



A New Mexico Public Charter School

The ASK Academy

21st Century Design Thinking

**The ASK Academy
Governing Council Virtual Annual Meeting**

4550 Sundt Road NE, Rio Rancho, NM

Open & Closed Sessions

June 9, 2022

6:30pm

Agenda

- I. Call To Order Michael Smith, Chair 6:30-6:35
- II. Establishment of Quorum
- III. Pledge of Allegiance
- IV. Public Comment
- V. Consent Agenda Michael Smith, Chair 6:35-6:45
 - a. Approve Minutes of May 12, 2022
 - b. Monthly Financial Report
 - c. Direct Grant BAR 520-000-2122-0036-IB
 - d. Account Summary Reports
 - e. Scholar & Parent Handbook 2022-23
 - f. Staff Handbook 2022-23
 - g. ASK Policies 2022-23
- VI. Reports, Discussion and Possible Action 6:45-7:30
 - a. Chair Update Michael Smith, Chair
 - b. Strategic Plan Update
 - c. Recognition of Mr. Mike Malloy
 - d. Farwell to Dr. Boyd
 - e. Introduction of Mr. Gary Feger, Potential Board Candidate
 - f. Election of 2022-23 Officers
 - g. Appointment of 2022-23 Committees: Audit & Finance
 - h. Adoption of Annual Resolution, Policy 104
 - i. CEO Update Dr. Alexandra Boyd, CEO
 - j. Introduction of Middle School Principal, John Keelin
 - k. Cognia Accreditation Visit & PED Annual Site Visit
- VII. Closed Session 7:30-7:45
 - a. Limited Personnel Matters, NM Stat 10-15-1[H][2]
- VIII. Action Items from Closed Session 7:45-7:50

IX. Announcements

7:50

- a. Next Governing Council Annual Meeting is August 11, 2022
- b. Governing Council Trainings: On-Demand must be completed by June 17; PED Conference June 9-10

X. Adjournment

7:55

The public is welcome to attend via Zoom connection below. If you would like to speak during Public Comment, please email Connie Castilleja at cdove@theaskacademy.org to be added to the list by 5:00 pm, June 8, 2022. You will be given 3 minutes to speak.

To maintain Internet safety, a password is now required to join the meeting and is highlighted below.

Topic: ASK Governing Council Annual Meeting

Time: June 9, 2022 06:30 PM Mountain Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/83126655576?pwd=TC92RTJaQ3pQMTIzRHhPRjVibWtaQT09>

Meeting ID: 831 2665 5576

Passcode: VQag2m

One tap mobile

+12532158782,,83126655576#,,,,*361180# US (Tacoma)

+13462487799,,83126655576#,,,,*361180# US (Houston)

Dial by your location

+1 253 215 8782 US (Tacoma)

+1 346 248 7799 US (Houston)

+1 669 900 6833 US (San Jose)

+1 301 715 8592 US (Washington DC)

+1 312 626 6799 US (Chicago)

+1 929 205 6099 US (New York)

Meeting ID: 831 2665 5576

Passcode: 361180

Find your local number: <https://us02web.zoom.us/j/83126655576>

If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Connie Castilleja at 505.891.0757 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various accessible formats. Please contact Connie Castilleja at 505.891.0757 if a summary or other type of accessible format is needed.



A New Mexico Public Charter School

The ASK Academy

21st Century Design Thinking

**The ASK Academy
Governing Council Virtual Meeting**
4550 Sundt Road NE, Rio Rancho, NM

Open & Closed Sessions
May 12, 2022
6:30pm

Minutes

Attendance:

Present	Board Members	Title
X	Mr. Michael Smith	Chair
X	Dr. Denise Gonzales	Vice Chair
X	Michael Malloy	Secretary
X	Jeanne Forrester	Director
	Lindsey Bomke	Director
X	Andrew Bartkus	Director
X	Tonya Ross	Director
ASK Academy Members		
X	Dr. Alexandra Boyd	Chief Executive Officer
X	Constance Castilleja	Chief Operations Officer
X	Edward Garcia	HS Principal
	Kimberlee Peña-Hanson	MS Principal
X	Stephany Munoz	Business Admin. Assistant
X	Ashley Woodard-Storey	Business Manager
X	Cheryl Kemnitz	Parent Support Committee

- I. **Call To Order** –Call to order at 6:35 pm
- II. **Establishment of Quorum** –Established in introductions.
- III. **Pledge of Allegiance.**
- IV. **Public Comment** – Mrs. Castilleja welcomes new business administrative assistant Stephany Munoz.
- V. **Consent Agenda-** Chair Smith calls for motion to approve consent agenda. Dr. Forrester moves to accept and Director Bartkus seconds. Roll call vote is unanimous 6-0 to approve consent agenda.
 - a. **Approve Minutes of April 14, 2022**
 - b. **Monthly Financial Report**

- c. Flowthrough BAR 520-000-2122-0028-I
- d. Flowthrough BAR 520-000-2122-0029-I
- e. General Fund BAR 520-000-2122-0030-I
- f. General Fund BAR 520-000-2122-0031-I
- g. General Fund BAR 520-000-2122-0032-I
- h. General Fund BAR 520-000-2122-0033-I
- i. General Fund BAR 520-000-2122-0034-M
- j. Direct Grant BAR 520-000-2122-0035-M
- k. Account Summary Reports
- l. Permission to Submit Final BARS
- m. Special Education IDEA-B Application

VI. Reports, Discussion and Possible Action

a. Chair Update- Chair Smith

- Chair Smith states officer voting for governing board will be in June. Please inform Director Ross of intent to run for an officer position. Secretary Mike Malloy will not be returning to the board next school year.
- Chair Smith reminds everyone if they will not be attending graduation to let Secretary Malloy know ahead of time.
- Before meeting next month the board will receive a packet on strategic plan. It will include overview of environmental scan, proposed new mission. We'll discuss more about it in June. Excited to share this and would like approval. Long meetings ensured transition was included and was part of discussion. New Vision aligns with a Mission that is clear and crisp. Eight Value Statements are also included in the new Strategic Plan. The plan will be available in a few weeks. Please review and contact Chair Smith with questions.

b. 22-23 Teacher Salary Schedule - Constance Castilleja, COO

Mrs. Castilleja turns presentation over to Ashley Woodard.

- Ashley emailed out to the board a new salary schedule today (5/12/22). Previous salary schedule had typo. New schedule reflects minimum mandate on salary schedule. Does increase \$100 by each step. Ashley shares screen with salary schedule and reviews.
- No questions regarding salary schedule.
- Chair Smith calls for motion to approve new 2022-2033 salary schedule. Chair Dr. Gonzales moves to accept and Director Bartkus seconds. No discussion or questions. 2022-2023 salary schedule approved with unanimous roll call vote 6-0.

c. 22-23 Operating Budget

- Director Bartkus thanks everyone for their hard work on the new budget.
- Chair Smith states this upcoming school year budget was much harder. He is confident in the budget presented.
- Ashley states the budget is balanced and based on enrollment of 540 students. Does account for salary minimums. Average teacher salary increased 14%, 12.09% overall. Salary increased \$352,000 due to raises. Tight budget year and many things had to be moved around. Budget mandated that \$312,000 be used for at risk students and \$64,694 to instructional materials. Provided graph shows current expenses and distribution of budget. Over 70% of the budget is dedicated to salaries. Budget base carry over projected close to \$300,000.
- Chair Smith states insurance also went up from low to high end 3-6% depending upon the option and an increase in retirement as well. Both have contributed to the budget this year.
- Secretary Malloy asks how does the maintenance budget compares to this current year assuming COVID will not die out? How does it compare going forward?

Ashley answers that it did increase by \$250,000. We will also use ESSER federal funds to address any ongoing COVID expenses. Mrs. Castilleja states the school applied for a grant for filters to help as well.

- Chair Smith comments that the school might hit the 650 mark for student enrollment to help with the budget. Class sizes remain small. Better scheduling will allow and prepare for more students and more students will help increase the budget.
- Dr. Boyd thanks everyone for their help getting the budget balanced and building a salary schedule. Many hours were dedicated to completing this and Dr. Boyd thanks Mrs. Castilleja, Ashley, and the principals. Dr. Boyd says "We didn't plan a budget, but we budgeted the plan." A great team and she is happy with the results.
- Chair Smith calls for motion to approve the 22-23 SY budget. Director Dr. Forrester motions and Secretary Malloy seconds. Roll call vote is unanimous 6-0 to approve the operating budget for the 22-23 SY.

d. 2022-23 Calendar - Dr. Alexandra Boyd, CEO

- Dr. Boyd discusses changes to the 22-23 SY calendar. Schedule is similar to the 21-22 SY calendar but more creative with winter break. Break is later into December. More time after Christmas before students return. Additional time will help students return healthy. Administration returns July 11th, teachers return July 25th, and scholars return August 1st. Fall Break is returned to the calendar. Spring Break matches Rio Rancho Public Schools.
- Chair Smith calls for a motion to approve the 22-23 SY calendar. Director Bartkus motions and Vice Chair Dr. Gonzales seconds. Roll call vote is unanimous approval 6-0 to approve 22-23 SY calendar.

e. CEO Update

- Dr. Boyd highlights the parent support committee. They are doing an awesome job and are very much appreciated. Dr. Boyd praises the committee in celebrating everyone in our community. Very appreciated by the staff. Thanks Cheryl and the PSC.
- Seniors did a send off today at 4:15pm. They made a 3D printer paper weights and wood plaques for the staff. Each gift was personalized for teachers and had many kind words for the staff. Dr. Boyd praises the awesome culture the seniors have made.
- Site visit from the Charter School Division went well. They spent time with teachers and students. Teachers said the site visit was more supportive than previous visits and enjoyed this visit. The Charter School Division focused more on support than compliance. ASK is currently doing great on compliance.
- Annual survey was sent out to staff and families to support strategic planning. Thank you for participating in the survey. Most categories have over 50% participation. Chair Smith saw reports and everything he saw does support the assumptions Dr. Boyd was stating.
- Director Bartkus also met with PED Charter School Division for site visit. States it was a positive visit, everything handled and answered well.
- Chair Smith says PED was surprised at how articulate and forthcoming their conversations with student were.
- Questions: None.

VII. Closed Session

a. Limited Personnel Matters, NM Stat 10-15-1[H][2]

- Chair Smith reads NM Stat 10-15-1 [H][2] and moves to closed session, Secretary Malloy seconds. Unanimous vote 6-0 to close session.
(Zoom recording stopped)
- Chair Smith motions to move in to open session, Director Bartkus seconds. Roll call vote 6-0 approved to open session.

VIII. Action Items from Closed Session

- a. None.

IX. Announcements

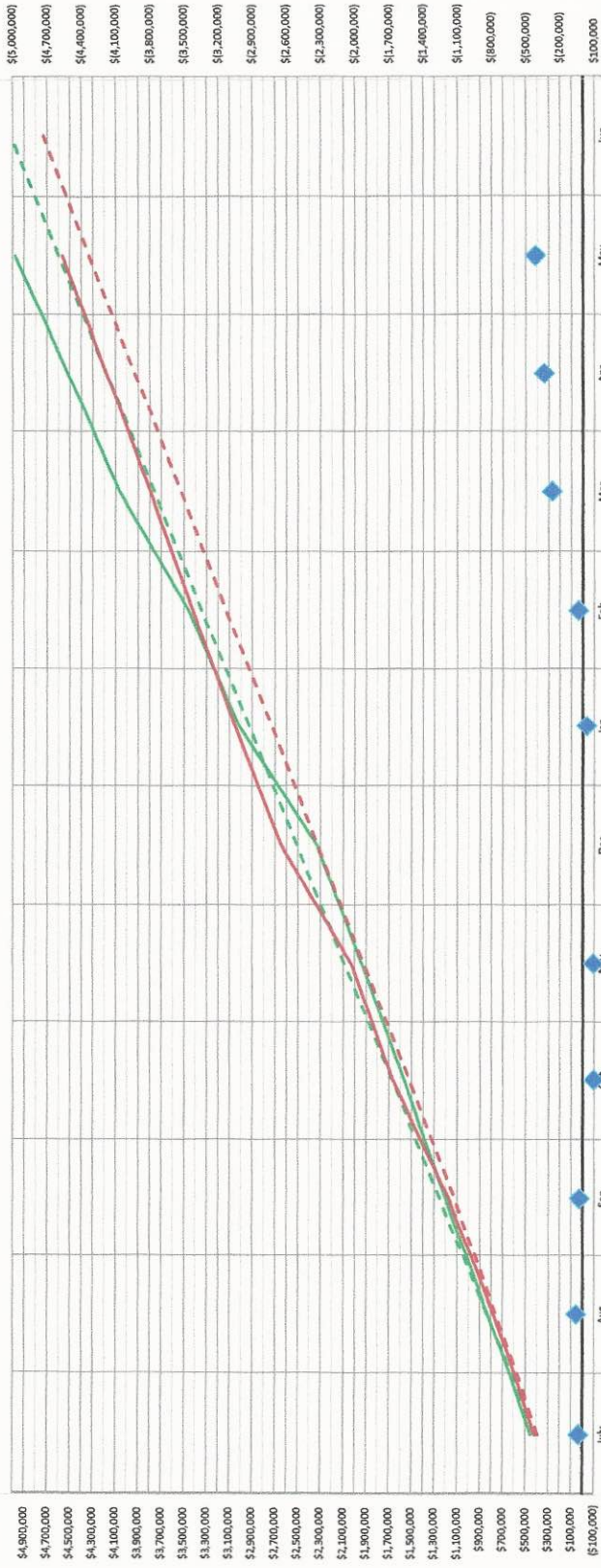
- a. Next Governing Council Annual Meeting is June 8, 2022
- b. Graduation, May 27 at 10:00 am at the Hispanic Cultural Center.
Please arrive by 9:45 in your gown and hood if planning to attend.
- c. Governing Council Trainings: encourage to complete annual training.

X. Adjournment - Chair Smith closes session at 7:27 pm.

BUDGET AND FORECAST

Income & Variance Axis

Cost Axis



	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Cumulative Actual Variance	\$32,637	\$53,494	\$27,256	\$98,575	\$95,603	\$314,256	\$34,547	\$35,271	\$268,149	\$337,512	\$413,879	
Cumulative Budgeted Income	\$417,798	\$835,596	\$1,253,394	\$1,671,192	\$2,088,990	\$2,506,788	\$2,924,586	\$3,342,384	\$3,760,182	\$4,177,980	\$4,595,778	\$5,013,576
Cumulative Income	\$451,959	\$832,111	\$1,200,093	\$1,568,056	\$1,936,462	\$2,304,327	\$3,016,131	\$3,455,951	\$4,063,504	\$4,516,917	\$4,977,515	
Budgeted Costs YTD	\$191,000	\$761,000	\$1,111,000	\$1,511,000	\$1,911,000	\$2,311,000	\$2,725,000	\$3,136,000	\$3,545,000	\$3,931,000	\$4,331,000	\$4,731,000
Actual Cost YTD	\$419,322	\$778,617	\$1,172,837	\$1,666,671	\$2,090,065	\$2,464,623	\$3,050,678	\$3,420,880	\$3,795,355	\$4,179,005	\$4,563,536	

ASK ACADEMY BUDGETING AND FORECASTING WORKSHEET

ETS	YTD Total	July	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Monthly Budgeted Income	\$ 5,013,576	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798	\$ 417,798
Monthly Budgeted Costs	\$ (4,731,000)	\$ (391,000)	\$ (370,000)	\$ (360,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)	\$ (400,000)
Monthly Budget Variance	\$ 282,576	\$ 26,798	\$ 47,798	\$ 57,798	\$ 17,798	\$ 17,798	\$ 12,798	\$ 17,798	\$ 17,798	\$ 17,798	\$ 12,798	\$ 17,798	\$ 17,798
Cumulative Budgeted Income	\$	\$ 417,798	\$ 835,596	\$ 1,253,394	\$ 1,671,192	\$ 2,088,990	\$ 2,506,788	\$ 2,924,586	\$ 3,342,384	\$ 3,760,182	\$ 4,177,980	\$ 4,595,778	\$ 5,013,576
Cumulative Budgeted Costs	\$	\$ (391,000)	\$ (761,000)	\$ (1,121,000)	\$ (1,521,000)	\$ (1,921,000)	\$ (2,326,000)	\$ (2,726,000)	\$ (3,126,000)	\$ (3,526,000)	\$ (3,931,000)	\$ (4,331,000)	\$ (4,731,000)
Cumulative Budget Variance	\$	\$ 26,798	\$ 74,596	\$ 132,394	\$ 150,192	\$ 167,990	\$ 180,788	\$ 198,586	\$ 216,384	\$ 234,182	\$ 246,980	\$ 264,778	\$ 282,576
ALS													
Monthly Income	\$ 4,977,515	\$ 451,959	\$ 380,152	\$ 367,582	\$ 368,003	\$ 368,366	\$ 394,866	\$ 684,803	\$ 439,821	\$ 607,553	\$ 453,413	\$ 460,598	\$ -
Cumulative Income	\$	\$ 451,959	\$ 832,111	\$ 1,200,093	\$ 1,568,096	\$ 1,936,462	\$ 2,331,327	\$ 3,016,131	\$ 3,455,951	\$ 4,063,504	\$ 4,516,917	\$ 4,977,515	\$ 4,977,515
Monthly Costs	\$ (4,563,636)	\$ (419,322)	\$ (359,294)	\$ (394,220)	\$ (363,394)	\$ (363,394)	\$ (615,559)	\$ (405,054)	\$ (370,002)	\$ (374,675)	\$ (383,650)	\$ (384,631)	\$ -
Cumulative Cost	\$	\$ (419,322)	\$ (778,617)	\$ (1,172,837)	\$ (1,666,671)	\$ (2,030,065)	\$ (2,645,623)	\$ (3,050,678)	\$ (3,420,680)	\$ (3,795,355)	\$ (4,179,005)	\$ (4,563,636)	\$ (4,563,636)
Monthly Variance	\$ 413,879	\$ 32,637	\$ 20,858	\$ (26,238)	\$ (125,831)	\$ 4,972	\$ (220,693)	\$ 279,749	\$ 69,818	\$ 232,878	\$ 69,763	\$ 75,967	\$ -
Cumulative Actual Variance	\$	\$ 32,637	\$ 53,494	\$ 27,256	\$ (98,575)	\$ (93,603)	\$ (314,296)	\$ (34,547)	\$ 35,271	\$ 268,149	\$ 337,912	\$ 413,879	\$ 413,879
THLY VARIANCES													
Monthly Income Variance	\$ (36,061)	\$ 34,161.18	\$ (37,646.09)	\$ (49,815.97)	\$ (49,795.17)	\$ (49,432.31)	\$ (22,932.37)	\$ 267,005.42	\$ 22,022.61	\$ 189,755.12	\$ 35,614.66	\$ 42,800.06	\$ (417,798.00)
Cumulative Income Variance	\$	\$ 34,161.18	\$ (3,484.91)	\$ (53,300.86)	\$ (103,096.05)	\$ (152,528.36)	\$ (175,460.73)	\$ 91,544.69	\$ 113,567.30	\$ 303,322.42	\$ 338,937.08	\$ 381,737.14	\$ (36,060.86)
Monthly Cost Variance	\$ 167,364	\$ (28,322.28)	\$ 10,705.62	\$ (34,220.10)	\$ (93,634.32)	\$ 36,606.40	\$ (210,558.57)	\$ (5,054.49)	\$ 29,997.58	\$ 25,324.86	\$ 21,350.27	\$ 15,368.91	\$ 400,000.00
Cumulative Cost Variance	\$	\$ (28,322.28)	\$ (17,616.66)	\$ (51,836.76)	\$ (145,671.08)	\$ (109,064.68)	\$ (319,623.25)	\$ (324,677.74)	\$ (294,680.16)	\$ (269,355.30)	\$ (248,005.03)	\$ (232,636.12)	\$ 167,363.88
TO DATE VARIANCES													
Budgeted Income YTD	\$	\$ 417,798	\$ 835,596	\$ 1,253,394	\$ 1,671,192	\$ 2,088,990	\$ 2,506,788	\$ 2,924,586	\$ 3,342,384	\$ 3,760,182	\$ 4,177,980	\$ 4,595,778	\$ 5,013,576
Actual Income YTD	\$	\$ 451,959	\$ 832,111	\$ 1,200,093	\$ 1,568,096	\$ 1,936,462	\$ 2,331,327	\$ 3,016,131	\$ 3,455,951	\$ 4,063,504	\$ 4,516,917	\$ 4,977,515	\$ 4,977,515
% Total YTD Income Received		9%	17%	24%	31%	39%	47%	60%	69%	81%	90%	99%	99%
% Total YTD Income Variance		8%	0%	-4%	-6%	-7%	-7%	3%	3%	8%	8%	8%	-1%
Budgeted Costs YTD	\$	\$ (391,000)	\$ (761,000)	\$ (1,121,000)	\$ (1,521,000)	\$ (1,921,000)	\$ (2,326,000)	\$ (2,726,000)	\$ (3,126,000)	\$ (3,526,000)	\$ (3,931,000)	\$ (4,331,000)	\$ (4,731,000)
Actual Costs YTD	\$	\$ (386,685)	\$ (778,617)	\$ (1,172,837)	\$ (1,666,671)	\$ (2,030,065)	\$ (2,645,623)	\$ (3,050,678)	\$ (3,420,680)	\$ (3,795,355)	\$ (4,179,005)	\$ (4,563,636)	\$ (4,563,636)
% Total YTD Costs Incurred		8%	16%	25%	35%	43%	56%	64%	72%	80%	88%	96%	96%
% Total YTD Cost Variance		-1%	2%	5%	10%	6%	14%	12%	9%	8%	6%	5%	-4%
END PROJECTIONS													
Projected Income Variance	\$	\$ 409,934.16	\$ (20,909.46)	\$ (213,203.52)	\$ (309,288.15)	\$ (366,068.06)	\$ (350,921.46)	\$ 156,933.75	\$ 170,350.95	\$ 404,429.89	\$ 406,724.50	\$ 416,440.52	\$ (36,060.86)
Projected Cost Variance	\$	\$ (4,678,794)	\$ 9,051	\$ 17,109	\$ 34,478	\$ 22,710	\$ 54,965	\$ 48,237	\$ 37,707	\$ 30,556	\$ 25,236	\$ 21,754	\$ (14,150)
Year End Projected Net Variance	\$	\$ (4,268,860)	\$ (11,858)	\$ (196,094)	\$ (274,810)	\$ (343,358)	\$ (295,956)	\$ 205,171	\$ 208,058	\$ 434,986	\$ 431,960	\$ 438,195	\$ (50,211)

Must submit backup for all BARs,
except transfers of funds for SEG or
direct grants

STATE OF NEW MEXICO
PUBLIC EDUCATION DEPARTMENT
300 Don Gaspar Santa Fe, NM 87501-2786
Budget Adjustment Request

Doc. ID: 520-000-2122-0036-IB

Fund Type: Direct Grant

Adjustment Type: Initial Budget

Fiscal Year: 2021-2022

Entity Name: ASK Academy

Contact: Ashley Woodard

Phone: 5059387717

Email: ashley.w@vigilgroup.net

Adjustment Changes Intent/Scope of Program Yes or No?: No

Total Approved Budget (Flowthrough):

FLOWTHROUGH ONLY

Budget Period: Jul 1 2021 12:00AM

To: Jun 30 2022 12:00AM

A. Approved Carryover:

B. Total Current Year Allocation:

D. Total Funding Available:

Revenue 26222.0000.46100 \$58,151

Fund	Function	Object	Program	Location	Job Class	Present Budget	Adj Amt Exp	Adj Budget	ADD'L FTE
26222 Emergency Connectivity Fund FCC	1000 Instruction	57332 Supply Assets (\$5,000 or less)	1010 Regular Education (K- 12) Programs	520001 ASK Academy Admin Off.	0000 No Job Class		\$58,151	\$58,151	
Sub Total							\$58,151		
Indirect Cost									
DOC. TOTAL							\$58,151		

Justification:

To budget in ECF allocation. Per the attached award letter.

Compliance with Sections 10-15-1 and 22-8-12, NMSA, 1978 Compilation:

A. The requested budget/changes were authorized at a scheduled Board of Education or Governance Council meeting open to the public on:

B. Justification for the transfer: Explanation such as "underbudgeted", "insufficient budget", or "needed to close out Project" ARE NOT ACCEPTABLE. Attach additional sheets if necessary.

ALL TRANSFER BARS MUST NET OUT TO ZERO ON THE DOC. TOTAL LINE.

The ASK Academy

Financial Summary Report- May 2022

Revenue

	Budget (YTD)	Actual (YTD)	Available (YTD)
Total	\$ 6,288,976.00	\$ 4,888,518.51	\$ 1,400,457.49

Expenditure

	Budget (YTD)	Actual (YTD)	Encumbrance (YTD)	Available (YTD)
Fund 11000- Operational	\$ 4,824,496.00	\$ 3,614,082.93	\$ 745,804.33	\$ 464,608.74
Fund 23000- Non-Instructional Support	\$ 20,273.00	\$ 242.80	\$ 3,453.35	\$ 16,576.85
Fund 24101- Title I	\$ 37,118.00	\$ 33,679.79	\$ 2,760.08	\$ 678.13
Fund 24106- IDEA-B	\$ 285,350.00	\$ 29,992.41	\$ 9,088.14	\$ 246,269.45
Fund 24154- Title II	\$ 28,209.00	\$ 4,682.86	\$ 260.18	\$ 23,265.96
Fund 24189- Student Achievement Title IV	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -
Fund 24308- CRRSA, ESSER II	\$ 119,791.00	\$ 70,966.30	\$ 35,502.84	\$ 13,321.86
Fund 24316- CRRSA, ESSER II, Air Quality	\$ 5,222.00	\$ 976.60	\$ -	\$ 4,245.40
Fund 24330- ARP, ESSER III	\$ 268,335.00	\$ 56,983.90	\$ 114,024.62	\$ 97,326.48
Fund 24333- Near Peer Tutoring	\$ 57,000.00	\$ 5,758.29	\$ 27,975.67	\$ 23,266.04
Fund 26222- Emergency Connectivity Fund	\$ -	\$ 54,000.00	\$ -	\$ (54,000.00)
Fund 27107- GOB Library	\$ 4,438.00	\$ -	\$ -	\$ 4,438.00
Fund 27107- NM Schools COVID-19 Testing Direct	\$ 86,950.00	\$ 77,458.76	\$ 9,490.85	\$ 0.39
Fund 31200- Lease Reimbursement	\$ 425,711.00	\$ 371,258.86	\$ 54,452.14	\$ -
Fund 31400- Special Capital Outlay	\$ 195,867.00	\$ 43,116.50	\$ -	\$ 152,750.50
Fund 31700- Capital Improvements SB-9	\$ 3,902.00	\$ -	\$ -	\$ 3,902.00
Fund 31701- Capital Improvements SB-9 Local	\$ 201,687.00	\$ 107,232.70	\$ 25,461.54	\$ 68,992.76
Fund 31703- SB-9 State Match	\$ 62,647.00	\$ 40,383.96	\$ -	\$ 22,263.04
Total	\$ 6,636,996.00	\$ 4,520,816.66	\$ 1,028,273.74	\$ 1,087,905.60

Check Register Report

	Deposit	Withdrawal
ASK- Checking	\$ 460,327.59	\$ 379,675.78

Outstanding PO's

	PO Amount	Invoiced Amount	Printed Checks	Remaining Encumbrance
All Open PO's	\$ 411,101.75	\$ 231,886.22	\$ 216,164.99	\$ 194,936.76

Reconciled Bank Balance

\$ 833,816.04

Outstanding RFRs:

Title I - 006	\$ 10,876.53
Esser III- 002	\$ 9,207.75
Emergency Connectivity Fund	\$ 58,151.26
Esser II- 004	\$ 28,328.78
IDEA-B- 003	\$ 5,854.96
Near Peer Tutoring- 001	\$ 3,944.52

The ASK Academy
Account Summary Report- Revenues

Cycle: FY2022; Begin Date: 07/01/2021; End Date: 05/31/2022; Account Type: Revenue; Subtotal Elements: Fund,Function; Account Expression: ([Fund] >= "11000") ; Subtotal By Account Type: No; Include Unposted Transactions: No;

Description	Budget (YTD)	Actual (YTD)	Available (YTD)
11000- Fees - Activities	\$ -	\$ 370.00	\$ (370.00)
11000- Fees - Educational	\$ 10,000.00	\$ 26,064.43	\$ (16,064.43)
11000- Contributions and Donations From Private Sources	\$ -	\$ 396.85	\$ (396.85)
11000- Refund of Prior Year's Expenditures	\$ -	\$ 693.86	\$ (693.86)
11000- State Equalization Guarantee	\$ 4,464,717.00	\$ 4,084,407.02	\$ 380,309.98
11000- State Flow-through Grant	\$ 57,896.00	\$ 57,896.13	\$ (0.13)
23000- Fees - Activities	\$ 5,000.00	\$ 2,710.74	\$ 2,289.26
23000- Fees - Activities - Parking Permit	\$ -	\$ 612.00	\$ (612.00)
24101- Title I	\$ 37,118.00	\$ 20,084.98	\$ 17,033.02
24106- IDEA-B	\$ 285,350.00	\$ 14,118.61	\$ 271,231.39
24154- Title II	\$ 28,209.00	\$ 3,316.48	\$ 24,892.52
24189- Title IV	\$ 10,000.00	\$ 10,000.00	\$ -
24308- CRRSA, ESSER II	\$ 119,791.00	\$ 35,714.28	\$ 84,076.72
24316- CRRSA, ESSER II, Air Quality	\$ 5,222.00	\$ 976.60	\$ 4,245.40
24330- ARP, ESSER II	\$ 268,335.00	\$ 35,748.43	\$ 232,586.57
24333- Near Peer Tutoring	\$ 57,000.00	\$ -	\$ 57,000.00
26222- Emergency Connectivity Fund	\$ -	\$ 54,000.00	\$ (54,000.00)
27107- GOB Library	\$ 4,438.00	\$ -	\$ 4,438.00
28211- NM COVID-19 Testing	\$ 86,950.00	\$ 26,085.00	\$ 60,865.00
31200- PSCOC	\$ 425,711.00	\$ 319,283.25	\$ 106,427.75
31400- Special Capital Outlay-State	\$ 195,867.00	\$ 43,116.50	\$ 152,750.50
31700- Capital Improvements SB-9	\$ 3,902.00	\$ -	\$ 3,902.00
31701- Capital Improvements SB-9 LOCAL	\$ 160,823.00	\$ 123,276.35	\$ 37,546.65
31703- SB-9 State Match Cash	\$ 62,647.00	\$ 29,647.00	\$ 33,000.00
	\$ 6,288,976.00	\$ 4,888,518.51	\$ 1,400,457.49

Total

The ASK Academy
Account Summary Report- Expenditures

Cycle: FY2022; Begin Date: 07/01/2021; End Date: 05/31/2022; Account Type: Expenditure; Subtotal Elements: Fund,Function; Account Expression: ((Fund) >= "11000") ; Subtotal By Account Type: No; Include Unposted Transactions: No;

Description	Budget (YTD)	Actual (YTD)	Encumbrance (YTD)	Available (YTD)
Instruction-Salaries Expense- Substitutes	\$ 41,300.00	\$ 36,212.50	\$ -	\$ 5,087.50
Instruction-Salaries Expense- Teachers-Grades 1-12- Covid Related Substitutes	\$ -	\$ 4,100.00	\$ -	\$ (4,100.00)
Instruction-Salaries Expense- Teachers-Grades 1-12	\$ 1,728,831.00	\$ 1,403,015.73	\$ 315,712.89	\$ 10,102.38
Instruction-Salaries Expense- Teachers- Special Education	\$ 187,891.00	\$ 76,212.33	\$ 16,986.46	\$ 74,492.21
Instruction-Salaries Expense- Teachers-Grades 1-12 (At-Risk)	\$ 53,545.00	\$ 43,221.86	\$ 9,823.14	\$ 500.00
Instruction-Additional Compensation- Other Instruction	\$ -	\$ 750.00	\$ -	\$ (750.00)
Instruction-Additional Compensation- Teachers-Grades 1-12	\$ 20,000.00	\$ 51,213.38	\$ 9,035.87	\$ (40,249.25)
Instruction-Additional Compensation- Substitutes	\$ -	\$ 750.00	\$ -	\$ (750.00)
Instruction-Additional Compensation- Teachers- Special Education	\$ 5,000.00	\$ 1,649.12	\$ 374.93	\$ 2,975.95
Instruction-Employee Benefits	\$ 767,203.00	\$ 590,004.22	\$ 116,083.99	\$ 61,114.79
Instruction-Professional Development	\$ 5,000.00	\$ 118.87	\$ -	\$ 4,881.13
Instruction-Other Charges	\$ 3,100.00	\$ 2,639.24	\$ 470.00	\$ (8.24)
Instruction-Employee Travel - Teachers	\$ -	\$ 65.96	\$ -	\$ (65.96)
Instruction-Other Contract Services	\$ 15,000.00	\$ 7,078.58	\$ 2,921.42	\$ 5,000.00
Instruction-Other Textbooks	\$ 49,801.00	\$ 50,787.09	\$ -	\$ (986.09)
Instruction-Other Textbooks (At-Risk)	\$ 38,945.00	\$ 2,986.15	\$ 4,690.63	\$ 31,268.22
Instruction-Software	\$ 45,000.00	\$ 55,318.36	\$ 40.37	\$ (10,358.73)
Instruction-Software (At-Risk)	\$ 30,000.00	\$ 1,983.75	\$ 10,000.00	\$ 18,016.25
Instruction-General Supplies and Materials	\$ 20,000.00	\$ 5,328.51	\$ 3,164.62	\$ 11,506.87
Instruction-Supply Assets (\$5,000 or Less)	\$ 36,245.00	\$ 7,930.67	\$ -	\$ 28,314.33
Function 1000 - Instruction	\$ 3,026,661.00	\$ 2,341,368.32	\$ 489,304.32	\$ 195,990.36
Support Services-Students-Salaries Expense- Special Education Coordinator	\$ 3,145.00	\$ 3,120.19	\$ -	\$ 24.81
Support Services-Students-Salaries Expense-Guidance Counselors/Social Workers	\$ -	\$ 795.00	\$ 6,906.12	\$ (7,701.12)
Support Services-Students-Salaries Expense- Special Education Coordinator (At-Risk)	\$ 55,263.00	\$ 72,398.21	\$ 9,360.44	\$ (26,493.65)
Support Services-Students-Salaries Expense-Guidance Counselors/Social Workers (At-Risk)	\$ 104,014.00	\$ 53,216.44	\$ 11,538.51	\$ 39,259.05
Support Services-Students-Employee Benefits	\$ 49,598.00	\$ 37,344.02	\$ 6,313.43	\$ 5,940.55
Support Services-Students-Specialists - Contracted	\$ 18,000.00	\$ 16,422.58	\$ -	\$ 1,577.42
Support Services-Students-Professional Development	\$ 1,000.00	\$ 109.10	\$ -	\$ 890.90
Support Services-Students-Other Professional/Technical Services	\$ 20,000.00	\$ -	\$ 18,654.08	\$ 1,345.92
Support Services-Students-Other Charges	\$ 200.00	\$ -	\$ -	\$ 200.00
Support Services-Students-Employee Travel - Non-Teachers	\$ 600.00	\$ 1,865.42	\$ 634.58	\$ (1,900.00)
Support Services-Students-General Supplies and Materials	\$ 1,000.00	\$ 854.20	\$ 645.80	\$ (500.00)
Function 2100 - Support Services-Students	\$ 252,820.00	\$ 186,123.16	\$ 54,052.96	\$ 12,643.88
Support Services-Instruction-General Supplies and Materials	\$ 9,000.00	\$ 1,801.10	\$ 2,306.40	\$ 4,892.50
Function 2200 - Support Services-Instruction	\$ 9,000.00	\$ 1,801.10	\$ 2,306.40	\$ 4,892.50
Support Services-General Administration-Salaries Expense- CEO	\$ 107,975.00	\$ 95,532.59	\$ 11,841.72	\$ 600.69
Support Services-General Administration-Employee Benefits	\$ 38,005.00	\$ 32,871.91	\$ 4,829.99	\$ 303.10
Support Services-General Administration-Auditing	\$ 18,000.00	\$ 15,857.64	\$ 1,402.36	\$ 740.00
Support Services-General Administration-Legal	\$ 15,000.00	\$ 2,170.64	\$ 781.55	\$ 12,047.81
Support Services-General Administration-Other Charges	\$ 500.00	\$ -	\$ -	\$ 500.00
Support Services-General Administration-Advertising	\$ 1,000.00	\$ 2,456.31	\$ -	\$ (1,456.31)
Support Services-General Administration-Board Training	\$ 1,000.00	\$ -	\$ 1,000.00	\$ -
Support Services-General Administration-Other Contract Services	\$ 13,000.00	\$ 6,526.49	\$ 5,097.06	\$ 1,376.45
Function 2300 - Support Services-General Administration	\$ 194,480.00	\$ 155,415.58	\$ 24,952.68	\$ 14,111.74
Support Services-School Administration-Salaries Expense- Principals	\$ 202,455.00	\$ 174,688.32	\$ 21,653.28	\$ 6,113.40
Support Services-School Administration-Salaries Expense- COO	\$ 100,470.00	\$ 89,163.71	\$ 11,052.32	\$ 253.97
Support Services-School Administration-Salaries Expense- Secretarial/Clerical/Technical Assistants	\$ 88,060.00	\$ 73,098.60	\$ 11,644.76	\$ 3,316.64
Support Services-School Administration-Employee Benefits	\$ 112,685.00	\$ 92,357.39	\$ 13,481.12	\$ 6,846.49
Support Services-School Administration-Professional Development	\$ 1,500.00	\$ -	\$ 400.00	\$ 1,100.00
Support Services-School Administration-Other Charges	\$ 1,530.00	\$ 3,159.80	\$ -	\$ (1,629.80)
Support Services-School Administration-Employee Travel - Non-Teachers	\$ 1,500.00	\$ -	\$ 500.00	\$ 1,000.00
Support Services-School Administration-General Supplies and Materials	\$ 16,893.00	\$ 5,346.69	\$ 3,187.29	\$ 8,349.02
Function 2400 - Support Services-School Administration	\$ 525,083.00	\$ 437,814.51	\$ 61,918.77	\$ 25,349.72
Central Services-Other Professional/Technical Services	\$ 164,200.00	\$ 138,456.19	\$ 39,192.17	\$ (13,448.36)
Central Services-Other Charges	\$ 12,000.00	\$ 11,429.64	\$ -	\$ 570.36
Central Services-Advertising	\$ 3,800.00	\$ 3,589.10	\$ -	\$ 210.90
Central Services-Other Contract Services	\$ 5,000.00	\$ 5,000.00	\$ -	\$ -
Central Services-Software	\$ 20,000.00	\$ 17,747.18	\$ 252.82	\$ 2,000.00
Function 2500 - Central Services	\$ 205,000.00	\$ 176,222.11	\$ 39,444.99	\$ (10,667.10)

