 Governing Council.

4.22.04 Decision -

The Governing Council may announce a decision at the close of any 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 officer and the student, through the parent, within ten (10) working days after the review is concluded.

4.22.05 *Effect of decision -*

The Governing Council's decision shall be the final administrative action to which a student is entitled. A student who has been validly expelled or long-term suspended is not entitled to receive any educational services from the school during the period of the exclusion. Albuquerque Bilingual Academy may provide alternative arrangements, including remote learning or correspondence courses at the expense of the student or parent pursuant to NMPED requirements, if Albuquerque Bilingual Academy deems such arrangements appropriate.

4.22.06 *NMPED Compliance -*

The student discipline process followed by Albuquerque Bilingual Academy 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.

4.23 CLASSROOM CONTROL/CORPORAL PUNISHMENT

A teacher or other member of the certificated staff shall assume such authority for the control of students who are assigned to him/her by the Principal or designee and shall keep good order in the classroom. To that end, each classroom teacher may establish classroom rules that each student must follow. The use of corporal punishment is *prohibited*. Alternative disciplinary procedures, which may include peer review or other forms of positive reinforcement should be used to bring about appropriate student classroom behavior.

4.24 DISCIPLINE OF 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, Albuquerque Bilingual Academy 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, to the extent that current educational expertise permits. Albuquerque Bilingual Academy personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, consistent with the other requirements of 6.11.2.11 NMAC, is appropriate for a student with a disability who violates a code of conduct as provided in 34 CFR 300.530.

4.24.01 LONG-TERM SUSPENSIONS OR EXPULSIONS; DISCIPLINARY CHANGE OF PLACEMENT-

Long-term discipline of students with disabilities shall be governed by the procedures set forth in Section 6.11.2.11 NMAC, when the conduct may result in long-term suspension or expulsion, or any other disciplinary change of the student's current educational placement as specified in 34 CFR 300.530 through 300.536, and NMPED rules and standards.

4.24.02 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 I, Paragraph (3) of 6.11.2.10 NMAC.

4.24.03 Program Prescriptions -

A student with a disability's individualized education program (IEP) need not affirmatively authorize disciplinary actions that 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.

4.24.04 Immediate Removal -

Immediate removal of a student with disabilities may be done in accordance with the procedures of Subsection C of 6.11.2.12 NMAC, 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.

4.25 BULLYING, CYBERBULLYING, HARASSMENT, HAZING AND VIOLENCE PROHIBITION.

Albuquerque Bilingual Academy 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 well being of all students is of primary importance. Albuquerque Bilingual Academy does not permit and it is the school's goal of preventing and responding to acts of bullying, intimidation, harassment, violence, and other similar disruptive behavior, in accordance

with applicable laws. See Bullying, Cyberbullying, Harassment, Hazing and Violence Prohibition Policy, Appendix H.

4.26 SEXUAL HARASSMENT/ANTI-DISCRIMINATION POLICY

Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy community. Sexual and other forms of harassment will not be tolerated.

4.26.01 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.

4.26.02 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, including use of protective hairstyles or cultural headdresses. Students shall at all times refrain from using racial slurs, hate-related nicknames, bullying and any other name-calling or put downs. Racialized aggression is strictly prohibited.

4.26.03 Strictly Prohibited -

The harassment by a student of a staff member, fellow student of Albuquerque Bilingual Academy 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.

4.26.04 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. Albuquerque Bilingual Academy 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.

4.26.05 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 Albuquerque Bilingual Academy 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.

4.26.06 Retaliation -

Albuquerque Bilingual Academy 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.

4.26.07 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 the designated person to contact to file a complaint and/or receive information related to this policy.

4.27 WEAPONS

State and federal law requires the public 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 alikes” to school. Albuquerque Bilingual Academy will report any such violation to the student’s parents AND the appropriate legal authorities.

4.28 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 Albuquerque Bilingual Academy 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.

4.29 VIOLATION OF STUDENT RIGHTS Students believing their rights have been violated should report their concerns to their parents/guardian or the Principal. If the concern is not resolved by the Principal, a report should be made to the Governing Council using the Parent Concern Policy About Student below.

4.30 RESTRAINT AND SECLUSION

Albuquerque Bilingual Academy shall follow requirements for the use of restraint and seclusion techniques in accordance with Section 22-5-4.12 NMSA 1978 and 6.11.2.10.E NMAC.

4.30.01 Albuquerque Bilingual Academy shall establish and review annually policies and procedures for the use of restraint and seclusion techniques. Such policies and procedures shall require and describe appropriate training for school personnel and shall include requirements in relation to the use of restraint and seclusion techniques.

- a) A school may permit the use of restraint or seclusion techniques on a student pursuant to the requirements in Section 22-5-4.12 NMSA 1978, and only if the student's behavior presents an imminent danger of serious physical harm to the student or others, and only if less restrictive interventions appear insufficient to mitigate the imminent danger of serious physical harm.
- b) Less restrictive interventions, including positive behavioral intervention supports or other comparable behavior management techniques, shall be implemented prior to the use of restraint and seclusion techniques.

- c) If a restraint or seclusion technique is used on a student, trained and authorized school employees shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use.
- d) Restraint or seclusion techniques shall be used only by Albuquerque Bilingual Academy employees who are trained in de-escalation strategies, positive behavioral intervention supports, and the safe and effective use of restraint and seclusion techniques, unless an emergency does not allow sufficient time to summon those trained school employees.
- e) The restraint or seclusion techniques shall not impede the student's ability to breathe or speak, shall be in proportion to a student's age and physical condition, and shall end when the student's behavior no longer presents an imminent danger of serious physical harm to the student or others.
- f) An Albuquerque Bilingual Academy employee shall provide the student's parent with written or oral notice on the same day the incident occurred, unless circumstances prevent same-day notification. If notice is not provided on the same day of the incident, notice shall be given within 24 hours after the incident.
- g) Within a reasonable time following the incident, no longer than two school days, a school employee shall provide the student's parent with written documentation that includes information about any persons, locations, or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used, and the duration of its use.

4.30.02. Albuquerque Bilingual Academy shall develop and implement an annual training for designated school personnel regarding positive behavioral intervention supports or comparable behavior management techniques and the use of restraint and seclusion techniques. In the event that new designated school personnel are employed within the school after the provision of the annual training, the principal of the school, or a person authorized to act officially in a matter involving school discipline or the maintenance of order within the school, shall ensure that a training is provided to new designated school personnel within 60 days of employment.

4.30.03 Albuquerque Bilingual Academy shall update school safety plans with regard to restraint/seclusion and make reports to the NMPED in accordance with state law.

4.30.04 If a student has been restrained or secluded two or more times within 30 calendar days, Albuquerque Bilingual Academy shall review strategies used to address the student's behavior and determine whether the student needs a functional behavior assessment or referral to a SAT or BIP team, or, if a student has an IEP, a referral to the student's IEP team. The student's IEP, BIP, or SAT

team shall meet within two weeks of each subsequent use of restraint or seclusion to provide recommendations for avoiding future incidents requiring the use of restraint or seclusion; the review shall include whether school personnel involved in the incidents were trained in the use of de-escalation strategies, positive behavioral intervention supports, or restraint and seclusion techniques. Additionally, the review shall consider whether the individual who restrained or secluded a student needs additional training.

4.30.05 Albuquerque Bilingual Academy shall conduct an annual review and analysis of all incidents in which restraint or seclusion techniques were used, including the number of incidents, the type of incident, personnel involved, the need for additional training, and student demographics.

4.30.06 If the school summons law enforcement instead of using a restraint or seclusion technique on a student, the school shall comply with the reporting, documentation, and review procedures established herein and in 6.11.2.10 NMAC and Section 22-5.-4.12 NMSA.

4.30.07 Restraint or seclusion techniques used in compliance with 6.11.2.10.E NMAC shall not be deemed to be corporal punishment.

4.31 REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

Nothing in these rules of conduct prohibits Albuquerque Bilingual Academy from reporting a crime committed by a student to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes committed by a student. If Albuquerque Bilingual Academy reports a crime committed by a student with a disability, Albuquerque Bilingual Academy shall ensure that copies of the special education and disciplinary records of the student are transmitted, for consideration by the appropriate authorities, to whom the school reports the crime. Such records may be transmitted by the school only to the extent that the transmission is permitted by FERPA.

4.32 DISCIPLINE OF STUDENTS EXPERIENCING HOMELESSNESS

Removing students experiencing homelessness from Albuquerque Bilingual Academy shall be used only as a last resort, pursuant to the requirements in 42 U.S.C. 11431 et seq., the McKinney-Vento Homelessness Assistance Act.

4.32.01 Albuquerque Bilingual Academy shall:

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- a) through professional development activities, create an awareness among educators and administrators of the types of behaviors that students experiencing homelessness may exhibit due to homelessness and provide strategies and supports to address the behaviors through the student assistance team process in accordance with Subsection D of 6.29.1.9 NMAC;
- b) take into account the issues related to a student's homelessness by talking with the student and applicable staff and families prior to taking disciplinary action;
- c) with school behavior response teams or other applicable personnel to assign appropriate discipline related to the behavior;
- d) implement discipline alternatives to out of school suspensions or expulsions or classroom removals, if possible; and
- e) connect students with mental health services as needed.

4.32.02 Albuquerque Bilingual Academy shall review school discipline records and data of students experiencing homelessness in order to identify any patterns in disciplinary actions that indicate an unfair bias against the students. The collection and review of such records shall be in compliance with the Family Educational Rights and Privacy Act, as well as any other applicable federal or state laws or rules governing the privacy of such documents.

V. GENERAL SCHOOL INFORMATION

5.1 GRADING

Report cards are standards-based. See the Albuquerque Bilingual Academy Governing Council's Grade Change Policy for information regarding requests for a grade change.

5.2 REPORT CARDS

Report cards are given out at the end of each trimester.

