

Los Lunas Schools
Student Behavior Handbook



LOS LUNAS SCHOOLS®

Every Student Matters. Every Moment Counts.

2024-2026
School Year

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Note: We have tried to ensure that the Handbook is consistent with School Board Policy; however, in the event that there are conflicts between School Board Policy and the Handbook, Board Policy shall supersede the handbook.

APPROVED BY
LLS BoE
2/18/25 ksw



STOP THE VIOLENCE

**IF YOU KNOW SOMEONE WHO HAS MADE A
THREAT OF VIOLENCE TO AN INDIVIDUAL OR
SCHOOL SITE PLEASE REPORT IT ON THE STOPit
APP.**

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INTRODUCTION

It is the primary goal of the Los Lunas Schools to educate every student. All students and staff members have the right to be respected and protected in a school environment that is safe and conducive to learning. Maintaining a school climate free of disruptions enables all participants to learn and grow.

It is the belief of the Los Lunas Schools that discipline begins in the home. It is the responsibility of parents/guardians to instill in their children a sense of respect for themselves, for others, and for property. All students will conduct themselves responsibly while at school, en-route to and from school, and at any school-sponsored function.

In order to achieve this, we need a strong partnership between home and school. This partnership will provide the basis for a positive educational atmosphere of trust, safety, and instructional challenge.

The purpose of this document is to assist students, parents, teachers, staff, and school administrators in understanding that the school community exists to help all students develop their full potential for learning and the necessary self-discipline to enable them to become productive, responsible members of a democratic society.

The quality of the school community, both socially and academically, depends significantly upon the choices made by the student population. Upon entering a school, students assume part of the responsibility for creating a stimulating academic and social environment in which everyone is free to grow and learn.

Students may exercise their constitutional rights of free speech, press, assembly, and privacy. The exercising of these rights, however, must be conducted in a manner that does not disrupt the learning of others in the educational process and the school environment.

Certain student responsibilities and attitudes foster the desirable, healthy learning environment schools encourage. Among these are:

- ❖ An attitude of fairness and an acceptance of people of different political, economic, social, religious, ethnic and racial backgrounds and abilities;
- ❖ An eagerness to participate in both academic and non-academic activities;
- ❖ A cooperative spirit and a willingness to share abilities, time, and skills, not only to further one's own goals, but also to help others succeed;
- ❖ Prompt and regular attendance in classes and at school-sponsored activities;
- ❖ A willingness to adhere to school rules and make positive contributions to the academic and social climate.

Unacceptable behavior is defined in this document, as well as, the consequences of this behavior. **The list is not all-inclusive; acts of misconduct not specified herein shall also be subject to discretionary action by appropriate school personnel.**

All school personnel have the right to take action anytime the educational process is threatened with disruption or when safety of people or property becomes an issue. The consequences for discipline infractions listed below are *minimum consequences* and are at the discretion of the site administrator. Short-term suspension, e.g. 1-10 days of In-School Suspension (ISS) or Short-term suspensions e.g. 1-10 days of Out of School Suspensions (OSS) are not subject to appeal. It is up to the discretion of school administration to exercise its best judgment in choosing consequences for particular situations or infractions. Students whose presence appears to pose a danger to persons or property are considered to be a disruption to the educational process and may be removed immediately from school or school sponsored events. The police or other legal authority may participate in removal if necessary. Physical management is defined as any means of attempting to control, touch or otherwise manage a student through the restriction of movement as a last resort when there is a threat of harm to self or others.

This handbook is being promulgated pursuant to Section J-0050 © JA of the Los Lunas School Board Policy. Los Lunas Schools does not discriminate on the basis of race, color, national origin, religion, sex, age or disability in its programs and activities. (Los Lunas School Board Policy Section A-0250 © AC) The following division has been designated to handle inquiries regarding the non-discrimination policies: Brian Baca, Deputy Superintendent, District Equity Officer, PO Drawer 1300, Los Lunas, NM 87031 (505) 865-9636.

SECTION I

WHEN IS THE STUDENT BEHAVIOR HANDBOOK ENFORCED?

The *Student Behavior Handbook* is enforced:

- ❖ During regular school hours and extension of school day.
- ❖ During District-provided transportation of students, including designated school bus stops;
- ❖ At times and places where appropriate school personnel have jurisdiction, including school sponsored events, field trips, athletic functions, and other school-related activities.

Any public school official or designated chaperone is authorized to take action when a student's misconduct has a detrimental effect on the other students, staff, or on the orderly educational process. Each school's handbook supplements this *Student Behavior Handbook* and should be consulted for more specific guidelines.

SECTION II

WHAT RIGHTS DO STUDENTS HAVE?

All students have the right to an educational setting that is safe, orderly, and free from disruption.

A. Educational Opportunity

1. Every student has the right to an education relevant to his/her needs and abilities and a corresponding responsibility not to deny this right to any other student.
2. No individual shall be subject to prejudicial treatment or to abridgment of his/her right to attend and benefit from public school on the basis of any of the following, but not limited to: ethnic identity, religion, color, sex, political belief, mental or physical challenge, or for the exercise of his/her rights within this policy.

B. Participation in Educational Decisions

1. In grades 7-12, there shall be established and elected student government with membership open to all students. The student government will establish reasonable standards for candidates for offices. All students shall be allowed to vote in elections designed to promote careful consideration of the candidates and issues. In grades Pre-K-6, school personnel are encouraged to introduce students to principles of student government through school and class activities.
2. The responsibilities of the student government shall be subject to the regulations of the School Board and shall include, but not be limited to, the following:
 - a. Involvement in the process of developing policies for revisions and additions to the curriculum, school rules, and regulations;
 - b. Involvement in the formation of guidelines for co-curricular activities;
 - c. Involvement in allocating student funds, subject to established audit controls and the approval of the principal;
3. Representatives selected by the student government shall meet regularly with the principal or his/her designee to exchange views, to share in the formulation of the school's student policies, and to consider revisions to the school's curriculum.

C. Expression and Association

Students of the school may exercise the right to wear or display political buttons, armbands, and other badges of symbolic expression.

Publications:

1. Students shall be allowed to distribute political leaflets, newspapers, and other literature on school premises, without prior restraint or censorship, at specified times and places. The distribution may not include materials that are in poor taste, obscene or libelous. The principal and student government shall establish guidelines governing the time and place of distribution at sites that will not interfere with normal school activities.

2. Official school publications shall reflect, where possible, a wide spectrum of student opinions. The student editors shall be governed by standards of responsible journalism. The responsibility to determine whether specific materials comply with the standards of responsible journalism rests with the principal in accordance with district Board Policy Section J-2750 JICE.
3. **Organizations and Clubs**
Students may form clubs or organizations for any legal purpose. These organizations must be open to all students on an equal basis and must operate within procedural guidelines established by the student government and with the principal. Any such organization shall have a faculty advisor. Religious clubs or groups shall have a monitor, who shall be appointed by the principal after consultation with the student group. No appointment shall be cause to deny recognition to an organization. Organizations that meet these conditions shall have reasonable access to school facilities. Appeal of such decisions may be made in accordance with Section III of this document.

D. Privacy

1. **Custody:** Except in the most extreme circumstances, custody of a student shall not be relinquished by school personnel to anyone without the approval of the parent/guardian. In every case of arrest, questioning authorities will document the attempt to notify the student's parent/guardian (as per Board Policy J-3400 © JIH).
2. **Questioning:** If Los Lunas School personnel, school resource officer, police authorities or non-school authority desire to question a student beyond a preliminary investigation on school premises regarding any alleged suspected criminal acts by the student, school authorities shall attempt to contact the parent.
3. **Student Records:** Student records kept by the Los Lunas Schools will be open to review by parents/guardians and/or students and will be treated in a confidential manner, as prescribed by the New Mexico Public Education Department regulations, and the Family Educational Rights and Privacy Act of 1974. An Instructional Procedural Directive implements this policy which is on file in all offices. The annual public notices regarding student records may be found in Section X of this document.
4. **School Facilities:** The schools will, insofar as possible, provide facilities for the storage of items needed during the school day and will inform the students that these facilities may be searched without their consent. However, facilities assigned to students will not be opened by school authorities except for general housekeeping purposes and in instances when, in the judgment of the principal or Security Resource Officer, the health, safety, or general welfare of the student(s) or school requires such action. A record of such searches will be maintained in the principal's office, to be destroyed at the end of the student's enrollment at that school. Neither the school, nor the district, can assume the responsibility for items stored in these facilities.
5. **Search of Person or Vehicle:** Searching a student's person, locker, backpack, or vehicle parked on school property may be conducted only if a certified school employee, school resource officer, or school bus driver notices or is suspicious of the arrangement of that student's clothing, possessions, or actions which give the searcher reason to believe that a crime or breach of the disciplinary code is being committed by the student. Physical searching of a student's person may be conducted only by an authorized person who is of the same sex as the student, and—except when circumstances render it impossible—may only be conducted in the presence of another authorized person of the same sex in the presence of a school administrator. In the event of emergency, searches may be able to be conducted without administration being present; however, must be conducted by school resource officer based on reasonable suspicion.
6. **Waiver on Disclosure of Student Information:** The Los Lunas Schools enforces the right to privacy of all students. Each school has developed a waiver form that grants permission for the release of information.

EQUAL OPPORTUNITY:

The Los Lunas Schools does not discriminate per Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Age Discrimination Act of 1975.

Anyone who believes he/she have been discriminated against because of race, color, religion, sex, national origin, disability, age, citizenship status, or Vietnam era or special disabled veteran status may contact the Los Lunas Schools' Equity Officer:

Brian Baca
Deputy Superintendent
District Equity Officer
Phone: (505) 865-9636
Fax: (505) 866-2459
E-mail: bgbaca@lpschools.net

ANTI-RACISM/ANTI-OPPRESSION HOTLINE:

The New Mexico Public Education Department's Anti-Racism, Anti-Oppression portal is now live and available to students, families, and community members to report school-based incidents of racism, injustice, or discrimination against anyone. The portal was established as a requirement of the Black Education Act, passed in the 2021 General Session of the Legislature.

To report an incident, please choose any of the following options:

- **Fill out an online form: bit.ly/ARAOHotline**

LANGUAGE TRANSLATION AND INTERPRETATION SERVICES:

Please contact the school secretary to request a translator for essential school meetings such as: meetings with the nurse, social worker, counselor, parent-teacher conferences, home visits, and communications with teacher. If you are in need of an interpreter for a Student Assistant Team (SAT) meeting, Individualized Educational Plan (IEP) meeting, or long-term hearing, you must request one at the time the meeting is scheduled. The district will secure a certified interpreter.

SECTION III

WHAT SHOULD YOU DO IF YOU BELIEVE YOUR RIGHTS HAVE BEEN VIOLATED?