The ASK Academy
Account Summary Report- Expenditures

Cycle: FY2022; Begin Date: 07/01/2021; End Date: 05/31/2022; Account Type: Expenditure; Subtotal Elements: Fund,Function; Account Expression: ([Fund] >= "11000") ; Subtotal By Account Type: No; Include Unposted Transactions: No;

Description	Budget (YTD)	Actual (YTD)	Encumbrance (YTD)	Available (YTD)
Operation & Maintenance of Plant-Salaries Expense- Custodial	\$ 43,142.00	\$ 3,587.00	\$ 2,560.62	\$ 36,994.38
Operation & Maintenance of Plant-Employee Benefits	\$ 31,784.00	\$ 871.80	\$ 675.44	\$ 30,236.76
Operation & Maintenance of Plant-Other Charges	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00
Operation & Maintenance of Plant-Maintenance & Repair Furniture/Fixtures/Equipment	\$ -	\$ 202.27	\$ -	\$ (202.27)
Operation & Maintenance of Plant-Maintenance & Repair - Buildings And Grounds	\$ 10,000.00	\$ 5,834.47	\$ 266.79	\$ 3,898.74
Operation & Maintenance of Plant-Electricity	\$ 40,000.00	\$ 28,838.95	\$ 12,148.91	\$ (987.86)
Operation & Maintenance of Plant-Natural Gas (Buildings)	\$ 10,000.00	\$ 5,232.30	\$ 2,248.15	\$ 2,519.55
Operation & Maintenance of Plant-Water/Sewage	\$ 20,000.00	\$ 8,015.60	\$ 4,308.65	\$ 7,675.75
Operation & Maintenance of Plant-Communication Services	\$ 50,000.00	\$ 22,239.34	\$ 26,626.60	\$ 1,134.06
Operation & Maintenance of Plant-Renting Land and Buildings	\$ 210,715.00	\$ 121,714.68	\$ -	\$ 89,000.32
Operation & Maintenance of Plant-Rental - Equipment and Vehicles	\$ 25,000.00	\$ 15,225.95	\$ 6,917.98	\$ 2,856.07
Operation & Maintenance of Plant-Property/Liability Insurance	\$ 80,811.00	\$ 80,890.00	\$ -	\$ (79.00)
Operation & Maintenance of Plant-Other Contract Services	\$ 40,000.00	\$ 10,590.07	\$ 9,694.87	\$ 19,715.06
Operation & Maintenance of Plant-General Supplies and Materials	\$ 45,000.00	\$ 7,117.53	\$ 8,376.20	\$ 29,506.27
Operation & Maintenance of Plant-"Supply Assets (\$5,000 or Less)"	\$ 4,000.00	\$ 4,980.19	\$ -	\$ (980.19)
Function 2600 - Operation & Maintenance of Plant	\$ 611,452.00	\$ 315,340.15	\$ 73,824.21	\$ 222,287.64
Fund 11000 - Operational	\$ 4,824,496.00	\$ 3,614,082.93	\$ 745,804.33	\$ 464,608.74
<u>Non-Instructional Support</u>				
Instruction-Other Charges	\$ 3,474.00	\$ -	\$ -	\$ 3,474.00
Instruction-General Supplies and Materials	\$ 16,799.00	\$ 242.80	\$ 3,453.35	\$ 13,102.85
Function 1000 - Instruction	\$ 20,273.00	\$ 242.80	\$ 3,453.35	\$ 16,576.85
Fund 23000 - Non-Instructional Support	\$ 20,273.00	\$ 242.80	\$ 3,453.35	\$ 16,576.85
<u>Title I</u>				
Instruction-Salaries Expense- Teachers-Grades 1-12	\$ 12,118.00	\$ 7,068.81	\$ 1,271.33	\$ 3,777.86
Instruction-Employee Benefits	\$ -	\$ 2,289.11	\$ 1,488.75	\$ (3,777.86)
Function 1000 - Instruction	\$ 12,118.00	\$ 9,357.92	\$ 2,760.08	\$ -
Support Services-Students-Salaries Expense- Homeless Liaison	\$ 25,000.00	\$ 18,688.35	\$ -	\$ 6,311.65
Support Services-Students-Employee Benefits	\$ -	\$ 5,633.52	\$ -	\$ (5,633.52)
Support Services-Students-Workers Compensation Premium	\$ 25,000.00	\$ 24,321.87	\$ -	\$ 678.13
Fund 24101 - Title I - IASA	\$ 37,118.00	\$ 33,679.79	\$ 2,760.08	\$ 678.13
<u>IDEA-B</u>				
Instruction-Salaries Expense- Teachers- Special Education	\$ 80,000.00	\$ -	\$ -	\$ 80,000.00
Function 1000 - Instruction	\$ 80,000.00	\$ -	\$ -	\$ 80,000.00
Support Services-Students-Specialists - Contracted	\$ 205,350.00	\$ 29,992.41	\$ 9,088.14	\$ 166,269.45
Function 2100 - Support Services-Students	\$ 205,350.00	\$ 29,992.41	\$ 9,088.14	\$ 166,269.45
Fund 24106 - Entitlement IDEA-B	\$ 285,350.00	\$ 29,992.41	\$ 9,088.14	\$ 246,269.45
<u>Title II</u>				
Instruction-Salaries Expense- Teachers-Grades 1-12	\$ 19,257.00	\$ 2,000.00	\$ -	\$ 17,257.00
Instruction-Employee Benefits	\$ -	\$ 731.91	\$ 260.18	\$ (992.09)
Instruction-Professional Development	\$ 8,952.00	\$ 1,950.95	\$ -	\$ 7,001.05
Function 1000 - Instruction	\$ 28,209.00	\$ 4,682.86	\$ 260.18	\$ 23,265.96
Fund 24154 - Title II	\$ 28,209.00	\$ 4,682.86	\$ 260.18	\$ 23,265.96
<u>Title IV</u>				
Support Services-Students-Salaries Expense- Counselor	\$ 7,400.00	\$ 8,838.40	\$ -	\$ (1,438.40)
Support Services-Students- Employee Benefits	\$ 2,600.00	\$ 1,161.60	\$ -	\$ 1,438.40
Function 2100 - Support Services-Students	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -
Fund 24189 - Title IV Student Support and Academic Achievement	\$ 10,000.00	\$ 10,000.00	\$ -	\$ -

The ASK Academy
Account Summary Report- Expenditures

Cycle: FY2022; Begin Date: 07/01/2021; End Date: 05/31/2022; Account Type: Expenditure; Subtotal Elements: Fund,Function; Account Expression: ([Fund] >= "11000") ; Subtotal By Account Type: No; Include Unposted Transactions: No;

Description	Budget (YTD)	Actual (YTD)	Encumbrance (YTD)	Available (YTD)
<u>CRRSA, ESSER II</u>				
Instruction-Professional Development	\$ -	\$ -	\$ 7,200.00	\$ (7,200.00)
Function 1000 - Instruction	\$ -	\$ -	\$ 7,200.00	\$ (7,200.00)
Support Services-Students-Salaries Expense-Social Worker	\$ 50,000.00	\$ 29,111.40	\$ 12,587.47	\$ 8,301.13
Support Services-Students-Employee Benefits	\$ 10,791.00	\$ 10,605.43	\$ 4,652.77	\$ (4,467.20)
Function 2100 - Support Services-Students	\$ 60,791.00	\$ 39,716.83	\$ 17,240.24	\$ 3,833.93
Operation & Maintenance of Plant-Other Contract Services	\$ 59,000.00	\$ 31,249.47	\$ 11,062.60	\$ 16,687.93
Function 2600 - Operation & Maintenance of Plant	\$ 59,000.00	\$ 31,249.47	\$ 11,062.60	\$ 16,687.93
Fund 24308- CRRSA, ESSER II	\$ 119,791.00	\$ 70,966.30	\$ 35,502.84	\$ 13,321.86
<u>USDE CRRSA ESSER II Air Quality</u>				
Operation & Maintenance of Plant-Maintenance & Repair - Buildings And Grounds	\$ 4,000.00	\$ 976.60	\$ -	\$ 3,023.40
Operation & Maintenance of Plant-"Supply Assets (\$5,000 or Less)"	\$ 1,222.00	\$ -	\$ -	\$ 1,222.00
Function 2600 - Operation & Maintenance of Plant	\$ 5,222.00	\$ 976.60	\$ -	\$ 4,245.40
Fund 24316- USDE CRRSA ESSER II Air Quality	\$ 5,222.00	\$ 976.60	\$ -	\$ 4,245.40
<u>ARP, ESSER III</u>				
Instruction-Salaries Expense- Substitutes	\$ 30,000.00	\$ 17,417.63	\$ 86,724.98	\$ (74,142.61)
Instruction-Employee Benefits	\$ -	\$ 5,700.66	\$ 27,299.64	\$ (33,000.30)
Function 1000 - Instruction	\$ 30,000.00	\$ 23,118.29	\$ 114,024.62	\$ (107,142.91)
Support Services-Students-Salaries Expense- Social Worker	\$ 53,667.00	\$ -	\$ -	\$ 53,667.00
Function 2100 - Support Services-Students	\$ 53,667.00	\$ -	\$ -	\$ 53,667.00
Operation & Maintenance of Plant-Maintenance & Repair - Buildings And Grounds	\$ 12,000.00	\$ -	\$ -	\$ 12,000.00
Operation & Maintenance of Plant-Other Contract Services	\$ 54,222.00	\$ -	\$ -	\$ 54,222.00
Operation & Maintenance of Plant-General Supplies and Materials	\$ 40,000.00	\$ -	\$ -	\$ 40,000.00
Operation & Maintenance of Plant-"Supply Assets (\$5,000 or Less)"	\$ 78,446.00	\$ 33,865.61	\$ -	\$ 44,580.39
Function 2600 - Operation & Maintenance of Plant	\$ 184,668.00	\$ 33,865.61	\$ -	\$ 150,802.39
Fund 24330 - ARP, ESSER III	\$ 268,335.00	\$ 56,983.90	\$ 114,024.62	\$ 97,326.48
<u>Near Peer Tutoring</u>				
Instruction-Salaries Expense- Teachers-Grades 1-12	\$ 16,025.00	\$ 1,775.00	\$ 14,445.84	\$ (195.84)
Instruction-Salaries Expense- Peer Tutors	\$ 30,042.00	\$ 2,564.50	\$ 7,828.13	\$ 19,649.37
Instruction-Employee Benefits	\$ -	\$ 891.72	\$ 4,819.87	\$ (5,711.59)
Instruction-General Supplies and Materials	\$ 10,933.00	\$ 527.07	\$ 881.83	\$ 9,524.10
Function 1000 - Instruction	\$ 57,000.00	\$ 5,758.29	\$ 27,975.67	\$ 23,266.04
Fund 24333 - Near Peer Tutoring	\$ 57,000.00	\$ 5,758.29	\$ 27,975.67	\$ 23,266.04
<u>Emergency Connectivity Fund</u>				
Instruction-"Supply Assets (\$5,000 or Less)	\$ -	\$ 54,000.00	\$ -	\$ (54,000.00)
Function 1000 - Instruction	\$ -	\$ 54,000.00	\$ -	\$ (54,000.00)
Fund 26222- Emergency Connectivity Fund	\$ -	\$ 54,000.00	\$ -	\$ (54,000.00)
<u>GO Bond Student Library Fund</u>				
Support Services-Instruction-Library And Audio-Visual	\$ 4,438.00	\$ -	\$ -	\$ 4,438.00
Function 1000 - Instruction	\$ 4,438.00	\$ -	\$ -	\$ 4,438.00
Fund 27107- GO Bond Student Library Fund	\$ 4,438.00	\$ -	\$ -	\$ 4,438.00

The ASK Academy
Account Summary Report- Expenditures

Cycle: FY2022; Begin Date: 07/01/2021; End Date: 05/31/2022; Account Type: Expenditure; Subtotal Elements: Fund,Function; Account Expression: ([Fund] >= "11000") ; Subtotal By Account Type: No; Include Unposted Transactions: No;

Description	Budget (YTD)	Actual (YTD)	Encumbrance (YTD)	Available (YTD)
<u>NM Schools COVID-19 Testing Direct Fund</u>				
Support Services-Students-Other Professional/Technical Services	\$ 57,719.00	\$ 52,969.34	\$ 4,857.24	\$ (107.58)
Support Services-Students-Other Contract Services	\$ 5,000.00	\$ 258.81	\$ 4,633.61	\$ 107.58
Function 2100 - Support Services-Students	\$ 62,719.00	\$ 53,228.15	\$ 9,490.85	\$ 0.00
Operation & Maintenance of Plant-Salaries Expense- Custodian	\$ 24,231.00	\$ 17,070.80	\$ -	\$ 7,160.20
Operation & Maintenance of Plant-Employee Benefits	\$ -	\$ 4,296.90	\$ -	\$ (4,296.90)
Operation & Maintenance of Plant-Other Contract Services	\$ -	\$ 2,862.91	\$ -	\$ (2,862.91)
Function 2600 - Operation & Maintenance of Plant	\$ 24,231.00	\$ 24,230.61	\$ -	\$ 0.39
Fund 28211- NM Schools COVID-19 Testing Direct Fund	\$ 86,950.00	\$ 77,458.76	\$ 9,490.85	\$ 0.39
<u>Capital Outlay</u>				
Capital Outlay-Renting Land and Buildings	\$ 425,711.00	\$ 371,258.86	\$ 54,452.14	\$ -
Function 4000 - Capital Outlay	\$ 425,711.00	\$ 371,258.86	\$ 54,452.14	\$ -
Fund 31200 - Public School Capital Outlay	\$ 425,711.00	\$ 371,258.86	\$ 54,452.14	\$ -
<u>Special Capital Outlay</u>				
Capital Outlay-Construction Services	\$ 195,867.00	\$ -	\$ -	\$ 195,867.00
Capital Outlay-"Fixed Assets (More Than \$5,000)"	\$ -	\$ 43,116.50	\$ -	\$ (43,116.50)
Function 4000 - Capital Outlay	\$ 195,867.00	\$ 43,116.50	\$ -	\$ 152,750.50
Fund 31400 - Special Capital Outlay-State	\$ 195,867.00	\$ 43,116.50	\$ -	\$ 152,750.50
<u>Capital Improvements SB-9</u>				
Capital Outlay-"Supply Assets (\$5,000 or Less)"	\$ 3,902.00	\$ -	\$ -	\$ 3,902.00
Function 4000 - Capital Outlay	\$ 3,902.00	\$ -	\$ -	\$ 3,902.00
Fund 31700 - Capital Improvements SB-9 LOCAL	\$ 3,902.00	\$ -	\$ -	\$ 3,902.00
<u>Capital Improvements SB-9 Local</u>				
Support Services-General Administration-County Tax Collection Costs	\$ 2,017.00	\$ 1,232.70	\$ -	\$ 784.30
Function 2300 - Support Services-General Administration	\$ 2,017.00	\$ 1,232.70	\$ -	\$ 784.30
Capital Outlay-Rentals - Lease to Purchase	\$ 199,670.00	\$ 106,000.00	\$ 25,461.54	\$ 68,208.46
Function 4000 - Capital Outlay	\$ 199,670.00	\$ 106,000.00	\$ 25,461.54	\$ 68,208.46
Fund 31701 - Capital Improvements SB-9 LOCAL	\$ 201,687.00	\$ 107,232.70	\$ 25,461.54	\$ 68,992.76
<u>SB-9 State Match Cash</u>				
Capital Outlay-"Supply Assets (\$5,000 or Less)"	\$ 62,647.00	\$ 40,383.96	\$ -	\$ 22,263.04
Function 4000 - Capital Outlay	\$ 62,647.00	\$ 40,383.96	\$ -	\$ 22,263.04
Fund 31703 - SB-9 State Match Cash	\$ 62,647.00	\$ 40,383.96	\$ -	\$ 22,263.04
Total	\$ 6,636,996.00	\$ 4,520,816.66	\$ 1,028,273.74	\$ 1,087,905.60

The ASK Academy Check Register Report

Bank: Wells Fargo Bank; Bank Account: [All]; Begin Date: 05/01/2022; End Date: 05/31/2022; Status: Non-Void;

Bank	Account Number
Wells Fargo Bank	

Date	Number	Type	Payee/From	Deposit	Withdrawal
5/3/2022	05-001	Cash Receipt	Website Payment	\$ 1,562.07	
5/3/2022	05-002	Cash Receipt	AP Fees/Student Activities	\$ 1,074.00	
5/5/2022		Payroll Liability Check	Wells Fargo		\$ 17,120.14
5/5/2022	05-003	Cash Receipt	AP Fees/Summer School Fees	\$ 935.00	
5/6/2022		Payroll Liability Check	NM Retiree Health Care Authority		\$ 6,095.81
5/6/2022		Payroll Liability Check	NMPSIA		\$ 39,343.82
5/6/2022		Payroll Liability Check	Wells Fargo		\$ 65,999.28
5/6/2022	10171	Paycheck	Bautista, Joshua		\$ 21.24
5/6/2022	10172	Paycheck	Herrera, Nathan		\$ 10.62
5/6/2022	10173	Paycheck	Hott-Ciark, Cybil R		\$ 10.62
5/6/2022	10174	Paycheck	Paredes, Darren M.		\$ 21.24
5/6/2022	10175	Paycheck	Thompson, Nathan L		\$ 10.62
5/6/2022	10176	Payroll Liability Check	Minnesota Child Support Payment Center		\$ 409.00
5/9/2022	10268	Payroll Liability Check	Aspire Financial Services		\$ 450.00
5/9/2022	10269	Payroll Liability Check	Security Benefit		\$ 730.00
5/10/2022	05-004	Cash Receipt	SEG May 2022	\$ 380,309.79	
5/10/2022	05-005	Cash Receipt	Student Activities/ Computer Fees	\$ 250.00	
5/11/2022		Payroll Liability Check	EFTPS		\$ 24,202.28
5/12/2022		Payroll Liability Check	Insight Financial Services, Inc.		\$ 692.51
5/12/2022	05-006	Cash Receipt	Student Activities	\$ 65.00	
5/13/2022		Payroll Liability Check	NM Educational Retirement Board		\$ 52,168.66
5/13/2022	05-007	Cash Receipt	Emergency Connectivity Funds	\$ 54,000.00	
5/16/2022		AP Warrant	The ASK Academy Foundation		\$ 45,200.00
5/16/2022	05-008	Cash Receipt	AP Fees/Student Activities	\$ 496.00	
5/16/2022	10270	AP Warrant	ACES		\$ 7,471.94
5/16/2022	10271	AP Warrant	Charter School Nursing Services		\$ 6,833.88
5/16/2022	10272	AP Warrant	Mark's Plumbing & Heating		\$ 161.59
5/16/2022	10273	AP Warrant	NM Gas Co.		\$ 44.59
5/16/2022	10274	AP Warrant	Powerschool Group, LLC		\$ 1,959.63
5/16/2022	10275	AP Warrant	Sandia Office Supply		\$ 84.49
5/16/2022	10276	AP Warrant	SG Consulting Services, LLC		\$ 296.66
5/16/2022	10277	AP Warrant	Sparklight		\$ 434.35
5/16/2022	10278	AP Warrant	The ASK Academy Foundation		\$ 9,252.14
5/16/2022	10279	AP Warrant	NM Gas Co.		\$ 107.26
5/17/2022		AP Warrant	De Lage Laden Financial Services, Inc.		\$ 1,625.16
5/17/2022	05-009	Cash Receipt	Sandoval County SB-9 - April 2022	\$ 16,766.43	
5/19/2022	05-010	Cash Receipt	Computer Fees/Student Activities	\$ 545.00	
5/20/2022		Payroll Liability Check	Wells Fargo		\$ 70,536.28
5/20/2022	05-011	Cash Receipt	Website Payment	\$ 1,907.55	

The ASK Academy
Check Register Report

Bank: Wells Fargo Bank; Bank Account: [All]; Begin Date: 05/01/2022; End Date: 05/31/2022; Status: Non-Void;

Bank	Account Number
Wells Fargo Bank	

Date	Number	Type	Payee/From	Deposit	Withdrawal
5/20/2022	10280	Paycheck	Bautista, Joshua		\$ 21.24
5/20/2022	10281	Paycheck	Herrera, Nathan		\$ 84.97
5/20/2022	10282	Paycheck	Hott-Ciark, Cybil R		\$ 42.48
5/20/2022	10283	Paycheck	Paredes, Darren M.		\$ 95.58
5/20/2022	10284	Paycheck	Thompson, Nathan L		\$ 42.48
5/20/2022	10285	Payroll Liability Check	Minnesota Child Support Payment Center		\$ 409.00
5/23/2022		Payroll Liability Check	NM Department of Taxation and Revenue		\$ 5,010.45
5/23/2022	05-012	Cash Receipt	AP Fees/Student Activities	\$ 326.00	
5/23/2022	05-013	Cash Receipt	Student Activities/ Computer Fees	\$ 108.00	
5/24/2022	05-014	Cash Receipt	Computer Fees/AP Fees	\$ 222.00	
5/24/2022	05-015	Cash Receipt	Summer School Fees/Student Activities	\$ 158.84	
5/25/2022		Payroll Liability Check	EFTPS		\$ 22,675.77
5/25/2022	05-016	Cash Receipt	Computer Fees	\$ 207.01	
5/26/2022	05-017	Cash Receipt	Student Activities/ Computer Fees/Summer School Fees	\$ 765.00	
5/26/2022	05-018	Cash Receipt	Computer Fees/Summer School Fees	\$ 329.76	
5/31/2022	05-019	Cash Receipt	Summer School Fees	\$ 300.14	
Sub Total				\$ 460,327.59	\$ 379,675.78
Grand Total				\$ 460,327.59	\$ 379,675.78

The ASK Academy
Outstanding Purchase Orders Report

Accounting Cycle: FY2022; PO Type: [All]; Vendor: [All]; Purchase Order: [All]; Account Expression: ([Fund] >= "11000"); Include Tax and Shipping: Yes; Include Closed POs: No; Show Detail: Yes;

PO Number	Type	Vendor Name	Date Issued	PO Amount	Invoiced Amount	Printed Checks	Remaining Encumbrance	Notes
ASK220001-1	Dollar	ACES	7/1/2021	\$ 3,651.17	\$ 729.75	\$ 729.75	\$ 2,921.42	
ASK220004-1	Dollar	Alexandra Boyd	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	FY22 Mileage Reimbursement
ASK220005-1	Dollar	Alexandra Boyd	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	FY22 Supplies Reimbursement
ASK220007-1	Dollar	Amazon.com	7/1/2021	\$ 4,747.63	\$ -	\$ -	\$ 4,747.63	
ASK220011-1	Dollar	Brady Industries Inc.	7/1/2021	\$ 6,056.56	\$ -	\$ -	\$ 6,056.56	
ASK220012-1	Dollar	C. Dayne Williams	7/1/2021	\$ 11,526.80	\$ 8,432.41	\$ 8,432.41	\$ 3,094.39	FY22 Occupational Therapy Services
ASK220013	Dollar	Campus Specialties - Herff Jones	7/1/2021	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	
ASK220014-2	Dollar	Central New Mexico Community College	7/1/2021	\$ 800.00	\$ 532.00	\$ 532.00	\$ 268.00	
ASK220015-3	Dollar	Charter School Nursing Services	7/1/2021	\$ 11,755.66	\$ -	\$ -	\$ 11,755.66	
ASK220016-2	Dollar	CIT	7/1/2021	\$ 17,027.67	\$ 14,481.75	\$ 14,481.75	\$ 2,545.92	
ASK220017	Dollar	City of Rio Rancho Water and Wastewater	7/1/2021	\$ 10,000.00	\$ 7,966.71	\$ 5,691.35	\$ 4,308.65	
ASK220018	Dollar	CliftonLarsonAllen, LLP	7/1/2021	\$ 17,260.00	\$ 15,857.64	\$ 15,857.64	\$ 1,402.36	
ASK220019-1	Dollar	CNM	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	
ASK220021-2	Dollar	College Board	7/1/2021	\$ 784.40	\$ 615.60	\$ 615.60	\$ 168.80	
ASK220027	Dollar	Edgenuity, Inc.	7/1/2021	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	
ASK220031	Dollar	Harris School Solutions	7/1/2021	\$ 18,000.00	\$ 17,747.18	\$ 17,747.18	\$ 252.82	
ASK220032	Dollar	Horizons of New Mexico	7/1/2021	\$ 970.88	\$ 414.30	\$ 414.30	\$ 556.58	
ASK220037-1	Dollar	Lowe's	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	
ASK220038-3	Dollar	LSG & Associates, Inc.	7/1/2021	\$ 5,993.75	\$ -	\$ -	\$ 5,993.75	
ASK220041-4	Dollar	Mark's Plumbing & Heating	7/1/2021	\$ 2,000.00	\$ 1,507.68	\$ 1,507.68	\$ 492.32	
ASK220042	Dollar	Mary Lou Lopez	7/1/2021	\$ 500.00	\$ 415.25	\$ 415.25	\$ 84.75	FY22 Supplies Reimbursement
ASK220043-1	Dollar	Matthews Fox	7/1/2021	\$ 781.55	\$ -	\$ -	\$ 781.55	
ASK220044	Dollar	Michael Chavez Consulting, LLC	7/1/2021	\$ 3,775.63	\$ 1,483.30	\$ 1,483.30	\$ 2,292.33	
ASK220045	Dollar	Millennium Communications Corporation	7/1/2021	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	
ASK220047	Dollar	Shimada, Nadyne	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	FY22 Mileage Reimbursement
ASK220048-1	Dollar	Shimada, Nadyne	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	FY22 Supplies Reimbursement
ASK220050	Dollar	Nevelyn Headrick	7/1/2021	\$ 500.00	\$ -	\$ -	\$ 500.00	
ASK220051-1	Dollar	NM Gas Co.	7/1/2021	\$ 2,400.00	\$ 151.85	\$ 151.85	\$ 2,248.15	
ASK220052-1	Dollar	NM Association of School Business Officials	7/1/2021	\$ 400.00	\$ -	\$ -	\$ 400.00	
ASK220053	Dollar	Otis Elevator Company	7/1/2021	\$ 2,500.00	\$ 1,341.36	\$ 1,341.36	\$ 1,158.64	
ASK220055	Dollar	Pioneer ACE Hardware	7/1/2021	\$ 1,000.00	\$ 180.36	\$ 180.36	\$ 819.64	
ASK220056	Dollar	PNM	7/1/2021	\$ 35,000.00	\$ 27,044.82	\$ 22,851.09	\$ 12,148.91	
ASK220057-1	Dollar	Powerschool Group, LLC	7/1/2021	\$ 2,000.00	\$ 1,959.63	\$ 1,959.63	\$ 40.37	
ASK220058	Dollar	Preventive Pest Control	7/1/2021	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	
ASK220061	Dollar	Public Charter Schools of New Mexico	7/1/2021	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	
ASK220063	Dollar	Romero Consulting, LLC	7/1/2021	\$ 3,775.63	\$ 1,779.93	\$ 1,779.93	\$ 1,995.70	
ASK220064-1	Dollar	Sandia Office Supply	7/1/2021	\$ 1,303.33	\$ 239.97	\$ 239.97	\$ 1,063.36	
ASK220065-1	Dollar	School Nurse Supply Inc.	7/1/2021	\$ 216.20	\$ 70.40	\$ 70.40	\$ 145.80	
ASK220067-1	Dollar	Brinks Incorporated	7/1/2021	\$ 928.25	\$ 579.17	\$ 579.17	\$ 349.08	
ASK220068	Dollar	SG Consulting Services, LLC	7/1/2021	\$ 3,775.63	\$ 2,966.60	\$ 2,966.60	\$ 809.03	
ASK220069-2	Dollar	Sparklight	7/1/2021	\$ 3,000.00	\$ -	\$ -	\$ 3,000.00	
ASK220070-4	Dollar	The ASK Academy Foundation	7/1/2021	\$ 764.96	\$ 764.96	\$ -	\$ 764.96	
ASK220071-1-1	Dollar	The ASK Academy Foundation	7/1/2021	\$ 8,487.18	\$ 8,487.18	\$ -	\$ 8,487.18	
ASK220072-1	Dollar	The ASK Academy Foundation	7/1/2021	\$ 1,352.84	\$ -	\$ -	\$ 1,352.84	
ASK220073	Dollar	The Vigil Group, LLC	7/1/2021	\$ 70,908.75	\$ 53,396.40	\$ 53,396.40	\$ 17,512.35	
ASK220074	Dollar	The Vigil Group, LLC	7/1/2021	\$ 150.00	\$ 110.82	\$ 110.82	\$ 39.18	
ASK220077	Dollar	Unite Private Networks, LLC	7/1/2021	\$ 36,000.00	\$ 15,373.40	\$ 15,373.40	\$ 20,626.60	
ASK220078-3	Dollar	Waste Management of New Mexico	7/1/2021	\$ 4,633.61	\$ -	\$ -	\$ 4,633.61	
ASK220079	Dollar	West Mesa Lock & Safe	7/1/2021	\$ 1,000.00	\$ 91.53	\$ 91.53	\$ 908.47	
ASK220080-1	Dollar	ACES	7/1/2021	\$ 13,484.38	\$ -	\$ -	\$ 13,484.38	
ASK220086	Dollar	Mike's Pro Painting LLC	7/1/2021	\$ 1,000.00	\$ 403.83	\$ 403.83	\$ 596.17	
ASK220087	Dollar	Accountability and Compliance	7/1/2021	\$ 6,173.40	\$ 5,556.06	\$ 5,556.06	\$ 617.34	
ASK220092	Dollar	Crystal Bolton	7/1/2021	\$ 88.00	\$ 44.00	\$ 44.00	\$ 44.00	Background check
ASK220093	Regular	Talia Montoya	7/1/2021	\$ 44.00	\$ -	\$ -	\$ 44.00	Background check
ASK220094	Regular	Sharon Abeyta	7/1/2021	\$ 44.00	\$ -	\$ -	\$ 44.00	Background check
ASK220095	Regular	Sessyon Crawford	7/1/2021	\$ 44.00	\$ -	\$ -	\$ 44.00	Background check
ASK220096	Regular	Laurie Hall	7/1/2021	\$ 44.00	\$ -	\$ -	\$ 44.00	Background check
ASK220097	Regular	Larry Hartwick	7/1/2021	\$ 44.00	\$ -	\$ -	\$ 44.00	Background check
ASK220098	Dollar	Kimberlee Peffa-Hanson	7/1/2021	\$ 88.00	\$ 44.00	\$ 44.00	\$ 44.00	Background check
ASK220099	Dollar	Jessica Gallegos	7/1/2021	\$ 88.00	\$ 44.00	\$ 44.00	\$ 44.00	Background check
ASK220100	Dollar	Gina Paulson	7/1/2021	\$ 88.00	\$ -	\$ -	\$ 88.00	Background check
ASK220101-1	Dollar	Johnson Controls Fire Protection LP	8/5/2021	\$ 4,000.00	\$ 3,733.21	\$ 3,733.21	\$ 266.79	
ASK220104-1	Dollar	Project Lead the Way, Inc.	8/18/2021	\$ 515.10	\$ 50.00	\$ 50.00	\$ 465.10	
ASK220108	Regular	Marcia Haper Cihouski	8/18/2021	\$ 30.00	\$ -	\$ -	\$ 30.00	
ASK220113-3	Dollar	Vanguard Cleaning Systems of NM	7/1/2021	\$ 33,203.15	\$ 22,140.55	\$ 22,140.55	\$ 11,062.60	
ASK220121	Dollar	De Lage Laden Financial Services, Inc.	9/15/2021	\$ 20,000.00	\$ 13,082.02	\$ 13,082.02	\$ 6,917.98	
ASK220123-1	Dollar	Shimada, Nadyne	10/21/2021	\$ 2,500.00	\$ 1,948.43	\$ 1,948.43	\$ 551.57	FY22 Supplies Reimbursement
ASK220126-1	Dollar	Project Lead the Way, Inc.	10/29/2021	\$ 1,605.00	\$ -	\$ -	\$ 1,605.00	

The ASK Academy
Outstanding Purchase Orders Report

Accounting Cycle: FY2022; PO Type: [All]; Vendor: [All]; Purchase Order: [All]; Account Expression: ([Fund] >= "11000") ; Include Tax and Shipping: Yes; Include Closed POs: No; Show Detail: Yes;

PO Number	Type	Vendor Name	Date Issued	PO Amount	Invoiced Amount	Printed Checks	Remaining Encumbrance	Notes
ASK220145-1	Dollar	Shimada, Nadyne	2/22/2022	\$ 500.00	\$ 70.62	\$ 70.62	\$ 429.38	FY22 Supplies Reimbursement
ASK220146	Dollar	Krista Pink	2/22/2022	\$ 500.00	\$ 47.55	\$ 47.55	\$ 452.45	FY22 Supplies Reimbursement
ASK220152	Regular	Cognia	3/14/2022	\$ 2,137.60	\$ -	\$ -	\$ 2,137.60	
ASK220154	Dollar	Campus Specialties - Herff Jones	3/28/2022	\$ 2,453.35	\$ -	\$ -	\$ 2,453.35	
ASK220160-1	Regular	The ASK Academy Foundation	5/10/2022	\$ 499.69	\$ -	\$ -	\$ 499.69	
ASK220162	Dollar	Project Lead the Way, Inc.	5/20/2022	\$ 7,200.00	\$ -	\$ -	\$ 7,200.00	
Sub Total				\$ 411,101.75	\$ 231,886.22	\$ 216,164.99	\$ 194,936.76	

BANK RECONCILIATION

School: The ASK Academy
Bank: Wells Fargo
Account Description: Main Checking Account
Statement Date: May 31, 2022

Beginning balance per bank:	\$ 782,546.39
Cleared transactions:	\$ (402,382.97)
Deposits and credits:	\$ 460,327.59
Other bank adjustments	
Ending balance per bank	<u>\$ 840,491.01</u>

Plus: Outstanding Deposits	
Plus: Cleared items prior to entry	
Less: Outstanding checks	\$ (6,674.97)
Expected Balance per GL	<u>\$ 833,816.04</u>

The ASK Academy

Outstanding Checks Report

Accounting Cycle: FY2022; Bank: Wells Fargo Bank - ; Bank Account: Main Bank Acct; Statement Date: 05/31/2022; Include Unposted Transactions: No;

Last Reconciled	Beginning Balance	Statement Date
4/30/2022	\$ (29,382.16)	05/31/2022

Date	Source Document	Item Number	Description	Withdrawal
6/17/2021	APV21-079	9034	Michael Chavez Consulting, LLC	\$ 2,669.94
12/3/2021	APV22-039	9605	Samuel Schrider	\$ 40.00
12/9/2021	APV22-042	9646	Michael Chavez Consulting, LLC	\$ 1,483.30
4/8/2022	PR22-21	10055	Paycheck	\$ 18.55
4/8/2022	PR22-21	10057	Paycheck	\$ 63.72
4/22/2022	PR22-22	10124	Paycheck	\$ 42.48
5/6/2022	PR22-23	10171	Paycheck	\$ 21.24
5/6/2022	PR22-23	10172	Paycheck	\$ 10.62
5/6/2022	PR22-23	10173	Paycheck	\$ 10.62
5/16/2022	APV22-082	10272	Mark's Plumbing & Heating	\$ 161.59
5/16/2022	APV22-082	10273	NM Gas Co.	\$ 44.59
5/16/2022	APV22-082	10274	Powerschool Group, LLC	\$ 1,959.63
5/20/2022	PR22-24	10280	Paycheck	\$ 21.24
5/20/2022	PR22-24	10281	Paycheck	\$ 84.97
5/20/2022	PR22-24	10282	Paycheck	\$ 42.48
Sub Total				\$ 6,674.97



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Annual Resolution

Policy 104

WHEREAS, The ASK Academy Governing Council met in regular session virtually via Zoom on June 9, 2022, at 6:30 pm as required by law; and

WHEREAS, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times: and

WHEREAS, any meeting subject to the Open Meetings Act requires The ASK Academy Governing Council to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by The ASK Academy Governing Council that:

1. All meetings shall be held at 4550 Sundt Road NE, Rio Rancho, New Mexico, virtually, or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the second Thursday. The agenda will be available at least seventy-two hours prior to the meeting posted on the Academy website and on the front doors of The ASK Academy (when school is in session). Notice of any other regular meetings will be posted on The ASK Academy website www.theaskacademy.org and posted on the front doors of The ASK Academy (when school is in session) at least seventy-two hours in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. All meetings may be held by telephone conference call or other similar telecommunications or electronic equipment by means of which all persons participating in the meeting can hear each other at the same time. Meetings may also be held with some Directors present, in person, and other directors present via telephonic, or other equipment, which allows all Directors participating to simultaneously hear each other during the meeting. A Director participating in the meeting by such means shall be deemed to be in person at the meeting, and any votes therein shall be deemed to carry the same force and validity as an in person vote.
4. Special meetings may be called by the Chair or a majority of the members. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two hours before any special meeting.
5. For the purposes of regular meetings described in paragraph two of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by posting on The

ASK Academy website and on the front doors of The ASK Academy Academy (when school is in session).