5.3 FIELD TRIPS

Field trips are considered an important part of our educational program and will be taken periodically to nearby places. The school will provide adequate and responsible adult supervision. Albuquerque Bilingual Academy must have on file an individual permission form for off-campus trips before a student will be allowed to participate in a field trip. Parents will be notified in advance of the location of upcoming field trips and travel arrangements.

While on school trips students must follow Albuquerque Bilingual Academy rules and guidelines. Students shall at all times follow instructions and directives of teachers, sponsors, or chaperones in charge of the field trip. Misbehavior may result in disciplinary action.

5.4 LUNCH

All Albuquerque Bilingual Students are provided at no cost, two full meals and one snack each day. Meals include lunch as well as breakfast. Lunch service is provided by an external food service contractor in accordance with federal and state nutrition requirements. Please see the school's daily schedule for information related to meal service times. The monthly food service menu can be found on the Food Services webpage on the school's website.

5.5 LOST AND FOUND

All lost items are to be turned into the Lost and Found located in the office. Students are encouraged to check for all lost items there. Due to the lack of storage space, clothing items in the Lost and Found may be donated to local charities as often as monthly and definitely at winter and spring breaks.

5.6 PERSONAL PROPERTY

If your student brings an item of personal property to school and loses it, he/she may check in the Lost and Found. The school is not responsible for lost, damaged or stolen personal property. Many personal items are not permitted at school and students should leave personal items at home, as they can be disruptive and may be broken, lost or stolen. Students should not bring electronic games/devices to school. They will be taken from the student and kept in the office until the student's parent/guardian come to the school to retrieve them. It will be up to the parent/guardian to contact the school about the confiscated property.

5.7 PARENT GRIEVANCE POLICY : REGARDING STUDENTS

Albuquerque Bilingual Academy 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** (for example, this grievance process is not applicable to student suspensions, special education matters or discrimination/harassment complaints).

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 supervisor and the other Albuquerque Bilingual Academy 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 its designated committee will schedule a meeting with the parent/guardian and all Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy.

5.8 GRIEVANCE POLICY: TO ADDRESS MATTERS OTHER THAN MATTERS COVERED BY 5.7 ABOVE

5.8.01 Initial inquiry -

Inquiries or concerns from a community member, parent or student regarding a specific Albuquerque Bilingual Academy 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 administrator for clarification on the steps to follow. (Note: Grievances by School employees follow a separate Employee Grievance Policy/Process: see Employee Handbook)

5.8.02 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 Albuquerque Bilingual Academy Governing Council for disposition.

5.8.03 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: student discipline less than a long term suspension or expulsion, student placements (in special education or regular education classes), complaints about a staff member’s performance (except the Principal), matters particularly within the expertise of the educational staff and administration. The following procedure shall be followed for any Governing Council Review granted:

1. The community member may submit his/her grievance in writing to the Albuquerque Bilingual Academy 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 grievance 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. Albuquerque Bilingual Academy 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 Albuquerque Bilingual Academy Governing Council hearing the issue. The Albuquerque Bilingual Academy 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.

5.9 FIRE DRILLS

Fire drills are held at school as required by law. Drills may occur at any time of the day. Students are requested to move quickly, as directed by the teacher, to the designated exit-area. Upon completion of the drill, an all-clear signal will be sounded, at which time all persons will return to their classrooms.

5.10 BOOKS, ALBUQUERQUE BILINGUAL ACADEMY EQUIPMENT AND OTHER ALBUQUERQUE BILINGUAL ACADEMY MATERIALS

Students shall take proper care of books, school equipment and materials. Lost or damaged books, school equipment or materials are the financial responsibility of the parents and students.

5.11 ACCESSIBILITY FOR PARENTS/GUARDIANS

To ensure equal access to school meetings, conferences, events etc. in accordance with the Americans with Disabilities Act (ADA), Albuquerque Bilingual Academy will provide appropriate auxiliary aids and services to parent/guardians who request them in advance of the meeting/conference/event. These auxiliary aids and services for a parent/guardian may include but are not limited to the following:

- Sign Language Interpreter
- Braille
- Mobility Access
- Assistive Listening System
- Large Print

These accommodations are available upon request for school-related meetings, Governing Council meetings, school plays, teacher conferences, etc. Please notify the Albuquerque Bilingual Academy

administration office as early as possible prior to the meeting/conference/event, if you require any of these services.

VI. STUDENT SUPPORT INFORMATION

6.1 STUDENT SUPPORT

State and federal laws call for early intervention strategies with family involvement to improve the academic and functional outcomes of students. When students are struggling with learning or behaviors that interfere with learning at Albuquerque Bilingual Academy, we use the Response to Intervention (RTI) process that finds and uses strategies that will work with the student. We look at how students are making progress with the current instruction in the classroom to find more effective ways to help students make academic and functional progress at school. We also look at what may contribute to difficulties. Together with families we will work to develop interventions aimed at increasing the likelihood that students can be successful and maintain their placement in the general education setting.

Struggling students are identified through classroom, school-wide and state-wide screening/testing processes as well as other means, such as teacher observation or parent concern. Struggling students are brought before the Student Assistance Team (SAT) that will address problems, design and recommend interventions that will help to alleviate or resolve the situation prior to referral for a multidisciplinary evaluation. In many cases, the SAT is able to assist students who need interventions in order to succeed, but who are not necessarily disabled and therefore do not qualify for special education services or Section 504 accommodations. In other words, the SAT is a “support group” for the regular education teachers and students in need. If you have concerns about your student’s progress, please let the classroom teacher know. If the classroom teachers have concerns, they will bring them to your attention and determine if a SAT meeting is warranted.

6.2 SECTION 504

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities by organizations receiving federal assistance. Included in the regulation is the requirement that students with disabilities be provided with a "free appropriate public education" (FAPE). These regulations require identification, evaluation, provision of appropriate service, and procedural safeguards in all public schools. Individuals who have been determined to be students with disabilities under Section 504 may or

may not be disabled under special education (IDEA). Section 504 services could apply to any school age student who, (1) has had a physical or mental impairment which substantially limits a major life activity, or (2) is regarded as having a disability by others. Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself and performing manual tasks.

Parents who have concerns or questions regarding Section 504 services for their student should contact the student's teacher or the Principal.

6.3 STUDENT FIND

Albuquerque Bilingual Academy has an affirmative, ongoing obligation to identify, locate and evaluate all students with disabilities within the school community who either have or are suspected of having disabilities and need special education as a result of those disabilities. Albuquerque Bilingual Academy personnel, a private or public agency or institution, or a parent may initiate a referral for a placement evaluation by contacting the Principal or by contacting one of the Albuquerque Bilingual Academy special education teachers

6.4 EDUCATIONAL SERVICES FOR GIFTED STUDENTS

Albuquerque Bilingual Academy offers services to students who qualify as gifted through the Special Education program. For information on referral/screening procedures, eligibility requirements and program options, contact the Principal or special education teacher. Teachers and parents can refer students to the RTI Team for consideration and evaluation. For additional information, see the Principal.

6.5 ABUSE AND NEGLECT

If any member of the Albuquerque Bilingual Academy staff suspects child/student abuse or neglect, appropriate authorities will be notified. The call and report will be made as soon as any sign of abuse/neglect is noticed. Any member of the staff can make the call and does not have to wait for approval. Calls may remain anonymous. Signs of suspected abuse or neglect will be documented and sent to the Principal and appropriate state authorities.

6.6 STATEMENT OF RIGHTS OF PARENTS/GUARDIANS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents/legal guardians, and students 18 and over, certain rights with respect to the student's education records:

The Albuquerque Bilingual Academy provides the following notice regarding those rights:

6.6.01 Inspection -

You may inspect and review your student's education records within 45 days of the day the Albuquerque Bilingual Academy receives a written request for access. You should submit to the Principal or designee a written request that identifies the record(s) you wish to inspect. The Principal will make arrangements for access and notify you of the time and place where the records may be inspected.

6.6.02 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 you should write to the Principal and clearly identify the part of the record you want changed, and specify why it is inaccurate or misleading. If Albuquerque Bilingual Academy decides not to amend the record as requested by you, Albuquerque Bilingual Academy will notify you of the decision and advise of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

6.6.03 Disclosure/Consent -

A parent/legal guardian, or a 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 Albuquerque Bilingual Academy 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 who Albuquerque Bilingual Academy has contracted to perform a special task (such as an attorney, auditor, medical consultant, ancillary staff 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 educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

6.6.04 Directory Information -

Right to Opt Out. Albuquerque Bilingual Academy classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, 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/guardian or eligible student who objects to the release of any or all of this directory information without their consent must notify, in writing, the Principal by no**

later than September 15 each year. The objection must state what information the parent/guardian 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 Handbook, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.*** If you chose to opt out of permitting your student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook, Appendix I.

6.6.05 Complaint -

You have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Albuquerque Bilingual Academy 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.

6.7 TRANSFER OF STUDENT RECORDS

When a student withdraws to enroll in another and records are officially requested by the new , the following records (if applicable) are forwarded: continuous record of academic progress; health data sheet with health notes; special education records; 504 Plan; individual remediation plan; individual health plan/emergency plan; attendance reports; standardized test results/state testing results; indicator of grades and credits received from other s (if applicable); listing of disclosure and transfer of student records; relevant legal documents and documentation of suspensions and expulsions.

6.8 GRADUATION REQUIREMENTS

NA

VII. TECHNOLOGY USE POLICY

7.1 ALBUQUERQUE BILINGUAL ACADEMY TECHNOLOGY USE POLICY

At Albuquerque Bilingual Academy, our 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. Albuquerque Bilingual Academy has taken precautions to ensure that students are using the Internet and other electronic resources for appropriate educational means. Student use of the Internet and multimedia resources will be supervised by an adult at all times. However, we cannot guarantee that students will refrain from locating inappropriate sources.