Los Lunas Schools is committed to providing faculty, staff and students with an environment where they may pursue their careers or studies free from discrimination. The cornerstone of this procedure is Board Policy A-0250 © AC. Los Lunas Schools shall maintain a continuing affirmative action program to promote equal opportunity and to identify and eliminate discriminatory practices in every phase of school operations. Furthermore, affirmative action will be taken to ensure that opportunities afforded by the district are fully available to minorities, women, and persons with disabilities. The District will make every reasonable accommodation to enable students and employees with disabilities to undertake work or study for which they qualify.

As required by the Civil Rights Act of 1964, as amended, in particular Titles VI & VII, the Los Lunas Schools are committed to broad application of Executive Order 11246 Title IX of the Education Amendments of 1972, the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975. Students or employees should bring problems or questions regarding discrimination issues or procedures to the attention of a trusted staff or faculty member, supervisor, school administrator, site manager, district administrator or the Los Lunas Schools District Equity Officer, Brian Baca, Deputy Superintendent, PO Drawer 1300 Los Lunas, NM 87031 or 505-865-9636. Students with disabilities may also contact the administrator of special services.

PARENT/STUDENT GRIEVANCE PROCEDURE

Complaints and Grievance. Los Lunas Board Policy J-3600 © JII

The primary purpose of this policy is to provide for the prompt and equitable resolution of parent/student complaints as close to the source of the complaint as possible. Therefore, parents/students should address the issue or complaint first at the level where the issue arose, i.e., the teacher, coach, etc. If there is no resolution, only then should the complaint proceed to the assistant principal, principal, advocate, assistant/deputy superintendent, and the superintendent. The final arbiter is the Board.

The following timeline should be followed:

1. The aggrieved parent or student shall have a right to be heard orally by the instructor who shall render a decision within three (3) school days.
2. If the parent or student is not satisfied, the grievance shall be presented in writing within three (3) school days to the principal or designee who shall render a decision in writing within three (3) school days.
3. If the parent or student is still not satisfied, he/she shall within three (3) school days appeal to the assistant Superintendent or superintendent. The grievance will be heard within three (3) school days and a response rendered within ten (10) school days.
4. The Superintendent of Schools shall be the final appeal authority on any such request for reconsideration under this policy.
5. If determination of a grievance depends on the interpretation of a Board Policy or a provision or term used in a Board Policy, in that the parent or student is not satisfied with the Superintendent's interpretation of the Board Policy, the Superintendent has to bring the matter of the interpretation to the Board of Education within ten (10) school days. The Board shall hear the grievance only as to the disputed interpretation of its policy within thirty (30) days and render a decision within one (1) calendar month.

STUDENT VICTIMS OF PHYSICAL VIOLENCE

Students that perpetrate an act of physical violence upon another student, staff person, teacher or administrator are subject to disciplinary action, up to, and including long term suspension from school or expulsion.

- A. In some instances, students have been attacked by other students and have become involved in physical violence through no fault of their own. The consequence for physical violence (i.e. public affray) outlined in the Student Behavior Handbook is applicable to both individuals being suspended from school because, "We do not have a policy about who starts a fight, we have a policy against fighting." However, on these rare occasions, the students that become involved in physical violence, despite having done everything in their power to avoid the conflict, and are drawn in through no fault of their own, shall be considered the "Victim". "Victim" will be defined, for purposes of this regulation, as a student who has been injured by an action beyond his or her control.
- B. Student victims may need additional protection and intervention to ensure that their rights and due process are safeguarded.

In this regard, the adjudicating school official will consider the following criteria when determining the disciplinary outcome resulting from physical violence between students:

1. Was one of the students involved clearly the victim in the conflict?
2. Did this student attempt to walk away from the person with whom there was conflict?
3. Did the student take reasonable steps to avoid a physical confrontation?
4. Did this student attempt to work out the conflict through conversation and understanding of the other person's position?
5. Did the student clearly indicate to the other party that he/she did not want to fight?
6. Did the student ignore rude or discourteous talk as well as other insults?
7. Did the student seek out the nearest adult and ask for help in resolving the conflict?
8. Did the student seek out a student conflict mediator or attempt to set up conflict mediation with a school official?
9. Did the student seek out a school administrator and tell them about the conflict with the other individual?
10. Did the student tell their parents or legal guardian that they were having a problem that might result in physical violence with another student?

- A. Students considered “victims” would not use language considered to be “fighting words” nor would they remain in the conflict to protect their pride, honor or reputation. These issues can be settled through proper and reasonable methods including conversation, with or without the aid of an adult or student mediator.
- B. Students, whose parents or legal guardians encourage them to take physical or aggressive action with another student, are being placed in a position in which they cannot be considered a “victim.”
- C. Once it is determined that a student has been a “victim” in a physical confrontation as evidenced by meeting the criteria listed above, then it is time to consider the outcome of physical violence that may have resulted from the incident.
- D. In this regard, the adjudicating school official will consider the following criteria when determining the disciplinary outcome resulting from physical violence between students:
 - 1. Did the “victim” use reasonable force when protecting himself or herself from harm?
 - 2. Did the victim assume a defensive position and only use the minimum forces necessary to protect their person?
 - 3. Did the altercation result in serious physical damage or great bodily harm to the other individual?
- E. Students deemed to have used excessive force, or who are believed to have assumed an offensive or aggressive posture, whether they meet some or all of the criteria to be determined a “victim”, will be considered in violation of the Los Lunas Schools Student Disciplinary Code and will be subject to the same sanctions as if they were the perpetrator.
- F. Students involved in physical confrontations who are considered true “victims” are not subject to the same disciplinary consequences of those students who are not considered “victims”.
- G. The adjudicating school official will be the sole judge as to whether a student is considered a “victim” by the standards outlined above.
- H. A referral to Juvenile Probation may be filed with the School Resource Officer or police authorities, by parents or guardians, if a criminal act is committed by another student against their child.

SECTION IV

SELF-HARM

Self-harm threats and attempts to harm others are to be taken seriously by all staff members. For these reasons, ***administrators are asked to implement the attached guidelines set forth by the district.*** Monitoring of self-harm or threats to harm others is necessary in all cases. Therefore an Action Plan Form must be completed for all instances in which a student has expressed self-harm or threats to harm others. When necessary, the Principal or his/her designee shall remove a student from classes or from school premises for health, safety or welfare reasons whenever the principal or designee determines that it is necessary to do so. This would include students suffering from any condition that threatens his/her welfare or the safety of others. Any student who is so removed is to be released only to the student’s parent a representative of the parent or other proper authority, including, but not limited to, law enforcement officers and medical personnel. When a student is removed from the school for self-harm or threats to harm others, the Parent Statement of Understanding will be used in an effort to require the caretakers to seek professional mental health care for a student outside of the school. In these cases, failure to seek outside mental health consultation may constitute neglect and the school is legally obligated to report the situation to the Children Youth and Families Department. The State of New Mexico defines “neglect of a child as one who is without proper parental care and control of substance, education, mental or other care or control necessary for the child’s wellbeing.”

SECTION V

WHAT ARE THE GUIDELINES CONCERNING SCHOOL ATTENDANCE?

- ❖ Requirement: All students between the ages of 5 and 18 must attend school daily.
- ❖ Definition: Chronic Absence is when a student misses 10% or more of the school year for any reason, excused or unexcused.
- ❖ Definition: A student is absent when not in school or a class with or without the prior knowledge and consent of parents, guardians, or school personnel
- ❖ Definition: A school-approved extracurricular activity is when a student is not in school or class as a result of participation in a school-sponsored/sanctioned event, practice, competition, contest, meeting etc., Students are permitted a total of fifteen (15) school-approved extracurricular events per semester. Note: Attendance at a school-sponsored event is NOT an absence.

Verified Absences:

- ❖ A student is absent from school with prior knowledge and consent of a parent and written verification to the school.
- ❖ A student is absent from school with personal illness, doctors' appointments, death in the family, religious commitment, diagnostic commitment, extenuating circumstances, as agreed by the administrator prior to the absence and approved school activities. Student must verify absences by written method within 24 hours of returning to school.
- ❖ Upon returning from an absence(s), student(s) shall request makeup work and will have one day per one day of absence to make up work unless the teacher and/or school administrator allow additional time.
- ❖ Students will be expected to take final exams and End of Course exams on the day they are scheduled. Students may be allowed to make up final exams and end of course exams if the absence is verified.

All absences: Per State Law all unexcused absences will be calculated to obtain the absentee rate.

- ❖ TIER 1. A student will be in need of whole school prevention when a student has an absentee rate below 5% to include excused and unexcused absences. Whole school prevention strategies will be implemented to support attendance. Attendance supports may include activities (such as whole school campaigns), class attendance competitions, parental notification of student absence through tele-parent or electronic communication, positive behavioral supports (PBIS) to create welcoming school/classroom climates, education nights, social contracts, extra-curricular activities, and attendance incentives.
- ❖ TIER 2. A student will be in need of individualized prevention when a student reaches 5%-9.9% of absentee rate to include excused & unexcused absences. A phone call will be made from the school site to the parent or guardian to talk to the parent of the student about attendance history, impact of absences on academic outcomes, interventions and services available and consequences of further absences.
- ❖ TIER 3. A student will be a student in need of early interventions when a student reaches 10%-19.9% absentee rate to include excused & unexcused absences. A letter will be sent from the school site to the parent or guardian (date, time, place) requesting a meeting with the attendance team to provide intervention strategies that focus on keeping the student in an educational setting.
- ❖ TIER 4. A student will be in need of intensive support when a student reaches 20% or more of absentee rate to include excused & unexcused absences. A letter will be sent from the school site to the parent or guardian (date, time, place) requesting a meeting with the attendance team or principal to establish non-punitive consequences at the school level and to identify appropriate specialized supports that may be needed to help the student address the underlying causes of excessive absenteeism. Parent(s) and student(s) will be advised of consequences of further absences.

Student/Family referral to CYFD: Continued absences after Tier 4

- ❖ The Attendance for Success Department will after consultation with the attendance team, administrator or designee shall report the student to the Valencia County Juvenile Probation and Parole Office for investigation as to whether the student should be considered to be neglected or a family in need of services.
- ❖ If the Valencia County Juvenile Probation and Parole Office determines that the student is a child in a family in need of services, a caseworker shall meet with the family at the school site to determine if there are other services that may be provided. The meeting shall include the principal or other school personnel, and unless the family objects in writing, any appropriate community service partners that assist Valencia County children and families. The Children Youth & Families Department shall determine if additional interventions, including monitoring, will positively affect the student(s) attendance behavior.

Native American Students:

- ❖ Notification and referrals will be made to the tribal attendance office in which a tribal student resides for intervention services.

Student Attendance Success Teams:

- ❖ Each school site will maintain a Student Attendance Success Team that will address attendance related issues. The student success team will be composed of a principal, counselor, teacher, attendance secretary, attendance liaison, and any other personnel deemed necessary by the principal.
- ❖ The Los Lunas Schools Attendance Department will keep a data base of all students that are receiving intervention services and to ensure that the service providers are supporting the student and family.
- ❖ The Los Lunas Schools Attendance Department shall conduct home visits and coordinate interventions with families or students that are in need of services.