6. *For the purposes of special meetings described in paragraph four of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by posting on The ASK Academy website and posting on the front doors of The ASK Academy (when school is in session).*
7. *In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Mackenzie Woods at 505.891.0757 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various assessable formats. Please contact Mackenzie Woods at 505.891.0757 if a summary or other type of accessible format is needed.*
8. *The ASK Academy may close a meeting to the public only if the subject matter of such discussion or action is expected from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.*
 - (a) *If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of The ASK Academy Governing Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.*
 - (b) *If a closed meeting is conducted when The ASK Academy Governing Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.*
 - (c) *Following completion of a closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.*
 - (d) *Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of The ASK Academy Governing Council in an open public meeting.*

The ASK Academy

Adopted: October 13, 2011

Reviewed: June 9, 2022

The ASK Academy June 2022 Board Report

Presented by Alexandra M. Boyd, PhD

Contact Information: 505-891-0757; aboyd@theaskacademy.org

Celebrations:

- **Seniors graduated on Friday, May 27th at the National Hispanic Cultural Center! Thank you to everyone who provided support for the event! A very special thank you to Ms. Del Curto, Ms. Walker, and Ms. Kemnitz for all of your hard work in coordinating this event!**
- **Scholars are participating in summer school this week as we continue to help scholars who fell behind during the pandemic close those gaps. Thank you Ms. Pink, Ms. Montoya, and Mr. Morales for supporting our scholars in this way!**
- **The ASK Academy received favorable ratings from the Cognia Accreditation group as well as the Charter Schools Division of the New Mexico Public Education Department! Thank you to everyone who participated in those visits, ASK was well represented!**
- **Contracts have gone out and been signed! Thank you to Connie, Mackenzie, Ashley, Tony, and Stephany for your hard work to get those out before staff left for summer!**
- **A small project based learning library has been started and is growing in the main project manager work room on campus.**

Operation Updates:

- **Staffing**
 - We are currently advertising to fill the following position for next school year:
 - 6th grade Science Project Manager
 - 7th Grade Science Project Manager
 - Middle School Science & Technology Project Manager
 - We recently hired a replacement for our Middle School Principal.
- **Reflections on performance framework: Meeting Standards**
 - Academic Framework Indicators
 - Meet State Academic Standards
 - Participate in State-required Assessments
 - Submit timely data
 - Meet NMPED standards of excellence
 - Execute comprehensive education program
 - Organizational Framework Indicators
 - Remain compliant with rules, regulations, and statutes
 - Timely reporting
 - Meet Public Education Commission organizational performance standards
 - Financial Framework Indicators
 - Meet generally accepted standards of fiscal management
 - Timely data submissions and reporting
 - Comply with audit process
 - Maintain Certified Purchasing Officer certification

- **Mission Specific Goal:** Each year, at least 70% of 6th-11th grade scholars, enrolled on both the 40th day and included on the end of year (EOY) report to the state, will complete two STEM credits (Science, Technology, Engineering, Mathematics & Biomedical) with a C or better and will demonstrate proficiency on end of course exams. Exams may include traditional tests or other demonstrations of proficiency.

- **Enrollment Summary:**

Grade	Scholar Count
6	107
7	114
8	99
9	76
10	57
11	61
12	41
Totals	555

- **Communication:**

- Emails have gone out to explain the CEO transition timeline and close out the year with many thanks to everyone in our community.



BUILDING COMMUNITY

CHARTER SCHOOLS CONFERENCE

REGISTER NOW

Virtual Conference Link: June 9– 10, 2022

Building Community Reception: June 10, 2022
4 pm – 6 pm

Building Community Conference Schedule

Thursday, June 9th

		Track 1		Track 2
Session:	Time:			
Session 1	9:00am-10:00am	Opening by Secretary Steinhaus & DS Bannerman		N/A
		Please click the link below to join the webinar: https://us02web.zoom.us/j/89937029516		
Session 2	10:15am-11:15am	PEC Panel		State Seal of Bilingualism-Biliteracy: making New Mexico a Multilingual State in Policy and Practice
		Please click the link below to join the webinar: https://us02web.zoom.us/j/82626228173		Board Credit: Organizational Performance & Open Government
				Presented by: Dr. Elena Valdez https://swrecnm-org.zoom.us/j/92344782522?pwd=TOIHSDpSEFmTTY3eS80UEVEUzFGOT09
Lunch	11:30am-12:30pm	LUNCH on own		LUNCH on own
Session 3	12:30pm-1:30pm	Updates and listening session for Charter Schools Program grant		NMCC - Learning Different
		Board Credit: Fiscal Understanding		Presented by: Mike Ogas & Sharon West
		Presented by: Louie Torrez https://us02web.zoom.us/j/85018734343?pwd=ZVVRMZVVRMFSZERFMjZROUNEL2OxUT09		https://swrecnm-org.zoom.us/j/91855389261?pwd=bEUxOkwyZHJ5d014d1JtT2JGOEtBZz09
Session 4	1:45pm-2:45pm	"...but, I don't want to." Improving student motivation and engagement through innovative Executive		Pathway2Careers: Making Math Meaningful
				Presented by: Alexandra Lutz & team

		Functioning courses Board Credit, Academic Understanding (1 hour) Presented by: Elizabeth Daly https://us02web.zoom.us/j/83204402783?pwd=ajQ2MEp1UGZsdzYwdGIDL0hhVGtyZz09	https://swrecm-org.zoom.us/j/97049928375?pwd=L0EyQlpoUEM0b2RMVmx0xd3NXMcS4QT09
Session 5	3:00pm-4:00pm	NM REC's Who we are and what we do Board Credit: Organizational Performance & Open Government Presented by: Bobbie Gutierrez https://us02web.zoom.us/j/82167156701?pwd=SGVmQjJsWEZRMGtCMHFDU1orKlpoQT09	REL Southwest English Learners Research Partnership: Training for implementing two tandem resources to support English learner students Presented by: Dr. Angelica Herrera & team https://swrecm-org.zoom.us/j/92081667370?pwd=dzE3cFEyMltjY3NNUnYwQXhRdVZlZz09

Friday, June 10th

Session:	Time:	Track 1	Track 2	Track 3
Session 1	9:00am-10:00am	What Students Know & Can Do, Assessment with Community Board Credit: Equity/Culturally and Linguistically Responsive Presented by: Lisa Harmon-Martinez https://us02web.zoom.us/j/87971151408?pwd=N2pqMVdYeE9kdjVlTVZ3UHhwaVhVUT09	Standards Based Grading(What, why, how? An introduction) Presented by: Cameron Sperry https://swrecnm-org.zoom.us/j/93974489047?pwd=VklWTFYzaVRaWWx0bnBhUHczRlNhZdz09	PEC Discussion on their Performance Framework https://swrecnm-org.zoom.us/j/7462495774?pwd=ZzBvYjlcWEQ5O2FyRkdSNHpmMS2JyUT09
Session 2	10:15am-11:15am	STEM on a Shoestring Board Credit: Fiscal Understanding Presented by: Shafiq Chaudhary https://us02web.zoom.us/j/82652663843?pwd=Sit5Nmtp3TFNMMUmZWWDFlZ3ZYUTZCd4z09	Writing Using Informational Text Presented by: Annette Brinkman https://swrecnm-org.zoom.us/j/95129497561?pwd=TIkZbUxyWmRld0xWdDJK2VXR2lNdz09	
Lunch	11:30am-2:30pm	LUNCH on own	LUNCH on own	LUNCH on own
Session 3	12:30pm-1:30pm	Graduate Profiles as a tool for school leadership & change Board Credit: Organizational Performance & Open Government Presented by: https://us02web.zoom.us/j/8454739	Building Community in Canvas Presented by: Tim Mason & Mark Sluzky https://swrecnm-org.zoom.us/j/94487577483?pwd=UmlEzRmVkdXhF2cFdDWXh2Q2hsNmEzRmVkdXhF2cFdDWXh2Q2hsN	ACCElerate NM Presented by: Kenneth Stowe https://swrecnm-org.zoom.us/j/7462495774?pwd=ZzBvYjlcWEQ5O2FyRkdSNHpmMS2JyUT09

		3335?pwd=OUZDWWUdvYThqbhVWQStFN0cxakhZZz09	TFvUT09	
Session 4	1:45pm-2:45pm	New Mexico's Multi-Layered System of Supports (MLSS) Board Credit: Academic Understanding (1 hour) Presented by: Kenneth Stowe https://us02web.zoom.us/j/84211600267?pwd=Tzh3NkdyaHp1SF10bWE5MUlXU0pjZz09	CTE Best Practices Presented by: Eric Gomez https://swrecnm-org.zoom.us/j/96064430019?pwd=a0liUWxpcWoyakRpoXdsZ2Rpk3FHZz09	
Reception	4:00pm-6:00pm	Tierra Adentro of New Mexico (1781 Bellamah Ave NW, ABQ., NM 87104)		



STAFF HANDBOOK

2022-23

THE ASK ACADEMY STAFF HANDBOOK

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I. OVERVIEW OF THE ASK ACADEMY

A. Mission: The mission of The ASK Academy is:

The ASK Academy will emphasize science, technology, engineering and mathematic (STEM) curricula to create a learning culture through: project-based learning experiences, 21st century technology, research programs, relationship building and a partnership program engaging scholars in the learning process. The ASK Academy will provide multiple opportunities for scholars to demonstrate attitudes, skills and knowledge of the core standards through independent learning experiences.

B. Working Environment: ASK endeavors to create a friendly working environment for all staff. In pursuit of this goal, ASK has adopted the following staff relations objectives:

1. Provide an exciting, challenging, and rewarding workplace and experience.
2. Select staff on the basis of skill, training, ability, attitude, and character without discriminating.
3. Review wages, staff benefits, and working conditions periodically with the objective of being competitive in these areas, consistent with sound business practices.
4. Assure staff, after talking with their supervisor, an opportunity to discuss any issue or problem with the appropriate administrator.
5. Take prompt and appropriate action to resolve complaints which may arise in the everyday conduct of our business.
6. Respect individual rights and treat all staff members with courtesy and consideration.
7. Maintain open communications and mutual respect in our working relationships.
8. Promote an atmosphere consistent with ASK's vision, mission, and goals.

THE POLICIES IN THIS HANDBOOK ARE GUIDELINES; ARE NOT EXPRESSED OR IMPLIED CONTRACTS WITH STAFF; AND DO NOT CREATE CONTRACTUAL OBLIGATIONS OF ANY KIND BETWEEN ASK AND ANY OF ITS STAFF. ADDITIONALLY, THIS HANDBOOK IS NOT TO BE CONSTRUED BY STAFF AS CONTAINING BINDING TERMS AND CONDITIONS OF EMPLOYMENT. ASK RETAINS THE RIGHT TO TERMINATE ANY STAFF, AT ANY TIME, CONSISTENT WITH NEW MEXICO LAW AND THE NEW MEXICO SCHOOL PERSONNEL ACT.

The provisions of this Handbook have been developed at the direction of the Governing Council, and the policies in this Handbook may be amended, revised, supplemented, or rescinded at any time, in the sole discretion of the Governing Council. Only the CEO of ASK may alter or modify any of the provisions of this Staff Handbook. Any such alterations or revisions must be in writing and approved by the CEO and the Governing Council. Statements or promises by anyone other than the CEO, shall not be interpreted as a change in policy and do not constitute an agreement with a staff member.

C. What ASK Expects From You: As a member of ASK's team, we need your help to make each working day enjoyable and rewarding. Your first responsibility is to perform the duties assigned to you promptly, correctly and pleasantly. You are also expected to cooperate with management and your fellow staff. How you interact with fellow staff members and those whom ASK serves, and how you accept direction can affect the success of the Academy. Whatever your position, you have an important assignment: perform every task to the very best of your ability. We are dedicated to making ASK an organization in which you can approach administration to discuss any problem or question. We expect you to voice your opinions and contribute your suggestions to improve the quality of The ASK Academy. We are all working for the success of ASK and to support student success, so please communicate with each other and with management.

ASK encourages you to discuss any issue you may have with a co-worker directly with that person. If a resolution is not reached, please arrange a meeting with your direct supervisor to discuss any concern, problem, or issue that arises during the course of your employment. Retaliation against any staff member for the appropriate use of communication channels is unacceptable. Please remember it is counterproductive for staff members to create or repeat rumors or office gossip.

We encourage all staff members to bring forward their suggestions and good ideas about how ASK can be made a better place to work and our service to customers enhanced. When you see an opportunity for improvement, please talk it over with your direct supervisor. She/he can help you bring your idea to the attention of the people of ASK who may be responsible for implementing it. All suggestions are valued.

D. Purpose of the Staff Handbook: The purpose of this handbook is to provide guidance and information in regard to the various, in some instances complex, employment issues, terms, and policies. This handbook covers a broad range of topics, and is meant to apply generally to all staff members. If you have questions, please see your direct supervisor.

You are expected to review the Staff Handbook, be familiar with information it contains and to maintain a copy for future reference. A current version of the staff handbook is also maintained on the ASK website.

II. EMPLOYMENT POLICIES

A. Equal Employment Opportunity: The ASK Academy is an equal opportunity employer committed to maintaining a non-discriminatory, diverse work environment. ASK does not unlawfully discriminate against any person on the basis of race, color, religious creed, age, sex, national origin or ancestry, mental or physical disability, medical condition, status as a Vietnam-Era or disabled veteran, military service, sexual orientation, spousal affiliation, marital status, gender identity or any other basis protected by federal, state or local law. This policy covers all programs, services, policies, and procedures of The ASK Academy.

B. Staff Members with Disabilities: In accordance with the Americans with Disabilities Act (ADA), ASK does not discriminate against any "qualified individuals with a disability." Individuals qualify for employment if they meet the educational, skills, and experience requirements of a position and can perform the essential functions of the job with or without a reasonable accommodation. Individuals have a disability if they have an impairment that impacts a major life function such as caring for one's self, performing manual tasks, walking, hearing, seeing, speaking, breathing, learning, or if the impairment otherwise impacts an individual's ability to perform a class of jobs or broad range of jobs. Psychological impairments, learning disabilities, and some chronic health impairments, such as epilepsy, diabetes, arthritis, cancer, cardiac problems, and AIDS may also be considered disabilities.

ASK is committed to diversity and nondiscrimination and supports the full employment of qualified individuals with disabilities in its workforce. Therefore, a process has been established to assist staff members with disabilities in reasonably modifying the work environment to allow the staff member to perform the essential functions of his or her job. It is the responsibility of the staff member to request an accommodation of his or her physical or mental disability by contacting your direct supervisor. In accordance with the ADA, ASK will take such requests seriously and will promptly determine whether the staff is a qualified individual with a disability and whether a reasonable accommodation exists which would allow the staff member to perform the essential functions of the job without imposing an undue hardship on ASK or other staff members. If you believe that you have been unlawfully discriminated against because of a disability, you should discuss the matter with your direct supervisor and/or follow the complaint procedure described in Section I. C. 4., below.

C. Anti-Harassment/Discrimination: The ASK Academy is committed to providing a work place that is free of unlawful discrimination or harassment. Every staff member is expected to treat his or her co-workers, visitors, scholars and guests professionally and respectfully.

Each staff member is required to familiarize him/herself with this Anti-Harassment/Discrimination Policy, reporting obligations and procedures. If you have any

questions about The ASK Academy policy, please contact your direct supervisor or his/her designee for clarification.

1. No Tolerance Harassment/Discrimination. ASK is committed to creating a workplace free of discrimination and harassment. Both the law and ASK prohibit any form of discrimination and/or harassment based on race, color, religious creed, age, sex, national origin or ancestry, mental or physical disability, medical condition, status as a Vietnam-Era or disabled veteran, military service, sexual orientation, spousal affiliation, marital status, gender identity or any other basis protected by federal, state or local law. All of these groups are referred to in this policy as “protected classes.” This policy applies to all staff members, contract workers, consultants, vendors, scholars, parents and guardians, visitors and guests, or any other people doing business with or for The ASK Academy. It is in effect not only at ASK’s primary site but during all ASK-sponsored functions.

2. Discrimination/Harassment Described. Discrimination and harassment include conduct that could reasonably be construed generally as any unwelcome behavior towards another, whether verbal, physical or visual, that is based on a person’s belonging to a protected class. This conduct will most likely interfere with others’ ability to work and most certainly will be intolerable as an example to our scholars and our community. All such harassment can be unlawful when it is severe or pervasive enough to affect a reasonable staff members’ job.

a. Sexual Harassment: Because sexual harassment raises issues about human interaction that are to some extent unique, the subject of sexual harassment is described separately here, however, it is no more or less tolerable than harassment based on some other protected status. Sexual harassment is a form of sex discrimination that may include:

- requests for sexual favors;
- sexual advances;
- persistent or unwelcome flirtation or requests for dates, especially if the behavior continues after a clear objection has been made;
- sexually motivated inappropriate conduct such as facial expressions or body language, leering, making sexual gestures or actual touching, kissing, impeding or blocking another’s movements;
- displaying sexually suggestive objects, pictures or cartoons; demands to submit to sexual requests in order to maintain employment or avoid some employment-related loss (e.g. salary), and offers of job benefits or favors in return for sexual favors; AND/OR
- intimidation and hostility directed to an individual because of sex; or explicit or degrading verbal, written or electronic comments of a sexual nature, such as comments about an individual’s body or dress.

This list is not exhaustive and applies to conduct by co-workers, supervisors, volunteers and others invited to The ASK Academy premises. Sexual harassment can apply to

conduct in any work-related setting outside the work place as well, including on social media. It may also apply to situations involving individuals of the same sex.

Consensual sexual behavior between adults, outside the workplace and welcome by both parties is not considered sexual harassment; however, those who engage in such relationships should be aware that questions regarding the actual freedom of choice of one of the parties may be raised later, especially when a superior/subordinate relationship exists between them.

**IF YOU BELIEVE THAT YOU HAVE EXPERIENCED OR WITNESSED
SEXUAL HARASSMENT, FOLLOW THE PROCESS DESCRIBED IN THE
PARAGRAPHS BELOW**

b. Harassment/Discrimination Other Basis. Other prohibited harassment includes verbal or physical conduct which degrades or shows hostility or aversion toward an individual even partly because of a person's belonging to a protected class. Conduct similar to that described above as sexual harassment and discrimination, if based on one of these protected classifications is illegal. For example, verbal conduct such as epithets, jokes based on ethnicity, age-related derogatory comments, foul or obscene language or racial slurs will likely be unwanted and offensive to others resulting in unwelcome behavior that could be interpreted as harassing or discriminatory.

3. Staff Responsibilities. All staff members of ASK are responsible for taking appropriate action to prevent and eliminate harassment and discrimination at The ASK Academy. If you experience discrimination or harassment, ASK encourages you to firmly and promptly notify the offender that his or her conduct is offensive, even if it is not directed at you. If you choose not to address the issue directly with the person, or if the conduct continues you should report the conduct immediately. If you observe discrimination or harassment of another staff member, student, visitor or guest, by a fellow staff member, report the concern immediately. At no time should you assume that inappropriate conduct between a student and an adult is acceptable, "consensual" or that it should not be reported because you are concerned that you misinterpreted the conduct.

4. Reporting Complaints. If you experience or observe harassment or discrimination you should bring your concerns directly to ASK's CEO and follow mandated reporter guidelines, if applicable. Your complaint will be promptly investigated by the individual to whom you reported or a third-party investigator, if appropriate. The complainant and the alleged offender will be instructed to limit their work contact with each other immediately, pending the outcome of the investigation.

5. No Retaliation. The ASK Academy will not tolerate retaliation or reprisals of any type against any staff who complains of harassment or provides information in

connection with any such complaint. Retaliation is considered to be misconduct and grounds for disciplinary action, up to and including discharge.

6. Complaint Procedure, Investigation and Response. Complaints may initially be made verbally, however, the complainant MUST provide a written statement to assist with the investigation process.

a. Normally, an investigation will include interviews with the complainant, and the alleged offender (who will be told of all of the allegations against him or her) and all witnesses or other relevant persons as necessary to establish the facts. All staff-witnesses, the complainant and the alleged offender are expected to cooperate in the investigation. Failure to cooperate or deliberately providing false information during an investigation, including the complaint itself, will be grounds for disciplinary action, up to termination or discharge. Other individuals, such as a third party investigator, may be involved to resolve the complaint. The investigator will collect and review all relevant documents.

b. The ASK Academy will investigate every report of harassment or discrimination. In conducting an investigation, ASK will respect the privacy of all concerned; however, complete confidentiality may not always be possible because of the need to conduct a complete and thorough investigation and to ensure that all involved parties' interests are fairly protected.

c. As soon as the investigation is finished, the investigator will meet with the individual's supervisor or, if appropriate the supervisor's supervisor(s), and report whether he or she believes that discrimination or harassment has occurred. If the investigation results in a finding of discrimination and/or harassment, then the supervisor will determine the appropriate disciplinary action up to and including a recommendation to terminate or discharge the staff member. The supervisor will inform the complainant and the alleged offender of the outcome of the investigation and his/her proposed disciplinary action. The date of the discussion with the respective party shall constitute the "determination date."

d. Appeal. If the complainant or alleged offender is not satisfied with the outcome of a discrimination complaint, either staff member may appeal that decision to the ASK Governing Council or to a neutral third party, whichever is deemed appropriate by the CEO under the circumstances. The staff member appealing the supervisor's decision must submit a written appeal to the CEO with copies to the other party within five (5) working days of the determination date. The non-appealing party and supervisor of the appealing party has the option of submitting written materials in support of their respective positions within three (3) working days from the date they receive the appealing parties' appeal.

e. Final Decision. The Governing Council or neutral third-party will inform the complainant/respondent of the appeal decision in writing within five (5) working

days from the date the appeal was submitted. This is the final level of review in the internal complaint process. The time lines set forth in this policy may be waived or extended by the Governing Council.

D. Religious Accommodation: Sometimes individuals hold religious beliefs or conduct religious practices that conflict with their work schedules or assigned responsibilities. ASK will attempt to provide a reasonable accommodation for religious beliefs and practices of such individuals if to do so does not impose an undue hardship for the staff members department, or interfere with the staff members' ability to perform the essential functions of the position. If you would like to request reasonable accommodation based on your religious beliefs, you should contact your direct supervisor. You may be asked to provide appropriate documentation to support your request.

E. Staff Background Check: Prior to becoming an staff member of ASK, a comprehensive background check consisting of prior employment verification, professional reference checks, education verification, licensure and certification confirmation, and a criminal background check is conducted in accordance with applicable laws. If applicable to your position, a driving records check will be completed.

F. Immigration Law Compliance: All offers of employment are contingent upon verification of your right to work in the United States. You will be asked to provide original documents verifying your right to work and, as required by federal law, to sign a Federal Form I-9, "Employment Eligibility Verification Form." If you at any time cannot verify your right to work in the United States, ASK may be obligated to terminate your employment.

G. Personnel Records: The responsibility of handling personnel records and related personnel administration functions at The ASK Academy has been assigned to the Business Office. Questions regarding insurance, wages, and interpretation of personnel policies may be directed to him or her. ASK strives to balance its need to obtain, use, and retain employment information with each individual's right to privacy. To this end, it attempts to restrict the personnel information maintained to that which is necessary for the conduct of its business or which is required by federal, state, or local law. The CEO (or designee) is responsible for overseeing the record keeping for all personnel information. Staff members have a responsibility to ensure their personnel records are up to date and should notify the Business Office in writing of any changes in name; address; contact phone numbers; marital status (for benefits and tax withholding purposes only); number of dependents (for benefits and tax withholding purposes only); addresses and telephone numbers of dependents and spouse or former spouse (for insurance purposes only); beneficiary designations if applicable; and emergency contact information. If you have a change in any of these items, please complete a **staff change form** and return to the Business Office as soon as possible.

1. Contents of File. In addition, a staff member's personnel file may contain the following information:

- a. Complete application for employment along with verification of qualifications for the position as outlined in job description;
- b. Professional license;
- c. Official transcript;
- d. Staff members contract;
- e. Pre-employment references;
- f. Signed acknowledgment that the staff member has received the staff handbook and agrees to abide by all ASK Policies and Procedures;
- g. Performance appraisals;
- h. Documented attendance at educational and training programs, including in-service courses and orientation;
- i. Any complaints, allegations, inquiries or findings of student abuse or neglect; warnings or disciplinary actions;
- j. Documentation of equipment issued to staff: keys, laptops, etc.

2. Separate File. The following records will be maintained in a separate file, apart from the personnel file, for each staff:

- a. Employment medical records;
- b. INS (Immigration and Naturalization) I-9 Form;
- c. Workers' compensation records;
- d. Health records;
- e. Drug testing records;
- f. Fingerprint results/background check results

3. Inspection of Personnel File. Staff members may inspect their own personnel records in the presence of the CEO (or designee) except documents relating to confidential materials related to pre-employment. Such an inspection must be requested in writing to the CEO (or designee) and will be scheduled at a mutually convenient time. Staff members who feel that any file material is incomplete, inaccurate, or irrelevant may submit a written request to the CEO (or designee) that documentation to correct such materials be added to personnel files. Only supervisors and others in management who have an employment related need-to-know about another staff member may inspect the personnel files of a particular staff member.

H. Work Schedule:

1. Business Hours. The ASK Academy generally operates from 7:30 am until 4:30 pm, Monday through Thursday, 8:00 am until 12 pm on Fridays. Work schedules are determined by the CEO. Please consult with your direct supervisor if you have any questions concerning your work schedule.

2. Classroom Coverage. Scholars must be supervised at all times and are never left unattended. If you need to leave your classroom or work station, you must arrange

for adequate coverage. If you need to leave the campus for any reason, you are required to check out with the front desk, and check back in upon returning.

3. **Absence or Lateness.** If you are unable to report to work, or if you will arrive late, you are required to contact the office before 7:30 am. If you know in advance that you will need to be absent, you must request this time off directly from your direct supervisor and arrange for a substitute, according to ASK protocol. If you are absent because of an illness, your direct supervisor may require that you submit a written statement from your health care provider stating that you are able to resume your employment responsibilities. Unauthorized absences, lateness, or leaving campus may lead to disciplinary action, including possible termination or discharge. Requests for time off must be approved by your supervisor and adequate coverage for your classroom must be available.

4. **School Closing Under Severe Weather and Emergency Conditions.** During emergency conditions, radio and TV stations will be asked to announce school/office closing. Only the CEO is authorized to issue notification to radio stations concerning school closing or changes in the school hours due to emergency or weather conditions. The ASK Academy will follow the Rio Rancho Public Schools observance of delay or closed days due to inclement weather. Employees and students should listen to their local radio or TV stations for appropriate announcements when weather conditions indicate the possible closing of school. Every effort will be made to get such announcements to the radio and TV stations by 6:00 a.m.

I. Building Access/Use: Each staff member will be issued keys for their classroom. Staff members entering or leaving the building outside of regular school hours are responsible for making sure all entrances are secure and the alarm set upon their departure. Any difficulty in setting the alarm should be immediately reported to the Custodian, COO, CEO, or one of the Principals.

III. WAGE AND SALARY POLICIES

A. ASK – an equal opportunity employer: Staff compensation will be structured to attract, motivate, retain, and reward high quality personnel to effectively carry out the objectives of ASK without regard to race, color, ancestry, religion, age, sex, national origin, disability, medical condition, status as a veteran, sexual orientation, spousal affiliation, gender identity or any other basis protected by federal, state or local law. ASK will prioritize its expenditure of resources to achieve a competitive compensation position in public education in the local area market.

B. Pay Periods: The payroll period is a two week period from Mondays 12:00 AM until Sundays 11:59 PM and you will be paid each subsequent Friday following the completion of that pay period. Your check will reflect your compensation for that pay period, less required payroll deductions. If you were hired after a payroll deadline (check with your supervisor), your first paycheck will be delayed until the second payday

after you started work. You will be issued pay checks every two weeks or 26 times per year.

Your deductions will be itemized on your payroll stub. You should review your paycheck stub carefully each payday. If, at any time, you have any questions about the amounts shown on your paycheck or how they are calculated, you should contact the Business Office. If you have been overpaid, and it is later discovered, you will be required to return the overpayment in full to ASK.

C. Basis for Determining Pay: The ASK Governing Council adopts a salary schedule for project managers each year based upon education, experience, and legislative mandates.

D. Salary Increases: ASK Governing Council shall set the salary schedule based on The ASK Academy's annual budget. A project manager's salary will be based on the NMPED's mandated three-tier license, salary schedule. Any salary increase will be based on the salary schedule and individual qualifications.

E. Direct Payroll Deposit: Direct payroll deposit is the automatic deposit of your pay directly into a financial institution account. Contact the Business Office for details and the necessary authorization forms. This is a benefit we provide for your convenience.

F. Mandatory Deductions from Paycheck: Federal, state and local income taxes and your contribution to Social Security and New Mexico Educators Retirement system will be deducted from your pay check as required by law. These deductions will be itemized on your check stub. The amount of the deductions will depend on your earnings and on the information you furnish on your W-4 form regarding the number of exemptions you claim. If you wish to modify the number of deductions, please request a new W-4 form from the Business Office. Only you may modify your W-4 form. Verbal or written instructions are not sufficient to modify withholding allowances. We advise you to check your pay stub to ensure that it reflects the proper number of withholdings. Other mandatory deductions from your paycheck include court-ordered garnishments or support deductions. If ASK receives a court order mandating that your pay be garnished you will be notified and provided a copy of the order. ASK will comply with the court order until such time as you provide a subsequently dated and signed court order directing ASK to modify or cease making the deduction from your pay check.

G. Reimbursement for Travel and Expenses: Staff members will be reimbursed for authorized travel and per diem expenses pursuant to the New Mexico Travel and Per Diem Rule, NMAC 2.42.2 as amended. You must obtain prior written authorization for expenditures for which you expect to be reimbursed for by ASK. Failure to follow the appropriate procedures prior to incurring an expense for which you want to be reimbursed, may result in a denial of your request for reimbursement.

H. Employment Classifications: Your position at ASK is classified as either regular full-time, part-time or short-term. In addition, you are classified as either **non-exempt** or **exempt**. Certain policies and procedures outlined in the Staff Handbook may apply differently to you depending on how your job position is classified. If you have a question concerning applicability of any particular provision, contact your direct supervisor or the Business Office prior to signing the receipt for this Handbook.

1. Non-Exempt and Exempt Staff members. At the time you are hired or you transfer to a new position, you will be classified as either "exempt" or "nonexempt." This is necessary because, by law, staff members in certain types of jobs are entitled to overtime pay for hours worked in excess of forty (40) hours per workweek. These staff members are referred to as "non-exempt" in this Staff Handbook. This means that they are not exempt from (and therefore should receive) overtime pay.

Exempt staff members are administrators, project managers, counselors, social workers, and others whose duties and responsibilities allow them to be "exempt" from overtime pay provisions as provided by the Federal Fair Labor Standards Act (FLSA) and any applicable state laws.

2. Full-Time Staff. A staff member who works 40 hours per week, is considered a full-time staff member.

3. Part-Time Staff. A staff member who is regularly scheduled to work less than 40 hours per week is considered part-time. If you are a part-time staff member working less than 20 hours per week, you are not eligible for the staff benefits described in this Staff Handbook. Benefits will be prorated for staff members working between 20 and 35 hours per week.

4. Overtime Pay. If you are a non-exempt staff member you will be paid overtime in accordance with state and federal laws. Any overtime must be approved in advance by your supervisor; failure to obtain authorization prior to working overtime may result in disciplinary action. For purposes of determining overtime pay, ASK's work week shall be from 12:00 a.m. Monday until 11:59 p.m. Sunday.

5. Compensatory Time. ASK does not normally award compensatory time off.

I. Records of Time Worked: If your position requires that you keep time records, you are responsible for accurately recording your time. No one may record hours worked on another's timecard or timesheet. Tampering with another's time record is cause for disciplinary action, up to and including discharge, of both staff members. In the event of an error in recording your time, please report the matter to your supervisor immediately.

IV. PERFORMANCE

A. Performance Reviews: The administration will follow Governing Council policies and New Mexico Public Education Department requirements when conducting performance reviews for all licensed and non-licensed personnel. The performance reviews will be conducted collaboratively. Nonexempt staff members will be evaluated annually; licensed personnel will be evaluated in a manner consistent with NMPED regulations and ASK's charter, if applicable. The ASK Academy CEO will be evaluated no less frequently than once per year by ASK's Governing Council.