7.2 GENERAL RULES FOR STUDENT USE

- Student use of instructional media must be in support of grade appropriate school instruction.
- Students will use respect and show proper care and handling of all equipment. Any student found to be intentionally damaging any software or hardware will be cited for school property abuse and the student's parent or guardian will be financially responsible for any damages.
- Students are expected to respect and not attempt to by-pass security in place on computers. Changing or attempting to change a computer's settings is a violation of acceptable use of our equipment.
- Students will observe software copyright laws. No students will bring software from home to copy on school workstations, nor will students copy school software for personal use.
- When using the Internet, students' actions will be closely supervised. They will be held responsible for information viewed, received, and sent.
- Students are expected to respect the work and ownership rights of students, staff, and people outside the building.

Attached to this Student/Family Information Book is the "Albuquerque Bilingual Academy Technology Acceptable Use Agreement Form" that you and your student will be required to sign before your student will be permitted to use Albuquerque Bilingual Academy technology and related equipment, Appendix J.

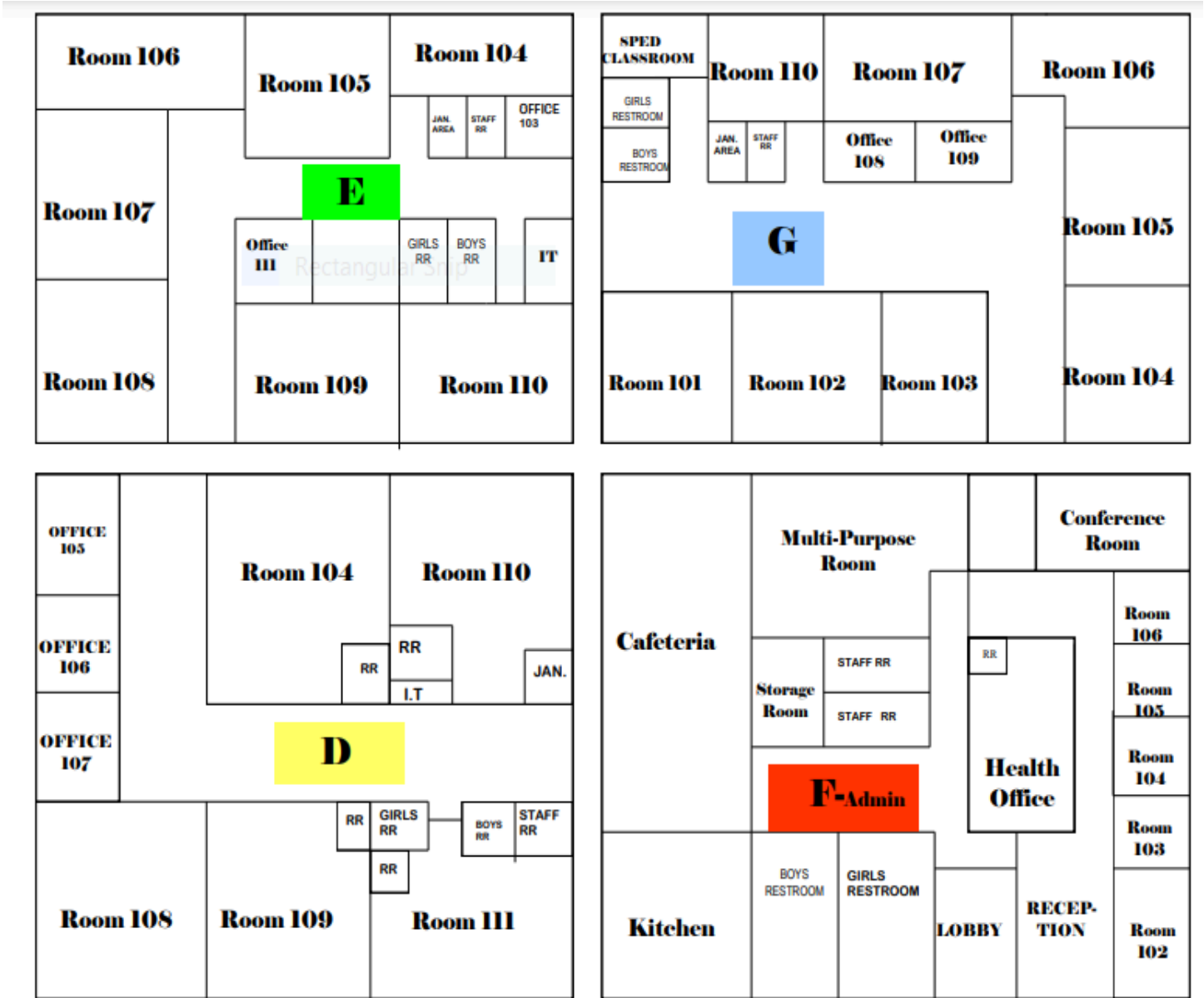
Violation of the computer use policy may result in a student losing his/her privileges, and/or student disciplinary action.

7.3 NO EXPECTATION OF PRIVACY

School equipment and network spaces are analogous to student desks or lockers and may be inspected when network maintenance becomes necessary or if students are suspected of abusing access rights, and to ensure compliance with Albuquerque Bilingual Academy policy and applicable laws and regulations.

Appendix A

Albuquerque Bilingual Academy Campus Map School Year 2024-2025



Appendix B

ALBUQUERQUE BILINGUAL ACADEMY PRE-K – 8TH GRADE CALENDARS SCHOOL YEAR 2024-2025

New Mexico Pre-K Calendar

K – 8th Grade Calendar

Appendix C

ALBUQUERQUE BILINGUAL ACADEMY PRE-K – 8TH GRADE DAILY SCHEDULES SCHOOL YEAR 2024-2025

New Mexico Pre-K Schedule

K – 5th Grade Daily Schedule

6th – 8th Grade Schedules

6th Grade- Layne Homeroom Class					
"A" Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
7:45-8:00 (15 min)	Breakfast				
8:00-8:15 (15 min)	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom
8:15-9:00 (45 min)	Art	Music	Art	Music	PE
9:00-9:45 (45 min)	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR
9:45-11:15 (90 min)	SLA	ELA	SLA	ELA	SLA
Switch Classes					
11:15-12:45 (90 min)	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES
12:45-1:15 (30 min)	Lunch in Cafeteria				
1:15-1:30 (15 min)	Daily 15				
1:30-3:00 (90 min)	MATH	ELD	MATH	ELD	MATH
3:00	Dismissal				

7th Grade- Ortiz Homeroom Class					
"A" Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
7:45-8:00 (15 min)	Breakfast				
8:00-8:15 (15 min)	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom
8:15-9:00 (45 min)	Music	Health	Music	Health	Art
9:00-9:45 (45 min)	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR
9:45-11:15 (90 min)	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES
Switch Classes					
11:15-12:45 (90 min)	MATH	ELD	MATH	ELD	MATH
12:45-1:15 (30 min)	Lunch in Cafeteria				
1:15-1:30 (15 min)	Daily 15				
1:30-3:00 (90 min)	SLA	ELA	SLA	ELA	SLA
3:00	Dismissal				

8th Grade- Cotrina Homeroom Class					
"A" Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
7:45-8:00 (15 min)	Breakfast				
8:00-8:15 (15 min)	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom
8:15-9:00 (45 min)	Health	Art	Health	Art	Music
9:00-9:45 (45 min)	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR
9:45-11:15 (90 min)	MATH	ELD	MATH	ELD	MATH
Switch Classes					
11:15-12:45 (90 min)	SLA	ELA	SLA	ELA	SLA
12:45-1:15 (30 min)	Lunch in Cafeteria				
1:15-1:30 (15 min)	Daily 15				
1:30-3:00 (90 min)	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES
3:00	Dismissal				

6th Grade- Perez Homeroom Class					
"A" Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
7:45-8:00 (15 min)	Breakfast				
8:00-8:15 (15 min)	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom
8:15-9:00 (45 min)	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR
9:00-9:45 (45 min)	Art	Music	Art	Music	PE
9:45-11:15 (90 min)	ELA	SLA	ELA	SLA	ELA
Switch Classes					
11:15-12:45 (90 min)	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE
12:45-1:15 (30 min)	Lunch in Cafeteria				
1:15-1:30 (15 min)	Daily 15				
1:30-3:00 (90 min)	ELD	MATH	ELD	MATH	ELD
3:00	Dismissal				

7th Grade- Duncan Homeroom Class					
"A" Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
7:45-8:00 (15 min)	Breakfast				
8:00-8:15 (15 min)	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom
8:15-9:00 (45 min)	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR
9:00-9:45 (45 min)	Music	Health	Music	Health	Art
9:45-11:15 (90 min)	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE
Switch Classes					
11:15-12:45 (90 min)	ELD	MATH	ELD	MATH	ELD
12:45-1:15 (30 min)	Lunch in Cafeteria				
1:15-1:30 (15 min)	Daily 15				
1:30-3:00 (90 min)	ELA	SLA	ELA	SLA	ELA
3:00	Dismissal				

8th Grade- Tovar Homeroom Class					
"A" Week					
	Monday	Tuesday	Wednesday	Thursday	Friday
7:45-8:00 (15 min)	Breakfast				
8:00-8:15 (15 min)	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom	Advisory in Homeroom
8:15-9:00 (45 min)	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR	RTI/SSR
9:00-9:45 (45 min)	Health	Art	Health	Art	Music
9:45-11:15 (90 min)	ELD	MATH	ELD	MATH	ELD
Switch Classes					
11:15-12:45 (90 min)	ELA	SLA	ELA	SLA	ELA
12:45-1:15 (30 min)	Lunch in Cafeteria				
1:15-1:30 (15 min)	Daily 15				
1:30-3:00 (90 min)	SCIENCE	SOCIAL STUDIES	SCIENCE	SOCIAL STUDIES	SCIENCE
3:00	Dismissal				