SECTION VI**ACADEMIC DISHONESTY (ACD)**

Using or attempting to use a dishonest, unethical or unapproved method to gain unfair advantage in demonstrating competency in performing a skill, achieving a goal, or to misrepresent the attainment of knowledge.

ALCOHOL (POSSESSION OF) (ALC)

The use and/or possession of an intoxicating (alcoholic) beverage. This also includes possession of paraphernalia that has been used to ingest alcoholic beverages

Definition of Possession:

- A. On a student's person or personal belongings such as backpack, gym pack, etc. while at school, school activity, or while being transported to and from an activity in a school bus or school vehicle.
- B. In a student's assigned or unassigned locker.
- C. In a student's car or friend's car while on school property.
- D. Knowingly concealed on school property by a student.

ALCOHOL SALE OR DISTRIBUTION (SAA)

Selling or distributing a substance capable of producing a change in behavior or altering a state of mind or feeling, including "look-alike" or items sold as a controlled substance.

ARSON (AR)

Maliciously, willfully, and/or neglectfully starting, by any means, a fire on school property or at any school-related activity.

ASSAULT/AGGRESSIVE CONFRONTATIONS (Verbal) (AGV)

The act of verbally confronting another person in a disruptive manner. The use of hate words including any verbal abuse or bullying of others, including but not limited to slurs, name-calling or derogatory statements to another person because of that person's race, color, religion, national origin, disability, physical/personal appearance, or sexual orientation.

ASSAULT WITH A FIREARM (ASF) (Los Lunas School Board Policy J-3100 © JICI)**ASSAULT WITH A KNIFE/CUTTING OBJECT (ASK)**

An unlawful threat to physically harm another individual.

ASSAULT ON A SCHOOL OFFICIAL (ASO)

Profanity or menacing conduct, which causes another to believe there, is danger of receiving injury.

ASSAULT WITH ANOTHER WEAPON (ASW)

Intending or performing assault with a weapon, instrument, or any means of force likely to produce bodily injury.

BATTERY UNPROVOKED WITHOUT INJURY (BNI)

The unlawful intentional touching or application of force to a person when done in a rude, insolent or angry manner.

BATTERY UNPROVOKED WITH INJURY (BUI)

The unlawful touching or application of force to a person with intent to injure that person.

BATTERY WITH A FIREARM (BAF) (Board Policy J-3100 © JICI)

BATTERY ON A SCHOOL OFFICIAL (BSO)

Engaging in battery which is defined as intentional touching or application of force to a person when done in a rude, insolent or angry manner to a school official while discharging school duties.

BREAKING AND ENTERING

Consists of the unauthorized entry of any vehicle, watercraft, dwelling or other structure, where entry is obtained by fraud or deception, or by the breaking or dismantling of any part of the vehicle, dwelling or other structure, or by the breaking or dismantling of any device used to secure the vehicle, dwelling or other structure.

BULLYING/INTIMIDATION/INSTIGATION (BUL)/STALKING (BUL)

Any act or speech that subjects persons to indignity, humiliation, intimidation, physical abuse, social or other isolation, shame or disgrace.

Key factors in bullying include:

- ❖ Power and control (Who has the most power? There's always an imbalance of power in bullying cases.)
- ❖ The act is repeated over time.
- ❖ There has to be intent to harm or injure.
- ❖ Trading insults back and forth is **NOT** bullying.

Stalking occurs when a pattern of harassing conduct, is threatening, is purposefully directed at a specific person, and would cause a reasonable person to fear bodily injury for themselves or others. Stalking is commonly understood to include:

- A. Repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and or e-mail.
- B. Repeatedly leaving or sending the victim unwanted items, presents or flowers.
- C. Following or lying in wait for the victim at places such as home, school, work, or recreation places.
- D. Making direct or indirect threats to harm the victim or the victim's children, relatives, friends, or pets.
- E. Damaging or threatening to damage the victim's property.
- F. Harassing the victim through the internet.
- G. Posting information or spreading rumors about the victim by, accessing public records, using internet search services, hiring private investigators, going through the victims garbage, following the victim, contacting the victim's family, coworkers, or neighbors, etc.

BURGLARY (BUG)

Consists of the unauthorized entry of any vehicle, dwelling or other structure, movable or immovable, with the intent to commit any felony or theft therein.

BUS DISRUPTION (BUS)

Will be handled collaboratively between administration and the Transportation Department

Deliberately or inadvertently interfering with the safe operation of a school bus which is stopped or moving; behaving in a manner adversely affecting an individual or any property on or near the bus itself, at bus stops, or at pick-up areas and athletic/activity trips (see *Student/Parent Transportation Handbook*).

CELLULAR PHONE/ELECTRONIC DEVICE/SEXTING (CEL)

It is the primary goal of The Los Lunas Schools to maintain a level of safety that is current and up to date with current trends and technology, and as such the following policies have been updated: using cellular telephone or other electronic device during schools hours to call or receive calls, send or receive text messages, take photographs, or use in any other manner that is in violation of this discipline handbook.

Child exploitation:

A person who knowingly or intentionally:

- ❖ Manages, produces, sponsors presents, exhibits, photographs, films, videotapes, or creates a digitalized image of any performance or incident that includes sexual conduct by a child under eighteen years of age.
- ❖ Disseminates, exhibits to another person, offers to disseminate or exhibit to another person, or sends or brings into the Los Lunas Schools for dissemination or exhibition matter that depicts or describes sexual conduct by a child under the age of eighteen years of age.

COUNTERFEIT DRUGS (CD)

Any substance designed-represented to look like an illegal or abuse-prone drug.

CRIMINAL SEXUAL CONTACT (CSC)

Criminal sexual contact of a minor/adult is the unlawful and intentional touching of or applying force to the intimate parts of a minor/adult or the unlawful and intentional causing of a minor/adult to touch one’s intimate parts. For the purpose of this section, “intimate parts” means the primary genital area, groin, buttocks, arms or breasts.

CYBERBULLYING, INTIMIDATION/INSTIGATION BY USE OF ELECTRONIC DEVICE OR SOCIAL NETWORKING OUTLET (CED)

Any act by use of transmitted communication, either by electronic device, or other transmittal device that subjects persons to indignity, humiliation, intimidation, physical abuse or threat of physical abuse, social or other isolation, shame or disgrace. This also includes direct or indirect communication of social networking sites. Examples of cyber bullying include:

- ❖ Posting slurs, rumors or other disparaging remarks about a student or staff member on any website.
- ❖ Sending email, text, or instant messages that are harassing or threatening in nature directly.
- ❖ Taking and sending an unauthorized and/or unwanted photograph of a student or staff member.
- ❖ Using any unauthorized electronic transmission to threaten, intimidate, or harass by means of direct or indirect contact.

DEFIANCE OF SCHOOL PERSONNEL/AUTHORITY (DEF)

Refusing to comply with any reasonable demand or request by any school official or sponsor at places and times where school personnel have jurisdiction. This includes falsely identifying oneself, the use of profane or abusive language (oral or written) which is crude, insulting, or irreverent.

DISCRIMINATION (DIS)

Los Lunas School District prohibits discrimination against any student on the basis of race, religion, color, gender, age, national origin or ancestry, marital status, parental status, sexual orientation, or disability. The district will conduct its programs, services, and activities consistent with applicable federal, state, local laws and promotes equal opportunities.

DISORDERLY CONDUCT (DC)

Engaging in violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise disorderly conduct, which tends to disturb the peace.

DRESS CODE VIOLATION (DCV)

Los Lunas School authorities encourage a positive attitude toward the student’s conduct and appearance. Dress and grooming have a definite bearing on attitude and behavior. Learning how to dress within the boundaries of decency, modesty, responsibility and social acceptability is a part of each student’s education, and should be practiced at school, and while participating in extracurricular activities.

Each school should customize its individual dress code to reflect the needs and standards of its community using a process that will ensure input from students, parents, and staff of the school, along with any other interested community members.

The responsibility to interpret and enforce the policy rests with each site administrator. Within each school's guidelines, students and their parents/guardians have the right to determine the dress and personal appearance of students. Exceptions to this right, however, are:

- ❖ When dress or appearance presents a health or safety hazard;
- ❖ When dress or appearance is in violation of municipal or state law;
- ❖ When dress and appearance presents a potential for disruption to the instructional program to include revealing, or overly distracting attire or appearance, a display of violent, antisocial behavior, gang activity, the occult, profanity or vulgarity
- ❖ When dress and appearance advertises, displays, or promotes any drug including alcohol or tobacco;
- ❖ When dress and appearance depicts sexual or related activity;
- ❖ When dress and appearance displays disrespect, and/or bigotry towards any group.

Parents should become familiar with each individual school's dress regulations and should monitor the way their children are dressed when they leave home for school.

DRUGS/CANNABIS (POSSESSION/USE OF) (DRG)

Definition of Possession:

1. Substance(s) found on a student's person or personal belongings such as backpack, gym pack, etc, while at school, school activity or while being transported to and from school or from an activity in a school bus or school vehicle.
2. Substance found in a student assigned or unassigned locker.
3. Substance found in a student's car or friend's car while on school property.
4. Student knowingly conceals substance on school property.
5. Prescription medications that have not been turned into the school health office and taken under the supervision of school personnel.
6. Possession or use of cannabis on any school property.

DRUG PARAPHERNALIA (DRP)

Any object used to store, process, inhale or ingest drugs.

DRUGS/SALE OR DISTRIBUTION (SAD)

Selling or distributing a substance capable of producing a change in behavior or altering a state of mind or feeling. This includes all controlled substances or any look alike substances.

EXPLOSIVES (EXP)

The use, possession, or sale of explosive devices that are capable of injury to self or others. Any substance or device that can be made to produce a volume of rapidly expanding gas in an extremely brief period.

EXTORTION (EXT)

Using intimidation or the threat of violence to obtain money, information, or anything else of value from another person.

FIREWORKS/AMMUNITION (FWX)

The use, possession or sale of any incendiary device, which may cause injury to self or others, including but not limited to ammunition, firecracker, M-80, or bottle rockets of any kind.

FORGERY (FOR)

The act of falsifying a person's name, or altering of any school document and/or fraudulent use of school documents. Examples include notes from parents/legal guardians, teachers, and school personnel.

GANG RELATED ACTIVITY (GRA)

Gang related activity can be intimidating to students, faculty, and the staff and is disruptive to the educational process. Although this list is not all inclusive, examples of inappropriate and unacceptable behaviors include such things as gang graffiti on school property, intimidation of others, gang fight and/or initiation rituals, and/or wearing gang attire or "colors," or gang symbols, "sagging" and communicating gang symbols. Gang related activity can be engaged by those in a gang, related to a gang or just those that are intrigued by gangs. Since gang behavior, symbols, and colors are variable and subject to rapid change, school administrators and staff must exercise judgment and their individual discretion based upon current circumstances in their neighborhood schools when evaluating gang-related activity. Gang related markings on body or personal possessions, associated dress and gang related attire including sagging. Gang behavior may include, but is not limited to, throwing gang signs, whistling, and hanging around in groups. As well as, gang fights, harassment, rituals, and graffiti.