During a formal performance review your direct supervisor may cover the following areas:

- The quality and quantity of your work.
- Strengths and areas for improvement.
- Initiative and teamwork.
- Attendance.
- Customer service orientation.
- Problem solving skills.
- Ongoing professional growth and development.
- **All other competencies for your position, level of licensure or certification.**

Additional areas will also be reviewed as they relate to your specific job. Along with incorporating competencies, ASK will implement a multi-source feedback system to appraise the performance of all staff, professional, licensed and non-licensed, to nurture self-efficacy and goal-orientation. All staff members will receive feedback from their supervisors, peers, team members, parents and scholars. The multi-source feedback system will be used to supplement the traditional evaluation system, enabling ASK to engage its staff members in development activities, thereby enlisting its entire staff in continuous learning based on quality feedback.

Your review provides an opportunity for collaborative, two-way communication between you and your supervisor. This is a good time to discuss your interests and future goals. Your supervisor is interested in helping you to progress and grow in order to achieve personal as well as work-related goals. Your supervisor can answer any questions you may have about the performance review process.

Your supervisor uses your annual performance evaluation as a factor in recommending your rate/salary increase, promotions, or award of subsequent contracts, if any. Your performance evaluation may also be impacted by your willingness to follow and cooperate with ASK's staff conduct policies as described in this Handbook or other directives or instruction given to you by the CEO or your supervisor.

V. STANDARD OF CONDUCT

Generally speaking, we expect each staff to act in a mature and responsible way at all times. Educational professionals are required to comply with the New Mexico Code of

Ethical Responsibility of the Education Profession, NMAC 6.30.9. If you have any questions concerning any work or safety rule, or any of the unacceptable activities listed below, please see your supervisor for an explanation.

A. Smoking: The use of tobacco in any form, or electronic cigarettes at ASK or any ASK-sponsored functions, events or activities is prohibited for scholars, faculty, and staff.

B. ASK and Staff Meetings: On occasion, we may require that you attend a meeting or ASK function outside your duty day. If you are not able to attend, you must request prior permission from your supervisor to be absent. If you are a non-exempt staff, you will be paid for time spent. Prior approval by your supervisor will be required for any overtime.

C. Computer Software (Unauthorized Copying): ASK licenses the use of computer software from a variety of outside companies. ASK does not have the right to reproduce the software or to grant licenses for other users. Staff members shall use the software only in accordance with the software publisher's license agreement. As a rule, do not download ASK-purchased software on any other computer without verifying the right to do so. Illegal reproduction of software can subject a staff member to civil damages and criminal penalties, including fines and imprisonment. In addition, violation of this policy will result in disciplinary action up to and including discharge or termination.

D. Acceptable Use of Staff Technology: ASK provides technology resources and business equipment to its staff for educational and administrative purposes. This governs the use of business equipment, computers and telephonic communication systems, including e-mail, Internet and Internet systems (collectively referred to as technology resources). The use of ASK technology resources is a privilege granted to staff members for the enhancement of job-related functions and are to be used in a responsible, efficient, ethical and legal manner. Failure to adhere to these expectations may result in disciplinary actions.

ASK does not attempt to articulate all possible violations of acceptable use. In general, users are expected to use ASK technology resources in a responsible, polite, and professional manner. Users are not allowed to:

1. Knowingly send, receive, or display sexually oriented images, messages, or cartoons or use abusive or foul language.
2. Knowingly or recklessly send, receive, or display communications that ridicule, disparage, or criticize a person, a group of people, or an organization based upon race, national origin, sex, sexual orientation, age, disability, religion, or political beliefs or for any other reason.
3. Knowingly send, receive, or display communications that demean, threaten, insult, harass, or defame others.

4. Knowingly send, receive, or display communications that disparage or berate ASK, Governing Council members, or staff members, or diminish staff productivity and/or professionalism.

5. Violate any local, State, or Federal statute or regulation including, but not limited to copyright laws.

6. Solicit, endorse, or proselytize others for commercial ventures, outside organizations, or religious, social, or political causes.

7. Disrupt, disable, damage, or interfere with services, equipment, or other users.

8. Access, assist, or allow others to access equipment, files, passwords, user codes, or information without authorization. (Never use another user's login information, and never give your login information to someone else.)

9. Use ASK technology resources for non-ASK-related business.

10. Violate ASK's social networking policies.

Please keep in mind that all users need Internet access, and it is important to keep your bandwidth usage in mind so that all users' bandwidth needs can be met.

ASK reserves the right to review, audit, intercept, access, and disclose all matters placed on ASK technology resources, as business conditions and/or security considerations warrant, without staff notice, during or after staff working hours. The use of an ASK provided password by a staff member does not restrict ASK's right to access electronic communications. While ASK does not regularly monitor electronic communications, it reserves the right to do so without notice.

ASK reserves the right to access and monitor the use of ASK's technology resources from any location; therefore, no staff member should have any expectation of privacy in connection with the use of this equipment or the transmission, receipt, or storage of information in such equipment, whether the information is personal or ASK-related.

E. Dress Code and Personal Appearance: Please understand that you are expected to dress and groom yourself in accordance with accepted social and business standards. You are expected to be suitably attired and groomed during working hours or when representing ASK. If your attire and/or grooming are inappropriate for ASK you may be asked to leave your workplace until you are properly attired and/or groomed. Staff members who violate dress code standards may be subject to disciplinary action.

F. Drug-Free Workplace Policy: Staff members who work while under the influence of alcohol or drugs present a safety hazard to themselves, their co-workers and scholars. In addition, staff members who work under the influence of alcohol or drugs threaten ASK's reputation and integrity. ASK policy is to create a drug-free workplace in accordance with the Drug Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the

workplace or while engaged in business off premises, such as at a parent's home, are strictly prohibited.

Prohibition and Standards.

1. General Prohibition. No staff or student will unlawfully possess, use, distribute, dispense, manufacture or be under the influence of alcohol or drugs while on ASK grounds; at ASK sponsored or supervised activities (e.g., field trips); in any ASK owned, leased or used vehicle; while engaged in or going to or from ASK activities; or, while attending a ASK-related activity (e.g., workshop).

2. Definition of Drug. For purposes of this policy, the term "drug" will include any "illicit drug," "controlled substance," "intoxicating substance," "inhalant," "counterfeit substance," "look-alike substance," "marijuana," "cannabis," "opiate," "hallucinogen," "narcotic," or other unlawful drug for purposes of federal or state law including, but not necessarily limited to the Drug-Free Workplace Act, the Drug-Free Schools and Communities Act Amendments, the U.S. Controlled Substances Act and the New Mexico Controlled Substances Act. NMSA 1978 §§30-31-1 et seq.

3. Exceptions. This policy is not intended to prevent possession of a controlled substance if it was obtained directly pursuant to a valid prescription or order, from a physician, dentist or other person duly licensed, registered, or otherwise permitted under federal and state law to distribute or dispense the substance in the course of professional practice. If a staff member is taking prescribed or over-the-counter medication that may affect work performance, this information should be immediately reported to your supervisor.

4. Conditions of employment. As a condition of employment, each staff member will abide by the terms of this drug-free workplace policy. Every staff member is required to notify the CEO of any criminal drug conviction or plea of no contest for a violation occurring in the workplace no later than five (5) days after such conviction.

5. Sanctions. Where a staff member violates the terms of this policy or is convicted of violating a criminal drug statute for an offense occurring in the workplace, the staff member will be subject to sanctions, consistent with law and policy, which may include either appropriate personnel action against the staff member, up to and including termination; or, a requirement that such staff member satisfactorily participate in a drug-abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health agency, law enforcement or another appropriate agency. The staff member will be responsible for all uninsured costs associated with any such program.

The ASK Academy reserves the right to search and inspect for maintenance of a safe drug-free workplace.

G. Acceptance of Gifts/Payments for Tutoring: Advance approval from the CEO is required before a staff member may solicit a gift on behalf of ASK. ASK staff members are not to receive payment for tutoring, counseling, advising or providing services related to special programs from any scholar assigned to their classroom or for other ASK functions.

H. Employment of Relatives: If you and members of your family are employed by ASK, one may not supervise the other nor work in the same department. If the staff members are unable to develop a workable solution, the CEO will decide which staff may be transferred in such situations. Family members include the staff members spouse, child, parent, parent-in-law, grandparent, grandparent-in-law, granddaughter, grandson, daughter-in-law, son-in-law, step-parent, domestic partner (a person with whom the staff member's life is interdependent and with whom the staff shares a mutual residence), brother, sister, brother-in-law, sister-in-law, daughter or son of the staff members spouse or domestic partner, and any relative living in the household of the staff member or domestic partner. Should two staff members who work together or supervise each other enter into a personal, non-work related relationship, one or both staff members may have to be reassigned.

No person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, sister, sister-in-law, brother, or brother-in-law of the CEO may be employed by ASK unless approved by the Governing Council. The Governing Council may not hire a CEO who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law, sister, sister-in-law, brother, or brother-in-law of any member of the Governing Council.

I. Solicitations and Distributions: Solicitation for any cause during working time and in working areas is not permitted. You are not permitted to distribute non-ASK literature in work areas at any time during working time. Staff members are not permitted to sell raffle chances, merchandise or otherwise solicit or distribute literature without management approval. Persons not employed by ASK are prohibited from soliciting or distributing literature on ASK property.

J. Confidentiality: As a staff member of ASK, you may learn confidential information about scholars, other staff members or ASK business (together referred to as "confidential ASK information"). During and after employment with ASK, confidential ASK information may not be shared with non-staff members of ASK and may only be shared with other ASK staff members on a need-to-know basis. If you violate this policy, disciplinary action will be taken up to and including termination or discharge.

ASK will provide staff information to outside agencies only upon written authorization of the staff member or as provided by law. Only the CEO or his/her designee can make decisions about releasing confidential personnel information. Most banks, credit agencies, or other parties requiring employment information will provide you with an appropriate form. You must provide a written and signed authorization form to ASK, before ASK will release your personal information. ASK's standard reference letters are

limited to confirming dates of employment, job title, and current rate of pay. All requests for employment verification must be received by the CEO or Business Office in writing. ASK's response will be in writing. ASK does not provide letters of recommendation.

ASK protects staff members' confidentiality and expects the staff members to protect confidential ASK information as well. No one should provide any information about a staff member and must refer any phone calls seeking such information to the Business Office. Under no circumstances will ASK verify employment by telephone.

In addition, ASK also expects that you respect the privacy of your fellow staff members, both with staff members and non-staff members. Personal information about any staff member may not be discussed with other staff members or non-staff members without written authorization. Breaching confidences may be grounds for disciplinary action up to and including termination or discharge.

K. Staff Privacy: ASK reserves the right to search any person entering on its property or offsite while performing services for ASK and to search property, equipment, and storage areas including but not limited to, clothing, personal effects, vehicles, buildings, rooms, facilities, offices, parking lots, desks, cabinets, lunch and equipment boxes or bags, and equipment. Any items that you do not want to have inspected should not be brought to work.

L. Basis for Conduct-Related Discipline: In addition to the foregoing described standards of conduct, the following is a list of unacceptable activities that can result in disciplinary action, up to and including termination. This list should NOT be considered comprehensive and nothing in this list alters the at-will nature of employment for applicable staff members.

1. Violation of any ASK policy.
2. Violation of security or safety rules or failure to observe safety rules or ASK safety practices.
3. Negligence or any careless action which endangers the life or safety of another person.
4. Being intoxicated or under the influence of a controlled substance, including alcohol, while at work; use, possession or sale of a controlled substance in any quantity while on ASK premises, except medications prescribed by a physician to the staff in possession and which do not impair work performance.
5. Unauthorized possession of dangerous or illegal firearms, weapons or explosives on ASK property or at any ASK sponsored event.
6. Engaging in criminal conduct or acts of violence or making threats of violence toward anyone on ASK premises or when representing ASK; fighting, or provoking a fight on ASK property.
7. Insubordination or refusing to obey reasonable instructions or directives issued by your supervisor while at work; unreasonably refusing to help out on a special assignment.
8. Threatening, intimidating or coercing fellow staff members on or off the premises at any time, for any purpose.

9. Intentional or negligent destruction of or damage to ASK property, or the property of fellow staff members, customers, suppliers, or visitors in any manner.

10. Theft or unauthorized possession of ASK property or the property of fellow staff members; unauthorized possession or removal of any ASK property, including documents, from the premises without prior permission from administration; unauthorized use of ASK equipment or property for personal reasons; using ASK equipment for personal profit or business.

11. Dishonesty; falsification or misrepresentation on your application for employment or other work records; untruthfulness about personal leave; falsifying reason for a leave of absence or other data requested by ASK; unauthorized alteration of ASK or student records or other documents.

12. Spreading malicious gossip and/or rumors; engaging in behavior which creates discord and lack of harmony; interfering with another staff member's ability to perform his/her job; restricting work output or encouraging others to do the same.

13. Immoral conduct or indecency on ASK property.

14. Conducting a lottery or gambling on ASK premises or when using ASK property and/or equipment.

15. Unsatisfactory or careless work, failure to meet work productivity or work quality standards.

16. Any act of harassment as described above.

17. Leaving work before the end of a workday or not being ready to work at the start of a workday without approval of your supervisor; stopping work before time specified for such purposes.

18. Sleeping or loitering during working hours.

19. Excessive use of ASK telephones for personal calls.

20. Smoking on ASK property or in ASK vehicles.

21. Creating or contributing to unsanitary conditions.

22. Failure to report an absence or late arrival; excessive absence or lateness.

23. Obscene or abusive language toward any supervisor, staff, parent, or student; indifference or rudeness; any disorderly/antagonistic conduct on ASK premises.

24. Speeding or careless driving of vehicles on ASK property.

25. Failure to immediately report damage to, or an accident involving, ASK equipment or property.

26. Unauthorized soliciting during working hours and/or in working areas; selling merchandise or collecting funds of any kind for charities or others without authorization during business hours, or at a time or place that interferes with the work of another staff person(s) on ASK premises.

27. Failure to use required timesheets, alteration of your own timesheet or records or attendance documents, punching or altering another staff members timesheet or records, or causing someone to alter your timesheet or records.

28. Engaging on off-campus conduct which negatively impacts or threatens to negatively impact ASK's learning and workplace environment and/or disrupt the learning process.

29. Any other act or omission which impairs or restricts the ability of ASK to provide a safe and healthy environment for staff members and scholars.

M. Discipline Process: A number of tools are utilized to motivate, correct, and/or discipline staff members, including, but not limited to verbal and written warnings, suspensions, and discharge or termination as determined to be appropriate in each individual circumstance.

If your work performance is unsatisfactory or if your conduct on the job becomes a problem, your supervisor may counsel you and work with you to help resolve the issues. You may initiate this counseling as well.

Your supervisor may but is not required to use a progressive, corrective process. This disciplinary process may involve, but is not limited to, oral or written warnings, probation for poor work performance/habits, disciplinary suspension, and termination.

If progressive discipline is not considered appropriate, however, the sequence described above will not be followed.

THE CEO RESERVES THE RIGHT TO DISCIPLINE A STAFF MEMBER BY TAKING WHATEVER ACTIONS, AT HIS/HER SOLE DISCRETION, DEEMS TO BE APPROPRIATE AND IN THE BEST INTERESTS OF THE ASK ACADEMY, UP TO AND INCLUDING TERMINATION OR DISCHARGE.

In the case of serious misconduct, it may be necessary to protect the safety and security of the workplace by suspending or placing the involved staff members on administrative leave in order to remove them from the workplace. In addition, in some instances, while your supervisor is investigating and considering appropriate action, you may be relieved from duty pending a full investigation of the circumstances. The investigation may have one of the following results: (a) if the circumstances do not justify suspension, you will be allowed to return to work, although other disciplinary action may be taken; (b) if the circumstances do justify suspension you will be notified of the suspension and dates and conditions for returning to work. You will not be paid or accrue leave (if applicable to you) for the period suspension occurs; or (c) if the circumstances justify termination, and you are not a contract staff member within the meaning of the New Mexico Personnel Act, you will be dismissed and a final paycheck will be issued excluding time of unpaid suspension. If you are a contract staff member and the circumstances justify termination or discharge, the process outlined in this handbook will be followed.

N. Grievance Procedures: ASK recognizes that most personnel-related conflicts arise from a lack of communication. This procedure is designed to provide a formal mechanism for promoting or restoring such communication so that problems may be resolved before more serious difficulties arise. The purpose of this policy and these procedures is to provide for the reporting and resolution of legitimate employment-related concerns of the staff members of ASK at the earliest possible time and with the least possible expense, disruption and friction. *Nothing contained herein will be construed to limit in any way the ability of ASK and the grievant to resolve any grievance by informal means. A staff member's decision to refrain from the grievance procedure in lieu of alternative dispute mechanisms may limit the administration's ability to promptly and completely resolve the staff member's concerns. You are encouraged to use this process to ensure timely and satisfactory resolutions.*

NO PERSONS WILL SUFFER RETALIATION, RECRIMINATION, DISCRIMINATION, HARASSMENT, OR BE OTHERWISE ADVERSELY AFFECTED BECAUSE OF HIS OR HER USE OF THIS GRIEVANCE PROCEDURE.

1. Definitions.

- (a) "Grievant" means a staff member who is personally and directly affected by a condition for which he or she seeks a resolution.
- (b) "Grievance" means an allegation by a staff member that the treatment he or she has received from a superior is unfair or improper, or that there has been a violation, a misinterpretation or an inequitable application of ASK policy, administrative rules or procedures that directly and adversely affect the grievant. A single grievance may be submitted jointly by more than one grievant.
- (c) "Resolution(s)" means the proposed written decision by the CEO or Governing Council, in response to the grievance.
- (d) "Parties in interest" means the grievant and the superior or other staff member(s) of ASK whose conduct or actions are the subject of the grievance.

2. Limitations to Grievance Procedure. A grievance cannot be filed by a former staff member after the effective date of termination or discharge of employment. The following situations are **not** covered by this grievance procedure and are therefore not a grievance under this policy:

- (a) The discretionary act(s) of professional judgment relating to the evaluation of the work performance of any staff by his or her immediate supervisor.
- (b) Any personnel decision made by the Governing Council, including, but not limited to a refusal to re-employ, a discharge, a demotion, or any other action directly and adversely affecting the employment of a staff member.
- (c) Situations in which the Governing Council and CEO are without authority to act.
- (d) Situations in which the remedy for the alleged violation exclusively resides in some person, agency, or authority other than the Governing Council.
- (e) Situations as to which a different procedure with ASK is prescribed by a state or federal authority.
- (f) Situations as to which a different procedure or remedy has been provided by the Governing Council.
- (g) Situations involving a grievance by a contractor with ASK.

3. General Procedural Requirements.

- (a) A grievance must be initiated at Level 1 within ten (10) work days of the date upon which the grievant became aware of the circumstances which gave rise to the grievance.
- (b) Whenever possible, any grievance conference or hearing at any level will be scheduled during a mutually convenient time that does not conflict with the regularly scheduled ASK program.
- (c) A grievant requiring the attendance and testimony of other staff members will have the right to bring such witness as are willing to testify in his or her

behalf, and any necessary substitutes or release time will be provided and the expense borne by ASK when hearings must be scheduled during the ASK day.

(d) A separate file will be maintained by the CEO for grievances. All documents produced during the processing of a grievance will be kept in the separate file.

(e) All parties shall maintain confidentiality with regard to proceedings, and the resolution of the grievance, to the extent possible, and the proceedings will not be made public unless agreed to by the grievant and the CEO or Governing Council or unless the grievant pursues the matter beyond this policy.

(f) The grievance file will be maintained for one (1) year after being cleared according to the New Mexico State Records Center and Archives, and access to the file will be limited to the grievant, the immediate supervisor, the CEO and the members of the Governing Council.

(g) A grievant may terminate the process at any level if he or she indicates in writing a desire to do so, accepts the resolution at that level, or fails to pursue his or her grievance by filing at the next level within the specified time period or refuses to attend a scheduled meeting even if that meeting must occur after ASK hours.

(h) All grievances will be filed and processed on grievance forms prepared by ASK and available in the office of the CEO.

(i) The time limits at any level may be extended by mutual agreement between the grievant and the CEO, review committee or Governing Council.

(j) Except as otherwise provided herein, unless a party can demonstrate prejudice arising from a departure from the proceedings established in this policy, such departure will be presumed to be harmless error.

4. Procedural Steps.

(a) Level 1 (Informal Conference). Prior to the filing of a formal written grievance, the grievant will first discuss the grievance with his or her direct supervisor in a good faith attempt to resolve the grievance prior to the filing of a formal grievance. In the case of a claim of sexual harassment in which the grievant's direct supervisor is the subject of the claim, the grievant may initiate the grievance at the next supervisory level above that of the direct supervisor.

(b) Level 2 (CEO). If the grievant is not satisfied with the discussion and disposition of the grievance at Level 1, he or she may file a written grievance with the CEO within ten (10) days of the disposition. The CEO will communicate his or her proposed resolution in writing to the grievant within five (5) work days from the filing of the written grievance. If the proposed resolution is not acknowledged or approved by the grievant within five (5) work days, the CEO has the discretion to require a hearing or conference and gather such evidence prior to the preparation of the decision as he or she feels would assist in any appropriate resolution of the grievance. The hearing or conference will occur within five (5) work days of the grievant's action/inaction regarding the CEO's proposed resolution. The hearing or conference should be as informal as possible and will be conducted as the CEO feels is appropriate for a full understanding of the grievance, the position of the grievant and the evidence supporting the position. The CEO will have the right to ask any question of the

interested parties as he or she deems necessary. Within five (5) work days following the hearing, the CEO will render his or her written proposed resolution to the grievant.

(c) Level 3 (ASK Governing Council). If the grievant is not satisfied with the resolution of the grievance at Level 3, or if the CEO fails to issue a proposed resolution within the specified time limit, the grievant may make a written request to the CEO for a hearing with the Governing Council within ten (10) work days after the CEO's resolution was rendered or due, if none was received. At its sole option, the Governing Council may appoint a Grievance Review Committee to hear the grievance. The Grievance Review Committee will be comprised of three (3) persons, one from each of the following staff categories: Licensed ASK Project Manager; Administrator (other than the immediate supervisor or CEO involved) and one Governing Council member.

The members will be appointed by the Governing Council. The Committee will select its Chairperson prior to the processing of the grievance. The Chairperson of the Committee will schedule an informal hearing within ten (10) work days of receipt of the grievance. If a Committee member is unable to participate in the informal hearing, the Chairperson will designate a substitute from within the staff category of the non-attending member.

5. Procedure for Hearing before Governing Council Committee. The following procedure will be used at hearings before the Governing Council Committee.

(a) The parties in interest will submit written statements of position which will be delivered to the Governing Council Committee Chair at least five (5) days prior to the hearing. In addition, any other documentary evidence desired to be reviewed by the Governing Council Committee will be submitted at that time.

(b) The grievant will present his/her grievance first through testimony, witnesses, documents, etc. Cross-examination will not be allowed by the other party in interest, if any.

(c) The other party or parties in interest, if any, will present their responses to the grievance. Cross-examination will not be allowed.

(d) The Committee members may ask any questions that it deems necessary.

(e) Arrangements to make a taped recording or to keep minutes of the proceeding will be made by the Chair. A verbatim transcript is not required, but any minutes or other written record will fairly reflect the substance of the hearing.

(f) Within five (5) days following the date of the hearing, the Committee will transmit its findings and recommendations for proposed resolutions to the Governing Council. Within ten (10) working days or the next scheduled Governing Council meeting, the Governing Council shall consider the recommendations of the Committee. The Governing Council may accept the recommendations as presented, impose a lesser sanction if disciplinary action was recommended, or decide to hold a new hearing on the grievance.

(g) If the Governing Council rules that it is appropriate to hear the grievance, it will set the date for such hearing and the parties in interest will be notified by the Governing Council Chair. If the Governing Council adopts the recommendations of the Governing Council Committee, the decision shall be final.

6. Hearing before full Governing Council. If the Governing Council decides to grant a new hearing the following procedures will be followed.

(a) Each party in interest will have the opportunity to present oral statements limited to thirty (30) minutes each.

(b) The presentation will be limited to a review of evidence previously presented, unless the Governing Council, in its discretion, allows new evidence to be presented during the hearing.

(c) Evidence may not be cross-examined by the other party in interest, however, the Governing Council may ask questions of any party as it deems necessary or appropriate.

(d) Hearings will be conducted in a closed session, in a public meeting.

(e) The Governing Council will render a written decision within 10 working days after the hearing. In arriving at its decision, the Governing Council has complete discretion in fashioning such relief, if any, as it believes is appropriate, regardless of the relief requested. The Governing Council's decision is final.

VI. TERMINATION AND DISCHARGE.

A. Definitions.

1. Termination. In the case of a licensed staff, “termination” means non-renewal of a contract at the end of its term. For all other staff members, “termination” means severing or ending the employment relationship.
2. Discharge. Discharge means to sever the employment relationship of licensed personnel or staff members under contract before the end of the existing contract.
3. Just cause. Just cause refers to a reason for termination or discharge that is rationally related to a staff member’s competence or moral turpitude or the proper performance of his/her duties and that is not in violation of the staff members civil or constitutional rights.

B. Termination of Staff Members with Less than Three (3) Consecutive Years of Service.

1. General. ASK may terminate a staff member (licensed or non-licensed) with fewer than three (3) years of consecutive service for any reason it deems sufficient.
 - a. Non-contract staff members. Staff members with three (3) years or less of consecutive service and who are not employed pursuant to a contract are “at-will” staff members, that is, the staff may be dismissed from employment at any time and for any lawful reason the CEO deems appropriate. A written notice of termination will be provided to the staff.
 - b. Contract staff members. Contract staff members with three (3) years or less of consecutive service; i.e., who have not been reemployed under a third consecutive contract, may be terminated by non-renewal of their contracts for any lawful reason the CEO deems appropriate.
2. Protest Procedure for Staff members with Less than Three (3) Consecutive Years of Service. For a staff member of less than three (3) consecutive years who was terminated or whose contract was not renewed, there is no protest. A terminated staff member may request a statement of reasons from the CEO for his/her termination or non-renewal. Requests for an explanation will be made in writing and delivered to the CEO no later than five (5) working days after receipt of the notice of termination or notice of non-renewal. Reasons for the CEO’s decision will be provided to the staff within ten (10) days of receiving his/her request. The decision of the CEO to terminate is final and not subject to appeal.

C. Termination/Discharge Policy for Staff Members with More than Three (3) Years of Consecutive Service.

1. Non-Contract and Contract: No staff member who has been employed by ASK for three (3) years or more of consecutive service may be terminated or discharged except for just cause.

2. Protest Procedure. ASK provides the following procedures for challenges to termination or discharge decisions for staff members with three (3) or more years of consecutive service:

a. Request for Statement of Rationale. A staff member who has been employed by ASK for three (3) consecutive years and who receives a notice of termination or notice of non-renewal may request a written statement of the reasons for non-renewal. The staff must request that statement of reasons within five (5) working days from the date he/she receives the notice of termination. The CEO shall provide the statement of reasons within five (5) working days from the request.

b. Statement before the Governing Council. If the staff member requests an opportunity to make a statement to the Governing Council regarding the CEO's decision to terminate, she must do so SIMULTANEOUSLY with the request for written reasons for the termination. The opportunity to present to the Governing Council will be granted, if within 10 working days after receiving the written reasons for termination, the staff member submits a written statement to Governing Council which includes an explanation of why the staff member believes that he/she was terminated for reasons that do not constitute just cause. In addition, the statement must include facts, supporting documentation and potential witnesses who will support the staff members position. Thereafter, the Governing Council will meet to hear the staff member present the statement in no less than five (5) and no more than fifteen (15) working days after receipt of the staff members written statement of contentions.

c. Hearing on termination:

i. The staff member and the Governing Council may have representation of their choice, but at their own expense.

ii. The hearing will be conducted in accordance with the provisions of the Open Meetings Act.

iii. A designee of the Governing Council will first state the reasons for termination and present the factual support for those reasons. The reasons will be limited to those first provided to the staff member after his/her request for an opportunity to address the Governing Council.

iv. The staff will next state his/her reasons and factual support for contending that the termination was not for just cause. Those reasons and factual support must be the same as those provided in the staff members written response to the statement provided by the CEO.

v. The CEO may offer such rebuttal testimony that she deems appropriate.

vi. Each party may question all witnesses.

vii. Only evidence presented at the hearing will be considered and the Governing Council is only required to consider that testimony it considers reliable.

viii. No record will be kept of the hearing.

ix. The Governing Council will notify the staff member and the CEO of its decision in writing within five (5) working days from the conclusion of the meeting.

[Reference, NMSA 1978 §22-10A-24.]

d. Appeals – Arbitration on Termination. Either the terminated staff member or other representatives of ASK may appeal the decision of the Council. The matter will be appealed to an independent arbitrator who will hear all evidence as if presented for the first time. The arbitration process takes place as follows:

i. Timely Request. The staff member must submit a request for an appeal in writing that states his/her reasons for the appeal to the Chair of the Governing Council within five (5) working days from the receipt of the Governing Council's written decision. The request for appeal must include a statement of facts supporting the basis for appeal. Failure to submit a timely appeal will bar the staff member's objection to the decision of the Governing Council and will render the Governing Council's decision final.

ii. Selection of Arbitrator. The Governing Council and the staff member will meet within ten (10) working days from the receipt of the staff members timely request for appeal to select an independent arbitrator. If they cannot make a choice, they will ask the presiding judge of the First Judicial District Court for the State of New Mexico to select an individual to hear the matter. The judge will make the selection within five (5) days of the request. The arbitrator selected must be experienced in school employment matters and must have no financial, personal or other direct interest in the outcome of the proceeding.

iii. Scope of Arbitration. The arbitrator will hear all of the evidence presented and not be limited to a review of the Governing Council's decision. The issue before the arbitrator will be limited to whether the evidence presented demonstrates just cause for termination.

iv. Date of Arbitration. The arbitration will be held within thirty (30) working days from the date the arbitrator is selected. Notice of the hearing will be provided by the arbitrator, which will include the date, time and location of the hearing.

v. Rules of Arbitration:

(A) The ASK Academy and the staff member may have representation of their choosing, but at their own expense;

(B) Discovery will be limited to depositions and requests for production of documents on a time schedule to be determined by the arbitrator;

(C) The arbitrator has the power to issue subpoenas for witnesses and documents and to administer oaths;

(D) The New Mexico Rules of Civil procedure will not be strictly enforced, however, the rules will apply to the extent that both contentions and responses are amply and fairly presented;

(E) The Rules of Evidence will not strictly apply, but the arbitrator will permit either party to call and examine witnesses, to cross-examine witnesses and to introduce evidence. The arbitrator will require reasonable substantiation of statements and authentication of records where the accuracy or truth is in reasonable doubt;

(F) The Governing Council will have the burden to show by a preponderance of evidence that the staff member was terminated for reasons that constitute just cause.

(G) If the Governing Council cannot show just cause, or the staff member sufficiently rebuts the Governing Council's reasons, then the arbitrator will reverse the decision to terminate and order reinstatement of the staff member;

(H) Either the staff member or ASK may record the proceeding at their own expense, but it will not constitute an official record for purposes of further appeal.

(I) Departures from these procedures are considered harmless unless the party can demonstrate prejudice.

(J) Decision. The arbitrator will issue a written decision within thirty (30) working days of the hearing, which will contain findings of fact and conclusions of law.

(K) Remedies. The only remedies available to a staff member who has been reinstated by the decision of an arbitrator are: reinstatement; back pay, but subject to any scheduled salary increase to which the staff may be entitled; or, both, less an offset for any compensation received by the staff member during the period the compensation was terminated; e.g., unemployment benefits.

(L) Binding Decision. Decisions by the arbitrator are final and binding on both ASK and the staff member. The decision may not be appealed unless the decision was procured by corruption, fraud, deception or collusion, in which case it will be appealed to the First Judicial District Court for the State of New Mexico.

(M) Costs/Fees. The staff and ASK will pay their own fees, expenses and costs. The arbitrator can assign to either party or both parties the fees and costs of the independent arbitrator.

(N) Report to NMPED. The ASK Academy is required to report the terminations to the NMPED. [Reference NMSA 1978 §22-10A-25 (2003)]

D. Termination/Discharge Policy for Other Personnel Exempt From Protest Procedures: In addition to staff members who have less than three (3) consecutive years of employment, the rights to due process protests upon termination do not apply to the following ASK personnel:

1. Licensed ASK project managers employed to fill the position of licensed ASK project manager entering military service;
2. Persons employed as licensed ASK administrators;
3. Non-licensed ASK staff members employed to perform primarily school-wide management functions. [Reference, NMSA 1978 §22-10A-26 (2003)]

E. Discharge Policy for Contract Staff Members Discharged Prior to the end of their Contract Term. A contract staff may be discharged prior to the end of his/her contract term for just cause according to the following procedures:

1. Notification and Immediate Removal.

a. Notice of discharge. The CEO will serve written notice (certified mail return receipt requested) or will arrange personal delivery retaining a receipt signed and dated by the staff member, of intent to recommend to the Governing Council that the staff member be discharged. Service otherwise consistent with the rule of civil procedure will be sufficient to complete service as meant by these provisions.

b. Stated reasons. The notice will include the reasons for the CEO's recommendation that the staff member be discharged along with a written description of the staff members right to a hearing before the Governing Council.

c. Immediate Removal. In the event that the CEO determines that it is necessary to immediately remove the staff member from the ASK premises, the staff will be placed on paid administrative leave pending the outcome of a hearing on the CEO's decision to discharge.

2. Protest Procedure/Hearing. A contract staff member who receives a notice of discharge may request a hearing before the Governing Council by giving the CEO a written request for hearing within five (5) working days of receipt of the notice of discharge.

a. Date of Hearing. If the staff timely notifies the CEO that he/she is requesting a hearing on the decision to discharge, a hearing will be scheduled for no less than twenty (20) and no more than forty (40) working days after the CEO receives the written election from the staff member. The staff member will have at least ten (10) working days prior notice of the hearing date.

b. Hearing Procedures.

i. ASK and the staff member may have representation of their choosing and at their own expense.

ii. Discovery will be limited to depositions and request for production of documents, which will be completed prior to the hearing.

iii. The Governing Council will have the authority to issue subpoenas for the attendance of witnesses and to produce documents and other evidence at the request of either party and will have the power to administer oaths.

iv. ASK will have the burden of proving the just cause for discharge by a preponderance of the evidence. The evidence at hearing will be limited to the reasons as stated in the notice to the staff member recommending the discharge.

v. ASK will present its evidence first; the staff member will present second; either party may present witnesses and introduce documents to prove their respective case.

vi. An official record must be kept of the preceding and the staff member is entitled to one copy at the expense of ASK.

vii. The Governing Council will render its written decision within twenty (20) calendar days of the conclusion of the hearing and deliver its decision to the staff member by certified mail return receipt requested or by personal delivery.