Late Arrival Schedule

9:45 am-3:00 pm	Instructional Day
9:30-9:45 am	Student Drop-off
9:45-10:00 am	Breakfast in the Classroom
11:00 am	Pre-K Lunch
12:00-12:30 pm (1)	K – 1st – 2nd Lunch
12:30-1:00 pm (2)	3rd – 4th – 5th Lunch
1:00-1:30 pm (3)	6th – 7th – 8th Lunch
2:45 pm	Pre-K Dismissal
3:00 pm	Kindergarten - 8th Grade Dismissal

APPENDIX D

STUDENT DENTAL EXAM VERIFICATION POLICY

New Mexico law requires Albuquerque Bilingual Academy to verify student records of dental examination prior to the student's initial enrollment in Albuquerque Bilingual Academy. Parents/guardians of students (or, if over 18, the student) are required to provide an executed Student Dental Examination Verification Form as part of the Albuquerque Bilingual Academy's enrollment process (see below) prior to 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 the Albuquerque Bilingual Academy as part of student records; confidentiality shall be maintained and shall be only accessible to Albuquerque Bilingual Academy 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 cases should see the Albuquerque Bilingual Academy Health Assistant 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

Student Dental Examination Verification Form

Upon initial enrollment in a district or charter school, New Mexico Administrative Code (NMAC) 6.12.13 requires schools to verify student records of dental examination. This rule also allows for an informed opt-out process based on parent or guardian understanding of the risks associated with not having a dental examination.

Albuquerque Bilingual Academy is dedicated to promoting the health of our students. We recognize oral health care is essential for general wellbeing and can have a significant impact on overall health. According to the [Centers for Disease Control and Prevention](#) (CDC), tooth decay is one of the most common chronic diseases of childhood in the United States. Left untreated, it can cause pain and infections that may lead to problems with everyday activities like eating, talking, playing, and learning. Routine oral health care such as dental visits, daily oral hygiene, healthy eating and consuming of water can help prevent tooth decay and other oral health conditions.

Student Name: _____

Student ID: _____

Please check the applicable response below:

I confirm that my child has received a dental examination within the past calendar year.

My child has not received a dental examination within the past year. I understand the risks associated with my child not receiving a dental examination, and I request a waiver allowing my child to be enrolled. If checked, this signed document may serve as the Student Dental Examination Waiver as defined by NMAC 6.12.13.

Parent/Guardian Signature: _____ Date: _____

Are you interested in learning more about oral health resources for your child? Please contact the Albuquerque Bilingual Academy Health Assistant at (505)836-7706, or the New Mexico Department of Health, Office of Oral Health at (505)827-0837.

Appendix E

ABA HOMELESSNESS EDUCATION POLICY

Homelessness exists in our community. A combination of high housing costs and poverty causes many families to lose their housing. Many young people leave their homes due to abuse, neglect, and family conflict. Children and youth who have lost their housing live in a variety of places, including motels, shelters, shared residences, transitional housing programs, cars, campgrounds, and others. Their lack of permanent housing can lead to potentially serious physical, emotional, and mental consequences. This school district will ensure that all children and youth receive a free appropriate public education and are given meaningful opportunities to succeed in our schools. This district will also follow the requirements of the McKinney-Vento Homeless Assistance Act.

It is the policy of our district to view children as individuals. Therefore, this policy will not refer to children as homeless; it will instead use the term children and youth in transition. Under federal law, children and youth in transition must have access to appropriate public education, including preschool, and be given a full opportunity to meet state and local academic achievement standards. They must be included in state- and district-wide assessments and accountability systems. Our schools will ensure that children and youth in transition are free from discrimination, segregation, and harassment.

Information regarding this policy will be distributed to all students upon enrollment and once during the school year, provided to students who seek to withdraw from school, and posted in every school in the district, as well as other places where children, youth, and families in transition receive services, including family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments, health departments, and other social service agencies.

Each year, schools that have been particularly creative or proactive in implementing this policy will be recognized publicly for the benefits they provide their students

Definitions

Children and youth in transition means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, campgrounds, or trailer parks due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement.
- Children and youth who have a primary nighttime residence that is a private or public place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
- Children and youth who are living in a car, park, public space, abandoned building, substandard housing, bus or train station, or similar setting.
- Migratory children and youth who are living in a situation described above.

A child or youth will be considered to be in transition for as long as he or she is in a living situation described above.

Unaccompanied youth means a youth not in the physical custody of a parent or guardian, who is in transition as defined above. The more general term youth also includes unaccompanied youth.

Enroll and enrollment mean attending school and participating fully in all school activities.

Immediate means without delay.

Parent means a person having legal or physical custody of a child or youth.

School of origin means the school the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

Local liaison is the staff person designated by our LEA and each LEA in the state as the person responsible for carrying out the duties assigned to the local homeless education liaison by the McKinney-Vento Homeless Assistance Act.

Identification

In collaboration with school personnel and community organizations, the local liaison will identify children and youth in transition in the district, both in and out of school. The local liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying families and youth as in transition, and procedures for forwarding information indicating homelessness to the local liaison. The local liaison will also instruct school registrars and secretaries to inquire about possible homelessness upon the enrollment and withdrawal of every student and to forward information indicating homelessness to the local liaison. Community partners in identification may include the following: family and youth shelters, soup kitchens, motels, campgrounds, drop-in centers, welfare departments and other social service agencies, street outreach teams, faith-based organizations, truancy and attendance officers, local homeless coalitions, and legal services.

The local liaison will keep data on the number of children and youth in transition in the district; where they are living; their academic achievement (including performance on state- and district- wide assessments); and the reasons for any enrollment delays, interruptions in their education, or school transfers.

School Selection

Each child and youth in transition has the right to remain at his or her school of origin or to attend any school that housed students who live in the attendance area in which the child or youth is actually living are eligible to attend. Maintaining a student in his or her school of origin is important for both the student and our school district. Students who change schools have been found to have lower test scores and overall academic performance than peers who do not change schools. High mobility rates also have been shown to lower test scores for stable students. Keeping students in their schools of origin enhances their academic and social growth, while permitting our schools to benefit from the increased test scores and achievement shown to result from student continuity.

Therefore, in selecting a school, children and youth in transition will remain at their schools of origin to the extent feasible, unless that is against the parent or youth's wishes. Students may remain at their schools of origin the entire time they are in transition and until the end of any academic year in which they become permanently housed. The same applies if a child or youth loses his or her housing between academic years.

Feasibility will be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes. Potential feasibility considerations include:

- The age of the child or youth
- The distance of a commute and the impact it may have on the student's education
- Personal safety issues
- A student's need for special instruction (e.g., special education and related services)
- The length of anticipated stay in a temporary shelter or other temporary location
- The time remaining in the school year

Services that are required to be provided, including transportation to and from the school of origin (see next page) and services under federal and other programs, will not be considered in determining feasibility.

Enrollment

Consistent, uninterrupted education is vital for academic achievement. Due to the realities of homelessness and mobility, students in transition may not have school enrollment documents available readily. Nonetheless, the school selected for enrollment must enroll any child or youth in transition immediately. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

- Proof of residency
- Transcripts/school records (The enrolling school must contact the student's previous school to obtain school records. Initial placement of students whose records are not immediately available can be made based on the student's age and information gathered from the student, parent, and previous schools or teachers.)
- Immunizations or immunization/health/medical/physical records (If necessary, the school must refer students to the local liaison to assist with obtaining immunizations and/or immunization and other medical records. Health records may often be obtained from previous schools or state registries, and school- or community-based clinics can initiate immunizations when needed.)
- Proof of guardianship
- Birth certificate
- Any other document requirements
- Unpaid school fees
- Lack of uniforms or clothing that conforms to dress codes
- Any factor related to the student's living situation

Unaccompanied youth must also be enrolled immediately in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling, or local liaison.

Transportation

Without appropriate transportation, a student may not be able to continue attending his or her school of origin. To avoid such forced school transfers, at a parent's request, transportation will be provided to and from the school of origin for a child or youth in transition. Transportation will be provided for the entire time the child or youth has a right to attend that school, as defined above, including during pending disputes. The local liaison will request transportation to and from the school of origin for unaccompanied youth. The length of the commute will be considered only in determining the feasibility of placement in

the school of origin based on potential harm to the student, as discussed above. Parents and unaccompanied youth must be informed of this right to transportation before they select a school for attendance.

Schools and local liaisons will use the district transportation form to process transportation requests. Requests will be processed and transportation arranged without delay. If the student in transition is living and attending school in this district, this district will arrange transportation. If the student in transition is living in this district but attending school in another, or attending school in this district but living in another, this district will coordinate with the neighboring district to arrange transportation. It is this district's policy that inter-district disputes will not result in a student in transition missing school. If such a dispute arises, this district will arrange transportation and immediately bring the matter to the attention of the State Coordinator for the Education of Homeless Children and Youth. In addition to receiving transportation to and from the school of origin upon request, children and youth in transition will also be provided with other transportation services comparable to those offered to housed students.

Services

Children and youth in transition will be provided services comparable to services offered to other students in the selected school, including:

- Transportation (as described above)
- Title I, Part A, services (as described below)
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners
- Vocational and technical education programs
- Gifted and talented programs
- Before- and after-school programs

The district recognizes that children and youth in transition suffer from disabilities at a disproportionate rate, yet frequently are not evaluated or provided appropriate special education and related services. To address this problem, evaluations of children and youth in transition suspected of having a disability will be given priority and coordinated with students' prior and subsequent schools as necessary to ensure the timely completion of a full evaluation. When necessary, the district will designate expeditiously a surrogate parent for unaccompanied youth suspected of having a disability. If participation of a surrogate parent in

the student's education is needed prior to the appointment of a surrogate parent, the district will designate a temporary surrogate in accordance with the provisions of the Individuals with Disabilities Education Act (IDEA). If a student has an Individualized Education Program (IEP), the enrolling school will implement it immediately. Any necessary IEP meetings or re-evaluations will then be conducted expeditiously. If complete records are not available, IEP teams must use good judgment in choosing the best course of action, balancing procedural requirements and the provision of services. In all cases, the goal will be to avoid any disruption in appropriate services.