HARASSMENT (HAR)

Unwelcomed pattern of conduct on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, ability or religion that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of an emotional distress.

HAZING/INITIATION (HZG)

To harass by requiring the performance of unnecessary, disagreeable, degrading or humiliating tasks. To require students to engage in activities which could potentially result in harm or bodily injury to an individual. To play abusive humiliating tricks as a criteria for membership.

INTERFERENCE OF THE EDUCATIONAL PROCESS

Any conduct or item not separately classified in this section that disrupts the educational process, constitutes a health or safety hazard, is in violation of state or municipal law, or is in violation of specific school rules. Unacceptable conduct is defined as whether or not it disrupts, or has the potential to disrupt, the educational process. Intentionally, knowingly or recklessly interfering with or disrupting the normal operations of an educational institution by: Threatening to cause physical injury to any employee or student of the school. Threatening to cause damage to any school property. Intentionally or knowingly entering or remaining on school property with intent of interfering with the lawful use of school property in any manner as to deny or interfere with the lawful use of the property by others. Intentionally refusing to obey directives given by any staff member or administrator.

Knowingly and deliberately failing to comply with any legal office or regulation designed by or rules provided by a teacher, principal, faculty or other public school official at any time whether the rule is designed for the classroom, the campus in general, or any other location or facility involving a school-related activity. Being inappropriately dressed, i.e. being dressed in a manner that is potentially disruptive to the educational process; harassment, inappropriate use of cell phones or other electronic devices, use or possession of e-cigarettes; cellular phones or other communication devices for other than documented medical reason, or without specific prior approval of the school administration.

INTERFERENCE WITH ATHLETIC EVENT (IAE)

Consists of intentionally throwing any object on or across the field of play of an athletic event with the intent to interfere with the normal conduct of that event while the contestants of that event are on that field. As used in this section, "athletic event" means a scheduled sports event. Los Lunas Schools encourages competing with class.

LANGUAGE, PROFANE AND/OR ABUSIVE (ORAL/WRITTEN) (LNG)

Language and/or writing which is crude, offensive, insulting, or irreverent. Examples include swearing/cursing (cussing).

LARCENY 1 (LAR 1)

Taking possession and/or sale of property of another without consent of owner (items less than \$250 monetary value).

LARCENY 2 (LAR 2)

Taking possession and/or sale of property of another without consent of owner (item of monetary value more than \$250).

NON-EDUCATIONAL ITEM (NEI)

Any item that disrupts the educational process.

OBSCENE MATERIALS/ITEMS/BEHAVIOR (OBS)

Displaying and/or the possession of indecent and/or offensive materials or items. This includes making gestures that are indecent or offensive in nature. Also included are pictures, drawings and images on clothing.

OTHER SCHOOL RULES (OSR)

Acts of misconduct not specified herein shall also be subject to discretionary action by appropriate school personnel.

PROMOTING AND DISTRIBUTION (PRO)

Gathering in the vicinity or hindering in the efforts of officials to intervene in any situation that encourages or advocates an unsafe activity. Examples include advertising, encouraging, announcing and distributing an event such as live-streaming a fight and/or sharing a video, etc.

PUBLIC AFFRAY (PbA)

Consists of two or more persons voluntarily or by agreement engaging in any fight or using any blows or violence toward each other in an angry or quarrelsome manner in any public place, to the disturbance of others.

PUBLIC DISPLAY OF AFFECTION (PDA)

Inappropriate physical contact as outlined more specifically by individual school site procedures.

RACIALIZED AGGRESSION

Any aggressive act which can be characterized, categorized or which appears as such to be racial in nature is prohibited.

ROBBERY (ROB)

Taking the property of another through means of fear, force, and/or forced entry of school property, building or rooms.

SEXUAL ASSAULT (SA)

An unlawful attempt or threat to do harm of a sexual nature. Threatening physical harm to another or causing a present fear of imminent danger to the person by use of threats, gestures, verbal assaults, instigation of a sexual nature.

SEXUAL HARASSMENT (SHR)

Behavior (including gestures) or words (oral or written) that are directed at a student or school personnel because of his/her sex that are uninvited, unwanted, or unwelcome which would cause the person of that sex to feel uncomfortable or offended or when the conduct by its nature is clearly unwelcome or inappropriate. Examples include, but are not limited to:

- A. Comments about body parts or rating a person's body.
- B. Spreading of sexual rumors, stories or jokes.
- C. Using sexual orientation as an insult.
- D. Staring or pointing at a person's body parts.
- E. Making obscene gestures.
- F. Displaying of sexual materials.
- G. Verbal sexual advances including subtle pressure for sexual activity.
- H. Repeated or persistent unwelcome requests for dates, meeting, or other social interactions.

NOTE: If sexual touching occurs, the Sexual Battery Policy can be enforced.

TARDINESS (TDY)

Arriving after the designated bell signaling the beginning of school/class.

- A. Tardy students will receive consequences according to district guidelines adopted by the individual site.
- B. Consequences will be determined by the school administration. Examples include time in an alternative academic or community service setting (i.e. lunch, recess, after school).
- C. Secondary students who miss more than 50% of the class period are considered absent.

THREATS OF VIOLENCE AGAINST THE SCHOOL (TOV)

Threats of violence against the school in any form, written, verbal, text, email, or via social media. Falsely and maliciously stating to another either verbally or in writing to include social media, that a school shooting, bomb, other explosive has been placed in such a position that person or properties are likely to be injured or destroyed.

TOBACCO (TOB)

The use of tobacco products, smoking, vaping, chewing or dipping. Possession of tobacco products on one's person or personal belongings such as backpacks, gym pack, etc., while at school, on school property, school bus/vehicle, or at a school activity. Electronic cigarettes such as vape products are prohibited, including all buildings, facilities, school busses, indoor and outdoor spaces surrounding grounds, as well as, parking lots.

TRESPASSING/UNAUTHORIZED PRESENCE (TRS)

Entering or being on school grounds or in a school building without authorization.

UNDER THE INFLUENCE OF AN INTOXICATING SUBSTANCE

The physical, mental, or emotional impairment of personal faculties caused by the use of marijuana, hallucinogenic drugs, other abuse prone drugs, counterfeit drugs, controlled substances or any substance with an intoxicating effect.

Definition of a substance with intoxicating/addictive effect:

- A. A substance such as, but not limited to, permanent markers, aerosol hair spray, vanilla, liquid paper, gasoline, or caffeine pills used to produce an intoxicating effect.
- B. Drugs prescribed by the student's physician that are being taken according to the direction of the prescription are exempt under this policy. NOTE: Such prescribed medications are to be kept in the health office and taken under the supervision of school personnel.

UNLAWFUL PHONE/VIDEO CAMERA PHOTOGRAPHING OF PRINTED MATERIALS PROHIBITED ACTS (UPV):

Use of any non-approved video production by means of videotapes, films, photographs, exhibits, or any electronic transmitted images of any school materials that are strictly the property of **The Los Lunas School District** is a violation of this discipline handbook.

USE OF SOCIAL NETWORKING BY STUDENTS AND STAFF PROHIBITED ACTS

Students will not attempt to engage in any form of social networking with any Los Lunas Schools employee. Use of social networking by posting records or materials that are confidential in nature is forbidden both by students and staff.

Examples include but are not limited to;

- ❖ Students grades;
- ❖ Students/staff discipline;
- ❖ Students/staff medical records;
- ❖ Any case management records;
- ❖ Any FERPA (Family Education Rights and Privacy Act) protected materials;
- ❖ Any material regarding administrative actions that are deemed confidential or personnel issues;
- ❖ Teacher's evaluations;
- ❖ Derogatory statements against students and staff that violate The Los Lunas School District code of conduct policies
- ❖ Any statement that is a direct threat toward The Los Lunas School District, its students, staff, and visitors.
- ❖ Direct statements regarding specific facts of an incident that occurred on campus without first being approved by the District Superintendent or designee.

VANDALISM/CRIMINAL DAMAGE TO PROPERTY/GRAFFITTI (VND)

Deliberately or maliciously destroying, damaging, and/or defacing school property or the property of another individual. This includes, but not limited to, the desecration or burning of the American Flag. Graffiti, such as gang, drugs, weapon, symbols or vulgar pictures or other markings on school property including notebooks, clothing, lockers or other items can result in disciplinary action. If school property such as desks or books are defaced, students should notify their teachers immediately.

VIDEO CELL PHONE/VIDEO CAMERA PROHIBITED ACTS (VPP)

Use of any non-approved video production by means of videotapes, films, photographs, exhibits fights, or any electronic transmitted images is prohibited. This includes, but is not limited to, lewd or obscene images and videos, but also includes the transmission of any act that is prohibited by school policies or a state and federal law is in violation of the Los Lunas Schools Behavior Handbook.

WEAPONS (WEA) Board Policy J-3100 © JICI

The Los Lunas Schools Board of Education recognizes that the presence of weapons in school not only creates unacceptable risks of injury or death, but also creates a climate that undermines the educational purposes of the schools. Accordingly, it is the policy of the Board of Education to forbid the possession, custody, or use of weapons by students or unauthorized personnel in or around school property. This policy is enacted to implement the requirements of the Federal Gun Free Schools Act of 1995, 33 U.S.C. 3351 (a) (1) and it is the intention of the Board that it be interpreted to conform to provisions of the referenced laws.

Definitions:

Weapon – For the purpose of this policy, a “weapon” is any firearm, knife, explosive, or other object, even if manufactured for a nonviolent purpose, that has a potentially violent use, or any “look-a-like” object that resembles an object that has a potentially violent use, if under the surrounding circumstances, the purpose of keeping or carrying the object is for use, or threat of use, as a weapon. Examples include a knife, gun, ice pick, razor, or any substance used with the intent of inflicting bodily harm.

Deadly Weapon-Means any firearm, whether loaded or unloaded; or any weapon which is capable of producing death or great bodily harm, including but not restricted to any types of daggers, brass knuckles, switchblade knives and all such weapons which dangerous cuts can be given, or with which dangerous thrusts can be inflicted; or any other weapons with which dangerous wounds can be inflicted.

Firearm– For the purposes of this policy, and for purposes of compliance with Federal Gun Free Schools Act, a “firearm” is defined as any weapon, including a starter gun which will or 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, and firearm muffler or firearm silencer, or any destructive device. It is the policy of the Board that no student shall bring a weapon into a school zone, nor carry or keep any weapon in a school zone or while attending or participating any school activity, including during transportation to or from such activity.

Possession- the act or condition of having in, or taking into one’s control, or holding at one’s disposal with the intent to harm or injure is the act or condition of using a weapon with criminal intent to harm or injure another. The weapon need not be displayed therefore possession using threatening or menacing words would be considered a violation of this section.