3. Appeal from Decision on Discharge: Arbitration. Either the discharged contract staff member or a representative(s) of ASK may appeal the decision of the Governing Council. The matter will be appealed to an independent arbitrator who will hear all evidence as if presented for the first time.

a. Request Appeal/Arbitration. To request an appeal the staff member must state his/her reasons for the appeal in writing (“request for appeal”) and submit it to the Chair of the Governing Council within five (5) working days from the receipt of the Governing Council’s written decision. The appeal must contain a statement of the particular reasons the staff believes the Governing Council’s decision was incorrect and include a statement of facts supporting his/her decision.

b. Timely Appeal. Failure to submit a timely appeal will bar the staff member’s right to object to the decision of the Governing Council and will render the Governing Council’s decision final.

c. Selection of Arbitrator. The Governing Council and the staff member will meet within ten (10) working days from the receipt of the staff member’s request for appeal to select an independent arbitrator. If they cannot decide they will request the presiding judge of the First Judicial District Court for the State of New Mexico to select an individual to hear the matter. The judge will make the selection within five (5) working days of the request. The arbitrator selected will be experienced in school employment matters. He/she will have no financial, personal or other direct interest in the outcome of the proceeding.

d. Scope of Review. The arbitrator will hear all of the evidence presented and not be limited to a review of the Governing Council’s decision. The issue before the arbitrator will be limited to whether the evidence presented demonstrates just cause for discharge.

e. Date of Arbitration. The arbitration will be held within thirty (30) working days from the date the arbitrator is selected. Notice of the hearing will be provided by the arbitrator, which will include the date, time and location of the hearing.

f. Arbitration Rules:

i. ASK and the staff member may have representation of their choosing, but at their own expense;

ii. Discovery is limited to depositions and requests for production of documents on a time schedule to be determined by the arbitrator;

iii. The arbitrator has the power to issue subpoenas for witnesses and documents and to administer oaths;

iv. The New Mexico Rules of Civil procedure will not be strictly enforced, however, the rules will apply to the extent that both contentions and responses are amply and fairly presented;

v. The Rules of Evidence will not strictly apply, but the arbitrator will permit either party to call and examine witnesses, to cross-examine witnesses, and to introduce evidence. The arbitrator will require reasonable substantiation of statements and authentication of records where the accuracy or truth is in reasonable doubt;

vi. The Governing Council will have the burden to show by a preponderance of the evidence that the reasons provided for recommended the staff members discharge constitute just cause;

vii. If the Governing Council cannot show just cause, or the staff member sufficiently rebuts the Governing Councils reasons, then the arbitrator will find in favor of the staff member;

viii. Either the staff member or ASK may record the proceeding at their own expense, but it will not constitute an official record for purposes of appeal; only the official record prepared by a licensed court reporter will constitute the official record;

ix. Departures from these procedures are considered harmless unless the party can demonstrate prejudice;

x. Decision. The arbitrator will issue a written decision within thirty (30) working days of the hearing, which will contain findings of fact and conclusions of law;

xi. Final Decision. Decisions by the arbitrator are final and binding on both ASK and the staff member; the decision may not be appealed unless the decision was procured by corruption, fraud, deception or collusion, in which case it will be appealed to the Second Judicial District Court for the State of New Mexico.

xii. Costs/Fees. The staff member and ASK will pay their own fees, expenses and costs; the arbitrator may assign to either party, or both of them, the fees and costs of the independent arbitrator.

xiii. Compensation after discharge. Payment of compensation to any licensed ASK project manager or licensed administrator will terminate as of the date a final decision is provided by the Governing Council. If the contract is to be paid monthly during a twelve (12) month period for services to be performed during a period less than twelve (12) months, the person will be entitled to a pro rata share of the compensation payments due for the period during the twelve (12) months in which no services were to be performed.

F. Phasing Out and Elimination of Positions/Reduction-in-Force/Furloughs.

From time-to-time, it may be necessary to phase-out or eliminate certain job classifications or reduce the number of positions in a particular employment category. An orderly process will be established by the CEO and the Governing Council to guide such phase-out or reduction in force. A reduction in force carried out pursuant to ASK policy is just cause for termination or discharge. The ASK Academy may also implement a voluntary or involuntary furlough if such measures are necessary due to budgetary constraints and can avoid a reduction in force. Any furlough implement shall be conducted according to ASK policy.

G. Administrative Leave Pending Possible Disciplinary Action: If you are suspected of violating ASK's policies, procedures, or work rules, you may be placed on administrative leave with pay pending an investigation of the situation. Administrative leave is not intended as punishment, but rather provided for the purpose of allowing a thorough and thoughtful investigation of a situation before a decision is rendered.

H. Resignation/Job Abandonment: Non-exempt staff members should give a minimum of two weeks written notice of resignation to the CEO. All contract staff members are required to provide written notice of their intent to terminate employment with ASK to the CEO at least thirty (30) calendar days in advance. Failure to provide adequate notice may result in a complaint to the PED Licensing Bureau.

ASK will consider you to have voluntarily terminated your employment if you do any of the following:

1. Resign from ASK;
2. Fail to return from an approved leave of absence on the date specified for your return; or
3. Fail to report to work or call in for two (2) or more consecutive work days.

Any person leaving an administrative position at ASK must observe one year of absence from any kind of employment or service provision (paid or unpaid) for ASK Academy, unless approved in writing, in advance by the ASK Academy CEO.

I. Retirement: Eligible staff members who meet the criteria established by the New Mexico Educators Retirement Board and wish to retire should contact the Business Office in advance of the anticipated retirement date to initiate retirement proceedings. Staff members anticipating retirement should contact the New Mexico Educators Retirement Board to ensure that the staff member follows the most appropriate and current requirements.

J. Return of ASK Property: Any ASK property issued to you, such as keys, computer equipment, etc. must be returned to ASK at the time of your resignation, termination, or discharge. You will be responsible for any lost or damaged items. If you do not return property of value, you will be asked to sign a wage deduction authorization form to compensate for the value of the loss.

K. Safety:

1. General Staff Safety. ASK is committed to the safety and health of all staff members and recognizes the need to comply with regulations governing injury and accident prevention and staff safety. Maintaining a safe work environment, however, requires the continuous cooperation of all staff members. ASK will maintain safety and health practices consistent with the needs of our profession. If you are ever in doubt about how to safely perform a job, it is your responsibility to ask your direct supervisor or the CEO for assistance. Any suspected unsafe conditions and all injuries that occur on the job must be reported to the Business Office immediately. Compliance with these safety rules is considered a condition of employment. We strongly encourage staff participation and your input on health and safety matters.

SAFETY COMMON SENSE:

Lifting: Ask for assistance when lifting heavy objects or moving heavy furniture. Bend your knees, get a firm grip on the object, hold it close to your body and space your feet for good balance. Lift using your stronger leg muscles, not your weaker back muscles.

Materials Handling: Do not throw objects. Always carry or pass them. Use flammable items, such as cleaning fluids, with caution. Also, stack materials only to safe heights.

Trash Disposal: Keep sharp objects and dangerous substances out of the trash can. Items that require special handling should be disposed of in approved containers.

Cleaning Up: To prevent slips and tripping, clean up spills and pick up debris immediately. Contact the custodial staff for safe clean up bodily fluids.

Preventing Falls: Keep aisles, work places and stairways clean, clear and well lighted. Walk, do not run. Watch your step.

Handling Tools: Exercise caution when handling objects and tools. Do not use broken, defective or greasy tools. Use tools for their intended purpose only. Wear safety glasses or goggles whenever using a power tool.

Falling Objects: Store objects and tools where they won't fall. Do not store heavy objects or glass on high shelves.

Work Areas: Keep cabinet doors and file and desk drawers closed when not in use. Remove or pad torn, sharp corners and edges. Keep drawers closed. Open only one drawer at a time.

Using Ladders: Place ladders securely. Do not stand on boxes, chairs or other devices not intended to be used as ladders.

Machines: Do not clean machinery while it is running. Lock all disconnect switches while making repairs or cleaning.

Electrical Hazards: Do not stand on a wet floor while using any electrical apparatus. Keep extension cords in good repair. Don't make unauthorized connections or repairs. Do not overload outlets.

Fire Prevention: Know the location of the fire extinguisher(s) in your area and make sure they are kept clear at all times. Notify your supervisor if an extinguisher is used or if the seal is broken. Make sure all flammable liquids, such as alcohol, are stored in approved and appropriately labeled safety cans and are not exposed to any ignition source. Evacuation exits should be posted. Be familiar with fire drill procedures and plans for evacuating scholars.

2. Reporting Safety Issues/Workers Compensation Injuries. All accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues must be reported immediately to the CEO or her designee. If you or another staff member is injured, you should contact outside emergency response agencies, if needed. The Staff members Claim for Worker's Compensation Benefits Form must be completed for any instance of staff injury, even if no medical attention is sought at the time of injury. If you fail to report your injury timely, you may jeopardize your right to collect workers' compensation benefits.

L. Weapons: ASK prohibits all persons who enter ASK property from carrying a handgun, firearm, knives of any length, or other weapons regardless of whether the person is licensed to carry the weapon or not. The only exception to this policy will be police officers, security guards or other persons who have been given written consent by ASK to carry a weapon on the property. Any staff member violating this policy will be subject to disciplinary action

ALL STAFF MEMBERS MUST REVIEW AND BE FAMILIAR WITH SAFETY POLICIES AND PROCEDURES LISTED IN THE ASK SAFETY PLAN.

M. Violence in the Workplace: ASK prohibits workplace violence. Consistent with this, acts or threats of physical violence, including intimidation, harassment, and/or coercion, which involve or affect ASK or which occur on ASK property will not be tolerated. Every staff member is required to report incidents of threats or acts of physical violence of which he/she is aware to the CEO.

Acts or threats of violence include conduct which is sufficiently severe, offensive, or intimidating to alter the employment conditions at ASK, or to create a hostile, abusive, or intimidating work environment for one or several staff members. Examples of workplace violence include, but are not limited to, the following:

- Hitting or shoving an individual
- Threatening an individual or his/her family, friends, associates, or property with harm
- Intentional destruction of or threatening to destroy ASK's property.
- Making harassing or threatening phone calls.
- Harassing surveillance or stalking (following or watching someone).
- Unauthorized possession or inappropriate use of firearms or weapons.

N. Security: Maintaining the security of ASK buildings and vehicles is every staff members responsibility. Develop habits that insure security as a matter of course. For example: when you leave ASK premises make sure that all entrances are properly locked and secured and the alarm set.

O. Parking Areas: You must use the parking areas designated for staff members. Remember to lock your car every day and park within the specified areas. Courtesy and common sense in parking will help eliminate accidents, personal injuries, and damage to

your vehicle and to the vehicles of other staff members. If you should damage another car while parking or leaving, immediately report the incident, along with the license numbers of both vehicles and any other pertinent information you may have, to your supervisor. The ASK Academy is not responsible for any loss, theft or damage to your private vehicle or any personal property.

P. Prohibited Disclosure of Student information: No person shall sell or use student, faculty or staff lists with personal identifying information obtained from a public school or a local school district for the purpose of marketing goods or services directly to scholars, faculty or staff or their families by any means of communication. The provisions of this section shall not apply if the scholars and their parent/guardian has consented in writing.

Q. Prohibited Sales by ASK Personnel. Staff members of ASK shall not directly or indirectly, sell or be a party to any transaction to sell or receiving any commission or profit from any contract for sale any instructional material, furniture, equipment, insurance, school supplies to ASK. This provision shall not apply in cases in which ASK staff contracts to perform special services with the school with which they are associated or employed during time periods wherein service is not required under a contract for instruction, administration or other employment. No staff members of ASK shall solicit or sell or be the party to a transaction to solicit or sell insurance or investment securities to any staff member of ASK. Violation of the prohibited sales provisions may constitute a fourth degree felony. In addition, the NMPED may suspend or revoke the licensure of a licensed ASK staff member for acting contrary to this provision.

R. Conflict of Interest. Staff members are prohibited from using confidential information acquired by virtue of their associations with ASK for their individual or another's private gain. Staff members are prohibited from requesting, receiving or accepting a gift or loan for themselves or another that tends to influence them or appear to influence them in the discharge of their duties as staff members.

VII. BENEFITS

ASK is committed to sponsoring a comprehensive benefits program for all eligible staff members. Literature is available from our insurance companies for details on your health/dental coverage. Please see the Business Office for information on your benefits and coverage.

**ASK RESERVES THE RIGHT TO MODIFY OR TERMINATE
NON-MANDATORY EMPLOYER BENEFITS AT ANY TIME**

If you are a full-time staff, or a part-time staff member who works more than twenty (20) hours per week, you will be eligible to receive all of the benefits described in this Staff Handbook. For part-time staff members, benefits are pro-rated. Coverage is available to you and your dependents as defined in the benefit summary plan descriptions. The exceptions are long term substitutes and educational assistants who are not eligible for benefits, according to NMPSIA. Please see the Business Office for details.

A. Group Insurance: Staff members may participate in the New Mexico Public school Insurance Authority's (NMPSIA) Staff Benefits Group Plan, which consists of Group Medical, Dental, Vision, and Basic Life coverage. Staff members who are active at work and work the minimum qualifying number of hours shall be eligible for the following:

1. All staff members who work a minimum of twenty (20) hours or more per week shall be entitled to participate in Medical, Dental, and Vision coverage.
2. ASK shall enroll and pay premiums at the rate of 100% for Basic Life insurance coverage for any staff member who works a minimum of fifteen (15) hours per week, regardless if the staff participates or is eligible to participate in any other line of NMPSIA coverage.
3. Members of the Governing Council are not eligible to participate in medical, dental, vision, and life insurance coverage.
4. A newly eligible staff is required to enroll within thirty-one (31) calendar days of being hired or within thirty-one (31) calendar days of being upgraded to that of an eligible staff member.
5. An eligible staff member who has a change in status is required to complete the appropriate NMPSIA Staff Record Change Card within thirty-one (31) calendar days from the qualifying event.
6. Pursuant to federal law and NMPSIA rules, an eligible staff may enroll in medical coverage for the occurrence of "special or significant life events" as defined by NMPSIA rules.
7. ASK shall comply with the 1985 Consolidated Omnibus Budget Reconciliation Act (COBRA) in notifying staff members of their right to continue health and life insurance coverage upon resignation, termination, or retirement. Dependents that are also losing coverage upon becoming ineligible shall also be informed of their COBRA rights.

B. Life Insurance Coverage.

1. The ASK Academy shall provide the following Basic Life/Accidental Death and Dismemberment coverage to all staff members: \$50,000 Life/AD&D.
2. ASK Academy staff members have the option to select Voluntary Life through Legacy Financial for themselves, spouse or children, which is a 100% staff deduction.
3. ASK shall provide staff members, on a prorated matching basis, long-term disability coverage. The waiting period for coverage shall be thirty (30) days.

C. New Mexico Retirement Plan: The New Mexico Educators Retirement Act is provided to eligible staff members (those who have completed sufficient service) with a monthly pension benefit upon retirement. All staff members who work more than 25% of the time (.25 FTE) are mandated by the New Mexico Educational Retirement Act to participate in the retirement plan. Participation in the Plan begins on **the first day of the month following your date of hire**. ASK and the staff members are required by State law to contribute to this retirement plan operated by the New Mexico Educators Retirement Board. The details regarding ASK and staff member contributions, vesting, administration, and investments are provided in the Summary Plan Description, made available through the Education Retirement Board.

D. Social Security: In accordance with the applicable federal law, all staff members are required to participate in and contribute to Social Security. ASK also makes a mandatory matching contribution on behalf of staff members. Contribution levels are established by law, and are subject to change. To obtain information about Social Security and related programs, you may contact the local Social Security office.

E. Workers' Compensation: ASK maintains Workers' Compensation Insurance coverage for staff members who sustain an injury or illness compensable under the New Mexico workers' compensation laws. ASK pays the full cost of the workers' compensation insurance. All workers' compensation claims are subject to evaluation and investigation by ASK and its insurance carrier. If you are injured while performing duties related to your job at ASK, you must report the injury promptly to your immediate supervisor. More information is available from ASK's Business Office.

F. Unemployment Compensation: ASK staff members are covered in accordance with applicable unemployment compensation laws and regulations that also govern eligibility for unemployment benefits. All forms or contacts related to unemployment compensation claims should be delivered or referred to the ASK CEO or Business Office.

G. Leave Benefits: As a part of the Benefits package provided to ASK staff members, regular full-time staff members on the current school calendar contract are entitled to 10 paid leave days per ASK year. Employees accrue leave at a rate of 1 day or 8 hours per month, earned on the first pay period of each month, August-May.

All full-time staff members on an extended calendar: defined as 2-3 weeks before school starts and 2-3 weeks after school ends, earn a total of 12 days of leave per year. These employees accrue leave at a rate of 1 day or 8 hours per month, earned on the first pay period of each month, July – June.

Contract personnel are entitled to the number of leave days stated in their contract. Unless otherwise provided for or as approved by the CEO, leave is to be used by staff members in accordance with the following provisions:

1. Misuse of leave is cause for discipline, up to and including termination or discharge.
2. Notice of absence from work should be provided to your direct supervisor by no later than 7:30 a.m. on the day of absence. If use of leave is foreseeable, advance notice should be requested from your direct supervisor for

approval. Approval will be dependent upon the availability of reserve teachers, if one is required.

3. A staff member will not be paid for unused leave days upon severance of his/her employment from ASK, however, unused leave may be carried over into succeeding ASK years.

4. If you are absent because of an illness, your direct supervisor may require that you submit a written statement from your health care provider stating that you are able to resume your employment responsibilities.

The Governing Council may also allow approved leaves of absence. Leaves may be granted with or without pay. Requests for Leave forms must be completed and submitted to the CEO for approval. Explanations of the reason for leave should be entered on a Request for Leave form.

G. Bereavement Leave: After a death in the immediate family of any staff member, ASK staff may use up to three (3) days of bereavement leave, from their accrued personal days, without loss of pay. For each bereavement day the staff member was scheduled to work, a staff member may utilize personal paid days in an amount equivalent to the number of days that the staff member was scheduled to work. The staff member may be required to submit proof of death and/or funeral or services date. Immediate family includes current spouse, parent, step-parents, parent-in-law, step parent-in-law, grandparent, child, stepchild, grandchild, sibling, step-siblings, current domestic partner, child of domestic partner and any relative living in the household of the staff.

H. Leave for Jury Duty and Subpoena for Witness Service: Staff members are encouraged to serve as jurors when summoned to do so but should advise their direct supervisor of the date of such service immediately upon receipt of notice. Staff members will receive their normal compensation from the school and are expected to remit to the school any pay received for jury duty if the employee serves for more than two consecutive days.

If you are served with a Subpoena for witness duty and the matter in which you are to testify is directly related to ASK, e.g. ASK student or staff matter, ASK will pay you your normal compensation from the school, plus any mileage reimbursement, and you are expected to remit to the school any pay received for witness fees. To be reimbursed, you must present the subpoena and a copy of the witness fee payment voucher.

I. Professional Leave: may be granted at the discretion of your direct supervisor, upon request, for professional development, professional organizational activities, ASK-related professional activities, or other activities related to the staff member's assignments.

J. Religious Leave: Leave may be granted, upon request, for observance of recognized religious events. Personal leave may be used or leave without pay will be granted. This leave may be granted for up to two (2) days per year.

K. Military Leave of Absence: If you are a full-time staff member and are inducted into the U.S. Armed Forces, you will be eligible for reemployment after completing military service, provided:

1. You show your orders to your direct supervisor as soon as you receive them.
2. You satisfactorily complete active duty service of five years or less.
3. You enter the military service directly from your employment with ASK.
4. You apply for and are available for re-employment within ninety (90) days after discharge from active duty. If you are returning from up to six (6) months of active duty for training, you must apply within thirty (30) days after discharge from active duty.

L. Military Reserves or National Guard Leave of Absence: Staff members who serve in the U.S. military organizations or state militia groups may take the necessary time off during the ASK year, with pay up to 15 days, to fulfill this obligation, and will retain all of their legal rights for continued employment under existing laws. These staff members may apply accrued personal leave and unused earned vacation time to the leave if they wish, however, they are not obliged to do so. **You are expected to notify your supervisor as soon as you are aware of the dates you will be on duty so that arrangements can be made for replacement during this absence.**

M. Voting Leave: will be granted to staff members who are eligible voters and whose scheduled work day begins less than two hours after the polls open (before 9:00 a.m.) and ends less than three hours before the polls close (after 4:00 p.m.) If you qualify you will be granted for a maximum of two (2) hours with pay in order to vote in an election recognized under the law. Written requests for this leave must be submitted prior to the day of the election. Your direct supervisor will schedule voting leave to ensure department work is covered.

N. Domestic Violence Leave:

1. The Law. Promoting Financial Independence for Victims of Domestic Abuse Act, NMSA 1978, §§ 50-4A-1 to 50-4A-8 went into effect July 1, 2009. Under the Act employers are required to give eligible staff members "domestic abuse leave," which is defined as "intermittent paid or unpaid leave time for up to fourteen days in any calendar year to obtain or attempt to obtain an order of protection or other judicial relief from domestic abuse or to meet with law enforcement officials, to consult with attorneys or district attorneys' victim advocates or to attend court proceedings related to the domestic abuse of an employee or a employee's family member." It is prohibited under the Act to retaliate against a staff member who uses domestic abuse leave.

2. Notice. When domestic abuse leave is taken in an emergency, the staff member or the staff member's designee shall give notice to your direct supervisor within twenty-four hours of commencing the domestic abuse leave. All information provided to the employer under this provision shall remain confidential and employer may not disclose staff member's information unless staff consents in writing, or pursuant to a court or administrative agency order or as otherwise required by state or federal law.

The ASK Academy will require verification of the need for domestic abuse leave, and, if so, a staff member shall provide one of the following forms of verification through furnishing in a timely fashion:

- (i) a police report indicating that the staff member or a family member was a victim of domestic abuse;
- (ii) a copy of an order of protection or other court evidence produced in connection with an incident of domestic abuse, but the document does not constitute a waiver of confidentiality or privilege between the staff member and the staff members advocate or attorney; or
- (iii) the written statement of an attorney representing the staff member, a district attorney's victim advocate, a law enforcement official or a prosecuting attorney that the staff member or staff members family member appeared or is scheduled to appear in court in connection with an incident of domestic abuse.

3. Benefits and Leave Accrual: Staff members shall be required to use any unused leave during periods of domestic abuse leave, and thereafter any remaining leave shall be designated unpaid leave. Staff member's health coverage and other benefits shall continue during domestic leave. The ASK Academy shall not include time taken for domestic abuse leave in calculating eligibility for benefits.

Review of Staff Handbook 2022-2023

This handbook will also be located on our website at www.theASKacademy.org

I, _____, understand that the Staff Handbook contains important information. I acknowledge that this handbook contains information and policies that I should be familiar with while employed by The ASK Academy.

I have reviewed the information and policies contained in this handbook and understand that I will be held accountable for its contents. Failure to abide by these guidelines can result in the discipline outlined in this handbook.

I understand further that failure to return this acknowledgment form does not excuse any individual from complying with the Staff Handbook or any of The ASK Academy policies, rules and guidelines. I am aware that The ASK Academy reserves the right at any time to amend or to add to the policies and rules contained or referred to in this handbook. I am also aware that any changes or updates to this handbook will be posted on The ASK Academy website.

Directions for return of this form:

1. Staff member review handbook.
2. Staff member sign below handbook acknowledgement.
3. Staff member returns this page to the Business Office.

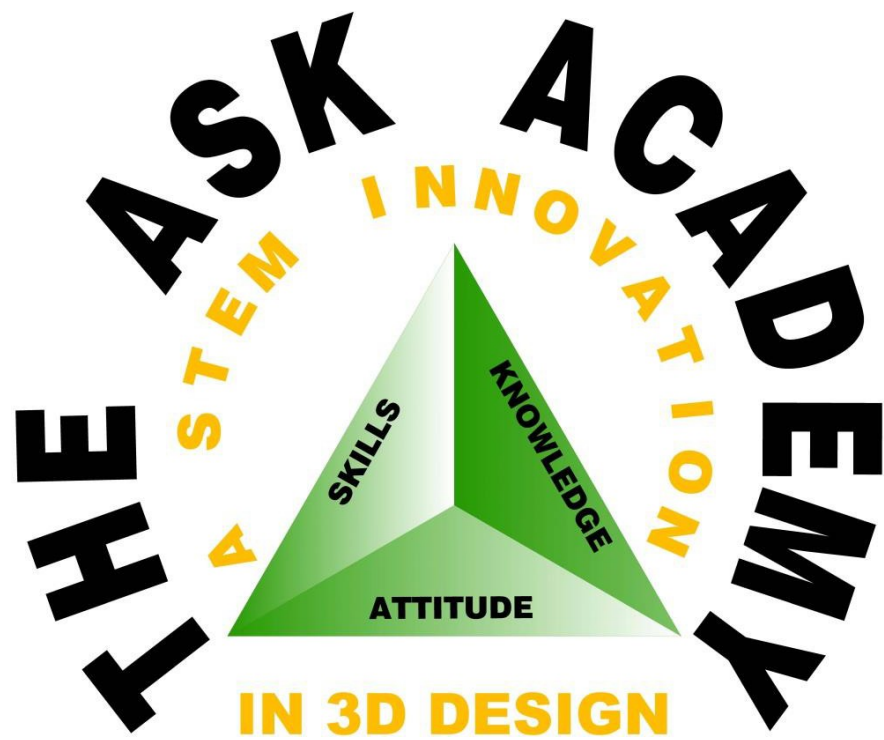
New staff members who start after the beginning of the academic year must return this acknowledgement page within one week after receipt.

Date: _____

Staff Member Name (Print) _____

Staff Member Signature _____

Please sign and return this page **ONLY immediately** and keep
The ASK Academy Staff Handbook at home for future reference.
This form will be retained in your Employee File.



Scholar and Parent Handbook 2022-2023

**The ASK Academy
Scholar and Parent Handbook
2022-2023**

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General Information

Welcome to The ASK Academy!

The ASK Academy is dedicated to developing the three ASK pillars – Attitude, Skills and Knowledge. ASK wants to create an innovative learning culture for scholars in grades 6-12 that will engage a culturally diverse population of learners into the learning process.

This ASK Academy Scholar and Parent Handbook is provided to enable all ASK scholars and parents to understand the general rules, guidelines, and expectations for The ASK Academy. Please read this handbook and familiarize yourselves with its contents to help us all have a wonderful academic year and to avoid any problematic issues.

The material contained in this handbook provides a **summary** of the operations, policies and procedures for The ASK Academy. In case of conflict between policy and the information in the Scholar and Parent Handbook, the policy most recently adopted by the Governing Council will prevail.

This handbook applies:

- During regular academic hours and/or on Academy property; and
- At times and places where appropriate Academy administrators and staff have jurisdiction including, but not limited to Academy-sponsored events, during transportation of scholars' field trips, and other Academy-related activities.

The ASK Academy Mission - The ASK Academy emphasizes science, technology, engineering, and mathematics (STEM) curricula to create a learning culture through: project-based learning experiences, high academic standards, 21st century technology, research programs, relationship building and a partnership program engaging scholars in the learning process. The ASK Academy will provide multiple opportunities for scholars to demonstrate attitudes, skills and knowledge of the core standards through independent learning experiences."

The ASK Academy Vision - Building relationships to create self-directed learners.

If you will notice, our vision statement says nothing about Science, Technology, Engineering or Mathematics (STEM), even though The ASK Academy is a STEM pipeline for New Mexico high school scholars. This is because our experience in education taught us the most important ingredient to developing a healthy learning environment is relationships. No one will care what you know, until they know that you care. Building real, meaningful relationships with scholars, managers, Board of Directors, parents, and STEM partners is the most important step toward The ASK Academy making its mission meaningful.

Contact Information

Website www.theaskAcademy.org

Address

4550 Sundt Rd NE
Rio Rancho, NM 87124

Phone Number (505) 891-0757

Fax Number (505) 891-2115

Staff Directory

CEO	Constance Castilleja
COO	John Keelin
Middle School Principal	Edward Garcia
High School Principal	Nadyne Shimada
Director of Special Education Services	Sharon Abeyta
Attendance/Registrar/STARS Coordinator/SIS Coordinator	Mary Lou Lopez
Receptionist	Stephany Munoz
Administrative Assistant	Roberta Brown
Counselor/SAT Coordinator/504 Coordinator	Lauren Estrada
Social Worker/Homeless Liaison	Dayne Williams
Occupational Therapist	Camille Hernandez
Speech Language Pathologist	Michelle Montoya
Diagnostician and Reading Intervention/Special Education	Tony Brown
Information Technology	Jessica Del Curto
HS English/Assistant Director of Special Education Services	Laurie Price
HS English	Dain Forsythe
HS English	Emily Romero
MS English/Special Education	Corki Morales
MS/HS Physical Education	Bahador Mousavi
HS Math and Engineering	Kim Pierce
Test Coordinator and Tech Manager	Barbara McCann
HS Science and Biomedical Sciences	Larry Hartwick
HS Math	Michelle Nunez
HS Science and Biomedical Sciences Pathway Lead	Lisa Flores
HS Science	Krista Pink
HS Social Studies/Assistant Director of Special Education Services	Christopher Castilleja
HS Spanish	Daveed Korup
MS Engineering/Social Studies	Nevelyn Headrick
HS Engineering Pathway Lead	Kim Ayres
MS Engineering and Design	Stephanie Davis
MS Biomedical	Gina Paulson
MS Science	Perla Gonzales
MS Science	Steven Cole
MS Science	Curtis Sky Strong
MS Social Studies	Cheryl Walker
HS English	Bonnie Smith
MS Social Studies	Samantha Vollmar
MS English/ELL/SAT	Janisse Vazquez
MS Art/Professional Development Lead	Alexander Tharinger
MS Math	Carol Donlin
MS Math	Deanne Miller
MS Technology	Crystal Bolton
MS English	James Gachupin
Maintenance	Jessica Gallegos
MS Social Studies	Lester Miller
MS Math	

Governing Council

The ASK Academy Governing Council makes policy decisions concerning the Academy and interviews and hires the Head Administrator. The members of the Governing Council operate according to its bylaws. The council members are volunteers who oversee the operation of the Academy and ensure that The ASK Academy charter's goals and mission are carried out. Regular meetings are held on the second Thursday of every month at 6:30pm (unless otherwise indicated) and often, other meetings are convened to discuss Academy business. Notices of The ASK Academy Governing Council meetings will be posted on the website at the Academy and/or advertised in the Rio Rancho Observer.

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

Governing Council Members

Chair	Michael Smith
Vice Chair	Dr. Denise Gonzales
Secretary	Mike Malloy
Director	Andrew Bartkus
Director	Lindsey Bomke
Director	Dr. Jeanne Forrester
Director	Tonya Ross

Calendar and Hours

Calendar

Please see the calendar in the back of this handbook. The calendar indicates academic days, professional development dates, SLATE conference dates, end of terms and other important dates.

Academy Hours:

Scholars are to arrive no later than 8:00am Monday - Thursday. *There is no class on Friday, but scholars may come for intervention, project work, or tutoring from 8:00am-10:00am.* The opening of the academic day is very important and we expect all scholars to be on time. Scholars entering after 8:10am must report to the office for admittance into class.

Monday – Thursday

Office Hours 7:30am – 4:30pm

Class Time 8:00am – 4:00pm

Friday

Office Hours 8:00am – 12:00pm

Tutoring/Intervention 8:00am – 10:00am

Professional Development 10:00am-12:00pm

All day Friday PD as noted on calendar

Authority of The ASK Academy

The ASK Academy has both the authority and the responsibility to ensure that suitable rules of scholar conduct and appropriate disciplinary processes are established for The ASK Academy. With certain limits, The ASK Academy's Governing Council has the discretion to develop such rules, policies and procedures as it deems appropriate.

All scholars are under the authority and direction of the Academy Administration, or designee, and the immediate control and direction of the project manager or another member of the instructional staff to whom such responsibility may be assigned by the Administration:

- while they are being transported to or from the Academy at public expense
- when they are attending the Academy
- when they are engaged in an Academy-sponsored activity on or away from the Academy premises
- during a reasonable time before and after a scholar is on the premises for attendance at the Academy or for authorized participation in an Academy-sponsored activity ("reasonable time" shall mean fifteen (15) minutes before the academic day or Academy-sponsored activity is scheduled or actually begins or ends, whichever period is longer.)

General Statement of Citizenship

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

- **Have Respect** - At the Academy everyone works to make sure that everyone is safe and well and that their day will be pleasant. Everyone must do their part by:
 - Following directions
 - Respecting others' personal space
 - Respecting other people's and our Academy's property
 - Exhibiting respectful behavior and language
 - Respecting others identity
 - Practicing safety at all times
 - Using Academy equipment and materials appropriately
 - Staying on Academy grounds in assigned areas
 - Putting forth your best effort
 - Being thoughtful and attentive when listening
- **Free Speech** – All scholars have the right to express themselves as long as it is not offensive and does not hurt or negatively impact others, or disrupt the learning environment. When pledging the flag, scholars should stand with everyone else unless their parents say they should not because of religious beliefs. If there is an Academy program, party, or play which parents will not allow a scholar to attend because of religious beliefs, let the project manager know in advance.
- **Know the Rules** –The Academy has rules for all scholars, which all scholars must know and follow. If a scholar breaks a rule, he/she will be treated fairly. Scholars will be allowed to tell their side of the story to the project manager or someone in the office. Discipline may include talking with the scholar, talking with the scholar's parents or guardians, or having the scholar stay after the academic day or more severe consequences depending on the behavior.
- **Get Together** – During their free time, scholars may get together on Academy grounds or buildings if permission has been given and if it will not disturb others.
- **Learn in the Academy** – The Academy will help scholars grow into productive and successful adults. To do this, scholars must take part in all of their courses and other activities to the best of their ability. All Academy staff are there to help scholars do their best. If you have any questions or problems, ask for help. Scholars who bother others and make it hard for others to learn may be removed from the learning space to receive behavioral intervention and support.

- **People Who Are Different** - Everyone is different in his or her own way. We should treat all people fairly, as we would like to be treated. If a person is verbally, physically, or via social media, attacked/bullied for who they are, what they believe, their appearance, or other reasons, the attacker may face serious discipline consequences.
- **Come to the Academy** – Only when healthy, scholars must attend the Academy each day and be on time. When scholars are sick or have a family emergency, they should remain at home. When they return to the Academy, they should have a note from a parent or guardian, explaining why they were absent and to ask all project managers about missed assignments. Scholars are responsible for contacting their Project Managers to get assignments when they miss class.

The ASK Code of Honor and Integrity

The ASK Code of Honor and Integrity is summarized as follows, “Let every individual who finds themselves a member, or is contemplating becoming a member of The ASK Academy, embrace this important statement as their own: **I give my word of honor and have the integrity to maintain my honor, to resist every temptation that may arise!**”

The purpose of the ASK Code of Honor and Integrity is to instill and preserve a learning culture that promotes academic honesty. Ideally, a scholar’s personal integrity is sufficient assurance that he/she will not copy or use information or files that are the intellectual property of another person, or claim the work of another as their own. While the environment and expectations of The ASK Academy encourage collaboration as acceptable and necessary, The ASK Code of Honor and Integrity refers to individual evaluation and/or product production such as quizzes, tests, projects and reports where plagiarism could be an issue.

The ASK Code of Honor and Integrity is one of many attributes we ask scholars to incorporate into their lives to help develop creative thinking, intellectual maturity, personal accountability, and respect for honesty, integrity, and truth. **The goal of the ASK Code of Honor and Integrity is to have all scholars graduate from The ASK Academy as citizens with integrity.**

Admission, Enrollment and Attendance

Admission - The ASK Academy does not discriminate against any scholar based on race, gender, gender identity, religious affiliation, national origin, ethnicity, physical or mental disability, sexual orientation, or on any other legally-protected basis. The Academy is nonsectarian in its programs, admission policies, and employment practices.

The Lottery Process - The ASK Academy fills available seats through a lottery process. The exceptions to this policy are scholars continuing in attendance from year to year who do not need to re-apply, eligible siblings of existing ASK scholars, eligible scholars of those employed by the academy, and eligible scholars of active military families who will be offered admission for the upcoming school year, if seats are available, prior to the lottery draw, or placed on the waiting list ahead of other applicants drawn in the lottery. Details are also available on our website.

The process begins at 12:01AM on February 1st of each year. Potential scholars must first submit their names and other information through the online scholar application. The filling of available seats in each grade level is done by the end of the second week in March, using all scholar names submitted online by 11:59PM on the last day of February. Selection is done through a public, random, drawing process.

Scholars chosen to fill the available seats will then be sent an email invitation with instructions and with the registration packet attached. They will have five working days to fill out this registration packet and return it to the Academy in order to keep their place.

After all available seats are filled during the public random drawing by the end of the second week in March, all scholars' names remaining on the original lottery list will continue to be randomly drawn for placement on a waiting list for each grade level, and they will be sent an email letting them know where they are on that waiting list. Their place on the waiting list could be impacted by new scholars who also have eligible siblings, scholars of employees of the Academy, and scholars who are members of active military families. When future seats become available, next scholar on the waiting list will receive an email invitation to register.