When applying any district policy regarding tardiness or absences, any tardiness or absence related to a child or youth's living situation will be excused. Our school district will follow state procedures to ensure that youth in transition and youth who are out of school are identified and accorded equal access to appropriate secondary education and support services. School personnel will refer children and youth in transition to appropriate health care services, including dental and mental health services. The local liaison will assist the school in making such referrals, as necessary. School personnel must also inform parents of all educational and related opportunities available to their children and provide parents with meaningful opportunities to participate in their children's education. All parent information required by any provision of this policy must be provided in a form, manner, and language understandable to each parent.

Disputes

If a dispute arises over any issue covered in this policy, the child or youth in transition will be admitted immediately to the school in which enrollment is sought, pending final resolution of the dispute. The student will also have the rights of a student in transition to all appropriate educational services, transportation, free meals, and Title I, Part A, services while the dispute is pending.

The school where the dispute arises will provide the parent or unaccompanied youth with a written explanation of its decision and the right to appeal and will refer the parent or youth to the local liaison immediately. The local liaison will ensure that the student is enrolled in the requested school and receiving other services to which he or she is entitled and will resolve the dispute as expeditiously as possible. The parent or unaccompanied youth will be given every opportunity to participate meaningfully in the resolution of the dispute. The local liaison will keep records of all disputes in order to determine whether particular issues or schools are delaying or denying the enrollment of children and youth in transition repeatedly.

The parent, unaccompanied youth, or school district may appeal the school district's decision as provided in the state's dispute resolution process.

Free Meals

Hunger and poor nutrition are obvious barriers to learning. To help ensure that children and youth in transition are available for learning, the U.S. Department of Agriculture has determined that all children and youth in transition are automatically eligible for free meals. On the day a child or youth in transition enrolls in school, the enrolling school must submit the student's name to the district nutrition office for immediate processing.

Title I, Part A

Children and youth in transition are automatically eligible for Title I, Part A services, regardless of what school they attend. The trauma and instability of homelessness put students at sufficient risk of academic regression to warrant additional support. The district will reserve such funds as are necessary to provide services comparable to those provided to Title I students to children and youth in transition attending non-participating schools. The amount reserved will be determined by a formula based upon the per-pupil Title I, Part A, expenditure and developed jointly by the local liaison and the Title I director. Reserved funds will be used to provide education-related support services to children and youth in transition, both in school and outside of school, and to remove barriers that prevent regular attendance.

Our district's Title I plan will be coordinated with our McKinney-Vento services, through collaboration between the Title I director and the local liaison. Children and youth in transition will be assessed, reported on, and included in accountability systems, as required by federal law and U.S. Department of Education Regulations and Policy Guidance.

Training

The local liaison will conduct training and sensitivity/awareness activities for the following LEA and school staff at least once each year: the Assistant Superintendent, principals, assistant principals, federal program administrators, registrars, school secretaries, school counselors, school social workers, bus drivers, custodians, cafeteria workers, school nurses, and teachers. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to children and youth in transition.

The local liaison will also obtain from every school the name and contact information of a building liaison. Building liaisons will lead and coordinate their schools' compliance with this policy and will receive training from the local liaison annually.

Coordination

The local liaison will coordinate with and seek support from the State Coordinator for the Education of Homeless Children and Youth, public and private service providers in the community, housing and

placement agencies, the pupil transportation department, local liaisons in neighboring districts, and other organizations and agencies. Coordination will include conducting outreach and training to those agencies and participating in the local continuum of care, homeless coalition, homeless steering committee, and other relevant groups. Both public and private agencies will be encouraged to support the local liaison and our schools in implementing this policy.

Preschool

Preschool education is a very important element of later academic success. Children in transition have experienced many difficulties accessing preschool opportunities. To facilitate preschool enrollment and attendance, the provisions of this policy will apply to preschools administered by our school district. Our district will ensure that children in transition receive priority enrollment in preschool programs operated by the district, including exempting children in transition from waiting lists.

Children in transition with disabilities will be referred for preschool services under the Individuals with Disabilities Education Act (IDEA). Children in transition under age three will be referred for at-risk services under Part C of IDEA and screened to determine if referrals for additional Part C services are appropriate. The local liaison will collaborate with Head Start and Even Start programs and other preschool programs to ensure that children in transition can access those programs.

References

The McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§11431 – 11436.

Title I, Part A, of the Elementary and Secondary Education Act, 20 U.S.C. §§6311 – 6315. The Individuals with Disabilities Education Act, 20 U.S.C. §§1400 et seq.

Child Nutrition and WIC Reauthorization Act of 2004, 42 U.S.C. §§1751 et seq.

June 5, 1992 Policy of the Administration for Children and Families of the U.S. Department of Health and Human Services.

6.10.3 NMCA

Admission of Homeless Children

The ABA School Board is committed to educating homeless children and youth. Homeless children and youth shall not be stigmatized or segregated on the basis of their status as homeless.

The ABA School District will serve each homeless student according to the student's best interest and will

- continue the student's education in the school of origin for the duration of homelessness
 - if the student becomes homeless between academic years or during an academic year; or
 - for the remainder of the academic year, if the student becomes permanently housed during an academic year; or
- enroll the student in any public school that non-homeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of a homeless student, the ABA School board shall

- to the extent feasible, keep the student in the school of origin, except when doing so is contrary to the wishes of the student's parent or guardian;
- provide a written explanation, including a statement regarding the right to appeal as described below, to the homeless student's parent or guardian, if the division sends the student to a school other than the school of origin or a school requested by the parent or guardian; and
- in the case of an unaccompanied youth, ensure that the district's homeless liaison assists in placement or enrollment decisions regarding the student, considers the views of such unaccompanied youth, and provides notice to such youth of the right to appeal described below.

Enrollment

The school selected in accordance with this policy shall immediately enroll the homeless student, even if the student is unable to produce records normally required for enrollment, such as previous academic records, medical records, proof of residency, or other documentation.

The enrolling school shall immediately contact the school last attended by the student to obtain relevant academic and other records.

If the student needs to obtain immunizations, or immunization or medical records, the enrolling school shall immediately refer the parent or guardian of the student to the district's homeless liaison, who shall assist in obtaining necessary immunizations, or immunization or medical records.

The decision regarding placement shall be made regardless of whether the student lives with the homeless parents or has been temporarily placed elsewhere.

Enrollment Disputes

If a dispute arises over school selection or enrollment in a school

- the homeless student shall be immediately admitted to the school in which enrollment is sought, pending resolution of the dispute;
- the parent or guardian of the student shall be provided with a written explanation of the school's decision regarding school selection or enrollment, including the rights of the parent, guardian, or student to appeal the decision;
- the student, parent, or guardian shall be referred to the district's homeless liaison who shall carry out the appeal process as expeditiously as possible after receiving notice of the dispute; and
- in the case of an unaccompanied youth, the homeless liaison shall ensure that the youth is immediately enrolled in school pending resolution of the dispute.

Appeal Process

Oral Complaint

In the event that an unaccompanied student or the parent or guardian of a student (hereinafter referred to as the Complainant) disagrees with a school's decision regarding the student's eligibility to attend the school, the Complainant shall orally present his position to the division's homeless liaison.

Written Complaint

If the disagreement is not resolved within five (5) school days, the Complainant may present a written complaint to the homeless liaison. The written complaint must include the following information: the date the complaint is given to the homeless liaison; a summary of the events surrounding the dispute; the name(s) of the school division personnel involved in the enrollment decision; and the result of the presentation of the oral complaint to the homeless liaison.

Within five (5) school days after receiving the written complaint, the homeless liaison will reach a decision regarding the contested enrollment and shall provide a written statement of that decision, including the reasons therefore, to the Complainant. The liaison will inform the Superintendent of the formal complaint and its resolution.

Appeal to Director/Principal

If the Complainant is not satisfied with the written decision of the homeless liaison, the Complainant may appeal that decision to the Director/Principal by filing a written appeal. The homeless liaison shall ensure that the Director/Principal receives copies of the written complaint and the response thereto. The Director/Principal or designee shall schedule a conference with the Complainant to discuss the complaint. Within five (5) school days of receiving the written appeal, the Director/Principal, or designee, shall provide a written decision to the Complainant including a statement of the reasons therefore.

Comparable Services

Each homeless student shall be provided services comparable to services offered to other students in the school attended by the homeless student including the following:

- transportation services;
- educational services for which the student meets the eligibility criteria, such as services provided under Title I, educational programs for children with disabilities, and educational programs for students with limited English proficiency;
- programs in vocational and technical education;
- programs for gifted and talented students; and
- school nutrition programs.

Definitions:

The term “homeless student” means an individual who lacks a fixed, regular, and adequate nighttime residence and includes:

- children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; or are awaiting foster care placement;
- children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and
- migratory children who qualify as homeless for the purposes of this policy because the children are living in circumstances described above.

The term “migratory child” means a child who is, or whose parent or spouse is, a migratory agricultural worker, including a migratory dairy worker, or a migratory fisher, and who, in the preceding 36 months, has moved from one school district to another in order to obtain, or accompany such parent or spouse in order to obtain, temporary or seasonal employment in agricultural or fishing.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The term "unaccompanied youth" includes a youth not in the physical custody of a parent or guardian.