Penalties for Violations

- A. Any student found to be in violation of this policy shall be subject to discipline, including long-term suspension and expulsion.
- B. In compliance with the Federal Gun Free Schools Act, any student found to be in violation of this policy due to possession of a firearm, as defined in this policy, shall at a *minimum*, be expelled from school for a period of not less than one year (365 days), provided, that the Superintendent or the Board of Education may modify such penalty in appropriate cases at their discretion.

Exceptions – “Look-a-likes” that are used in approved school activities such as ROTC, Dance Teams, etc., and which are approved by the site principal and under the control of the activity’s sponsor.

WEAPONS / FIREARMS, POSSESSION OF (WEA) (Los Lunas School Board Policy J-3100 © JICI)

WEAPONS – FIREARM OTHER (WFO)

WEAPONS – HANDGUN (WHG)

WEAPONS – KNIFE/CUTTING OBJECT (WPK)

WEAPONS – RIFLE/SHOTGUN (WRS)

SECTION VII

WHAT ARE THE CONSEQUENCES FOR UNACCEPTABLE BEHAVIOR?

Consequences have been established and must be expected for any violation. Administrators may impose consequences as indicated in the Consequences Matrix (pg. 31-36). The administrative response to the behavior violation may vary depending on the context of the situation and as each administrator selects from a broad spectrum of actions such as those listed here and/or in each school site's procedures.

1. **STAFF/STUDENT CONTACT (SSC)**
Staff member, defined as any school district employee including bus drivers, will contact student.
2. **STAFF/PARENT CONTACT (SPC)**
Staff member will contact parents by note, telephone, or in person. A conference may be requested.
3. **ADMINISTRATOR/STUDENT CONTACT (ASC)**
Administrator will contact student.
4. **ADMINISTRATOR/PARENT CONTACT (APC)**
Administrator will contact parent by note, by telephone, or in person. At this time, a conference may be required.
5. **ATTENDANCE CONTRACT (ATC)**
Student commits in writing to attend classes regularly and on time. The consequences of continued absence are specifically stated in the contract.
6. **DETENTION/TIME OUT/COMMUNITY SERVICE (DET)**
The removal from setting and/or loss of privileges to an alternative supervised area.
7. **IN-SCHOOL SUSPENSION (ISS)**
The removal from setting and/or loss of privileges to an alternative supervised area. Students are responsible for keeping their class work current.
 - ❖ Involves community service on campus
 - ❖ 1-10 school days at administrator's discretion
 - ❖ Students will be allowed to make-up all class work, homework, tests, quizzes, etc.
 - ❖ Students may or may not be allowed to participate in extracurricular/co-curricular activities/athletics during days of in school suspension, at the discretion of the administrative authority.
 - ❖ Parent/administrator contact and disciplinary notice issued.
8. **SHORT-TERM SUSPENSION (STS)**
Removal of the student from school property and all school-related activities for a period of time ranging from a minimum of one (1) school day to a maximum of ten (10) school days. During suspension, students are remanded to the supervision and responsibility of the student's parent/guardian.
 - ❖ 1-10 school days at administrator's discretion.
 - ❖ Students will be allowed to make-up all class work, homework, tests, quizzes, etc.
 - ❖ Students may not participate in extracurricular/co-curricular activities/athletics during days of suspension.
 - ❖ Parent/administrator conference required for student to return to school
 - ❖ Student Behavior Contract may be required.
 - ❖ If a student has not completed their suspension at the end of the school year, they must complete it at the beginning of the next school year.
9. **BEHAVIOR CONTRACT (BEC)**
Student commits to more positive behavior in the form of a written contract. Students may be assigned school or community service. Supervision will be determined by the principal/ designee.
10. **LONG-TERM SUSPENSION (LTS)**
Removal of a student from school property and all school related activities for more than ten (10) days and up to 189 days at the discretion of the administrator. During suspension, students are remanded to the supervision and responsibility of the student's parent(s)/legal guardian(s). A student receiving a long-term suspension will lose

credit for the length of the time they are on suspension. Students have the right to a due process hearing. The student may, at his/her own expense, choose to be represented by an attorney during any due process hearing. Seventy-two (72) hours' notice must be given to the school if an attorney is to represent the student in order for the school to acquire representation of their own. The student may at his/her own expense, choose to be represented by an attorney during any due process hearing.

- ❖ 11-189 school days out of school
- ❖ Required Long-Term Suspension Hearing within 10 school days of offense.
- ❖ Length of long-term suspension time recommended by school administration, decision by District Hearing Officer, appealed to Superintendent of Schools (see Appeals Process).
- ❖ During interim time of offense to hearing date and subsequent decision by Hearing Officer, student may not be in school, on school grounds, or participate in extracurricular/co-curricular activities/athletics.
- ❖ During long-term suspension, student may not make-up work, homework, tests, quizzes, etc.
- ❖ If student is long-term suspended, loss of credit will occur. Retention will occur at discretion of administration.
- ❖ Site administrators will only refer those students to a Long-Term Hearing with the intentions of removing a student from the school site. There shall be no other recommendation by the referring administrator other than removal.

11. EXPULSION (EXP)

Removal of a student from all schools in Los Lunas Schools for a period of at least one calendar year. Expulsion may be a permanent removal from this school system. A student receiving an expulsion will lose credit for the duration of the expulsion.

12. ALTERNATIVE TO LONG TERM ACADEMIC SUSPENSION (ATLAS)

This program is for students who have waived their right to a LTS Hearing and would like to continue their education.

- ❖ ATLAS Principal or Superintendent (designee) approval is required before a student will be allowed to enter the program.
- ❖ The length of ATLAS time will be recommended by the school administration, Superintendent (designee) and/or the ATLAS Principal.
- ❖ If a student is removed from the ATLAS program for failure to comply with the ATLAS rules they will serve out the recommended disciplinary action as noted on their LTS notice.
- ❖ The ATLAS program is a privilege not a right.

Waiver of Hearing:

Parents and students may waive their right to a hearing if they choose not to have the hearing and wish to comply with the recommended disciplinary action. If the parent and student choose to waive the right to the initial hearing and accept the recommended disciplinary action no further hearing or appeal will be granted.

13. REIMBURSEMENT/RESTITUTION (RIM)

Restitution will be sought from anyone for damage or the theft of personal or school property. This includes damage or the theft of personal or school property. This includes damage to the school facilities i.e., bathrooms, lockers, desks, etc.- damage or loss of school textbooks materials, and supplies for which student and parents are responsible; or damage to personal property of school employees or students or school neighborhood residents. Such matter may be referred to the police or other legal authority for further action.

14. REFERRAL FOR LEGAL ACTION (RLA)

Evidence of any illegal act or action by a student will be forwarded to the appropriate authority or law enforcement agency, i.e. police, sheriff, county, city, state or federal ordinance prohibiting all of the following acts. Some of the acts listed below are defined in Section VI of this document. A reference is made after each act to the appropriate ordinance:

- Aggravated Assault (SS 30-3-2 NMSA 1978)
- Aggravated Battery (SS 30-3-5 NMSA 1978)
- Assault on a School Official (SS 22-1-7)
- Arson (SS 30-17-5 NMSA 1978)
- Assault (SS 30-3-1 NMSA 1978)
- Battery (SS 30-3-4 NMSA 1978)
- Bomb Threat (SS 30-20-16 NMSA 1978)
- Breaking and Entering (SS 30-14-8 NMSA 1978)
- Burglary (SS 30-16-3 NMSA 1978)

Cannabis in a restricted area (SS 31-19-1 NMSA 1978)
 Computer Crimes (SS 30-16A- I NMSA 1978)
 Criminal Damage to Property (Vandalism) (SS 30-15-1 (NMSA 1978)
 Disorderly Conduct (SS 30-20-1 NMSA 1978)
 Distribution of a controlled substance
 Disruption of Public Meeting (SS 30-20-13 NMSA 1978)
 Extortion (SS 30-16-9 NMSA 1978)
 False Alarm (SS 40A- 1 7-2 NMSA 1978)
 Indecent Exposure (SS 30-9-14 NMSA 1978)
 Larceny (Theft) (SS 30-16-1 NMSA 1978)
 Possession of Alcohol by Minor (SS 60-7B- I NMSA 1978)
 Possession of Concealed Deadly Weapon (SS 30-7-2 NMSA1978)
 Possession of Controlled Substance (SS 30-31-23 NMSA 1978)
 Public Nuisance (SS 3 0-8-1 NMSA 1978)
 Robbery (SS 30-16-2 NMSA 1978)
 Tobacco (SS30-49-3NMSA 1978)
 Unlawful Carrying of a Deadly Weapon (SS 30-7-2, NMSA 1978)

Any, other violation of county, city-state, and/or federal ordinance or law will be communicated to the appropriate law enforcement agency.

15. SUSPENSION OF EXTRA-CURRICULAR PRIVILEGES (SEC)

Participation in extracurricular activities is a privilege offered to and earned by students. Because participants are serving as representatives of their school and community, their conduct is expected to exemplify high standards at all times. Participants are expected to adhere to higher standards of academics and conduct than established for the general school population in order to maintain their extra-curricular privileges. Participation in extra-curricular activities is not a student right, and suspension of such privileges does not require a due process hearing procedure. Removal of the student will be at the discretion of the principal or designee, of any part, or all, of extra-curricular privileges for time periods up to one full calendar year.

16. REFERRAL FOR MEDIATION/COUNSELING/ASSESSMENT (MED OR RCA)

A school administrator can refer students to a variety of individuals within the school setting for intervention. He/She may require that the student report to mediators for help in resolving conflict(s) with others; he/she can refer the student to the school's counselors, social worker, nurse, or other appropriate professionals; he/she can refer a student to appropriate departments or individuals for testing/assessment.

SECTION VIII

DUE PROCESS PROCEDURES

Due Process Procedures for Investigation of Incidents and Parent Notification Regarding the Suspension/Expulsion of Students: When a student is sent to the principal or his / her designee for any disciplinary action or conference concerning an incident, the steps listed below must be followed. These guidelines for disciplinary action constitute a hearing for the student and represent the due process procedures that are required by law.

The Administrator:

- ❖ Advises the student of the charge(s).
- ❖ Advises the student of the facts on which the charge(s) are based.
- ❖ Gives the student an opportunity to respond to the charge(s) and to provide his/her version. The student is asked to give a written or verbal statement concerning the incident.
- ❖ Provides written verification of the proposed disciplinary action to the parent(s)/guardian.
- ❖ Makes every effort to notify the student's parent(s)/guardian by telephone, if action is going to be taken immediately to suspend the student.
- ❖ Provides written notification of the action taken to the District Hearing Officer if the suspension is longer than ten (10) days or if the anticipated action is long-term suspension or expulsion.
- ❖ Students whose presence poses a continuing danger to persons or property or an ongoing threat of disruption may be removed from school immediately. The notice of charges, explanation of facts and opportunity to present his/her version of what occurred, shall be provided as soon as practicable thereafter.
- ❖ For purposes of Due Process Procedures, "days" mean school days unless otherwise specifically noted. For example: "within three (3) school days after receipt" means if the parent post marked the appeal notice on Monday, the

principal's written response must be received by the parent on the following Thursday. After the regular school year has officially ended, "school days" means school administrative office working days.