Scholars who apply after the end of February will be placed at the end of that grade-level's waiting list based on the time-stamp of their online application. If there are seats available in the grade-level they applied for and there is no current waiting list for that grade-level, they will be invited to register.

Registration

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

- Registration forms
- Copy of birth certificate
- Immunization records
- Emergency information forms
- Health/medical consent forms
- Custody orders (if applicable)

Please note that according to state law, all scholars must be in compliance with state immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before attending the Academy. Proof of an exemption must be provided in lieu of immunizations records each year to be allowed to enroll.

After completing the registration process, scholars will be asked to provide additional academic work and references to assist us in placement, and to ensure that we meet scholar academic needs. None of this information will inhibit their acceptance or standing in the Academy.

Change of Contact Information

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

Parent Custody

When parents are separated or divorced, it is required that the Academy have a signed and certified court order on file defining custody and visitation rights. When parents share custody, i.e. have "joint custody," each parent has the right to access and to receive copies of Academy records and information, to attend conferences, and to be informed about the scholar's welfare, educational progress, and status.

The custodial parent(s) are responsible for:

- providing a copy of the signed and certified court order to the Academy; and

- providing the Academy with any revisions/updates to the court order that affect custody, visitation, or scholar record-access rights.

The Academy must:

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

The Academy is not required to hold separate conferences for each parent. Please be sure that the Academy has appropriate contact information for both parents to ensure consistent communications.

Unless prohibited by a certified court order, **and upon request**, the Academy will:

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

Enrollment

Course Enrollment

The ASK Academy requires that all scholars be enrolled in at least one course in each of the four core areas every semester of enrollment. Core areas include English, math, science and social studies.

The ASK Academy also requires that all scholars be enrolled in at least one ASK Academy course within their career pathway (Biomedical Sciences or Engineering and Design) every semester of enrollment to fulfill the mission of the Academy.

The ASK Academy requires more of its scholars than surrounding districts. In addition to the above requirements, we require 28 credits (credit only granted for a score of 70% or better). Successful completion at a higher level of rigor better prepares the scholars for post-secondary success. Adjustments may be made for seniors to meet graduation requirements.

The ASK Academy requires that all scholars be enrolled in at least 4 classes each semester to maintain their status as an ASK scholar.

Given the increased academic requirements of The ASK Academy, it is crucial that parents and scholar communicate regularly regarding academic performance.

Course Withdrawal

With the proper documentation, a scholar may withdraw from a course without penalty up to three weeks after Quarter 1 and Quarter 3 grades are submitted. However, they cannot enroll in another course for credit after Quarter 1 or Quarter 3 has ended. The scholar will be placed in early dismissal, late arrival, or study hall for NO CREDIT. Scholars entering ASK after the school year has begun will be required to provide a current grade from their previous school indicating progress.

Course Withdrawal Procedures

- If a scholar drops a course after the three-week period, they will receive a WNC (Withdrawal with No Credit) on their transcript for the course. A WNC will negatively affect the GPA but may be replaced if the scholar successfully repeats the same/equivalent course at a later date.
- Scholars will not be dropped from a course because of a mathematical inability to pass the course. Scholars will not be removed from a project manager's roster or be excused from attending the course when it becomes mathematically impossible to pass the course for that semester.

Distance Learning

The ASK Academy strives to provide a high quality education for all scholars, and uses and develops 21st century teaching and learning skills. The Administration or the Administration's designee is authorized to establish Distance Learning as per 6.30.8NMAC, a process used to provide instruction for credit when the scholar and primary instructor are not necessarily physically present at the same time and/or place. ASK will assure that scholars enrolled in a distance learning program have the necessary technology at the Academy for all classes or activities.

Credit Recovery Through Edgenuity

ASK currently uses **Edgenuity** an online distance learning program, for courses that need to be recovered. **Any courses that are being taken for credit recovery will be taken during Friday school (10:30-12:30). Edgenuity coursework will not be completed during regular Academy hours. There are other distance learning options available, as long as the program you choose is accredited and approved by the ASK Achievement Manager as an accredited, credit awarding institution. Distance Learning options vary in cost, and, since they are for credit not earned in the initial class, will be charged to the family.**

Dual Enrollment

The ASK Academy will offer Dual Enrollment program that allows eligible scholars to enroll in college-level courses prior to graduation and receive high school and college credit simultaneously as per 6.30.7 NMAC.

The state of New Mexico requires high school scholars to complete a Dual Credit course or online course or Advanced Placement course as a graduation requirement. (6.30.7 NMAC) The ASK Academy Dual Credit program allows scholars a structured opportunity to take college level classes from selected postsecondary partners, while simultaneously enrolled at least 50% of the time as a high school student.

Dual Enrollment (also known as "Dual Credit") refers to a program that allows scholars who have met eligibility requirements to enroll in college-level courses offered by partnering postsecondary institution(s). Dual Credit introduces high school scholars to college level coursework in an area of their interest as declared on their **NEXT STEP PLAN**. Developmental and remedial courses are not eligible for Dual Credit. All courses are for college credit and most transfer back to ASK as elective credit. Dual Credit courses do not replace high school core graduation requirements.

Scholars pursuing Dual Credit courses must realize that the courses are not free. Scholars are responsible for related instructional materials and course specific expenses, the postsecondary institution waives the tuition fee, and ASK pays the cost of the required textbook.

It is the scholar's responsibility to order official transcripts from the postsecondary partner. The ASK Academy will record credit earned from the postsecondary partner upon receipt of an official grade or transcript.

- **Eligibility:**
 - Scholars must be 16 years of age
 - Enroll at the postsecondary partner as Dual Enrollment student
 - Scholars must have reliable transportation
 - Scholars must have a minimum 2.5 GPA and not have an NC at ASK the prior semester
 - Dual Credit course must be within the chosen career field listed on the NEXT STEP PLAN
 - Scholars cannot repeat a Dual Credit class

Courses may **not be remedial or developmental**, and must be on the State's list of approved DE courses, to simultaneously earn credit toward high school graduation and college credit. Note that, at this time, only English, and foreign languages earn subject area credits. All other courses earn elective credits.

Within this program, the postsecondary institution will waive tuition and general fees, The ASK Academy will fund **required** text books. The scholar is responsible for related instructional materials and course-specific fees (e.g. lab, computer).

It is the scholar's responsibility to order transcripts. The ASK Academy will record credit earned from the partner institution upon receipt of an official grade or transcript record.

Dual Enrollment Procedures

The ASK Academy follows the NM Higher Education Department Policies and Procedures Manual for Dual Credit (effective Summer, 2018).

- ❖ Prior to enrollment, scholars must complete a career interest inventory, choose a high school pathway, choose a corresponding post-secondary pathway, and document all of the above on the Next Step Plan (pages 2 and 3) including the selected dual credit courses.
- ❖ All dual enrollment courses must receive prior approval by the Achievement Coach. If a scholar enrolls without consent, The ASK Academy has the right to drop them from the class.
- ❖ First Semester Enrollment: Scholars demonstrating readiness for their college course work (placement determined by the Accuplacer, ACT, SAT, and current high school GPA) may enroll in one first term course in the pathway.
- ❖ Provisional Enrollment: Scholars not demonstrating readiness for their college course work may enroll provisionally in one dual credit course per semester, as determined by the Higher Education Institution (HEI).
- ❖ Full Dual Enrollment Eligibility: Scholars who score at or above college level placement on the Accuplacer, ACT, or SAT, making adequate progress towards high school graduation, and who have successfully completed one dual enrollment course may take two (2) DE courses per semester. To maintain full dual credit eligibility, scholars must obtain course grades of C or better and not obtain withdrawals (WP and WF) for transcribed courses. Scholars who fail an ASK class in the prior semester, or, fail or withdraw from a DE class will not be allowed to enroll in DE courses for the subsequent semester.
- ❖ Scholars will **not** be allowed to enroll in more than 2 DE courses per semester.
- ❖ Scholars may not obtain incompletes (I, INC) for transcribed dual credit courses, and may not enroll in dual credit courses to audit or for Pass/Fail credit.
- ❖ The ASK Academy reserves the right to approve or disapprove of courses based on content.
- ❖ DE courses do not replace HS core credit classes.
- ❖ Scholars must be enrolled at least 51% of their academic day (i.e. 4 out of 7 class periods) at The ASK Academy.
- ❖ Scholars must have a minimum cumulative high school GPA of 2.5 or better.
- ❖ Scholars are subject to the postsecondary institution's enrollment and course eligibility requirements, code of conduct and all policies related to course completion, including: grading, attendance, drop/add and withdrawal procedures.
- ❖ Scholars must provide their own transportation.
- ❖ Scholars must abide by regular operating calendars, schedules and associated requirements of both The ASK Academy and the postsecondary institution. In instances in which the calendars are incongruent, the scholar is required to independently satisfy **both** calendar requirements. Scholars may consult with The ASK Academy Achievement Coach for assistance.
- ❖ One (1) and two (2) credit hour college-level courses equal one half (0.5) credit at The ASK Academy. Three (3) and four (4) credit hour college-level courses equal one (1.0) credit at The ASK Academy.

- ❖ **Course credits earned through Dual Enrollment will count as elective credit at the ASK Academy.** Scholars may request that Dual Enrollment credits apply towards core (foreign language).
- ❖ **Instructional material funded by The ASK Academy must be returned to the Academy.**

Attendance

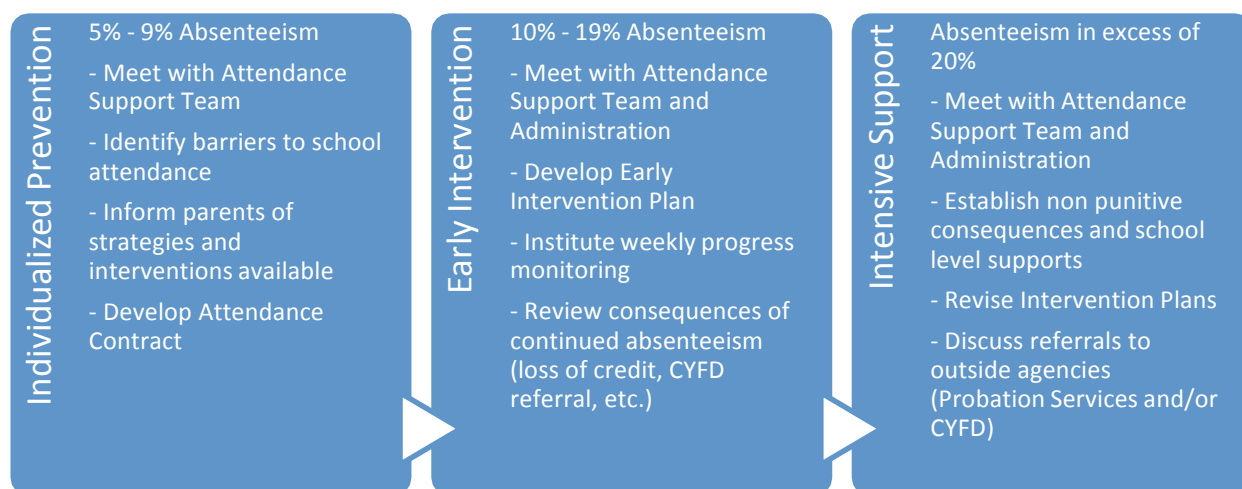
ASK Academy scholars are expected to arrive on time (8:00AM) and be adequately prepared for their day. All scholars arriving between 8:01 and 8:10 will be considered tardy, but may proceed directly to class. Scholars arriving after 8:10AM must sign-in at the office. Scholars arriving after 8:30AM must sign-in at the office and will be considered absent from that class. While regular attendance is required, SICK SCHOLARS SHOULD REMAIN AT HOME.

Please contact The ASK Academy at attendance@theaskAcademy.org or 505-891-0757 to notify us of your scholar's absence.

New Mexico Attendance for Success Policy

The ASK Academy is committed (and legally obligated) to enforce the New Mexico Attendance for Success Act. See Appendix p. 64-70 for the Academy's Attendance Policy and procedures.

The Academy's attendance requirements are consistent with a scholar's obligation to attend and a parent/guardian's obligation to ensure that their scholar attends school. The ASK Academy expects that every parent will consider regular and timely attendance to be imperative to their scholar's educational success. Consistent with the Attendance for Success Act, ASK will implement a three-tiered system of interventions for absenteeism.



Within five days of a parent/guardian's written request, ASK Academy will provide a parent/legal guardian with access to the attendance data of that parent/guardian's scholar, including information about any intervention strategies that have been employed to help the scholar improve the scholar's attendance.

Please see New Mexico Attendance for Success Act as outlined in the Appendix for additional details.

Excessive Absences - Scholars with excessive absences, approximately four (4) days per semester or eight (8) days per academic year will be referred to the Attendance Support Team for intensive support/intervention plans. Also note that high school scholars with excessive absences are in danger of

losing credit for coursework. Attendance is of utmost importance for scholars to be able to participate, learn, and demonstrate competency of the course standards.

A scholar may be excused for parent- or doctor-authorized medical reasons. ASK will require a written verification from the scholar's licensed health care provider if a scholar is absent **for three (3) or more consecutive school days** due to the scholar's health. Subsequent consecutive absences will be counted as unexcused until such documentation is provided.

ASK will also require a written verification from the scholar's licensed health care provider if a scholar is absent a **total of ten (10) or more days** during the academic year due to the scholar's health.

Makeup Assignments - Assignments missed due to absences must be made up by the scholar. The scholar is responsible for obtaining his/her assignments from his/her project manager(s) and completing them within the time frame determined by the project manager(s).

Tardies - The project manager reserves the right to determine whether a scholar is tardy. If a scholar misses the daily start time of 8:00 AM by more than 10 minutes, they will need to sign-in at the front office and obtain a pass to class. If a scholar is late by more than thirty (30) minutes, they will be counted absent. Continual tardies in **any** class will result in the following:

- Three (3) tardies: Lunch Detention
- Four (4) tardies: After School Detention
- Five (5) or more tardies: In School Suspension

If a scholar has more than five tardies in a semester, a parent conference (in person, via e-mail, or by phone) will be held with an administrator. Additional excessive tardies will be considered as a violation of school policy and will be treated under the absence matrix.

Leaving the Academy Before Day's End

Scholars are not permitted to leave the Academy grounds before regular dismissal without a parent/guardian or an adult listed on the Permission to Pick-up form checking them out, in person, through the front office. Parents/Guardians or adults listed on the Permission to Pick-up form are to come directly to the office, sign their scholar out, and the scholar will be called from the classroom. Unless authorized by administrative staff, parents should wait for their scholar in the front office. No one may check a scholar out of the Academy unless they are listed on the Permission to Pick-up form or you have notified us, in writing, prior to the dismissal. Parents are strongly encouraged to schedule doctor and dentist appointments after 4:15pm or on Fridays.

If scholars drive themselves to school and must leave for an appointment, parents must e-mail attendance@theASKacademy.org at least 2 hours prior to the appointment for permission to release the scholar.

Excused Absences for Pregnant/Parenting Scholars

Scholars will be permitted 10 (ten) days of excused absences upon documentation of the birth of that scholar's child. Documentation, in the case of the mother, can be a note from her medical provider; for the mother or father, a copy of the child's birth certificate. Scholars missing school due to the birth of a child shall have the same number of days that he/she was absent for the birth to make up the class assignments missed. The time for make-up work will begin on the first day the scholar returns to class following the excused absence.

Pregnant scholars may take up to four (4) days off for pregnancy related health care for herself if she provides a health care provider note. Scholars missing work related to pregnancy shall have the same

number of days that she was absent to make up the work missed. The time for make-up work will begin on the first day the scholar returns to class following the excused absence.

Parenting scholars (father or mother) may take up to four (4) days to care for a child under the age of 13 needing care. Documentation of parent status may be requested by school administration. A scholar missing school for care related to his/her child shall have the same number of days that he/she was absent to make up the class work missed. The time for make-up work will begin on the first day the scholar returns to class following the excused absence.

Excused Absences for Scholars Experiencing Homelessness

The ASK Academy will evaluate the attendance of homeless youth on a case-by-case basis and develop an appropriate plan given individual circumstances related to shelter and transportation.

Excused Absences for Religious Instruction

A scholar may, subject to the prior approval of the Administration, be absent from school to participate in religious instruction for not more than one (1) class period per school day, with the written consent of the scholar's parent/guardian, at a time that is not in conflict with the academic program of the Academy. ASK Academy shall provide a reasonable time for the scholar to make up school work missed during the absence. ASK Academy does not assume responsibility for the religious instruction for any scholar, nor does it permit religious instruction to be conducted on school property.

Excused Absences for Tribal Instruction

A scholar, with the written consent of his/her parent/guardian and subject to the approval of the Administration, may be absent from school to participate in tribal obligations. ASK Academy shall provide a reasonable time for the scholar to make up the school work missed during the absence.

Interscholastic Extracurricular Activities

A student shall not be absent for interscholastic extracurricular activities (as defined by the Act) in excess of fifteen (15) days per semester, and no class shall be missed in excess of fifteen (15) times per semester for Interscholastic Extracurricular Activities.

18-Year-Old Scholars

Scholars who have achieved the age of majority (18) must fill out the transfer of rights form with their parents/guardians to determine which rights they wish to assume and which rights they wish to share with their parents/guardians. With written parent acknowledgement, these scholars may also sign themselves in and out of the Academy, but only for documented reasons.

Drop-Off and Pick-Up

(Please see the drop-off and pick-up map in appendices at the end of this booklet)

Before Academic Day Drop-Off – 7:30AM – 8:00AM

You can drop your scholars off beginning at 7:30AM by entering The ASK Academy parking lot via the West gate, proceeding to the drop off zone in front of the Academy and proceeding out through the East gate. Scholars arriving after 8:10AM must sign in at the front office.

After Academic Day Pick-Up – 4:00PM – 4:30PM

You can pick your scholars up beginning at 4:00PM by entering, The ASK Academy parking lot via the West gate, proceeding to the pick-up zone in front of the Academy and proceeding out through the East gate. Please do not arrive excessively early.

Unless the scholar is here for a sponsored activity, parents must pick up before 4:30.

Extended Care

Extended care will not be provided by The ASK Academy. If an emergency occurs and you are unable to pick up your scholar by 4:30PM, please contact our office as soon as possible to let us know so supervision can be arranged. Abuse of this policy will not be tolerated; please be considerate of staff. Proper authorities (RRDPS and/or CYFD) may be contacted after repeated instances of failing to timely pickup scholars from the Academy, or if parents/guardians do not pick up their scholar/scholars until after office hours.

Fridays: Drop-Off 7:45AM Pick-Up 10:00AM

Fridays are designed for academic support and other course, or project related learning. Scholars are expected to check-in at the front desk, record who they will be working with and where, and then report to that learning space. They are expected to remain in the indicated learning spaces until 10:00 AM. If they finish early, they are to call their parents to be picked up.

Scholars are not to leave campus on Fridays until they have been picked up by a parent or guardian. If a scholar leaves campus without permission, they will be given a referral for leaving campus and assigned consequences according to the Discipline Matrix.

Inclement Weather Days

Notice - The ASK Academy will usually follow the Rio Rancho Public Schools' decision to delay or cancel Academy attendance on days where weather prevents the Academy from beginning on time or where an early release is ordered. Parents should check The ASK Academy web page for status and should stay tuned to the available news media on days of inclement weather. The ASK Academy will notify parents by phone if school hours are delayed or cancelled. If weather conditions worsen during the day and the Academy decides to close early, The ASK Academy will notify parents by phone or other means of communication to come pick up their scholar(s).

Abbreviated / Delayed Schedule -- School-Wide

The ASK Academy will follow the abbreviated Delayed Schedule on days in which scholars are asked to come in late due to inclement weather. See appendix.

Early Dismissal – School-Wide

The following emergency procedures will be followed at The ASK Academy in the event of early dismissal due to inclement weather or another unforeseen event which necessitates closing the Academy early:

- Parents will be notified by phone and through the local media.
- We will keep scholars at a safe place at the Academy until parents or their listed designee arrives for them, i.e., adults listed on the Permission to Pick-Up form.
- If the parent cannot be reached, the designee will be contacted at the telephone number listed.
- If we are unable to contact anyone listed on the Permission to Pick-Up form, we will refer to the emergency contact information listed on the Emergency Medical Authorization Form
- Academy staff will request identification of any person they do not recognize as the parent or designee before releasing the scholar.

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

General Academy Information

Grading

Please check grades in PowerSchool on a regular basis to ensure that you are not lagging behind on assignment completion and overall class grades. If you notice your scholar is having difficulty, please contact the Project Manager.

Course Grades

The following scales will serve as a guide for the distribution of grades earned at ASK beginning with the class graduating in 2021 through 2023:

<u>Grading Scale</u>		<u>Unweighted GPA</u>	<u>Weighted GPA</u>	<u>*Honors GPA</u>	<u>**AP/DE GPA</u>
96% - 100%	= A+	4.5	4.5	5.0	5.5
90% - 95%	= A	4.0	4.0	4.5	5.0
80% - 89%	= B	3.0	3.0	3.5	4.0
70% - 79%	= C	2.0	2.0	2.5	3.0
Below 70%	= NC	0.0	0.0	0.0	0.0

* Honors courses add an extra .5 GPA to the Weighted GPA

** AP (Advanced Placement) and DE (Dual Enrollment) Courses add an extra 1.0 to the Weighted GPA

Course Grades

The following scales will serve as a guide for the distribution of grades earned at ASK beginning with the class graduating in 2024:

<u>Grading Scale</u>		<u>Unweighted GPA</u>	<u>Weighted GPA</u>	<u>*Honors GPA</u>	<u>**AP/DE GPA</u>
96% - 100%	= A+	4.0	4.0	4.5	5.0
90% - 95%	= A	4.0	4.0	4.5	5.0
80% - 89%	= B	3.0	3.0	3.5	4.0
70% - 79%	= C	2.0	2.0	2.5	3.0
Below 70%	= NC	0.0	0.0	0.0	0.0

* Honors courses add an extra .5 GPA to the Weighted GPA

** AP (Advanced Placement) and DE (Dual Enrollment) Courses add an extra 1.0 to the Weighted GPA

Semester Grade Calculations

Semester 1

Quarter 1	= 40% of Semester 1
Quarter 2	= 40% of Semester 1
Exam 1	= 20% of Semester 1
Total	= 100% of Semester 1

Semester 2

Quarter 3	= 40% of Semester 2
Quarter 4	= 40% of Semester 2
Exam 2	= 20% of Semester 2
Total	= 100% of Semester 2

Grade Adjustment

The Academy requires that project managers follow the procedures established by the Academy subject grade procedures, as well as NMPED regulations governing grade adjustment. A change to a grade can only be made through the procedures indicated below.

- **Procedure to Change a Course Test or Assignment Grade Not Yet in the scholar's permanent record**

The first step is to contact the project manager and discuss the grade and concerns. If the project manager does not agree to change the grade, the parent/ guardian or scholar may submit a request in writing to the Administration using a "Missing or Incomplete Grade Form". The final decision will be made by the Administration no further appeal will be allowed.

A score of zero will be entered for any missed finals. The scholar will have 30 days from the start of the following semester to take the final exam. Managers will then follow the grade change protocol to update the grade. If the scholar does not take the final within the 30-day window, the score of zero will become permanent.

- **Procedures to Change a Course Grade that *is in a scholar's permanent record*.** A course grade that has been entered on a scholar's report card, in the cumulative record, or on a transcript ***is considered a scholar record*** under FERPA by the Academy.

A **project manager** who discovers a grade that was incorrect due to mechanical or clerical errors (this may include an arithmetic error, transcribing error, or posting error) may request a grade change by submitting a "Grade Change Request Form" to the Administration for approval.

If the **parent/guardian or scholar** believes a scholar record grade is inaccurate, misleading, or in violation of the scholar's rights, or can show proof that the project manager failed to reasonably follow the guidelines in the Academy subject grade procedures, the grade may be considered for change.

The first step for the parent or scholar is to submit a "Missing or Incomplete Grade Form" to the Administration. The Administration will begin the disposition in accordance with the hearing procedures established.

- **Procedures to Seek to Correct Education Records** can be found in its entirety in the Policy Manual in the main office of The ASK Academy.

Graduation Requirements – Diploma of Excellence – 28 Total Credits – As follows:

The Classes of 2017 and forward

English (4 credits)

- 1 cr. English 9
- 1 cr. English 10
- 1 cr. English 11
- 1 cr. English 12

Mathematics (4 credits)

- 1 cr. Algebra 1
- 2 cr. Algebra 2
- 1 cr. Other Math

Science (4 credits)

- 2 cr. Lab Sciences
- 2 cr. Elective Sciences

Social Studies (3.5 credits)

- .5 cr. NM History
- 1 cr. World History
- 1 cr. US History
- .5 cr. Government
- .5 cr. Economics

Other (7.5 credits)

- 1 cr. Physical Education
- .5 cr. Health
- 2 cr. World Language
- 4 cr. Biomedical or Engineering Courses

Elective Credits (5 credits)

Any of the above courses taken beyond the graduation requirement may count as an elective

(Within the above requirements, 1.0 credit must be earned through Honors / Advanced Placement / Dual Enrollment or Distance Learning.)

In addition to earning the above credits, scholars must also pass any state required examinations (e.g., SAT, EOC, etc.) to demonstrate competency.

The ASK Academy Diploma of Excellence Bilingualism and Biliteracy Seal Policy

The ASK Academy is committed to graduating future professionals and enabling scholars to be competitive in college admissions and the workforce. As such, The ASK Academy is committed to helping scholars attain fluency in a language other than English, which will set them apart from their peers.

The ASK Academy will offer the New Mexico Public Education Department Diploma of Excellence Bilingualism and Biliteracy Seal, as well as a distinction on their official transcripts, to all scholars who demonstrate proficiency in a language other than English, according to New Mexico state statute/applicable regulations.

There are four ways to earn this distinction:

- **Option 1- Tribal Languages**

A scholar must receive a written certification from the tribal office certifying proficiency in that language.

- **Option 2- Units of Credit and Proficiency Assessment**

A scholar must earn four credits in a world language with a “C” or better and pass a proficiency exam in that same language.

- **Option 3- Units of Credit and Alternative Process Portfolio**

A scholar must earn four credits in a world language with a “C” or better, submit a portfolio, and pass the portfolio presentation in the same language.

- **Option 4- Proficiency Assessment and Alternative Process Portfolio**

A scholar must pass a proficiency exam, submit a portfolio, and pass the portfolio presentation in the same language.

Requirements:

- **For units of credit:** The ASK Academy will honor any world language credit (from an accredited university or other accredited program) that is transferable for credit to The ASK Academy, in addition to credit earned in world language classes taught at The ASK Academy.
- **For the proficiency exam:** The ASK Academy will accept an AP (Advanced Placement) score of a three (3) or higher on a world language test, or a CLEP world language test score of fifty (50) or higher.
- **For the portfolio:** A scholar must obtain approval of the Bilingual Coordinator, to create a language portfolio demonstrating proficiency in the world language. Portfolios must include evidence of proficiency in both receptive and expressive language. The scholar must then present to a committee of reviewers to be selected by the school Bilingual Coordinator, and receiving passing marks.

Scholar Progress Reports, Report Cards, and Ongoing Class Standing

It is essential that each scholar’s academic progress be monitored by their parents/guardians. Parents are provided a PowerSchool account and access code so that they can monitor their scholar’s academic progress. Please utilize this resource on a regular basis.

The ASK Academy will report progress to the scholars and to their parents/guardians as appropriate. The reports will provide a basis of understanding among project managers, parents, and scholars for the benefit of the individual scholars.

The ASK Academy will develop progress report forms or report cards in accordance with this policy.

- **Progress Reports** will be given to scholars to take home mid-way through each quarter (approximately four and a half weeks into the quarter). This progress report is meant to convey an idea of where the scholar's grades are headed for the current quarter.
- **Report Cards** will be distributed every quarter (approximately every nine weeks). Report cards include an explanation of the system of marks used. Report cards are presented at SLATE conferences which are held after Quarter 1 and Quarter 3 are complete. Before report cards are distributed each quarter, the project managers should explain the marking system to the scholars.
- Additional reports will be made when necessary.
 - ❖ Parents will be informed regularly, and at least four (4) times a year, as to the progress their scholars are making in school.
 - ❖ **PowerSchool:** Parents and scholars may access progress through the PowerSchool program at any time. If you are having trouble accessing PowerSchool please contact the Registrar. PowerSchool is the most efficient way to monitor progress because quarterly grades adjust as Project Managers enter assignment grades. The assignments in PowerSchool are the basis for the end of quarter, final examination, and end of semester grades. **Parental involvement and monitoring of progress is the single best way to ensure that scholars are meeting their educational benchmarks.**
 - ❖ While we will do our best to alert and/or confer with parents as soon as possible when a scholar's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration, your vigilance will ensure that grades do not slip beyond recovery.
 - ❖ Insofar as possible, distinctions will be made between a scholar's attitude and academic performance.
 - ❖ At comparable levels, the Academy will strive for consistency in grading and reporting except as inappropriate for certain courses or certain scholars.
 - ❖ When grades are given, Academy staff members will take particular care to explain to parents the meaning of marks and symbols as they apply to scholar achievement.
 - ❖ When no grades are given but evaluation is made informally in terms of the scholar's own progress, such evaluation will be a realistic appraisal of the skills developed by the scholar.

The ASK Academy Scholar Excellence Awards

The ASK Academy values high expectations and achievement and will recognize those scholars who exceed our expectations. While quarterly grades will be reflected on progress reports, semester grades will carry these additional formal acknowledgements. Scholars who earn these designations will be given certificates at the end of each semester.

Middle School

Administration's Honor Roll: All A's at the end of the semester

Honor Roll: A's and B's with no C's or lower at the end of the semester

High School

Administration's Honor Roll: GPA of 4.0 or higher (No NC's)

High Honor Roll: GPA between 3.5-3.9 (No NC's)

Honor Roll: GPA of 3.0-3.49 (No NC's)

Bringing Up Grades Awards

Scholars who are participating in the academic probation program and raise their grades from NC's to C's in 2 or more core classes will be eligible for BUG awards to acknowledge their hard work.

Credit Recovery

Scholars are eligible for Credit Recovery courses via Edgenuity if they receive an NC in any course required for graduation. With the exception of a Lab Science which may require additional

arrangements, scholars must obtain an Edgenuity Online Program Agreement from the Achievement Coach, complete the form with scholar's and parent/guardian signatures and contact information. Scholars are expected to complete the course within the required timeframe (approximately 16 weeks). If scholars do not complete the course within the agreed upon timeframe, an NC will be recorded on the transcript for that semester. Each Edgenuity course bears .5 credit. **Scholars using Edgenuity will pay a fee, and must attend Friday school to complete the work.**

As scholars applying for credit recovery courses are already behind in credits, they are expected to complete these courses off-site and on their own time, if the Academy is unable to schedule them into required classes due to course conflicts.

Field Trips

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

Field trips are a privilege and scholars may not be allowed to attend if they have had behavioral problems during the same semester, or year depending on severity, as the field trip. If a scholar is not allowed to attend a required field trip, an alternative assignment will be given.

While on Academy trips, scholars must follow Academy rules and guidelines. Scholars shall at all times, follow instructions and directives of project managers, sponsors, or chaperones in charge of the field trip. Misbehavior shall result in disciplinary action.

Scholar Parking

Scholars may park their cars, with an ASK Academy parking permit attached to the front windshield on the lower passenger side, in The ASK Academy parking lot *ONLY*. There are a limited number of permits available for \$15.00 per year. All scholars' vehicles must be registered through the office with proof of driver's license, registration, and insurance. Failure to obtain permit and supply documentation may result in a loss of parking privileges or other consequences.

Seniors in good standing are allowed to drive (individually and with a signed parent consent form) off campus for lunch, but must also meet attendance requirements, including returning from lunch on time.

Except for Seniors with permission to leave campus for lunch, scholars are not allowed to go to their vehicles during the school day, including during the lunch break.

Any vehicle that does not display an ASK Parking Permit will be treated as a non-registered vehicle. If a vehicle is illegally parked, or if a vehicle does not have a permit, the Academy has the right to have the vehicle towed and impounded. Towing expenses, fines and accrued storage fees are the responsibility of the vehicle owner.

Parking or off-campus lunch privileges can be revoked if a scholar is speeding, exhibiting any unsafe vehicle operation, or for any other violations regarding their vehicle. The parking fee will not be refunded if a permit is revoked.

Vehicles parked on ASK Academy property are treated the same as lockers regarding contents and search. If there is reasonable suspicion regarding the contents of a vehicle or activities occurring within it, The ASK Academy staff has the right to search the vehicle. If a scholar is found in possession of forbidden materials at school or a school event, their vehicle also will be searched. Any violation of ASK

policy occurring within or around a vehicle on Academy property will be dealt with according to the rules governing The ASK Academy building.

The ASK Academy is not responsible for any theft or vandalism that occurs while vehicles are parked in The ASK Academy lot.

Lunch

The ASK Academy does not offer a cafeteria lunch, but there is a food truck on campus during lunch (M-W) and pizza is available on Thursdays. Scholars must bring their lunch, buy lunch from the food truck (if they are here), or have lunch delivered. Only seniors with off campus privileges can go off campus for lunch. **There can be no more than one scholar per vehicle for off campus lunch: scholars may not drive other scholars to off-campus lunch.**

Lost and Found

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

Personal Property

If your scholar does bring an item to the Academy and loses it, he/she may check in the Lost and Found. The Academy is not responsible for lost, damaged or stolen personal items. Please remind your scholar to leave non-essential personal items at home. They can disrupt the learning environment and create safety problems. There is also a risk of items being broken, lost or stolen. For this reason, do not bring personal items to the Academy.

Parental Concern Policy About Scholars

The ASK Academy encourages parents/guardians to attempt to resolve unsatisfactory situations concerning their scholar at the lowest possible step, which will be described here. However, it is recognized that sometimes an intermediary is helpful for both sides to move beyond an impasse. Therefore, the following policy is provided for resolving situations that are **not otherwise covered by a formal dispute resolution process** (e.g. scholar discipline/suspensions/expulsions, special education matters or discrimination/ harassment complaints, which are covered by other processes).

- **Step 1.** Email specific concerns or questions to the project manager. Speak and/or meet with the person (project manager, staff, or administrator) with whom there is a concern. If there are still concerns, obtain permission to observe the class, and then meet with the manager. Develop a plan for success.
- **Step 2.** If a resolution cannot be reached at this level, then the parent or guardian may contact the person's supervisor (likely the Administration) and request a meeting with the Administration and the other ASK Academy employee with whom there is a disagreement. (If it is the Administration with whom there is a disagreement, then move to Step 3.)
- **Step 3.** If a resolution cannot be reached at Level 2, or the issue is with the Administration, then the parent/guardian should submit a written complaint to the Governing Council Chair requesting a meeting with the Governing Council or its designated committee in closed session. Note - matters concerning a scholar will not be addressed in an open meeting, unless specifically requested by the scholar's parent in writing.

The Governing Council or designated committee will schedule a meeting with the parent/guardian and all ASK Academy employees concerned as soon as practical after the complaint is received by the

Chair. The Governing Council may designate a committee to hear and issue a decision regarding the concern. The Governing Council or its designated committee will be the final step in the process to address the concern. Consideration of scholar matters shall be conducted in closed session, unless specifically requested to be in open session by the scholar's parent/guardian in writing. When reaching its decision, the Governing Council or its designated committee will take into consideration the best interest of the scholar and the mission, goals and policies of The ASK Academy.