Homeless Liaison Point of Contact

LEA: ALBUQUERQUE BILINGUAL ACADEMY Name: Chris Jones

Title: Executive Director

Email: cjones@lpelc.com

Phone Number: 505-836-7706

Appendix F

STUDENT DIABETES MANAGEMENT POLICY

A. Definitions. As used in this Policy:

1. “diabetes” means a metabolic disorder of type one or type two diabetes mellitus; complications related to diabetes mellitus; or prediabetes;
2. “diabetes care personnel” means a School employee who volunteers to be trained and is trained in accordance with the Student Diabetes Management Act, NMSA 1978, §§22-34-1 et seq. and NMPED rule; the employee need not be a health care practitioner;
3. “diabetes medical management plan” means a document that the student’s personal health care practitioner and parent/guardian develops that sets out the health services that the student needs at school and that is signed by the student’s health care practitioner and the parent/guardian;
4. “health care practitioner” means a person licensed to provide health care in the ordinary course of business;
5. “school employee” means a person employed by the School, a person employed by the department of health or a local health department or by the public education department who is assigned to a school, or a contractor designated to provide diabetes management services at the School.

B. Diabetes Care Personnel Training.

1. Albuquerque Bilingual Academy shall ensure that annual diabetes training programs are provided for all School nurses and diabetes care personnel.
2. Training shall be in accordance with NMPED rule 6.12.11 NMAC for the training of school employees for the care of students with diabetes.
3. At minimum, the training shall address:
 - a. Identification and treatment of hypo- and hyperglycemia;

- b. Understanding the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student's diabetes medical management plan;
 - c. Understanding the interpretation of health care practitioner instructions regarding diabetes medication drug dosage, frequency and manner of administration;
 - d. Performance of finger stick blood glucose testing and ketone testing and recording of results;
 - e. The administration of glucagon and insulin and the recording of results;
 - f. Understanding how to administer glucagon and insulin through the insulin delivery system;
 - g. Recognizing diabetes-related complications that require emergency assistance; and
 - h. Understanding recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels and actions to be implemented in the case of schedule disruption.
4. The training shall be provided by the school nurse or nurse contractor , or by a health care practitioner with expertise in diabetes.
5. The training shall be provided to a minimum of two Albuquerque Bilingual Academy employees willing to act as diabetes care personnel; the employees acting as diabetes care personnel need not be health care practitioners. If the School employs a school nurse, the School nurse must receive the training.
6. If at any time fewer than two Albuquerque Bilingual Academy employees are available to be trained as diabetes care personnel, the Principal/Head Administrator shall distribute to all School staff a written notice stating that the School is seeking volunteers to serve as diabetes care personnel.
The notice shall inform the staff that:

- a. The School is required to provide diabetes care to one or more students with diabetes and is seeking personnel willing to be trained to provide that care;
 - b. The tasks to be performed by diabetes care personnel;
 - c. That participation is voluntary and the School will not take action against any staff member who does not volunteer to be designated;
 - d. That training will be provided to employees who volunteer to provide care; and
 - e. The contact information of the person whom staff should contact in order to volunteer to be diabetes care personnel.
7. The annual training shall take place as soon as possible after the beginning of a new School year, and no later than the end of the first trimester. Employees volunteering to replace trained individuals no longer acting as diabetes care personnel shall be trained within four weeks.
 8. The Principal/Head Administrator shall confirm that the training has occurred in an annual report to the Governing Council.

C. Training for Albuquerque Bilingual Academy employees with primary responsibility for supervision of a student with diabetes.

1. All School employees who have primary responsibility for supervising a student with diabetes during some portion of the school day, including bus/school activity drivers responsible for the transportation of a student with diabetes, shall be trained annually on:
 - a. Recognition of hypoglycemia;
 - b. Recognition of hyperglycemia; and
 - c. Actions to take in response to diabetes related emergency situations.
2. This training shall be provided by the school nurse, or a health care practitioner with expertise in diabetes.

3. New employees with primary responsibility for supervising a student with diabetes hired after the annual training shall be trained within two weeks of hire.
4. The Principal/Head Administrator shall confirm that the training has occurred in an annual report to the Governing Council.

D. Parent/Guardian Responsibilities.

1. Upon enrollment at Albuquerque Bilingual Academy or at annual registration, the parent/guardian of each student with diabetes who seeks diabetes care while at school shall submit to the school a diabetes medical management plan.
2. Upon submission of the diabetes medical management plan, the School shall review the diabetes medical management plan with the parent/guardian, and shall implement the plan.
3. The School shall not require or compel parents/guardians to provide diabetes care for a student with diabetes at school or school-related activities.
4. Upon the written request of a parent/guardian of a student with diabetes and authorization by the student's diabetes medical management plan, and upon demonstrated proficiency, a student with diabetes shall be permitted to perform blood glucose checks, administer insulin through the insulin delivery system that the student uses, treat hypoglycemia and hyperglycemia and other wise attend to the care and management of the student's diabetes in the classroom, in any area of the school or school grounds, and at any school-related activity.
 - a. The student shall be permitted to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring/treatment functions; however, the student shall be responsible for keeping supplies/equipment safe, and shall not make it available to other students.

- b. If the student or parent/guardian requests, the student shall have access to a private area for performing diabetes care tasks.
5. The parent/guardian of a student with diabetes may volunteer to assume the official responsibility of diabetes care for their student, should the parent/guardian be attending a school-sponsored activity, trip, extended offsite excursion, or extracurricular activity in which the student with diabetes is participating. The parent/guardian must prearrange with the School Nurse or Designee to assume these responsibilities, if desired.

E. Albuquerque Bilingual Academy Implementation of Diabetes Medical Management Plans.

1. The School shall ensure that all students with diabetes receive appropriate and needed diabetes care at school, as specified in the student's diabetes medical management plan.
2. In accordance with the request of a parent/guardian of a student with diabetes, and in accordance with the student's diabetes medical management plan, the school nurse or, in the absence of a school nurse, diabetes care personnel, shall perform diabetes care functions that shall include, at a minimum:
 - a. Checking and recording the student's blood glucose levels or ketone levels and assisting the student with checking and recording those levels;
 - b. Responding to blood glucose levels that are outside of the student's target range;
 - c. Administering glucagon and other emergency treatments as prescribed;
 - d. Administering insulin or assisting a student in administering insulin;
 - e. Providing oral diabetes medications as prescribed; and

- f. Following instructions regarding meals, snacks and physical activity.
3. The Albuquerque Bilingual Academy nurse, or at least one diabetes care personnel, shall be available at the School to provide care to each student with diabetes in accordance with subsections E.1 and E.2 above, during regular school hours and during all school-sponsored activities, trips, extended offsite excursions and extracurricular activities in which a student with diabetes is a participant, and on buses/activity vehicles where the bus/activity driver has not been trained in diabetes care and the student with diabetes is a passenger.
 4. The Albuquerque Bilingual Academy Nurse and/or diabetes care personnel shall safely store medical supplies and diabetes medication in the manner appropriate for the supplies/medication. The supplies/medication shall be stored in the Nurse's Office (location).

F. Right to Attend.

Albuquerque Bilingual Academy shall not restrict a student who has diabetes from attending the School on the basis that the student has diabetes, that the School does not have a full-time school nurse, or that the School does not have trained diabetes care personnel.

G. Governing Council Reporting.

The Governing Council shall provide a report to the New Mexico Public Education Department by October 15, 2020 and by each October 15 thereafter, as follows:

1. Stating how many students with diabetes are attending Albuquerque Bilingual Academy; and
2. Providing documentation regarding the School's compliance with the provisions of the Student Diabetes Management Act.
3. In accordance with the requirements of 6.12.11.13(B) NMAC.

H. **Administrative Complaint.**

Students with diabetes and their parents/guardians may bring an administrative complaint against the School before the NMPED for any School failure to meet its training obligations pursuant to the Student Diabetes Management Act, or for School's failure to permit self-management of diabetes pursuant to Subsection D.4 of this Policy. See 6.12.11.13 NMAC for the NMPED complaint procedure.

Appendix G

UNIFORM POLICY

Slacks and Pants:

Color: All pants (including jeans) must be denim, black, a solid Khaki or navy blue color.

Style: Jeans with holes are not permitted. Holes in jean legs and low rise jeans are not acceptable in accordance with the school dress code. Slacks and pants can be pleated or flat front. All pants must be full length and must be appropriately fastened at the waist.

Material: Denim, cotton, canvas, corduroy, linen, polyester or twill.

Tops:

All shirts must be collared (unless spirit shirt).

Color: All students shall wear collared shirts of any color. Polo shirts may not have a logo larger than 1.5 inches in size unless it is the approved school logo.

Style: Long or short sleeved - collar required (unless spirit shirt).

Logos: Albuquerque Bilingual Academy school spirit shirts with logos are permitted and are not limited to size.

Skirts, Shorts, Skorts, and Jumpers:

Color: All shorts and jumpers must be denim, black, a solid Khaki or navy blue colors. Skirts and skorts must be plaid with pleats front and back. Any other variations of skirts are not permitted. Skirts, shorts, and skorts must be at least knee length and may not be form fitting.

Jackets, Cardigans, and Sweaters: Optional.

Must be appropriate and should not disrupt their learning process or the school environment.

Hoods are not permitted indoors and student may not use hooded sweatshirt in the absence of a school approved uniform top.

Footwear:

Style: Athletic shoes, loafers, dress shoes, or other closed toe shoes are permitted. Skate-style shoes, opened toe (including flip flops) and heels are not permitted.