LONG-TERM SUSPENSION OR EXPULSION – DISTRICT HEARING OFFICER

Principal's Recommendation

The principal notifies the student and parent(s)/guardian that the student will be recommended for long-term suspension or expulsion. The student may be suspended up to ten (10) school days by the principal. The principal will notify the Los Lunas Schools' District Hearing Officer of the suspension and ensure that a hearing date is set for the student according to district procedure. A long-term suspension will be within the range of 11 to 187 days. Expulsions will be for at least one calendar year and may be permanent. The student and parent will be advised by the District that an administrative hearing officer will be conducting a hearing at the Los Lunas Schools Administrative Offices (119 Luna Ave., Los Lunas, NM 87031) regarding the infraction, as well as the time and date of the hearing.

Every effort will be made to conduct the hearing within ten (10) school days after the date of the suspension; however, when this is not possible, the parent and the school will collaboratively determine the time and date of the hearing. The parent/guardian must sign a waiver to this effect. In order to protect the privacy of the students involved, the hearings are closed. Parents may bring an attorney or other representative into a closed hearing and may bring others to speak in support of the student. However, if an attorney is to be present, the school must have at least seventy-two (72) hours' notice in order to have their own legal representation.

Individuals participating in the hearing are subject to a security check. Admittance may be denied any person refusing to adhere with the District Hearing Officer's directions regarding security, conduct, or general operating procedures of the hearing. No recording (audio or video), filming, or photography is permitted during District Hearing Officer's review by parties other than by the District Hearing Officer.

The Hearing Procedure is as follows:

The District Hearing Officer conducts the hearing. The District Hearing Officer opens the hearing and introduces all present. Anyone present who will be called to testify will be sworn in by the District Hearing Officer and must pledge to tell the truth. The facts of the incident are presented to the District Hearing Officer, including the presentation of materials and documentation. The District Hearing Officer will call upon the school personnel and others to present the testimony and evidence of the student's violations.

After the school's evidence is presented, the District Hearing Officer will call upon the student or their representative to present the student's testimony to the District Hearing Officer. Parents/guardians and others present on behalf of the student may testify before the District Hearing Officer. Letters of support may be submitted for the District Hearing Officer's consideration. Witnesses may be called but may not remain for the entire testimony unless they are the parent, guardian, representative, or the student.

At any point during the hearing, the District Hearing Officer may ask questions of those testifying. The student's school records are reviewed by the District Hearing Officer and questions may be asked regarding student attendance, achievement, discipline history, or any other matter related to the history of the student. The student's parents or guardians are permitted by the District Hearing Officer to ask questions to clarify any point they do not understand. When all evidence has been presented and there are no additional questions, the District Hearing Officer will ask the school principal to give closing comments with his/her recommended sanction and rationale for the recommended long-term suspension or expulsion to the District Hearing Officer. The District Hearing Officer will decide whether to uphold the recommendation of the principal either in whole or in part or deny it entirely. The District Hearing Officer may render a decision at the time of the hearing or may want to take the case under advisement and may withhold comment until he/she has time to reflect upon the testimony. In either case, the parent will receive written notification of the District Hearing Officer's decision within seven (7) calendar days following the hearing. The District Hearing Officer will close the hearing. Students, parents, school representatives, witnesses, and any others present will be dismissed. Recorded minutes will be kept of all District Hearing Officer's sessions, and copies of the recordings will be made available to parents upon request.

APPEAL TO THE SUPERINTENDENT

The student, parent/guardian or their representative may appeal the decision of the District Hearing Officer if done within ten (10) school days after the student is informed of the hearing officer's decision. A student, parent/guardian or their representative is aggrieved by the hearing officer's decision, after the formal hearing shall have the right to have the decision reviewed.

The Superintendent shall be bound by the hearing officer's factual determinations unless the student persuades the Superintendent that a finding of fact was arbitrary, capricious or unsupported by substantial evidence or that new evidence has come to light since the hearing and which could not with reasonable diligence have been discovered in time for the hearing and that this evidence would manifestly change the factual determination. Upon any such finding, the Superintendent shall have the discretion to receive new evidence, or reconsider evidence introduced at the hearing. In the absence of any such finding, the review shall be limited into the appropriateness of the penalty imposed.

The review procedure is as follows:

The Superintendent will review the evidence as presented in the formal hearing. The tape recording, written documentation and other forms of media will be considered. If new evidence has come to light, the student, parent/guardian or their representative shall provide such evidence in written form to the Superintendent's Executive Assistant upon written request for the review by the Superintendent at the Los Lunas Schools Administrative Offices (119 Luna Ave. Los Lunas, New Mexico 87031). After review of the evidence the Superintendent will render a decision to uphold or modify the District Hearing Officer's decision. The Superintendent will prepare a written decision, including concise reasons, and mail or deliver it to the principal, the hearing officer and the student, parent/guardian, or their representative within ten (10) working days after the review is concluded.

APPEAL TO THE SCHOOL BOARD (Board Policy Section J-4850 JKD)

The Los Lunas School Board may consider appeals of the Superintendent's decisions in accordance with the procedure set forth herein. Within three (3) school days after the receipt of the decision of the Superintendent, a parent may request an appeal of that decision, in writing, to the Los Lunas Schools Board President. A review of the case by the members of the Los Lunas School Board may be granted based upon specific reasons to support the request.

Within ten (10) school days the student, parent or their representative will be advised by the district that the Los Lunas Schools Board of Education will be conducting a hearing at the Los Lunas Schools Administrative Offices (119 Luna Ave., Los Lunas, NM 87031) regarding the appeal, as well as, the time and date of the hearing. Every effort will be made to conduct the hearing within ten (10) school days after the date the School Board President is notified that the decision of the Superintendent has been appealed, however, when this is not possible, the parent and the School Board President will collaboratively determine the time and date of the hearing. The parent / guardian must sign a waiver to this effect.

In order to protect the privacy of the student(s) (FERPA) involved, the hearings are closed. Parents may bring an attorney or other representative into a closed hearing and may bring others to speak in support of the student. However, if an attorney is to be present, the Los Lunas Schools Board of Education must have at least seventy-two (72) hours' notice in order to have their own legal representation.

Individuals participating in the hearing are subject to a security check. Admittance may be denied any person refusing to adhere with the School Board President's directions regarding security, conduct, or general operating procedures of the hearing. No recording (audio or video), filming, or photography is permitted during Los Lunas School Board's review by parties other than the Board itself.

The format for Los Lunas School Board appeal hearings will be as follows:

The President of the Board calls the meeting to order.

The President of the Board requests a motion to go into Closed Executive Session as provided for in New Mexico State Statute, Annotated. If the motion is seconded and approval is voted, the Board goes into Closed, Executive Session.

The President of the Board states the procedure:

The School Board has the right and responsibility to serve as the source of final appeal in all appeals in the entire disciplinary process in accordance with the regulations of the State of New Mexico.

An appeal hearing is an administrative hearing, not a court of law, and the Board is not bound by technical rules of evidence and the Board will decide the admissibility of evidence. Any objections as to the admissibility of evidence shall be addressed to the President of the Board and determined by a majority of the Board.

The school administration and student, along with any witnesses, shall be given the opportunity to be heard and give testimony that is related to the issue in question.

The Board may direct questions to all parties at interest for points of clarification and/or understanding during or after the evidence has been presented. After the appeal hearing, the Board will render its decision in writing within thirty (30) school days and provide a copy to the student and his or her parents.

The Hearing Procedure is as follows:

The School Board President conducts the hearing. The School Board President opens the hearing and introduces all present. The School Board President swears in witnesses. Witnesses will be separated after this step.

The School Board President invites the Superintendent or his/her designee to make opening statements. The student's representative is extended the opportunity to make an opening statement.

The facts of the incident are presented by the Superintendent or his/her designee, including the presentation of materials and documentation. The School Board President calls upon school personnel and others to present the testimony and evidence of the student's violations to the Board.

After the school's evidence is presented, the School Board President calls upon the student or their representative to present the student's testimony to the School Board. Parents/guardians and others present on behalf of the student may testify before the School Board. Letters of support may be submitted for the School Board's consideration. Witnesses may be called but may not remain after their testimony unless they are the parent, guardian, representative, or the student themselves.

At any point during the hearing, members of the Board of Education may ask questions of those testifying. The student's school records may be reviewed by the Board of Education and questions may be asked regarding student attendance, achievement, discipline history, or any other matter related to the history of the student.

The student's parents or guardians are permitted by the School Board to ask questions to clarify any point they do not understand.

When all evidence has been presented and there are no additional questions, the School Board President will ask the Superintendent or his/her designee to give closing comments with his/her recommended sanction and rationale for the recommended long-term suspension or expulsion to the School Board.

The student or their representative will be given the opportunity to make a closing statement. All parties except the Board Members adjourn. The Board deliberates their decision in closed executive session (private). The School Board will decide whether to uphold the recommendation of the Superintendent, either in whole or in part or deny it entirely.

The Board will return from closed executive session and invite the student, their parents or guardians and their representatives' back into the room. School district representatives including the Superintendent and his / her designee will be invited back into the room. At this point the hearing is still a closed proceeding.

The Board may render a decision at the time of the hearing or may want to take the case under advisement and withhold comment until the Board has time to reflect upon the testimony. In either case, the parent will receive written notification of the Board's decision within thirty (30) calendar days following the hearing.

The President of the Board will request a motion to go into Regular Session as provided for in New Mexico State Statutes, Annotated. If the motion is seconded and approval is voted, the Board goes back into regular session. The School Board President requests a motion to adjourn the meeting. If the motion is seconded and approval is voted, the meeting will be adjourned. Students, parents, school representatives, witnesses, and any others present will be dismissed. Recorded minutes will be kept of all the Board's appeal hearings, and copies of the minutes will be made available to parents upon request.

SECTION IX

WHAT ARE THE SUSPENSION AND DISCIPLINARY CONSIDERATIONS FOR STUDENTS WITH DISABILITIES?

Students with disabilities are not immune from the district's disciplinary process once placement procedures are properly followed.

The district's disciplinary process for students with disabilities is in compliance with IDEA 1997 and Provisions from United States Code, Title 20, Chapter 33, and are as follows:

School personnel may order a change in the placement of a child with a disability. A change in placement may occur at an appropriate alternative educational setting, another setting, or suspension, for not more than ten (10) school days (to the extent such alternatives would be applied to children without disabilities); and to an appropriate interim alternative educational setting for the same amount of time that a child without a disability would be subject to discipline, but not for more than 45 days if the child carries or possesses a weapon to or at school, on school premises, or to a school function under the jurisdiction of a State or a local educational agency; or the child knowingly possesses or uses illegal drugs or sells or solicits the sale of a controlled substance while at school or a school function under the jurisdiction of a State or local educational agency.