Grievance Policy to Address Non-Scholar Concerns

- *Initial inquiry* - Inquiries or concerns from a community member, parent or scholar regarding a specific ASK Academy policy, staff member or program (NOT A SCHOLAR) should first be directed to the staff member involved or responsible for such program. If a community member, parent or scholar (hereinafter "community member") is not sure who is the responsible staff member, or, if the community member has an inquiry or concern of a broad nature, the community member should contact the administrator for clarification on the steps to follow.
- *Initial Grievance Process* - If the community member feels the issue has not been satisfactorily handled at the individual staff member level, the issue may be referred to the Administration. After a meeting between the community member and the Administration, and the matter is not resolved, the Administration will prepare a written summary in an attempt to resolve the community member's concern. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at the administrative level the community member may take the issue to The ASK Academy Governing Council for disposition.
- *Governing Council Review* - The Governing Council, in its sole discretion, may decide whether any particular issue submitted to them is appropriate for Governing Council intervention. Typically, the Governing Council will NOT review administrative decisions regarding the following, under this process: scholar discipline, scholar placements (in special education or regular education classes), complaints about a staff member's performance (except the Administration), matters particularly within the expertise of the educational staff and administration, and matters subject to other procedures. The following procedure shall be followed for a Governing Council Review:
 - ◊ *Step 1* - The community member may submit his/her grievance in writing to The ASK Academy Governing Council within five business days of receiving the Administration's statement concerning the good faith effort to resolve the dispute.
 - ◊ *Step 2* - The letter must be in writing, signed by the community member and delivered to the Governing Council at the Academy. A copy of the Administration's statement should be enclosed.
 - ◊ *Step 3* - If the community member does not submit a written grievance within five business days from the date the written summary prepared by the administrator is delivered to the community member, the complaint will be deemed "resolved."
 - ◊ *Step 4* - The grievance submitted to the Governing Council should include specific reasons why the community member is not satisfied with the administrator's decision; any specific Academy policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person submitting the complaint.
 - ◊ *Step 5* - The Governing Council will decide at the first meeting immediately following receipt of the written grievance whether it will hear the matter, and if it agrees to hear the matter, it will schedule a time for the meeting, which shall not be unreasonably delayed. Depending on the substance of the complaint, the Governing Council will also decide whether the grievance shall be heard as an informal meeting of the concerned parties, an informal hearing with each party being allowed to present his/her side of the story or any other procedure the Governing Council deems appropriate.
 - ◊ *Step 6* - The ASK Academy Governing Council members who are interested parties or who may have an actual or apparent conflict of interest shall disclose such conflict and be excused from the

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

- ◊ **Step 7** - Any meeting or hearing concerning a matter that relates to personnel issues, that is confidential, or that implicates an individual's privacy rights will be held in a closed meeting in accordance with the Open Meetings Act, unless written permission by the affected individual is obtained prior to the meeting.
- ◊ **Step 8** - A decision will be established by a majority vote of the members of The ASK Academy Governing Council hearing the issue. The ASK Academy Governing Council may designate a committee of the Governing Council to meet with or conduct the hearing. Any final action required to be taken by the Governing Council will be made after the committee's recommendation is presented to the full Governing Council.
- ◊ **Step 9** - If additional information or investigations are necessary after the initial meeting or hearing, the meeting or hearing may resume as soon as is practical after further information has been gathered or an investigation has been conducted. The Governing Council will issue a final written decision regarding the grievance. The decision of the Governing Council is final.

Fire and Other Safety Drills

Fire drills are held at the Academy as required by law. Drills may occur at any time of the day. Scholars are requested to move quickly, as directed by the project manager, to the designated exit-area (fire drills), or as directed by the school safety plan (safety drills). Upon completion of the drill, an all-clear signal will be sounded, at which time all persons will return to their classrooms.

Shelter in place, lock down, evacuation, active shooter, and any other drills deemed necessary by the Department of Public Safety will also be conducted throughout the year.

Campus Safety During Extreme Events

Shelter in Place: During a situation such as a medical emergency or any other situation that requires hallways to be clear, scholars will remain in their learning spaces until the situation is resolved and an all-clear announcement has been delivered by the Administration or their designee.

Lock Down: will be issued for any threat deemed dangerous to anyone on the campus. Any threat will be dealt with by ASK administration working in conjunction with DPS. This is our most serious security level. Project managers will direct scholars to follow directions appropriate to the situation.

Should a lock down occur, scholars and project managers will place all electronic devices on silent mode. A cell phone ring, or computer ding could be enough to alert a threatening person that people are inside a learning space. The campus will maintain a secure perimeter during the incident.

Lock-In: occurs when there is an external threat outside of the building or in close proximity to school premises. In the event of a lock-in, scholars are to remain in the building and exterior doors are locked. If a higher level of threat exists, scholars maybe directed into classrooms and those doors may be locked.

Please, do not attempt to contact your scholar during any such event.

Computers, Books and Other Academy Materials

Scholars shall take proper care of books or materials. Replacement or repair of lost or damaged books or materials are the financial responsibility of the parents and scholars.

- **ASK Academy Laptops** - A scholar may choose to be assigned a school laptop computer (with fee to cover associated costs for maintenance and software) which the scholar will use to complete required learning assignments in school, at home, and in the field. All equipment assigned to the scholar is and

remains the property of The ASK Academy. Scholars and their parents will be required to sign an Acceptable Use of Technology Policy and Laptop Contract (appendix). The software applications are fully licensed and appropriate for scholar use. The computer has been imaged to allow scholars to save their work to the hard drive. Scholars should back-up work on external storage devices. Scholars may not add any new software to the laptop computer unless it has been approved by The ASK Academy. Some software additions may impede or conflict with the equipment's established software or disable a level of the computer's performance. The system administrator must have all software licensing on file. Any questions regarding the addition of software to the laptop computer should be directed to The ASK Academy's System Administrator. The scholar and her/his parent/guardian(s) accept full responsibility for the equipment. Should the equipment be damaged through misuse or negligence during the period of this contract, the family must pay for the repair or replacement of the equipment.

If a scholar does not return the laptop at the end of the year, when withdrawing from the Academy, or upon disenrollment, a police report will be filed for theft of property. If the computer is lost or stolen, the family is responsible for the replacement price of the computer as determined by the ASK IT Coordinator. If the computer or components are damaged or broken, fees will be assessed for the repairs/replacement.

Fees:

Replacement computer: Up to \$700

Cracked/broken screen: \$150

Keyboard or missing Keys: \$50

Damage to case: Varies by degree of damage

Chargers: Dell \$60.00; HP \$20

Accessibility for Parents/Guardians

To ensure equal access in accordance with the Americans with Disabilities Act (ADA), The ASK Academy will provide appropriate auxiliary aids and services that may include but are not limited to:

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

These accommodations are available upon request for Parent-Manager Organization meetings, Governing Council meetings, Academy activities, parent conferences, etc. Please notify The ASK Academy administration office if you require any of these services/aids.

Parent and Visitor Information

- **Parent Expectations** - The ASK Academy considers parents to be our partners in the process of education. Parents are expected to get involved in their scholar's education through communication, participating in Academy-sponsored events, and attending conferences. ASK also encourages parents/guardians to volunteer at the Academy, contributing to the educational success of all ASK scholars.

As an active participant in a scholar's education, parents are expected to:

- ❖ Get your scholar to the Academy on time every day.
- ❖ Make learning a priority.
- ❖ Provide a suitable time and place for your scholar to study at home.
- ❖ Maintain regular communication with your scholar's project managers, Academy administrator, and other Academy staff.

- ❖ Stay informed of your scholar's ongoing academic progress by logging in to the PowerSchool program, and advocate for your scholar's learning needs.
 - ❖ Attend all conferences for your scholar, including but not limited to SLATE conferences, SAT conferences, 504 conferences, and IEPs.
 - ❖ Keep ASK informed of your current contact information by notifying us of any change of address, email address, or phone numbers.
 - ❖ Understand The ASK Academy's rules, policies and procedures.
 - ❖ Support ASK administration in enforcing these rules, policies and procedures.
 - ❖ Support the Academy as we maintain high standards of behavior for all scholars.
 - ❖ Alert ASK about any significant life change(s).
 - ❖ Parents are allowed in the buildings only after signing in at the front desk.
 - ❖ Friday scholar support is for scholars. If you would like to meet with a project manager, please make an appointment.
- **Learning Walks** - One of the ways The ASK Academy promotes the learning process in our classrooms is to conduct regular Learning Walks throughout the building. During a Learning Walk, a team of educators, parents and community members observe project managers facilitating instruction. Learning Walks offer an informal yet insightful way to experience The ASK Academy. Call or see the receptionist at the front desk if you would like to participate in a Learning Walk.
 - **Volunteers** - Volunteers are welcome at ASK to participate in scholar activities such as field trips and assisting project managers with projects. Potential volunteers must complete a Department of Public Safety/FBI Background Check at their own expense, which must be approved by the Administration, before they may volunteer at ASK. The form may be obtained in the ASK main office and has a fee required for submission.
 - ◊ Volunteers will be needed for various duties. These duties go from chaperoning field trips to monitoring the building and grounds.
 - ◊ Field trips might occur at any point during the year,
 - ◊ Volunteers will be needed to assist with morning and afternoon pick-up and drop-off, and lunch duty for MS and/or HS. In order to become a monitor, in addition to the background check, you must also complete a safety training that will include a review of all related rules and expectations and additional de-escalation training.
 - ◊ Volunteers will be asked to accept certain responsibilities and be on campus at agreed upon times and dates. The Academy will create a digital calendar and volunteers will be able to choose times and dates when they can assist us.
 - ◊ As always, volunteers will be here to assist Academy staff and should defer any situations beyond basic interactions to administration or a project manager.
 - ◊ If a parent, volunteer, or other visitor violates ASK policies/procedures, they will be restricted from access to ASK campus.
 - **Visitors** - All visitors are required to sign in and sign out through the main office. They will be given a visitor's badge to wear while they are on campus and must return that badge to the main office when they sign out. All visitors shall be accompanied and supervised by staff at all times while on campus, unless they are regular volunteers who have a current, approved background check on file at the school.

Parents are always welcome at ASK, but should ask for and receive permission from the Administration if they would like to be on-campus other than in the main office during the regular academic day.

Visitors such as professionals coming to present in classrooms should have their names submitted to the main office by the sponsoring project manager prior to their visit.

Scholars must ask for and receive permission prior to having other scholars who do not attend ASK “visit” during the academic day. This permission will only be granted under a very limited set of circumstances.

Visitors are expected to follow school policies and behavior norms and not interact with scholars unless as part of a presentation, or in conjunction with the project manager.

Scholar Support Information

Multi-Layered System of Support

The Every Student Succeeds Act (2015) calls for early intervention strategies with family involvement to improve the academic and functional outcomes of scholars. When scholars are struggling with learning or behaviors that interfere with learning at The ASK Academy, we use the Multi-Layered System of Support (MLSS) process that finds and uses strategies that will work with the scholar. We look at how scholars are making progress with the current instruction in their courses to find more effective ways to help scholars make academic and functional progress at the Academy. We also look at what may contribute to difficulties. Together with families we will work to develop interventions aimed at increasing the likelihood that scholars can be successful and maintain their placement in the general education setting.

Struggling scholars are identified through course progress, Academy-wide and state-wide screening/testing processes as well as other means, such as project manager observation or parent concern.

The most important intervention we have is home support, and scholar participation in their academic career.

Academic Supports:

Scholars may sometimes struggle due to a variety of factors. Project Managers, working in conjunction with parents and scholars, will help the scholar reach their academic goals. If a scholar’s grades and performance are falling below ASK standards, we will utilize multiple measures to keep parents and scholars informed of what their present levels of performance are, and steps that will help them reach critical academic measures.

Tier 1

Early Warning System

The ASK Academy utilizes an Early Warning System to identify scholars who are having difficulties in the areas of Academics, Attendance, and/or Behavior. Periodically managers will meet to identify scholars who meet these criteria and relevant information will be shared to assess what the issues are and how best to help the scholars address them. A project manager or Achievement Coach will meet with the scholar and parent to implement, monitor, and measure the impact of any interventions.

Tutoring

The ASK Academy offers several opportunities for scholars to seek tutoring.

- ◊ Individual project managers may offer tutoring at their discretion.
- ◊ Fridays from 8-10AM are dedicated to intervention and tutoring.
- ◊ After school tutoring may also be available.

Math and Reading Intervention Courses

The ASK Academy has created courses to help middle school and high school scholars who have identified weaknesses in the areas of reading and math. These courses will help develop the skills required to become successful in their current grade-level, based on the individual scholar's identified needs.

Parent Conferences

Parents should regularly monitor their scholar's grades in PowerSchool. If a scholar is failing to make adequate progress, the parent should initiate contact with the manager to develop a plan for success. That plan should include available interventions and a plan for success.

Parents will be invited to attend two (2) SLATE (Scholar Led Academic Tales of Excellence) Conferences after Quarter 1 and Quarter 3 of each academic year. At these conferences, the scholar will present the quarter report card and graduation progress, as well as artifacts which represents the scholar's Research in Action project and current course work. The scholar will present their best work, as well as work that could be improved.

In addition to scheduled meetings, parents shall have the opportunity to arrange conferences with project managers throughout the year. Parents may request a conference with an individual project manager by contacting that manager through their email or leaving a message with the receptionist asking the manager to contact the parent.

Parents may request a conference with all of the scholar's project managers by contacting the Achievement Coach, and setting up a date and time that is available. The Achievement Coach will, in turn, notify the managers of the conference. The ASK Academy will consider these conferences as Academic Warning or Academic Probation conferences. If the scholar's performance does not improve with the interventions put in place at such conferences, a SAT conference may be called to consider other interventions in which the focus is to provide targeted, supplemental, and individualized support at a more intense level.

Ongoing Expectation:

All scholars will e-mail parents grade checks every week and include progress updates.

Parents/guardians will have access to PowerSchool to check scholar grades and communicate questions to Project Managers when necessary.

Tier 2

Academic Warning:

An academic warning is an alert that a scholar is struggling and needs to work with their Project Managers to raise their grades. A scholar is placed on Academic Warning if, at a progress report or report card marking period, he/she has an NC in two or more core classes (English, math, science, or social studies). A warning letter will be sent home with the scholar and e-mailed to the family explaining the reason for the warning and the scholar will be given an opportunity to raise his or her grades before being placed on Academic Probation.

Academic Probation:

Academic Probation gives notice to the scholar and parent that there is an academic deficiency and the scholar is at risk of not passing the course, not receiving credit (high school courses), and may be in danger of not graduating on time. Probation is a coordinated effort between home and school to correct the academic deficiency and move forward.

Any scholar in the 8th through the 12th grades who has failed two (2) or more core classes (English, math, science, social studies) may be placed on Academic Probation as determined during major marking periods (progress report or semester report card). An action plan will be created based on the scholar's individual needs. The Academic Probation Information packet will be sent home for parent/guardian review and acknowledgement, and the scholar will begin the program immediately. While on Academic Probation, scholars are required to attend Friday School from 8:00 AM until 10:00 AM. Beginning at 8:00 AM, scholars will meet with Scholar Services Staff to set goals, track progress, and follow their action plan during the remainder of tutoring time on Friday. Scholars are required to follow their action plan during the week and turn in progress tracking sheets each week on Friday during their meeting with the Scholar Services Staff.

In addition to mandatory Friday School, scholars should take advantage of time in Fundamental Connections or Career Pathways to work on assignments and improve basic academic skills (time management, study skills, etc.), make an effort to work with their Project Managers for class and homework help, and schedule tutorials, if necessary, to raise their grades.

Removal/Continuance of Academic Probation:

If, according to the next progress report/report card, the scholar is passing all classes, he/she will be removed from Academic Probation. As long as the scholar keeps his or her grades in core classes at 70% or higher at the end of each marking period, the scholar will remain off probation. However, if a scholar's grades fall below 70% at the end of any marking period, he/she will return to probationary status.

If, according to the next progress report/report card, the scholar is still failing two or more core classes, he/she will remain on Academic Probation. Parents/guardians of a scholar who remains on Academic Probation for multiple semesters, who is out of compliance with the action plan, or who is out of compliance with the contract, may be required to meet with Scholar Services Team to evaluate scholar progress, additional interventions, and next steps. However, this meeting can be requested at any time by any member of the team or administration, including the parent or scholar.

Evaluation Review:

Two successive semesters that end in Academic Probation will result in a conference with administration to review the following: scholar academic progress, additional interventions and supports put in place, scholar participation and compliance with the interventions and supports, attendance, discipline, and communication with parents.

It is our desire to give scholars on Academic Probation support and encouragement. Our goal is to see each scholar restored to good academic standing. The appropriate staff person and/or Scholar Success Team will confer with the scholar and his/her parents/guardians as needed to make recommendations and evaluate the scholar's progress. If the scholar is not able to make the anticipated progress, they will then be referred to the Scholar Assistance Team for more intensive interventions.

Student Assistance Team (SAT)

Struggling scholars are brought before the Scholar Assistance Team (SAT) which will address problems, design, recommend, and measure interventions that will help to alleviate or resolve the situation prior to referral for a multidisciplinary evaluation. In many cases, the SAT is able to assist scholars who need interventions in order to succeed. The SAT team, which includes the scholar, parents/guardians, Project Managers, and the SAT Chairperson, will develop interventions which can be measured to rectify the behavior or to help the scholar develop the skills necessary for academic success. If the interventions have not been successful, the SAT team may request an educational evaluation to determine the existence of a learning or language issue.

Tier 3

Scholar Find

The ASK Academy has an affirmative, ongoing, obligation to identify, locate and evaluate all scholars with disabilities within the Academy community who either have or are suspected of having disabilities and may need special education services as a result of those disabilities. The ASK Academy personnel, a private or public agency or institution, or a parent may initiate a referral for a placement evaluation by contacting the SAT Coordinator to initiate the SAT process. Parents have the right to request an educational evaluation at any time. If you wish to request an educational evaluation of your scholar, please notify the SAT Chairperson so he/she can request a representative from the Special Services department be present at the meeting, to hear and understand parental concerns, explain the evaluation process, to propose and explain the types of testing to be conducted, to secure informed Consent to Evaluate, and to explain the parental rights in special education as they pertain to evaluation. Please note that federal regulations require that the data collected as a part of and prior to evaluation must include interventions and their outcomes.

Section 504

Section 504 is a federal civil rights law under the Rehabilitation Act of 1973. It provides protection against discrimination for individuals with disabilities and in the school setting it is designed to ensure equal access and fairness in general education which is accomplished through the implementation of a 504 Accommodation Plan. This plan is aimed at “leveling the playing field” for them through targeted accommodations carried out in the classroom/on school property/at school events. It is not a plan designed to enhance a student’s performance; it is only to provide fairness and equal access to education.

In the State of New Mexico, there are three required elements of Section 504:

1) The starting point for consideration of a 504 is with the Scholar Assistance Team (SAT) who makes the initial decision as to whether or not the student needs to be considered for a 504 plan. When a student has not responded positively to research-based interventions through SAT and/or has a suspected physical or mental/emotional disability, SAT may refer them to the 504 Coordinator who will initiate the eligibility determination process.

2) The process of determining 504 eligibility begins with the coordinator making contact with the parent/guardian to complete a Parent/Guardian Input Packet and obtaining consent to collect data from a scholar’s managers and medical providers. Once the data has been collected, the 504 team, which includes the 504 Coordinator, parent/guardian, the scholar and at least two managers, will meet and review the information to determine if the scholar’s *impairment limits a major life activity*, whether a mental life activity such as learning, or a physical life activity such as breathing or walking for example.

3) If there is evidence of impairment because of their physical or mental/emotional condition, this impairment must be *substantial*, not mild or moderate. ***It must present a barrier to the scholar’s ability to access the same educational opportunities as those afforded to a non-disabled student, or a substantial limitation does not exist.*** Essentially, the substantial limitation determination indicates that the physical/mental/emotional impairment impacting a major life activity is at a disability level warranting 504 protection.

Parents/guardians may also bring questions or concerns about their scholar’s need for an accommodation to the SAT team and/or 504 Coordinator in the first instance. Parents who have questions about 504 eligibility or concerns about their scholar’s present 504 Plan should contact the 504 Coordinator.

Resource Room

The ASK Academy has Resource Room to provide scholars with special needs additional time and

assistance to complete their program of studies. Interventions such as read aloud and extended time to complete tests, quizzes, and assignments are coordinated with the Resource Room Project Manager. The Project Manager will also help scholars develop study, organizational, and self-advocacy skills, provide individualized tutoring, mentoring, and academic monitoring. Scholars must have an Individualized Educational Plan (IEP) and Resource Room must be on their Program of Studies to enroll.

Educational Services for Gifted Scholars

The ASK Academy offers services to scholars who qualify as gifted through the Special Education program. For information on referral/screening procedures, eligibility requirements and program options, contact the Director of Special Education Services. Project managers and parents can refer scholars to the SAT Team for consideration and evaluation.

ELL (English Language Learner) Program:

The ASK Academy supports scholars whose first language is not English as reported on the Home Usage Survey parents complete when first enrolling their scholar in public education. The ELL population falls into two categories:

- scholars whose primary or home language is other than English, including recent immigrants;
- scholars from heritage language groups needing enrichment and further development of academic English, some of whom maintain degrees of fluency in their heritage language.

The ASK Academy supports this population by providing daily ELL instruction.

McKinney Vento – Homelessness Assistance Act

The McKinney-Vento Homeless Assistance Act guarantees rights and services for homeless students. The ASK Academy desires to ensure that students experiencing homelessness have equal opportunity and access to their education and educational support services. We hope to help reduce the barriers that students experiencing homelessness face. Scholars/parents should reach out to our Academy's Homeless Liaison should you believe your living situation might meet the following criteria or should you need support connecting with community resources.

McKinney-Vento Definition of Homeless

The term "homeless children and youth" means individuals who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:

- ◊ Sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason;
- ◊ Living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations;
- ◊ Living in emergency or transitional shelters;
- ◊ Abandoned in hospitals; or are awaiting foster care placement;
- ◊ Living in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- ◊ Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings;
- ◊ Living in one of the above circumstances and who are migratory according to the definition in Section 1309 of the Elementary and Secondary Education Act of 1965.

Please see the Homeless Liaison for the Academy's policy/procedures regarding homeless and other students protected by the McKinney Vento Act.

Abuse and Neglect

In the state of New Mexico every person who knows or has reasonable suspicion that a child is being abused or neglected must report the matter immediately to CYFD's Statewide Central Intake Abuse Hotline (1-855-333-SAFE (7233) or #SAFE from a cell phone) or to law enforcement or the appropriate tribal identity. In accordance to this state statute, all staff members of the ASK Academy are mandated reporters and, should they suspect abuse or neglect, appropriate authorities will be notified. Individuals making a report may choose to remain anonymous and will be immune from liability, civil or criminal, as long as they have acted in good faith by reporting.

Harm to Self and Harm to Others

Scholar safety and emotional wellbeing is of utmost importance. Should a scholar express intent to harm themselves or others the following actions will be taken.

- In either instances of harm to self or harm to others, a scholar may be removed to a safe location, including but not limited to the offices of the school counselor, social worker, nurse, or Administration for health, safety or welfare reasons.
- If a scholar is observed to have new/ fresh self-inflicted injuries (cuts, burns, bruises, etc.) they should be immediately referred to the school nurse who will provide wound care and collaborate with the school counselor or social worker with regard to suicidal ideation.
- Other concerning scholar expressions of suicidal ideation, threats and/or attempts of self-harm should be reported to the school counselor or social worker who will conduct a timely risk assessment and contact the parent/guardian when warranted. In the event that the scholar's safety at school is in question, the parent/guardian will be instructed to pick up the scholar and a Parent Statement of Understanding will be used to advise parents that a mental health consultation is recommended. In some cases, failure to seek outside mental health services may constitute neglect in which case the Academy is legally obligated to report the situation to the Child, Youth and Families Department (CYFD).
- All threats or attempts of harm to others should be reported to a member of administration who will assess the level of risk and take appropriate action which would include contacting the parent/guardian of those scholars involved, and possibly involving the school counselor or social worker, and/or contacting the Department of Public Safety (DPS) if deemed necessary. If the safety of a scholar at school is in question, parent/guardian will be directed to pick up the scholar and sign a Parent Statement of Understanding which would indicate that the parent/guardian is aware of the threat or action and that a follow up with a mental health provider may be indicated.

Statement of Parents/Guardians Rights Under FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents and those with custodial rights certain rights with respect to the scholar's education records:

The ASK Academy provides the following notice regarding those rights:

- **Inspection** - You may inspect and review your scholar's education records within 45 days of the day The ASK Academy receives a written request for access. Parents of scholars should submit to the Administration or designee a written request that identifies the record(s) they wish to inspect. The Administration will make arrangements for access and notify the parent or eligible scholar of the time and place where the records may be inspected.
- **Amendment** - You may request the amendment of your scholar's education records if you believe they are inaccurate or misleading. To amend the record, the parent should write to the Administration and clearly identify the part of the record the parents want changed, and specify why it is inaccurate or misleading. If The ASK Academy decides not to amend the record as requested by the parent or eligible scholar, The ASK Academy will notify the parent of the decision and advisement of the parent's right to a hearing regarding the request for amendment. Additional information regarding the hearing

procedures will be provided to the parent when notified of the right to a hearing.

- **Disclosure/Consent** – A parent/guardian must consent to disclosures of personally identifiable information contained in their scholar's education records; however, FERPA authorizes disclosure by the school without the parent/guardian consent to the following parties or under the following conditions (34 CFR § 99.31):
 - ❖ Academy officials with legitimate educational interest
 - An "Academy official" is a person employed by The ASK Academy as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Governing Council; a person or company with whom The ASK Academy has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or scholar serving on an official committee, such as a disciplinary or grievance committee, or assisting another Academy official in performing his or her tasks. An Academy official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
 - ❖ Other schools to which a scholar is transferring
 - ❖ Appropriate parties in connection with financial aid to a scholar
 - ❖ Organizations conducting certain studies for or on behalf of the Academy
 - ❖ Accrediting organizations
 - ❖ To comply with a judicial order or lawfully issued subpoena
 - ❖ Appropriate officials in cases of health and safety emergencies
 - ❖ State and local authorities, within a juvenile justice system, pursuant to specific State law
 - ❖ to authorized representatives of the Comptroller General of the United States, the Attorney General of the United States, the U.S. Secretary of Education, and State and local educational authorities for audit or evaluation of Federal or State supported education programs, or for the enforcement of or compliance with Federal legal requirements that relate to those programs;
 - ❖ to the victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense concerning the final results of a disciplinary hearing with respect to the alleged crime; and
 - ❖ to any third party the final results of a disciplinary proceeding related to a crime of violence or non-forcible sex offense if the student who is the alleged perpetrator is found to have violated the school's rules or policies. The disclosure of the final results only includes: the name of the alleged perpetrator, the violation committed, and any sanction imposed against the alleged perpetrator. The disclosure must not include the name of any other student, including a victim or witness, without the written consent of that other student.
- **Directory Information – Right to Opt Out.** The ASK Academy classifies the following as Directory Information: scholar's name, parent/guardian's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, awards received, scholar's photograph, and the most recent previous school attended by the scholar. Certain Academy officials may release this information to any person without the consent of the parents or the scholar. **Any parent or eligible scholar who objects to the release of any or all of this information without his or her consent must notify each year, in writing, the Administration of the Academy where the records are kept.** The objection must state what information the parent or scholar does not want to be classified as directory information. If no objection is received each year, information designated above will be classified as Directory Information until the beginning of the next academic year. ***By signing that you received this policy in connection with the Scholar and Parent Handbook, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.***

If you chose to opt out for permitting your scholar's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form in the appendices of this handbook.

- **Complaint** - You have the right to file a complaint with the U.S. Department of Education concerning alleged failures by The ASK Academy to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

Transfer of Scholar Records

When a scholar withdraws to enroll in another school and records are officially requested by the new school, the following records (if applicable) are forwarded by the Academy: continuous record of academic progress; health data sheet with health notes; special education records; 504 Plan; individual remediation plan; individual health plan/emergency plan; attendance reports; standardized test results/state testing results; indicator of grades and credits received from other schools (if applicable); listing of disclosure and transfer of scholar records; relevant legal documents and documentation of suspensions and expulsions. The ASK Academy may withhold release of a scholar's records if the scholar has an outstanding balance for unpaid fees.

Only an accredited school or accredited homeschool credits will be accepted for Academy credit. Similar courses such as AP, Dual Credit, or Honors level courses taken at other schools will be awarded credit according to The ASK Academy (weighted) grading scale.

The ASK Academy Use of Technology

At The ASK Academy our scholars have access to many valuable instructional technology tools as well as Internet access. Our goal is to teach scholars to utilize these electronic resources to enhance our Academy's instructional goals. The ASK Academy has taken precautions to ensure that scholars are using the Internet and other electronic resources for appropriate educational means. Scholar use of the Academy's Internet and multimedia resources will be supervised by an adult. However, we cannot guarantee that scholars will refrain from locating inappropriate sources. If scholars make choices that are offensive, are deemed inappropriate, or are disruptive to the educational environment, the discipline matrix will be followed. ***Scholars are not allowed to use personal hotspots while on campus.*** Any attempt to circumvent the school's firewall or otherwise subvert electronic safety monitoring, the scholar will be held to serious consequences according to the discipline matrix.

Cell Phones Scholars will not use cell phones in their learning spaces, except when directed to do so by their Project Manager. Project Managers may require that phones be placed in a designated storage area, turned off and placed in backpacks, or other methods that ensure the phone is not a distraction to the learning environment.

Expectation and Consequences for non-Authorized Cell Phone Use:

If a scholar is not following the PM's direction on cell phone storage and use the Project Manager will request the scholar's phone. The PM will then give the phone to Administrative Personnel and the phone may be retrieved at the end of the day. Additional cell phone use infractions will result in disciplinary consequences.

CIPA (Children's Internet Protection Act) Internet Safety Policy:

It is the policy of The ASK Academy to: (a) prevent, to the extent practical, user access to or the transmission over its computer network of inappropriate material via Internet, electronic mail, and other forms of direct electronic communications; (b) prevent, to the extent practical, unauthorized access and other unlawful online activity; (c) prevent, to the extent practical, unauthorized online

disclosure, use, or dissemination of personal identification information of minors; and (d) comply with CIPA.

- **Access to inappropriate material** – ASK believes that staff supervision, an acceptable use policy, electronic monitoring of Internet activity, and use of technology protection measures are all parts of a comprehensive plan to protect scholars from inappropriate materials. To the extent practical, technology protection measures (or “Internet filters”) shall be used to block or filter Internet access to inappropriate information, or other forms of electronic communications, deemed inappropriate.

Specifically, as required by CIPA, blocking shall be applied to visual depictions of material deemed obscene, pornographic, or child pornography, or to any material deemed harmful to minors. Materials promoting hate, violence, defamatory speech, or other offensive materials are also forbidden.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

General Rules for Scholar Technology and Internet Use

These guidelines, along with ASK Board policies, must be followed to prevent loss of network and Internet privileges at The ASK Academy. The following guidelines should be practiced whether ASK computers access the ASK network or the Internet on or off campus at any time of day or night. Events that occur outside of school hours are subject to Rio Rancho Department of Public Safety intervention.

- Scholar use of instructional media must be in support of grade appropriate Academy instruction.
- Scholars will use respect and show proper care and handling of all equipment. Any scholar found to be intentionally damaging any software or hardware will be cited for abuse of Academy property and the scholar’s parent or guardian will be financially responsible for any damages.
- Scholars are expected to respect and not attempt to by-pass security in place on computers. Changing or attempting to change a computer’s settings is a violation of acceptable use of our equipment.
- Scholars will observe software copyright laws. No scholars will bring software from home to copy on Academy computers, nor will scholars copy Academy software for personal use.
- When using the Internet, scholars’ actions will be supervised. They will be held responsible for information viewed, received, and sent.
- Scholars are expected to respect the work and ownership rights of scholars, staff, and people outside the building.
- Keep your password and login information to yourself.
- Understand that email on networks should not be considered absolutely secure or private. Scholars should exercise caution before opening attachments to e-mail received from outside the Academy. There is a risk that such attachments may contain programs or executable files that carry viruses. Do not open attachments unless the source and/or sender can be verified.
- All email using The ASK Academy network is subject to search based on probable cause.
- Keep personal information private; home addresses, telephone, etc.
- Use ASK resources efficiently. Think before printing; consider storage space requirements and bandwidth issues.
- Tell an adult in charge immediately if you encounter materials which violate the rules of appropriate use.
- Scholars are not allowed to make any recording of another person(s) in any space without permission of the person(s) being recorded. Violation subject to discipline matrix.

Included in the appendices of this handbook is the “The ASK Academy Acceptable Use of Technology Policy and Laptop Contract” that parents and scholars will be required to sign before the scholar will be permitted to use The ASK Academy technology and related equipment. Violation of the technology use policy may result in a scholar losing his/her technology privileges, and/or other disciplinary consequences.

No Expectation of Privacy

Academy network spaces and equipment are analogous to scholar desks or lockers and may be inspected when network maintenance becomes necessary or if scholars are suspected of abusing access rights, and to ensure compliance with The ASK Academy policy and applicable laws and regulations.

Health

Immunization

Please note that according to state law, all scholars must be in compliance with state immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before attending the Academy. Proof of an exemption must be provided in lieu of immunizations records to be allowed to enroll.

Illnesses/Contagious Diseases

For the protection of all scholars, your scholar should be kept at home if he/she has any of the following symptoms: fever, diarrhea, vomiting, a rash, nasal discharge, discharge from the eyes or ears, or any symptoms of the COVID-19 virus. Scholars experiencing any of the previous symptoms should report to their physician and not return to school until a doctor deems them non-contagious. Parents should exercise every caution and keep their scholar home should other unusual symptoms occur. If a scholar becomes ill while at the Academy, a parent/guardian will be called to pick up the scholar immediately. Scholars experiencing any of the above symptoms should not return to school until a physician deems them non-contagious.

If your scholar has been exposed to a contagious disease, he/she should be kept at home until cleared by a doctor to return **and the occurrence of his/her condition should be reported to the Academy immediately**. Chicken pox, ear infections, giardia, hepatitis, measles, mumps, scarlet fever, strep, and viral infections such as COVID-19 are among those conditions categorized as "highly contagious".

Medications Policy

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

- **Inform** - Parents/guardians must inform the nurse or administrator when a scholar requires medications during the academic day. Scholars observed by Academy personnel self-administering unauthorized medications shall be reported to their parents/guardians. Additional discipline consequences will also be taken.
- **Written Permission** - A written statement is required from the parent/guardian and physician authorizing the administration of all medications and releasing Academy personnel from liability should reactions result from the medication. The written statement must include the scholar's name, diagnosis, name of medication, dose, time to be given, and signatures of parent/guardian and physician. *Forms are available in the health office.*
- **Labeled Containers** - Medication must be provided in pharmacy labeled containers that indicate pharmacy name and telephone number, scholar's name, physician, name and dosage of medication. The dispensing pharmacy must split medication into duplicate bottles if it is necessary to give medication during academic hours. One bottle will be kept at home and the other at the Academy under the care of Academy authorities.
- **Administration** - A nurse will administer prescribed medication. In the absence of the nurse, the medication will be dispensed by an administrator. Scholars will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency (**See additional requirement below**).

- **Doctor's Orders** - Tylenol or other over-the-counter medicines will be administered to scholars only with a physician's written order in addition to the parent authorization as required above. Such over-the-counter medication must be in the original container. Again, parents are urged to administer such medication at home when possible. *Forms are available in the health office.*
- **Disposal** - When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

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

Self-Administration of Certain Drugs

Scholars will be allowed to carry and self-administer asthma medication, emergency anaphylaxis medication, and/or equipment and supplies for storage and disposal of sharps for self-assessment and for self-administration of diabetes treatment medications, if it has been legally prescribed to the scholar by a health care provider under the following:

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

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

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

Student Diabetes Management

Upon enrollment at the Academy or at annual registration, the parent/guardian of a scholar with diabetes who seeks diabetes care while at school shall submit to the school a diabetes medical management plan. Upon submission of the diabetes medical management plan, the school shall review the plan with the parent/guardian, and shall implement the plan. The school does not require or compel parents/guardians to provide diabetes care for a student with diabetes at school or school or school-related activities. Upon the written request of a parent/guardian of a scholar with diabetes, and authorization by the student's diabetes medical management plan, and upon demonstrated proficiency, a scholar with diabetes will be permitted to perform blood glucose checks, administer insulin through the insulin delivery system that the scholar uses, treat hypoglycemia and hyperglycemia and otherwise attend to the care and management of the student's diabetes in the classroom, in any area of the school

or school grounds, and at any school-related activity, and may keep the necessary supplies and equipment on the student's person.