Appendix H

BULLYING, CYBERBULLYING, HARASSMENT, HAZING AND VIOLENCE PREVENTION POLICY

POLICY STATEMENT. Albuquerque Bilingual Academy believes that providing an educational environment for all, free from harassment, intimidation, violence, hazing or bullying of any kind, supports a total learning experience that promotes personal growth, healthy interpersonal relationships and wellness. The safety and wellbeing of all students in the school learning environment is of primary importance. Albuquerque Bilingual Academy prohibits bullying, cyberbullying, harassment, hazing and violence, and it is the school's goal to prevent and respond to all such acts, in accordance with applicable laws, including the New Mexico Safe Schools for All Students Act, NMSA 1978, §§22-35-1, et seq. This Policy and prohibition applies on Albuquerque Bilingual Academy property, including electronic communication on or using School property; at Albuquerque Bilingual Academy-sponsored functions; and on Albuquerque Bilingual Academy's to-and-from transportation or any school-sponsored transportation.

A. DEFINITIONS.

☐ ***Bullying.*** Bullying includes any severe, pervasive or persistent act or conduct that targets a student or group, whether physically, electronically or verbally, and that (1) may be based on a student/group's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability or any other distinguishing characteristic, or on an association with any person, with one or more of the actual or perceived distinguishing characteristics; and/or (2) can be reasonably predicted to: (a) place a student in reasonable fear of physical harm to the student's person or property; (b) cause a substantial detrimental effect on a student's physical or mental health; (c) substantially interfere with a student's academic performance or attendance; (d) substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by the School; or (e) create a hostile environment on the school campus that is so severe or pervasive as to substantially interfere with student educational benefits, opportunities or performance.

☐ **Harassment.** Bullying includes harassment, which is knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person or group.

☐ **Hazing.** Includes committing an act against a student, or coercing another student into committing an act, that creates a risk of harm to that student, in order for that student to be initiated into or affiliated with an organization, gang, clique, group or for any other purpose.

☐ **Cyberbullying.** Includes any bullying that takes place through electronic communications, that is published with the intent that it be seen by or disclosed to a student/group, and that substantially interferes with the student/group's ability to participate in or benefit from the services, activities or privileges provided by Albuquerque Bilingual Academy.

☐ **Electronic Communication.** Includes communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video/audio recording, and any other forms of electronic resources/mobile devices.

☐ **Gender Identity.** Includes a student's self-perception, or perception by another, of the student's identity as a male or female based upon the student's appearance, behavior or physical characteristics that are in accord with or opposed to the student's physical anatomy, chromosomal sex or sex at birth.

☐ **Physical or Cognitive Disability.** Includes a physical or cognitive impairment that substantially limits one or more of a student's major life activities.

☐ **Progressive Discipline.** Includes disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include (but is not limited to):

- Meeting with the student and student's parents/guardians;
- Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- Counseling;
- Anger management;
- Health counseling or intervention;

- Participation in skill-building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;
- Community service; and
- In-school detention or suspension, which may take place during lunchtime, after school or during weekends.

☐ **Sexual Orientation.** Includes heterosexuality, homosexuality or bisexuality, whether actual or perceived.

☐ **Regular Volunteers.** Means those persons, including relatives of students, who commit to serve at school on a regular basis.

B. **EXAMPLES of PROHIBITED CONDUCT.** Actions, including actions using electronic communication, that will be viewed as prohibited conduct include, but are not limited to:

o **Bullying, Cyberbullying and Harassment.**

- ☐ Spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
- ☐ 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.
- ☐ Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles or other communications over social media platforms, such as Facebook, Twitter, Instagram, LinkedIn, Pinterest (not an exhaustive list).

2. **Hazing.**

- ☐ Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
- ☐ Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity

that subject the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or school policies.

C. REPORTING AND COMPLAINTS. Students and parents may, and are strongly encouraged to, file verbal or written reports concerning suspected Bullying/Harassment/Cyberbullying/Hazing/Violence to school personnel or to the Principal. See, “Bullying/Harassment/Cyberbullying/Hazing/Violence Report Form” attached below or in the Albuquerque Bilingual Academy administrative offices. Students, parents and/or staff should use the following guidelines when reporting Bullying/Harassment/Cyberbullying/Hazing/Violence:

1. **Who and What?** Any student who believes he/she has been the victim of conduct prohibited by this policy by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute Bullying/Harassment/Cyberbullying/Hazing/Violence toward a student, should immediately report the alleged acts, either orally or using the Report Form. Reports may be made in the reporter’s preferred language. Reports may be made anonymously, and will be investigated pursuant to this Policy, but no formal disciplinary measures shall be taken solely on the basis of an anonymous report.

2. **Report to Whom?** The report may be made to any staff member, including a teacher, or directly to the Principal.

3. **Prompt Notice & Form.** Teachers, Regular Volunteers, and school staff who witness Bullying/Harassment/Cyberbullying/Hazing/Violence or who receive student reports of Bullying/Harassment/Cyberbullying/Hazing/Violence are required to promptly notify

the Principal. Reports should be made in writing using the Report Form, and submitted to the Principal.

4. **Assisting Student Reporting.** If a student makes a verbal report to a teacher/Regular Volunteer/staff member, the teacher/Regular Volunteer/staff member shall complete the Report Form or take the student to the Principal, where a form will be completed on the student's behalf.

5. **Staff Obligation to Report.** A school employee who has information about or a reasonable suspicion of conduct that may constitute Bullying/Harassment/Cyberbullying/Hazing/Violence toward a student shall report the matter immediately or as soon as practical to Principal, but in no event later than two calendar days after the employee witnesses or receives a report of bullying.

D. **INVESTIGATION.** The Principal or an administrator designated by the Principal will accept and promptly investigate *all* reports of Bullying/Harassment/Cyberbullying/Hazing/Violence. The administrator will notify the parents of the student(s) alleged to have committed the act of Bullying/Harassment/Cyberbullying/Hazing/Violence and the parents of the student(s) targeted by the alleged act, unless the administrator believes, in his/her professional capacity, that notifying the parents would endanger the health or well-being of a student, in which case the administrator may delay such notification, as he/she deems appropriate. The Principal may take immediate steps to protect the reporter, the alleged victim, other students, school faculty and staff, or other individuals on school grounds pending the completion of an investigation.

1. **Process.** The investigation shall consist of personal interviews with the reporter, the individual(s) against whom the report 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 investigating administrator.

2. **Confidentiality.** The right to confidentiality, of the reporter, the victim and the accused, shall be preserved consistent with applicable laws and to the extent possible. However, ALBUQUERQUE BILINGUAL ACADEMY cannot guarantee absolute confidentiality, because it may be necessary to discuss the report with others who are witnesses or who may have information about the report.

3. **Outcome.** The investigation shall be completed as soon as possible. The Principal (or designated administrator) shall make a written report concerning the results of his/her investigation. In determining whether the alleged conduct violates this Policy, 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 investigation materials and completed report will be maintained by the Principal for no less than four years from the date of the completed report. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA)(to protect the privacy of the accused student) the Principal will notify the parents/guardians of the accused student and the victim of the outcome of the investigation, but shall not provide a copy of the written report. The Principal or designee shall notify the parent or guardian about a determination that their student has committed an act violating this Policy, and the consequences for the student's actions.

E. **CONSEQUENCES.** Verified Bullying/Harassment/Cyberbullying/Hazing/Violence conduct shall result in intervention by the Principal or his/her designee that is intended to ensure that this Policy is enforced. The Principal will use Progressive Discipline approaches appropriate to the situation to address Bullying/Harassment/Cyberbullying/Violence, and/or may impose other disciplinary consequences. The level and severity of the prescribed consequence shall be determined by the Principal. All consequences shall be designed to (a) appropriately correct the bullying behavior; (b) prevent another occurrence of bullying or retaliation; (c) protect the target of the bullying; (d) be flexible so that, in application, the consequences can be unique to the individual incident and varied in method and severity based on the nature of the incident, the developmental age of the student who is bullying, and any history of problem behavior from the student who is bullying; and (e) for cyberbullying incidents, use the least restrictive means necessary to address the interference with the student's ability to participate in or benefit from the services, activities or privileges provided by the school, to the greatest extent possible. Certainly, repeated offenses will warrant increasingly severe consequences, up to and including suspension/expulsion.

F. **CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS.** False allegations against another student, member of the faculty or staff, or others, pursuant to this Policy shall

be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

G. *RETALIATION.* Retaliation against an individual who witnesses, orally reports or files a written complaint regarding Bullying/Harassment/Cyberbullying/Hazing/Violence, or who acts as a witness, participates in or cooperates with an investigation of such, is prohibited.

H. *APPEAL.* A student accused or bullying/harassment/cyberbullying/hazing/violence, or a student who is the target, who is not satisfied with the outcome of the Principal's/administrator's investigation may appeal the investigation report's conclusions to the Albuquerque Bilingual Academy Governing Council in the manner described in the Albuquerque Bilingual Academy Grievance Policy.

I. *ANTI-BULLYING INCLUDED IN HEALTH EDUCATION CURRICULUM.* Anti-bullying education shall be included in the Albuquerque Bilingual Academy's health education curriculum, in accordance with health education content standards with benchmarks and performance standards as set forth in NMPED regulation 6.30.2.19 NMAC.

J. *DISSEMINATION OF POLICY.* Parents and Staff will be reminded at the beginning of each school year about this policy as well as their responsibilities regarding preventing and reporting Bullying/Harassment/Cyberbullying/Hazing/Violence. A copy of the policy will be disseminated annually and be posted on the School's website. This Policy will be included in the Student Handbook.

K. *TRAINING.* All School employees, and regular volunteers with significant contact with students, shall complete annual training on bullying, harassment, hazing, violence and cyberbullying prevention. New employee training shall incorporate training on this Policy and procedures.

L. *STUDENT SAFETY SUPPORT PLAN.* The Albuquerque Bilingual Academy shall develop a student safety support plan for students who are targets of conduct prohibited by this policy that addresses safety measures the School will take to protect targeted students against further acts of bullying/cyberbullying/harassment/hazing/violence.

M. *ANNUAL REPORTING.* The School shall report aggregate incidents of bullying/harassment/cyberbullying/violence as required under applicable federal or state laws, along with the School's responses to these incidents, and shall report this information annually to the NMPED in the form and content required by NMPED.