1. When long-term suspension or expulsion is warranted, an Individualized Education Program (IEP) Committee must first determine whether the behavior of concern is related to the students' disability and whether his/her program is appropriate.
2. If the IEP Committee determines either that the behavior is not related to his/her disability or that the student's program is appropriate, and a behavior intervention plan is in place, then disciplinary actions may be taken against the student in accordance with the procedures in this handbook. Should the disciplinary procedures include long-term suspension or expulsion, the district must continue to provide special education services. The decision to remove a student from his/her educational program must be made on an individual basis. Procedural safeguards outlined in the Public Education Department Standards of Excellence Compliance Manual ensure that parental due process rights are afforded.
3. If the IEP Committee determines either that the behavior is related or that the student's program is not appropriate, or that a functional behavioral assessment and resulting behavior intervention plan is not in place, then the student may not be suspended and the IEP team must determine an appropriate program. (Flow Charts regarding students with disabilities have been stricken from this handbook.)

SECTION X

WHAT ARE THE LOS LUNAS SCHOOLS TRANSPORTATION SERVICES GUIDELINES?

FIRST OFFENSE:

The transportation department will work closely with the school resource officers in an attempt to tie all bus suspensions to administrator's suspensions. Parents will be notified immediately upon receipt of bus referral. A warning to the student with a report to the parent/guardian will be issued. It is expected that the parent/guardian will help to prevent a recurrence.

SECOND OFFENSE:

Disciplinary action will be taken at the discretion of the administrator, depending on the seriousness of the infraction. It is recommended that the student be placed on probation with a report to parent/guardian. At minimum the parent/guardian will be notified, but disciplinary action could include: in-school suspension, behavior contract, short- or long-term suspension, suspension from bus-riding privileges and/or school.

THIRD OFFENSE:

A report to the parent/guardian will be made. Consequences may include: short or long-term suspension from school or suspension of bus riding privileges. The length of suspension will depend on the seriousness of the infraction. In addition to the suspension of transportation privileges, criminal referral may be taken and/or may result in an arrest.

NOTE: Drivers, bus assistants, or administrators may select a different sequence in handling an incident. This depends on the seriousness of the infraction, student's exceptionality and the individualized education plan.

SEVERE DISRUPTION:

The following inappropriate and dangerous behavior will result in automatic suspension of transportation privileges:

1. Physical harm done to another individual.
2. Physical damage done to the bus.
3. Any disruption, which prohibits the safety of the bus driver, or other students.

NOTE: Suspension from the bus does not necessarily mean that a student is suspended from school. The parent/guardian will be responsible for transporting the student to and from school.

FOR MORE DETAILS ON SCHOOL BUS BEHAVIOR:

(Refer to the *Parent/Student Transportation Handbook*).

SECTION XI

INFORMATION REGARDING SECTION 504 OF THE REHABILITATION ACT OF 1973 AND AMERICANS WITH DISABILITIES ACT (ADA)

Section 504 and Americans with Disabilities Act (ADA) are federal laws, which prohibit discrimination against persons with a disability in any program receiving Federal financial assistance. The Acts define a person with a disability as anyone who:

1. Has a mental or physical impairment which substantially limits one or more major life activities i.e., caring for one's Self, performing manual tasks, walking, seeing, hearing, breathing, learning, and working.
2. Has a record of such impairment; or
3. Is regarded as having such impairment.

In order to fulfill its obligation under Section 504 and the ADA, the Los Lunas Schools recognizes a responsibility to avoid discrimination against any person with a disability. No discrimination will knowingly be permitted in any of the programs and practices in the school system.

The Family Education Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to:

1. Inspect and to review his/her child's educational records
2. Make copies of these records
3. Receive a list of all individuals having access to those records.
4. Ask for an explanation of any item in the records.
5. Ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights.
6. A hearing on the issue if the school refuses to make the amendment.

If there are questions, please feel free to contact the District 504 Compliance Officer/ADA Coordinator for the school district, at 505-865-9636.

SECTION XII

WHAT INFORMATION CAN BE KEPT IN A STUDENT'S PERMANENT RECORD?

- A. Los Lunas Schools maintains disciplinary records in a student's cumulative file. Los Lunas Schools Policy requires that educational record be kept to an essential and relevant minimum. Records are reviewed at the end of each school year, and non-essential or irrelevant material is deleted.
- B. Los Lunas Schools policy limits the right of access to education records.
- C. Los Lunas Schools policy provides individuals the right to challenge the contents of records. If records contain information on more than one student, the right to inspect relates only to that portion of the record concerning the particular student in question. The Los Lunas Schools Student Behavior Handbook will be reviewed by the Board of Education every two years, at which time suggested amendments or additions will be submitted for consideration.

Copies of this handbook will be made available to each student and the parent/student signature page will be filed in the student's cumulative record. Copies of administrative directives to students are available for review by the students and their parents at each school library.

SECTION XIII

CHILD CUSTODY ISSUES

Parents/legal guardians and the courts will establish the terms and conditions of custody of the children. Custody terms will generally fall into the categories of Joint Custody, Primary Physical Custody, and Sole Custody. In any of these custody arrangements, unless parental rights have been legally waived, both parents/legal guardians retain full parental rights regarding the access to school records, grades, parent-teacher conferences, IEP meetings, and so forth. LLS will remain neutral in custody cases and will rely on parental/legal guardian agreement or court documents in honoring parental requests. The school administrator must agree to any changes to the status quo. LLS will do their best to abide by parenting plans provided to them but are not responsible to enforce specific pick-up days.

CODE TABLE

AGP	Aggressive Confrontations (Physical)	DEF	Defiance of School Personnel/Authority	PM	Physical Management
AGV	Aggressive Confrontations (Verbal)	DET	Detention/Community Service	PRO	Promoting and Distribution
ACD	Academic Dishonesty	DIS	Discrimination	PDA	Public Display of Affection
ALC	Alcohol Possession of	DC	Disorderly Conduct	RA	Racialized Aggression
SAA	Alcohol Sale or Distribution	DCV	Dress Code Violation	ROB	Robbery
APC	Administrator-Parent Conference	DRG	Drugs/Cannabis Possession/Use of	RCA	Referral to Counseling/Evaluation
AR	Arson	DRP	Drug Paraphernalia	RIM	Reimbursement/Restitution
AGV	Assault/Aggressive Confrontations (Verbal)	DEP	Disruption of the Educational Process	RLA	Referral for Legal Action
ASC	Administrator-Student Contact	DRG	Drugs/Counterfeit Drugs	SA	Sexual Assault
ASF	Assault with a Firearm	EXP	Explosives	SHR	Sexual Harassment
ASK	Assault with a Knife/Cutting Object	EXP	Expulsion	SEC	Suspension of Extra-Curricular Activities
ASO	Assault on School Official	EXT	Extortion	SPC	Staff-Parent Contact
ASW	Assault with Another Weapon	FWX	Fireworks/Ammunition	SSC	Staff-Student Contact
ATC	Attendance Contract	FOR	Forgery	STS	Short-Term Suspension
BNI	Battery Unprovoked without Injury	GRA	Gang Related Activity	TDY	Tardy
BUI	Battery Unprovoked with Injury	GN1	Gang Related Activity Level 1	TOV	Threats of Violence against the School and/or False Alarm
BAF	Battery with a Firearm	GN2	Gang Related Activity Level 2	TOB	Tobacco
BSO	Battery on School Official	GRA	Graffiti	TRS	Trespassing/Unauthorized Presence
AGG BAK	Aggravated Battery with a Knife/Cutting Object	HAR	Harassment	DDD	Under the Influence of an Intoxicating Substance
BAE	Breaking and Entering	HZG	Hazing/Initiation	UPV	Unlawful Phone/Video Camera Photographing of Printed Materials Prohibited Acts
BAW	Battery with Another Weapon	IoEP	Interference of the Educational Process	VND	Vandalism/Criminal Damage to Property Graffiti
BEC	Behavior Contract	IAE	Interference with an Athletic Event	VPP	Video Cell Phone/Video Camera Prohibited Acts
BOM	Bomb Threat	ISS	In-School suspension	WEA	Weapons
BUL	Bullying/Intimidation/Instigation/Stalking	LNG	Profane/Abusive Language	WFO	Weapon-Other Type

BUG	Burglary	LAR 1	Larceny ↓\$250.00	WHG	Weapon-Handgun
BUS	Bus Disruption	LAR 2	Larceny ↑\$250.00	WKO	Weapon-Knife Cutting Object w/intent to injure
CEL	Cellular/Electronic Device	LTS	Long-Term Suspension	WPK	Weapons-Knife/Cutting Object /Possession
CHT	Cheating	MED	Medical Referral	WRS	Weapon-Rifle/Shotgun
CD	Counterfeit Drugs	NEI	Non-Educational Item		
CSC	Criminal Sexual Contact	OBS	Obscene Materials/Items/Behavior		
CED	Cyberbullying, Intimidation/Instigation by use of Electronic Device or Social Networking Outlet	OSR	Other School Rules		
DSA	Defiance of School Personnel/Authority	PbA	Public Affray		

DISCIPLINE MATRIX: ELEMENTARY

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 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.*

Level 1			
Infractions of the Student Behavior Handbook are grouped into two levels based on the severity of the infraction.			
Verbal Warning (VW) / Staff-Student Contact (SSC) / Staff-Parent Contact (SPC) / Administrator-Student Contact (ASC) / Administrator-Parent Contact (APC) / Referral to Counselor-Social Worker (RCS) / Behavior Contract (BC) / Detention(D) / Time-Out (TO) / Community Service (CS) / In-School Suspension (ISS) / Out of School Suspension (OSS)			
Behavior	1st Offense	2nd Offense	3rd Offense
Academic Dishonesty	Admin-Parent Contact	Admin-Parent Contact	1-day OSS
Ammunition	Admin-Parent Contact	1-day OSS	3-days OSS
Defiance of School Personnel	1-day OSS	3-days OSS	5-days OSS
Discrimination	Admin-Parent Contact	Referral to Counselor/Social Worker	3-days OSS
Dress Code Violation	Verbal warning	Admin-Parent Contact	Behavior Contract
Fireworks	1-day OSS	3-days OSS	5-days OSS
Forgery	Admin-Parent Contact	Behavior Contract/1-day OSS	3-days OSS
Gang Related Activity	1-day OSS	3-days OSS	5-days OSS
Profane/Abusive Language	Admin-Parent Contact	Behavior Contract/1-day OSS	3-days OSS
Possession of Alcohol	1-day OSS Referral to Counselor/Social Worker	3-days OSS Referral to Counselor/Social Worker	5-days OSS Referral to Counselor/Social Worker
Public Displays of Affection	Verbal warning	Admin-Parent Contact	1-day OSS
Obscene Materials/Items/Behavior	Admin-Parent Contact	1-day OSS	3-days OSS Social Worker/Counselor
Tobacco/Electronic nicotine vape	1-day OSS	3-days OSS	5-days OSS
Trespassing/Unauthorized Presence/Breaking and entering	Admin-Parent Contact	Behavior Contract	3-days OSS

Level 2			
Infractions of the Student Behavior Handbook are grouped into two levels based on the severity of the infraction.			
Behavior Contract (BC) / Referral to Counselor-Social Worker (RCS) / Out of School Suspension (OSS) / Short-Term Suspension (STS) / Long-Term Suspension (LTS) / Long-Term Hearing (LTH) / Expulsion(E) / Criminal Referral (CR)			
Behavior	1st Offense	2nd Offense	3rd Offense
Aggravated Battery with a Knife/Cutting Object/Another Weapon	EXPULSION		
Arson	Level 1(Less than \$250): 3-days OSS Level 2 (\$250 or more): LTS	Level 1: 5-days OSS Level 2: LTS	Level 1: LTS Level 2: LTS
Assault/Aggressive Confrontations (Verbal)	1-day OSS/Referral to Counselor/Social Worker	3-days OSS/Behavior Contract	5-days OSS
Assault with a Firearm	EXPULSION		
Assault with a Knife/cutting object	EXPULSION		
Assault with a Weapon	3-days OSS	5-days OSS	LTS
Assault/Battery on a School Official/Personnel	3-days OSS/Referral to Counselor-Social Worker	5-days OSS/Behavior Contract	LTS
Battery/battery Unprovoked without injury/Public Affray (Physical)	3-days OSS	5-days OSS	LTS
Battery with a Firearm	EXPULSION		
Bullying/Intimidation/Instigation/Cyber Bullying/Harassment (Sexual)/Stalking	3-days OSS/Behavior Contract/Referral to Counselor-Social Worker	5-days OSS	LTS
Burglary	5-days OSS/ Referral to Counselor/Social Worker	LTS	LTS
Criminal Sexual Contact	3-days OSS	5-days OSS	LTH
Distribution/Sale of Drugs	5-days OSS	LTS	EXPULSION
Disruption of the Educational Process Interference with the Educational Process or Athletic Event/Disorderly Conduct	1-day OSS/Referral to Counselor-Social Worker	3-days OSS/Behavior Contract	5-days OSS
Drug Paraphernalia	3-days OSS/Referral to Counselor-Social worker	5-days OSS/Behavior contract	LTS
Drug/Cannabis (Possession/Use of)	3-days OSS/Referral to Counselor-Social Worker	5-days OSS/Behavior Contract	LTS
Explosives	EXPULSION		
Extortion	1-day OSS/Referral to Counselor-Social Worker	3-days OSS/Behavior contract	5-days OSS
Hazing	3-days OSS/Behavior Contract/Referral to Counselor-Social Worker	5-days OSS	LTS
Larceny 1 Below \$250	Parent Contact/Referral to Counselor-Social Worker	3-days OSS/Referral to Counselor-Social Worker	5-days OSS

Larceny 2 More than \$250	3-days OSS	5-days OSS/Referral to Counselor-Social Worker	LTS
Non-Educational Items	1-day OSS	2-days OSS	3-days OSS
Possession of Stolen Property	3-days OSS	5-days OSS	LTS
Possession Weapons-Without Intent: Knife/Cutting Object	3-days OSS	5-days OSS/Behavior Contract	LTS
Promoting and Distribution	1-day OSS	2-days OSS	3-days OSS
Racialized Agression	3-days OSS/Behavior Contract/Referral to Counselor-Social Worker	5-days OSS	LTS
Robbery	3-days OSS/Referral to Counselor-Social Worker	5-days OSS/Referral to Counselor-Social Worker	LTS
Sale or Distribution of Alcohol/Contributing	5-days OSS	LTS	EXPULSION
Sexual Assault	5-days OSS	LTS	EXPULSION
Sexual Battery	LTS	EXPULSION	
Threats of violence against the School and/or False Alarm/Bomb Threat	LTS	EXPULSION	
Under/On the Influence of an Intoxicating Substance	3-days OSS/ Referral to Counselor- Social Worker	5-days OSS/ Referral to Counselor-Social Worker	LTS/ Referral to Counselor-Social Worker
Vandalism/Criminal Damage to Property/Graffiti Level 1: Less than \$1,000 Level 2: More than \$1,000	Level 1: 3-days OSS Level 2: 5-day OSS	Level 1: 5-days OSS Level 2: 7-days OSS	Level 1: LTS Level 2: LTS
Video Cellphone Prohibited Act	3-days OSS	5-days OSS	LTS
Weapons-With Intent: Knife/Cutting Object	LTS	EXPULSION	
Weapons: Rifle/Shotgun/Handguns	EXPULSION	EXPULSION	

DISCIPLINE MATRIX: SECONDARY

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 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.*

Level 1			
Infractions of the Student Behavior Handbook are grouped into two levels based on the severity of the infraction.			
Staff-Student Contact (SSC) / Staff-Parent Contact (SPC) / Administrator-Student Contact (ASC) / Administrator-Parent Contact (APC) / Behavior Contract (BC) / Verbal Warning (VW) /Detention (D) / Time-Out (TO) / Community Service (CS) / In-School Suspension (ISS) / Out of School Suspension (OSS)			
Behavior	1st Offense	2nd Offense	3rd Offense
Academic Dishonesty	Admin-Parent Contact	Admin-Parent Contact	3-days OSS
Ammunition	3-days OSS	5-days OSS	LTS
Defiance of School Personnel	3-days OSS	5-days OSS	LTS
Discrimination	3-days OSS	5-days OSS	LTS
Dress Code Violation	Verbal warning	Admin-Student Contact	1-day OSS
Fireworks	3-days OSS	5-days OSS	LTS
Forgery	Admin-Parent Contact	Admin-Parent Contact	3-day OSS
Gang Related Activity	3-days OSS	5-days OSS	LTS
Obscene Materials/Items/Behavior	3-days OSS	5-days OSS	LTS
Possession of Alcohol	5-days OSS Referral to Counselor-Social Worker	5-days OSS Referral to Counselor-Social Worker	LTS Referral to Counselor-Social Worker
Profane/Abusive Language	3-days OSS	5-days OSS	7-days OSS
Public Displays of Affection	Verbal warning	Admin-Student Contact	1-days OSS
Tobacco/Electronic nicotine vape	3-days OSS	5-days OSS	LTS
Trespassing/Unauthorized Presence/Breaking and Entering	3-days OSS	5-days OSS	LTS

Level 2			
Infractions of the Student Behavior Handbook are grouped into two levels based on the severity of the infraction.			
Short-Term Suspension (STS) / Long-Term Suspension (LTS) / Long-Term Hearing (LTH) / Expulsion (E) / Criminal Referral (CR)			
Behavior	1st Offense	2nd Offense	3rd Offense
Aggravated Battery with a Knife/Cutting Object/Another Weapon	EXPULSION		
Arson	Level 1(Less than \$250): 5-day OSS Level 2 (\$250 or more): LTS	Level 1: LTS Level 2: LTS	Level 1: LTS Level 2: LTS
Assault/Aggressive Confrontations (Verbal)	3-days OSS	5-days OSS	LTS
Assault/Battery on a School Official/Personnel	EXPULSION		
Assault with a Firearm	EXPULSION		
Assault with a Knife/cutting object	EXPULSION		
Assault with a Weapon	LTS	LTS	LTS
Battery Unprovoked Without Injury	5-days OSS	LTS	LTS
Battery Unprovoked With Injury	LTS	LTS	LTS
Battery/Public Affray (Physical)	5-days OSS	7-days OSS	LTS
Battery with a Firearm	EXPULSION		
Bullying/Intimidation/Instigation/Cyber Bullying/Harassment (Sexual)/Stalking	3-days OSS	5-days OSS	LTS
Burglary	LTS	LTS	LTS
Criminal Sexual Contact	3-days OSS	5-days OSS	LTH
Distribution/Sale of Drugs/Cannabis	LTS	LTS	EXPULSION
Drug Paraphernalia	3-days OSS	5-days OSS	LTS
Drug/Cannabis (Possession/Use of)	3-days OSS/Referral to Counselor-Social Worker	5-days OSS/Behavior Contract	LTS
Explosives	EXPULSION		
Extortion	LTS	LTS	LTS
Hazing	LTH	LTS	LTS
Interference with the Educational Process or Athletic Event/Disorderly Conduct	3-days OSS	5-days OSS	LTS
Larceny 1 \$250 and below	3-days OSS	5-days OSS	LTS
Larceny 2 More than \$250	5-days OSS	LTS	LTS
Non-Educational Items	1-day OSS	2-days OSS	3-days OSS
Possession of Stolen Property	3-days OSS	5-days OSS	LTS
Possession Weapons-Without Intent: Knife/Cutting Object	3-days OSS	LTS	LTS
Promoting	1-day OSS	2-days OSS	3-days-OSS
Racial Agression	3-days OSS/Referral to	5-days OSS	LTS

	Counselor-Social Worker		
Robbery	LTS	LTS	LTS
Sale or Distribution of Alcohol/Contributing	5-days OSS	LTS	LTS
Sexual Assault	LTS	EXPULSION	
Sexual Battery	LTS	EXPULSION	
Threats of violence against the School and/or False Alarm/Bomb Threat	LTS	EXPULSION	
Under/On the Influence of an Intoxicating Substance	5-days OSS/ Referral to Counselor-Social Worker	7-days OSS/ Referral to Counselor-Social Worker	LTS/ Referral to Counselor-Social Worker
Vandalism/Criminal Damage to Property/Graffiti Level 1: Less than \$1,000 Level 2: More than \$1,000	Level 1: 5-days OSS Level 2: 5-days OSS	Level 1: 7-days Level 2: LTS	Level 1: LTS Level 2: LTS
Video Cellphone Prohibited Act	3-days OSS	5-days OSS	LTS
Weapons: Rifle/Shotgun/Handguns	EXPULSION	EXPULSION	
Weapons-With Intent: Knife/Cutting Object	LTS	EXPULSION	

Lunas Schools
Student Behavior Handbook
Sign-Off Page

I _____, am aware that the Los Lunas
(Student's Name)

Schools *Student Behavior Handbook* is available online on the Los Lunas Schools website found at <https://www.llschools.net/students>. I acknowledge that I am responsible for knowing the contents and understanding the disciplinary policies found in the Los Lunas Schools *Student Behavior Handbook* for the 2024-2026 school years. I am also aware that I can request a hardcopy of the *Student Behavior Handbook* from the office staff at my school.

(Student Signature)

(Date)

I _____, am aware that the Los Lunas
(Parent or Guardian's Name)

Schools *Student Behavior Handbook* is available online on the Los Lunas Schools website found at <https://www.llschools.net/parents>. I acknowledge that I am responsible for knowing the contents and understanding the disciplinary policies found in the Los Lunas Schools *Student Behavior Handbook* for the 2024-2026 school years. I am also aware that I can request a hardcopy of the *Student Behavior Handbook* from the office staff at my school.

(Parent or Guardian's Signature)

(Date)