N. *PUBLICATION.* This Policy shall be made available on the following public websites:

i. www.lpelc.com

The School's Principal shall be the point of contact for any bullying-related concerns, or other concerns relating to this Policy. Parents and students shall be informed about this Policy at least annually, through student handbooks and annual parent orientation(s).

ALBUQUERQUE BILINGUAL ACADEMY

Bullying/Cyberbullying/Harassment/Hazing/Violence Report Form

STUDENT INFORMATION		
Name		ID#
Grade	Phone Number	Home Address
COMPLAINT FILED AGAINST		
Name		Grade (or position if not a student)
Name		Grade (or position if not a student)
INCIDENT		
Date		Time
Location		
Is this the first time this has happened? YES NO		
Is this the first time you are reporting this? YES NO		
DESCRIPTION- PROVIDE AS MUCH DETAIL AS POSSIBLE		
WITNESSES (IF APPLICABLE)		
Name	Grade/position	Phone number
Name	Grade/position	Phone number
Name	Grade/position	Phone number
REPORT INFORMATION		
Today's Date		
Did anyone help you fill out this form? YES NO		
If yes, who?		
OFFICE INFORMATION		

Who received this complaint form?		
Position		
Date Received		

Appendix I

EXCLUDE THE RELEASE OF DIRECTORY INFORMATION FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT ANNUAL NOTICE

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that ALBUQUERQUE BILINGUAL ACADEMY, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. However, ALBUQUERQUE BILINGUAL ACADEMY may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary in accordance with school procedures. The primary purpose of directory information is to allow ALBUQUERQUE BILINGUAL ACADEMY to include this type of information from your student's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do **not** want ALBUQUERQUE BILINGUAL ACADEMY to disclose directory information from your student's education records without your prior written consent, you must notify the School in writing by September 15. ALBUQUERQUE BILINGUAL ACADEMY has designated the following information as directory information:

- | | |
|--|---|
| <ul style="list-style-type: none"> ● Student's name/Parents' name ● Address ● Telephone listing | <ul style="list-style-type: none"> ● Electronic mail address ● Photograph ● Date and place of birth ● Grade level |
|--|---|

By signing this document I, _____, parent/guardian of _____, a student at _____, acknowledge that I have read and understand the FERPA policy stated above. I am requesting that ALBUQUERQUE BILINGUAL ACADEMY NOT disclose directory information about my student such as name, address, telephone number, email address, date, place of birth, honors and awards, and dates of attendance.

I understand that this directive shall remain in effect until I withdraw or modify it in writing.

Printed Name: _____

Signature: _____

Date: _____

Appendix J

ALBUQUERQUE BILINGUAL ACADEMY Technology Acceptable Use Agreement Form

Computers and technology are used to support learning and enhance educational instruction. Computer networks and telecommunications allow people to access information from other computers in different locations. It is a general policy that all computers and other technology equipment used at Albuquerque Bilingual Academy are to be used in a responsible, efficient, ethical, and legal manner. Failure to adhere to this policy and the guidelines established below shall result in the revocation of access privileges and/or disciplinary actions involving local, county, state, or federal agencies. A student's use of a computer at school is not subject to privacy protections.

The Internet, a network of networks, allows users to interact with millions of other people using computers that are also connected to the Internet. It is the belief of Albuquerque Bilingual Academy that the educational benefits to students and teachers through access to various online services and the Internet far exceed any potential disadvantages. The majority of sites accessed can provide a wealth of educational opportunities. It is the intent of Albuquerque Bilingual Academy to provide access to such services to further the educational goals and objectives of the school and is in full compliance with the Children's Internet Protection Act. However, parents should be aware that students using telecommunications have the potential to access unacceptable sources if they disobey or disregard Albuquerque Bilingual Academy rules and guidelines. Even through the vast majority of Internet sites provide useful information, some sites may contain information that is offensive, defamatory, sexually oriented, or inaccurate. The intent of Albuquerque Bilingual Academy is for technology resources to be used as a valuable educational tool.

USER RESPONSIBILITIES: As the user of technology resources provided by Albuquerque Bilingual Academy, each student must review, understand, and accept the following rules. Failure to obey the following statements will result in loss of computer privileges and/or disciplinary actions.

<ul style="list-style-type: none">◇ I understand that all computer use must be for educational purposes as directed by my teacher.◇ I will not download or play any non-educational games on a Albuquerque Bilingual Academy computer.◇ I will not use any instant messaging or chat programs.◇ I will not download or play music or videos from the Internet, unless directed by my teacher.◇ I will not use any non-school email address while at Albuquerque Bilingual Academy.	<ul style="list-style-type: none">◇ I will not copy any personal software onto any computer at Albuquerque Bilingual Academy. I understand that educational technology is available for the use of all students.◇ I will not deface, damage or destroy the equipment.◇ I will not waste or take supplies such as paper, printer supplies or diskettes provided by the Albuquerque Bilingual Academy.◇ I will follow the Albuquerque Bilingual Academy's computer use rules.
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<ul style="list-style-type: none"> ◇ I will respect personal privacy for myself and others. ◇ I will not give out any personal information about anyone else (home address, telephone number, etc.) ◇ I will get permission from my teacher before giving out any personal information about myself. ◇ I will not give my password(s) to any other users. ◇ I will only use my computer account and won't use anyone else's login id and/or password. ◇ I will not copy, change, read or use files that belong to another user. ◇ I understand that software and ideas are protected by copyright laws. ◇ I will not copy information received from any source and say that it is my work. ◇ I will list all sources of information that I use in my projects and work. ◇ I will not make copies of any software found on Albuquerque Bilingual Academy's equipment or on the Internet. 	<ul style="list-style-type: none"> ◇ I will follow the rules of network etiquette, which include use of appropriate language and polite responses. ◇ I understand that abusive language (including name calling and swearing) and bullying is prohibited. ◇ I understand that I must follow state and federal rules when using technology. ◇ I will not try to bypass the security measures of any computer equipment. ◇ I will not knowingly create or introduce any virus to Albuquerque Bilingual Academy's equipment. ◇ I will not send or distribute unethical, illegal, immoral, inappropriate or unacceptable information of any type through electronic mail or telecommunications. ◇ I will follow the rules listed herein or lose my computer privileges and face other consequences. ◇ I understand that I have no expectation of privacy in connection with my use of Albuquerque Bilingual Academy computers.
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USE OF TECHNOLOGY RESOURCES AT ALBUQUERQUE BILINGUAL ACADEMY IS A PRIVILEGE, NOT A RIGHT

STUDENT ACKNOWLEDGEMENT

I, _____, have reviewed the information in the Albuquerque Bilingual Academy Technology Acceptable Use Agreement Form with my parent(s) or guardian and my teacher. I understand the rules that I am to follow. I also understand that failure to follow these rules will result in the loss of my computer access and technology privileges at Albuquerque Bilingual Academy, and possible other disciplinary action.

Student Signature _____ Date _____ Grade _____

PARENT OR GUARDIAN

As the parent or guardian of _____ (Student), I have reviewed the Albuquerque Bilingual Academy Technology Acceptable Use Agreement Form with my student and understand the terms, rules and guidelines as stated in the document. I also understand that information distributed through the Internet and other online services cannot be entirely controlled by Albuquerque Bilingual Academy. I therefore realize that during the course of educational studies and/or communication projects there is potential for the student to encounter controversial or offensive material. I give Albuquerque Bilingual Academy permission to grant technology access to my student. I understand that my student may maintain access as long as the procedures and guidelines described above are followed. I also understand that failure to abide by these rules may result in the revocation of my student's computer access and/or disciplinary action.

Parent or Guardian Names (please print) _____

Parent or Guardian Signature _____ Date _____ Year _____

Albuquerque Bilingual Academy Signature _____ Date _____

Appendix K

PARENT/SCHOOL COOPERATIVE AGREEMENT

As the parent(s)/guardian(s) of _____ attending Albuquerque Bilingual Academy, I/we want and expect to be active participants in our student's education.

I/We support the high academic and performance standards of Albuquerque Bilingual Academy.
I/We understand that we need to facilitate our student's on time arrival and preparedness for all classes.

I/We understand that exceptional attendance is crucial to the educational process, and the students should adhere to the Albuquerque Bilingual Academy's attendance policies and procedures.

I/We understand that it is critical that we participate in the parent/student/teacher advisory meetings and attend any scheduled conferences.

I/We will use our best efforts to serve as a mentor to students other than our own students whenever possible.

I/We understand and agree that we shall be financially responsible for any loss, destruction, or damage to Albuquerque Bilingual Academy property by our student.

I/We have reviewed the information and policies contained in this handbook with our student and both our student and I/we understand that all students will be held accountable for their behavior and that failure to abide by the guidelines for all student behavior can result in the discipline outlined in this handbook.

I/We understand further that failure to return this acknowledgment form does not excuse any individual from complying with the School Student/Family Handbook or Albuquerque Bilingual Academy policies, rules and guidelines. We are aware that the Albuquerque Bilingual Academy reserves the right at any time to amend or to add to the policies and rules contained or referred to in this handbook. We are also aware that any changes or updates to this handbook will be posted on the School website.

I/We have received and reviewed the Albuquerque Bilingual Academy Student/Family Handbook. I/We understand the policies set forth in the handbook, understand that we should direct any questions about the handbook policies/procedures to the Principal or designee for clarification, and agree to abide by Albuquerque Bilingual Academy's policies and procedures and to ensure that our student follows the rules of the school.

Parent/Guardian (Print)	Parent/Guardian (Signature)	Date

Student's Name (Print)

Student (Signature)

Date

Students are to return this signed Parent/School Cooperative Agreement to their homeroom teacher by September ____. New and transfer students registering after the start of the school year must return this acknowledgement page within one week after receipt.