Please refer to the ASK Academy website for the Student Diabetes Management Policy and procedures.

Medical Situations and Emergencies

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

Excuse from Physical Education

Please send a request to the project manager if your scholar needs to be excused from physical education. Written instructions are required from the scholar's physician if the scholar is to be excused for more than two days, and must include a re-entry date.

Academy Rules and Consequences

Academy Policy on Discipline

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

and to have their lawful requests and instructions followed.

Uniform Policy

Freedom of expression, good judgment, respect for others and safety are the foundations of The ASK Academy's approach towards scholar dress. The Academy requires that all scholars wear a prescribed uniform. Our “Dress for Success” Uniform Policy is meant to improve the learning environment and train scholars to see the importance of making a good first impression to professionals in the fields and careers related to Science, Technology, Engineering and Mathematics. This uniform policy is mandatory for all scholars. The uniform also serves as an identifier of who should and who should not be on Academy grounds.

Clothing and accessories must be safe and non-distracting or disruptive to the educational program. The following guidelines will be observed:

Tops (Shirts) – All scholars must wear an ASK polo shirt, with the ASK logo, purchased from an approved ASK vendor. The color of the ASK polo shirt identifies the scholar with their selected career pathway. Polo shirts will not be overly baggy, nor exceedingly tight. Shoulder seams must be at the shoulders, and shirts cannot hang down below mid-thigh level.

- **Middle School** – Red or Light Blue
- **High School** –
 - **Biomedical Sciences** – Dark Green or Purple
 - **Engineering and Design** – Royal Blue or Burgundy

Bottoms (Pants) –

- Allowable pants/slacks of solid color (khaki or black) and should meet our uniform expectations. They should be of a non-stretch, khaki or similar material.
- No shorts, skorts, skirts, cargo pants (pants with many pockets) are allowed.
- No excessive “sagging” is allowed. Inseam of pants must be where legs and torso join.
- Excessively tight pants such as spandex, yoga pants, leggings, sweat pants or other non-uniform fabrics are not allowed.

Other –

- Scholars must wear closed-toe shoes at all times at the Academy (no sandals, flip-flops, or slippers are allowed).
- No head wear (hats, bandanas, beanies, etc.) allowed inside the Academy, other than headwear that may be required for religious reasons.
- Outer wear – jackets will not qualify as a replacement to an ASK polo. Jackets may be worn as long as they have a zipper front and are not excessively baggy (shoulder seams are at the shoulders and cannot hang below mid-thigh level). When worn inside, jackets must allow full view of the ASK polo (be worn unzipped indoors). Scholars can wear sweat shirts under, but not over The ASK polo. Scholars who violate this policy will be required to turn in sweatshirts until end of business.
- Clothing, jewelry or appearances that are determined to be distracting to the learning environment will not be permitted.
- Attire or accessories which advertise, display or promote any drug, alcohol, tobacco, gang, sexual activity, violence, disrespect or bigotry towards any group, or items that are associated with a gang are not permitted.
- All attire should be suitable to a professional environment.
- If there is a financial need, please check in with the receptionist for support.

Scholars may be removed from the learning space and be required to obtain appropriate dress before being allowed to return. Repeated violations of the uniform policy raise the issue to insubordination and will result in additional consequences as outlined in the discipline matrix.

Learning Space Rules, Control and Corporal Punishment

Individual learning spaces have additional rules and consequences that will be reviewed with the scholars by the project managers.

A project manager or other certified staff shall assume such authority for the control of scholars who are assigned to him/her by the Administration or designee and shall keep good order in the learning space. To that end, each project manager may establish learning space rules that each scholar must follow. The use of corporal punishment, seclusion, and physical restraint for discipline is **prohibited**. Alternative disciplinary procedures, which may include peer review or other forms of positive reinforcement, should be used to bring about appropriate scholar behavior.

Restraint will only be used in emergency situations to prevent the scholar from harming him or herself or others. If a restraint is necessary, only trained and authorized school employees shall apply the restraint pursuant to the requirements in Section 22-5-4.12 NMSA 1978. All Academy personnel receive semi-annual Crisis Prevention and Intervention training in nonviolent crisis intervention.

Electronic Devices and Cell Phones

In general, cell phone use is prohibited during school hours. There is educational value in utilizing portable electronic devices in class or during instructional activities when such devices aid in extending, enhancing, and/or reinforcing the scholars' learning process related to the instructional objectives of the course.

Approval for scholars use of such devices in class or during instructional activities will be at the discretion of the project manager and/or Administration/designee unless such device is mandated in the scholar's individual education program (IEP) or 504 Plan as assistive technology, or the extreme nature of a bona fide emergency renders the securing of such permission impractical under the circumstances.

Use of cameras or the camera features on a cell phone or other portable electronic device anywhere on campus or for any use constituting an invasion of any person's reasonable expectation of privacy is strictly prohibited. Posting of any images without consent is a violation of privacy and will be dealt with accordingly.

Misuse of electronic devices and/or cell phones will result in confiscation and the Administration/designee will call the parents to meet with the Administration for purpose of discussing this policy and in order to retrieve the electronic device or cell phone. The ASK Academy is not responsible for the loss and/or theft of any electronic devices or cell phones.

BULLYING, CYBERBULLYING, HARASSMENT, HAZING AND VIOLENCE PREVENTION

The ASK Academy prohibits bullying, cyberbullying, harassment, hazing and violence, and it is the school's goal to prevent and respond to all such acts, in accordance with applicable laws, including the New Mexico Safe Schools for All Students Act, NMSA 1978, §§22-35-1, et seq. (2019) This Policy and prohibition applies on school property, including electronic communication on or using School property; at school-sponsored functions; and on any school-sponsored transportation.

A. DEFINITIONS.

1. **Bullying.** Bullying includes any severe, pervasive or persistent act or conduct that targets a student or group, whether physically, electronically or verbally, and that (1) may be based on a student/group's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability or any other distinguishing characteristic, or on an association with any person, with one or more of the actual or perceived distinguishing characteristics; and/or (2) can be reasonably predicted to: (a) place a student in

reasonable fear of physical harm to the student's person or property; (b) cause a substantial detrimental effect on a student's physical or mental health; (c) substantially interfere with a student's academic performance or attendance; (d) substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by the School; or (e) create a hostile environment on the school campus that is so severe or pervasive as to substantially interfere with student educational benefits, opportunities or performance.

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

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

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

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

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

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

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

- Meeting with the student and student's parents/guardians;
- Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
- Counseling;
- Anger management;
- Health counseling or intervention;
- Participation in skill-building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;
- Community service; and
- In-school detention or suspension, which may take place during lunchtime, after school or during weekends.

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

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

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

1. **Bullying, Cyberbullying and Harassment.**

- Spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
- Repeated teasing, use of sarcasm or malicious jokes.
- Name-calling, belittling comments.

- Nonverbal behavior such as gestures, or graphic written statements.
- Conduct that is physically threatening, harmful, intimidating or humiliating.
- Inappropriate physical restraint.
- Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles or other communications over social media platforms, such as Facebook, Twitter, Instagram, LinkedIn, Pinterest (not an exhaustive list).

2. **Hazing.**

- Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
- Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subject the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or school policies.

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

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

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

3. **Prompt Notice and Form.** Teachers, Regular Volunteers, and school staff who witness Bullying/Harassment/Cyberbullying/Hazing/Violence or who receive student reports of Bullying/Harassment/Cyberbullying/Hazing/Violence are required to promptly notify the Administration. Staff reports should be made in writing using the Report Form, and submitted to the Administration.

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

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

the employee witnesses or receives a report of bullying.

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

1. **Process.** The investigation shall consist of personal interviews with the reporter, the individual(s) against whom the report was filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of other methods or documents deemed relevant by the investigating administrator.

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

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

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

F. **CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS.** False allegations against another student, member of the faculty or staff, or others, pursuant to this Policy shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

G. **RETALIATION.** Retaliation against an individual who witnesses, orally reports or files a written complaint regarding Bullying/Harassment/Cyberbullying/Hazing/Violence, or who acts as a

witness, participates in or cooperates with an investigation of such, is prohibited.

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

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

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

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

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

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

N. *PUBLICATION*. This Policy shall be made available on The ASK Academy website.

The School's CEO shall be the point of contact for any bullying/harassment-related concerns, or other concerns relating to this Policy. Parents/guardians and students shall be informed about this Policy at least annually.

Legal Reference: 6.12.7 NMAC (11/12/2019); NMSA 1978, §22-35-1 et seq.

- **. Scholars who make video, take pictures, or otherwise promote rather than report aggressive or violent events will be subject to disciplinary consequences.**

Weapons

State and federal law require public schools to expel scholars for one year for bringing weapons, as defined by law, to the Academy or to an Academy-related activity. To avoid misunderstanding or unintended consequences, do not bring toy weapons or "look-a-likes" to the Academy. The ASK Academy will report any such violation to the scholar's parents AND the appropriate legal authorities. Weapons are not allowed in backpacks, on your person, or in any vehicle on Academy grounds, whether during the school day, or at an Academy sponsored event.

Damage by Scholars

Any malicious or willful act which destroys, injures, mars, defaces, or otherwise alters any Academy building, grounds material, equipment, other Academy property or the property of another person while on Academy property, by a scholar enrolled at The ASK Academy shall cause parent, guardian, or person standing in loco parentis of the offending scholar to restore or replace such damaged property to the satisfaction of the Administration or be assessed to pay all costs to restore or replace such damaged property as determined by the true value established by the Administration.

Violation of Scholar Rights

Scholars believing their rights have been violated should report their concerns to their parents/guardian or the Administration. If the concern is not resolved by the Administration, a report should be made to the Governing Council using the Parent Concern Policy About Scholar process.

Search and Seizure

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

Specific Prohibited Conduct

The following conduct is prohibited at The ASK Academy and will result in disciplinary actions as described in this policy. The ASK Academy gives notice that not all inappropriate scholar behavior can be identified and consequently there may other circumstances that result in a scholar being disciplined for his or her conduct. Failure to report any of the following behaviors may also result in disciplinary consequences. Posting of any images or videos of events on the campus will result in disciplinary actions for encouraging such activities.

- **Cheating or Plagiarism** – means, for example, to take a test in a dishonest way, copying somebody’s homework, or by improper access to answers on classroom assignments, tests or homework, copying work done by somebody else and claiming it to be your own. Plagiarism also applies when work is taken from another source without acknowledging that it is another person’s work. It applies to documents, excerpts from documents, theories, calculations, drawings or any other creation that is not completely your original work. If another person’s work is used, it must be cited appropriately. Cutting and pasting without citation is plagiarism. When taking on-line courses, the work submitted must be only your work.
- **Misconduct** - Actions by scholars which are insubordinate or show disrespect for others or general misconduct which disrupts the learning environment.
- **Peddling** – With the exception of school designated fund raisers, scholars are not allowed to sell any items, whether legal or illegal in nature, on Academy property or during Academy events.
- **Violation of Uniform Policy** - Instances in which scholars deliberately defy The ASK Academy uniform policy. Repeated violations of the Uniform Policy will result in insubordination, general disruptive behavior, and/or defiance of Academy personnel consequences as defined by the discipline matrix.
- **Public Display of Affection** - mutually consensual sexual contact including, but not limited to kissing, intentional touching of the other person’s genitals, groin, inner thigh, buttocks, or breasts, or clothing covering these areas, or sitting on each other’s laps.
- **Verbal Abuse or Profanity** – Verbal abuse shall be interpreted to include any profane, obscene, vulgar, racial slur or slang or unnecessarily crude utterance, gesture, or display reflecting on an individual’s gender, race, color, religion, ethnic or national origin, age, sexual orientation, social and family background, linguistic preference, or disability which has the purpose or effect of creating an intimidating, hostile or offensive educational environment. It shall not matter for disciplinary purposes whether it is directed toward the project manager, another scholar, or merely done overtly.
- **Theft or Pilfering** – Taking someone else’s belongings without his/her permission, no matter how small. A scholar involved in the act of stealing or in possession of stolen property may face criminal charges along with other disciplinary actions by The ASK Academy.
- **Scholar Possession of Tobacco, Alcohol, or Drugs or Paraphernalia on Academy Grounds** - While at the Academy or an Academy-sponsored event, scholars shall be prohibited at all times from smoking or having tobacco, alcohol, drugs or paraphernalia (lighters, matches, rolling papers) in any form, including electronic cigarettes/vapes, or e liquids in their possession. Discipline shall include definite corrective action and consequences as defined in the discipline matrix. Prohibited items that are found will be confiscated.
- **Vandalism and Tampering** - Any abuse of Academy or private property shall be considered vandalism. The parent or guardian shall be requested to meet with the Academy officials to make arrangements to pay for the damage caused by the scholar. Criminal charges may be filed along with other disciplinary actions by The ASK Academy.
- **Violent Behavior** - Acts of assault, violence, intimidation, fighting, or extreme antagonism toward other persons shall immediately be reported to the Administration or his/her designee. Criminal charges may also be filed along with other disciplinary actions by The ASK Academy.
- **Gang Related Activities** – Means for example; wearing clothing, displaying paraphernalia, and altering one’s appearance, the display of gang signs, symbols, monikers or signals, that signifies or exhibits an individual’s affiliation with, or representation of, a gang. Also included is recruitment, harassment,

intimidation, posturing, bullying, tagging or marking, assault, battery, theft, trespassing, or extortion, or criminal activity performed by an individual affiliated with, or on behalf of a gang. Gang affiliation and/or intent can be implied from the character of the individual's acts as well as the circumstances surrounding the misconduct.

- **Threats** - Serious threats made by a scholar against the life or well-being of another scholar, project manager or other Academy personnel shall immediately be reported to the Administration or his/her designee. The Administration may at his/her discretion under the circumstances inform the person to whom the threat was directed of the situation. Appropriate authorities may be called.
- **False Accusations** - Accusations or charges made by a scholar against a project manager, administrator or other Academy personnel shall be reported to the Administration or designee, who shall conduct a complete investigation of the accusations or charges made by the scholar. Any scholar found to have intentionally made false accusations or charges that jeopardize the professional reputation, employment, or professional certification of a project manager, administrator or other Academy personnel, shall be subject to disciplinary action for a serious breach of conduct. Scholars initiating false reports (weapon on campus, bomb threats, etc.) will be subject to disciplinary measures up to and including expulsion.
- **Failure to Report Serious Offenses** – Scholars who are aware of serious offenses, which include but are not limited to, the possession of weapons, firearms, and drugs, must report that information to a project manager or Administration at their earliest opportunity. Scholars are also required to report incidents (whether actual or threatened) of self-harm, or threats to others, or to the Academy. Failure to report serious offenses may be cause for disciplinary action.
- **Bullying and/or Harassment** – If, upon investigation, a scholar has been found to have committed an act(s) of bullying and/or harassment, the scholar may be suspended or recommended for expulsion. Criminal charges may also be filed, if warranted. See Bullying, Cyberbullying, Harassment, Hazing and Violence Prevention Policy.
- **Possession of Dangerous or Disruptive Items** - Any item in the possession of or being used by a scholar which disrupts the class, distracts his/her attention from the class, defaces Academy property, or in any way endangers the safety of himself/herself or others shall be taken by the project manager and held until proper disposition of the item(s) can be made. Project managers are not to destroy such items. Scholars who refuse to cooperate shall be reported to the Administration for further action. Possession or use of a dangerous or disruptive item while on Academy property or in attendance at an Academy function may be grounds for suspension and/or expulsion and referral to proper law enforcement agencies.
- **Weapons** – The ASK Academy prohibits scholars from possessing, storing, making, carrying, concealing in a backpack or on their persons, or using a weapon or other devices designed to inflict serious bodily harm in any setting that is under the control and supervision of The ASK Academy. This includes Academy activities, property leased, owned, or contracted for or by The ASK Academy, an Academy-sponsored event, and/or while in Academy sponsored transportation. The term “weapon” includes a firearm, destructive device, knife/cutting instrument and other weapon as defined herein.
 - A **firearm** is any device which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. Weapon includes firearms of any kind (operable or inoperable, loaded or unloaded, commercial or homemade); including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun, or tear gas gun.
 - A **destructive device** is any bomb, grenade, mine rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode and is capable of causing bodily harm or property damage.
 - **Knife/Cutting Instrument** includes, but is not limited to dagger, dirk, stiletto, shank, knife, razor, box-cutter, or Exact-o knife.
 - **Other weapons** means the possession or intention of using any instrument or object to inflict harm on another person, or to intimidate any person, including, but not limited to chains (even if not

being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), pointed instruments (including pencils, pens), nunchakus, brass knuckles, Chinese stars, billy-clubs, bludgeons, slingshots, portable devices or weapons directing electrical current (stun guns), impulse, wave, beam or chemicals, BB pellets, CO2 firing devices, or dart guns, bows, explosives, or propellants.

Scholars must immediately report knowledge of weapons and threats of violence by scholars and staff to the Administration. Failure to report such knowledge may subject the scholar to immediate suspension and potential expulsion from the Academy. The Administration shall immediately report to the appropriate law enforcement agency if a dangerous weapon is found or is suspected to be in the possession of an Academy employee or a visitor.

❖ *Exception* Items pre-approved in writing by the Administration as part of a class or individual presentation or a theatrical prop used under adult supervision, if used for the purpose and in the manner approved, would be an exception to this policy; working firearms and any ammunition will never be approved as part of a presentation.

- **Possession, Sale and/or Use of Alcoholic Beverages, Narcotics, Illegal Drugs, and/or Prohibited Substances.** The ASK Academy prohibits scholars from using, possessing, distributing or trafficking tobacco, e-cigs/vapes/e-liquids, alcohol and/or illegal drugs on Academy property, at the Academy, or at Academy-sponsored activities. Scholars, while on Academy property or attending an Academy-sponsored activity, who use, possess, distribute, or sell tobacco, e-cigs/vapes/e-liquids, alcohol, and/or other drugs or related paraphernalia shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives. Medical marijuana, although legal in state statute is still an illegal substance under federal law, therefore medical marijuana will not be allowed on Academy property.
- **Extortion** – Is the act of a person who blackmails or otherwise threatens another scholar for the payment of money of any sum or other consideration.
- **Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances** – means making threats, placing, discharging, or throwing a destructive explosive item or noxious substance, or makes a terroristic threat while in or on The ASK Academy property, or on Academy-sponsored transportation, or during Academy-sponsored activities.
- **Arson** – Means setting fire to Academy property or while involved in an Academy activity either as a prank or deliberately to do damage to the property.
- **Inciting Others or Disruptions** – The act of encouraging or helping another scholar to cause a riot, disrupt Academy activities, or to be absent or otherwise violate Academy rules, or who disrupts or interferes with the lawful administration or functions of the Academy activities. This includes recording, in any format, and sharing infractions in any manner.
- **Assault or Battery on Academy Personnel** – Causing bodily harm to or threatening to cause bodily harm to an Academy official or a project manager.

Consequences

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

- **Administrative Referral.** Scholars who choose to disobey rules will be sent to meet with the Administration/designee to discuss the behavior. Depending upon the infraction, an additional consequence may be applied at the Administrator's discretion.
- **Parent Meeting.** When deemed necessary by the Administrator, or when a scholar receives his/her 3rd referral, parents will be contacted by the Administrator so that arrangements may be made for

the scholar to meet with them, the project manager, his/her Parents/Guardians and any other appropriate staff to discuss the referrals and develop a plan/contract.

- **Scholar Assistance Team.** Additional referrals may result in a referral to the Scholar Assistant Team (SAT) to discuss other possible interventions such as a behavior management program, a mentorship, screenings or evaluations, or other appropriate interventions.

A progressive discipline continuum provides consequences that range from a warning to suspension or expulsion. The ASK Academy Discipline Matrix is provided in the appendices section of this handbook.

Detentions, Suspension, and Expulsion

The ASK Academy, along with the cooperation of the scholar and his/her parent/guardian, seeks to avoid having to impose any stronger measures of discipline than contemplated above. However, when prior efforts to correct behavior or if the situation warrants, The ASK Academy may choose to impose detentions, suspension and/or pursue expulsion. Scholars covered under the McKinney Vento Act are still subject to all ASK policies, but there may be mitigating factors in the case of suspension; see Discipline of Scholars Experiencing Homelessness.

Due Process/Referrals

- **Due Process** – In disciplinary cases, each scholar is entitled to due process. This means scholars:

- Will be informed of accusations against them.
- Will have the opportunity to accept or deny the accusations.
- Will have explained to them the factual basis for the accusations.
- Will have a chance to respond to the facts presented against them.

The extent of the due process required will depend upon the severity of the infraction and the related consequence.

- **Referrals** - All discipline referrals submitted to the Administration/designee will begin with a conference with the scholar. In the case of suspensions/expulsions, parents will be notified of consequences by a personal phone call. If attempts to notify parents by telephone are unsuccessful, parents will be notified by email. Parent involvement is an important part of the discipline at all levels.

Short Term Suspensions

A short-term suspension is a mandatory absence from the Academy for a period of 10 days or fewer. If the Administration/designee decides that the alleged misconduct warrants a consequence of a suspension for 10 days or fewer, the Administration/designee shall give the scholar an informal due process hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The scholar shall be afforded due process rights including the opportunity to present to the Administration/designee his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Administration/designee, upon the basis of all facts and information learned, shall determine if the scholar committed a conduct violation. If the scholar is found to have committed a violation, a consequence or suspension may be imposed for a period of time not to exceed 10 days. If a suspension is imposed, the Administration/designee shall keep a record of the aforesaid proceedings. Homework can be provided at the request of the parent. The scholar and guardian must meet with the Administration or designee for a re-entry meeting before returning to classes. A parent may request an administrative review of the discipline data and decision to suspend. There is no level of appeal higher than the Administration for a suspension of 10 days or fewer.

Long Term Suspension/Expulsion

A long term suspension is a mandatory absence from the Academy for a period exceeding 10 days and up to the balance of the academic year. If the Administration/designee decides that the alleged misconduct is sufficiently serious so that the consequence should be a long term suspension or expulsion, the accused scholar shall be afforded his or her due process rights. There shall be an investigation to determine if there is sufficient probable cause to charge the scholar with an act of misconduct, which may result in a suspension in excess of 10 days or an expulsion. When a scholar is

charged by the Administration/designee with misconduct which may result in long-term suspension or expulsion, the parent(s) or guardian of the scholar shall be informed within a reasonable time period by telephone or email of the charges against the scholar.

Procedures for Long Term Suspension/Expulsion

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

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

Suspension/Expulsion Appeals

A scholar aggrieved by the hearing officer's decision has the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-Academy suspension exceeding one academic semester or a denial or restriction of scholar privileges for one semester or longer. The appeal shall be to the Governing Council or its designee. The Governing Council may grant a right of review for less severe penalties. A scholar request for review must be submitted to the Governing Council Chair within ten (10) academic days after the scholar is informed of the hearing officer's decision.

- **Conduct of Review** – The Governing Council shall have discretion to modify the hearing officer's decision including imposing any lesser sanction deemed appropriate. The Governing Council shall be bound by the hearing authority's factual determinations unless the scholar persuades the Governing Council that a finding of fact was arbitrary, capricious, or unsupported by substantial evidence or that new evidence which has come to light since the hearing and which could not with reasonable diligence

have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the Governing Council shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a new hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

- **Form of Review** – The Governing Council shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved scholar and Academy authorities to written materials or to grant a conference or hearing at which the scholar and his or her representative, and Academy authorities may present their respective views in person.
- **Timing of review** – Except in extraordinary circumstances, a review shall be concluded no later than fifteen (15) working days after a scholar's written request for review is received by the appropriate administrative authority.
- **Decision** – The Governing Council may announce a decision at the close of any conference or hearing held on review. In any event, the Governing Council shall prepare a written decision, including concise reasons, and mail or deliver it to the Administration, the hearing authority and the scholar, through the parent, within ten (10) working days after the review is concluded.
- **Effect of decision** – The Governing Council's decision shall be the final administrative action to which a scholar is entitled.
- **NMPED Compliance** – The process followed by The ASK Academy shall conform to 6.11.2 NMAC, and to the extent any provision of this section conflicts with the NMPED regulation, the regulation shall govern.

Discipline of Scholars with Disabilities

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

- **Long-Term Suspensions or Expulsions** – Discipline of scholars with disabilities shall be governed by the procedures set forth in Section 6.11.2.11 NMAC.
- **Temporary Suspension** - of scholars with disabilities may be imposed in accordance with the normal procedures prescribed in Subsection D of Section 6.11.2.12 NMAC, provided that the scholar is returned to the same educational placement after the temporary suspension and unless a temporary suspension is prohibited under the provisions of Subsection G, Paragraph (3) of 6.11.2.10 NMAC.
- **Program Prescriptions** - A scholar with a disability's individualized education program (IEP) need not affirmatively authorize disciplinary actions which are not otherwise in conflict with the regulation. However, the IEP Committee may call a Manifestation Determination meeting, prescribe or prohibit specified disciplinary measures for an individual scholar with a disability by including appropriate disciplinary provisions in the scholar's IEP including, establish behavior goals and objectives, or impose a Behavior Intervention Plan with modified disciplinary actions. Administrative authorities shall adhere to any such provisions contained in a scholar with a disability's IEP, except that an IEP Committee may not prohibit the initiation of proceedings for long-term suspension or expulsion which are conducted in accordance with this regulation.
- **Immediate Removal** - Immediate removal of a scholar with disabilities may be done when a scholar brings a weapon to the Academy or an Academy function, or knowingly possesses or uses illegal drugs or has sold or solicited the sale of a controlled substance while at the Academy or an Academy function. The procedures for long-term suspension or expulsion of disabled scholars are set forth in Section 6.11.2.11 NMAC above. School personnel under this section may remove a scholar with a disability who violates a rule of scholar conduct from his or her current placement to an appropriate interim alternative educational setting, another setting, or suspension, for not more than 10 consecutive school days (to the extent those alternatives are applied to scholars without disabilities), and for additional removals of not more than 10 consecutive school days in that same school year for

separate incidents of misconduct (as long as those removals do not constitute a change of placement under Subsection G of 6.11.2.11 NMAC above).

Discipline of Scholars Experiencing Homelessness: Removing scholars experiencing homelessness from school shall be used only as a last resort, pursuant to the requirements in 42 U.S.C. 11431 et seq., the McKinney-Vento Homelessness Assistance Act.

(1) The ASK Academy shall:

(a) through professional development activities, create an awareness among educators and administrators of the types of behaviors that scholars experiencing homelessness may exhibit due to homelessness and provide strategies and supports to address the behaviors through the scholar assistance team process in accordance with Subsection D of 6.29.1.9 NMAC;

(b) take into account the issues related to a scholar's homelessness by talking with the scholar and applicable staff and families prior to taking disciplinary action;

(c) consult with school behavior response teams or other applicable personnel to assign appropriate discipline related to the behavior;

(d) implement discipline alternatives to out of school suspensions or expulsions or classroom removals, if possible; and

(e) connect scholars with mental health services as needed.

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

Appendices



A New Mexico Public Charter School

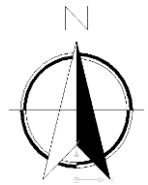
The ASK Academy

21st Century Design Thinking

Dropping Off and Picking Up Scholars

Morning drop off will not be as difficult as afternoon pick-up but it will definitely be slower, please plan accordingly. We will follow regular protocols (enter West gate exit East gate).

Afternoon pick-up: See turquoise arrows on attached map. Pull up as far as possible to the walk near the pedestrian gate on the NE side. After the drive up is full of vehicles then follow the black arrows. Once your child is secure, pull into the left lane and proceed out the east gate making a right turn onto Sundt.





Attendance

The ASK Academy requires that all enrolled scholars attend classes regularly. The New Mexico Attendance for Success Act requires that all school-age children attend school until the age of eighteen, or until they graduate from high school, receive a GED certificate, or withdraw from school on a hardship waiver. This Policy implements state law; to the extent that any portion of this Policy conflicts with state law, the state law shall govern.

This applies to scholars and their parents or legal guardians.

1. DEFINITIONS

- a. “Absence” is when a child is not in attendance for a class or school day for any reason, whether excused or not; provided “absent” does not apply to participation in interscholastic extracurricular activities.
- b. “Attendance Improvement Plan: means a tiered data-informed system of support to identify scholars who are chronically or excessively absent to aid families and the Academy in the development and implementation of prevention strategies with targeted interventions. Each of the tiers is defined as follows:
 1. “Whole School Prevention” are universal prevention strategies for all scholars, including scholars who have missed less than five percent (5%) of classes or school days for any reason;
 2. “Individualized Prevention” means targeted prevention strategies for individual scholars who are missing five percent (5%) or more, but less than ten percent (10%) of classes or school days for any reason;
 3. “Early Intervention” means interventions for scholars who are missing ten percent (10%) or more, but less than twenty percent (20%) of classes or school days for any reason; and
 4. “Intensive Support” means interventions for scholars who are missing twenty percent (20%) or more of classes or school days for any reason.
- c. “Excused absence” is an absence due to illness, appointments with health or mental health care providers, death in the family, or religious instruction or tribal obligations. At the school’s discretion, a written confirmation may be required by the office when the scholar returns to school. If requested, such letter should come from medical practitioner, funeral service provider, or provider of religious education or tribal official. Special family situations may be considered appropriate for excused absence when *prior* approval is received from the Administration. The Administration’s decision on the request shall be considered final.

- i. Excused Absence due to Religious Instruction: A scholar may, subject to the approval of the Administration, be absent from school to participate in religious instruction for not more than 1 class period of the school day with the written consent of the parent/guardian, at a time that is not in conflict with the academic program of the school. The Academy does not assume responsibility for the religious instruction for any scholar, nor does it permit religious instruction to be conducted on school property. The Academy shall provide time for the scholar to make up the school work missed during the absence.
 - ii. Excused Absence due to Tribal Obligations: A scholar may, subject to the approval of the Administration, be absent from school to participate in tribal obligations with the written consent of the parent/guardian. The Academy shall provide time for the scholar to make up the school work missed during the absence.
- d. "Unexcused absence" is an absence from school or from a class for which the scholar does not have an allowable excuse as identified herein.
- e. "Half Day Absence" is an absence from school for less than half (three class periods) of the school day.
 - i. "Excused half day absence" is a half day absence from school for reasons identified in this Policy.
 - ii. "Unexcused half day absence" is a half day absence from school or from a class for which the scholar does not have an allowable excuse as identified herein.
- f. Absence equivalencies:
 - 1. Any combination of two half-day excused absences will equate to one excused absence.
 - 2. Any combination of two half day unexcused absences will equate to one unexcused absence.
 - 3. Any absence for more than 3 class periods of a scholar's approved school day in a school day equates to a full-day's absence.
- g. "Tardy" is an arrival to school after 10 minutes of beginning of a class.
 - i. "Excused tardy" is a tardy for reasons listed herein.
 - ii. "Unexcused tardy" is a tardy for reasons not listed herein.
- h. "Early Departure" is a scholar's departure from school 30 minutes or less prior to dismissal for reasons listed in this Policy.
 - i. "Excused early departure" is an early release for reasons listed herein.
 - ii. "Unexcused early departure" is an early release for reasons not listed herein.

- i. “Chronically Absent” is a scholar with an absenteeism rate of 10%, but less than 20% regardless of the reason for absence, and/or whether excused or not. Chronically absent scholars require Early Intervention; see below.
- i. “Excessively Absent” is a scholar with an absenteeism of 20% or greater, regardless of the reason for the absence and/or whether excused or not. Excessively absent scholars require Intensive Support; see below.
- j. “Voluntary Withdrawal” is the School interpreting a scholar’s continued unexcused absences to constitute a voluntary disenrollment of the child from the school, after all school’s intervention attempts have been exhausted. Voluntary withdrawal is not an expulsion of a scholar and does not require the due process for expulsion.

2. PROCEDURES

a. Attendance Requirement

- 1. The New Mexico Attendance for Success Act requires that all persons between the ages of five and eighteen attend a public, private, or home school, or a state institution, unless that person has graduated from high school or has received a general education development certificate, or that person’s parent or guardian provides written, signed permission for that person to leave school for health reasons or in case of hardship, and that permission is approved by the Administration.
- 2. Scholars enrolled in The ASK Academy shall attend school for the length of time of the school year as established by the school charter and any resulting reauthorization thereof.
- 3. Scholars are expected to have no more than 5% absentee rate (approximately 8 days) per school year, which includes both excused and unexcused absences.
- 4. Scholars are expected to arrive on time to school each day and to remain in school until the scheduled dismissal.

b. Whole School Efforts to Ensure Scholar Attendance

- i. Notification of an Absence by a Parent or Guardian: The parent or guardian shall notify the Attendance Officer each day that his or her scholar will be absent from any part of the school day, except in the case of an emergency, and shall give the reason for the absence and shall provide a written parental verification upon the child’s return to school.
- ii. Notification of an Unexcused Absence by the School: If a scholar is absent from school or class without a parent or guardian’s notification of absence, the Attendance Officer (or the designee) will, as soon as practicable, contact the parent or legal guardian by telephone or e-mail to give notice of the scholar’s unexcused absence and to ascertain and document the reason for absence.
- iii. The Attendance Officer shall notify parent/guardian of a child who has reached a 5% (approximately 8 days) absentee rate regardless of reason for absence and shall keep a record of notification(s).

c. Make up of Work Missed

- i. Following an excused absence, the scholar, parent, or guardians shall discuss make-up work with the scholar's teacher. A scholar shall be given a reasonable time by the teacher within which to make up the work the scholar missed during the absence. Following an unexcused absence, make-up work is at the discretion of the teacher.

d. School Actions for Poor Attendance

- i. Out-of-school suspension and expulsion will not be used as discipline for truancy or unexcused absences. However, after explicit notification to the parent/guardian that the scholar is excessively absent despite exhaustion of all intervention efforts described in this Policy, the school may consider further unexcused absences to constitute a voluntary withdrawal of the child from school enrollment.
- ii. Scholars in need of individualized prevention (5-9% absent)
 1. The Attendance Support Team shall talk to the parent/guardian (either in writing or in person) and inform them of the scholar's attendance history, the impact of scholar absenteeism on scholar academic outcomes, and identify and discuss the barriers to school attendance, identify solutions to improve the scholar's attendance, intervention or services available to the family. The Team shall further inform parent/guardian of the consequences of further absences.
- iii. Early Intervention for Chronically Absent Scholars (10 – 19% absent)
 1. Parents/guardians of scholars found to be Chronically Absent shall meet with the Attendance Support Team and school administration.
 - a. The school Attendance Officer shall notify parent/guardian of a child found to be chronically absent in writing, and include the date, time and location for parent/guardian to meet with Administration.
 - b. The purpose of the meeting will be to establish an Early Intervention Plan. This plan will include an Attendance Contract with weekly progress monitoring of interventions and reporting of scholar attendance to the parent/guardian.
 2. Parents of scholars with any additional unexcused absences after meeting with Attendance Support Team to develop an Early Intervention Plan may be referred to the Children Youth and Families Department for suspected neglect.
- iv. Intensive Support for Excessively Absent Scholars (20% or greater absent)
 1. Parents/guardians of scholars found to be Excessively Absent shall meet with the Attendance Support Team and CEO or designee.
 - a. The Attendance Officer shall notify the parent/guardian of the scholar found to be excessively absent in writing, and include the date, time and location for parent/guardian to meet with the Attendance Support Team.

- b. The purpose of this meeting will be to establish scholar accountability and school level supports, revise intervention plans to eliminate future absences, and to apprise the scholar and parent of the consequences of further absences.
 - c. Parents of scholars with any future absences of any type after meeting with the Attendance Support Team for Intensive Support shall be reported to the probation services office of the local judicial district within 10 days after such absence. Such referrals shall include documentation of interventions provided to the family.
 - v. Voluntary withdrawal for 10 Consecutive Unexcused Absences: The school will consider 10 consecutive unexcused absences as a voluntary withdrawal from enrollment at the Academy. Voluntary withdrawal will be processed by the school only after:
 - 1. The school has documented and exhausted intervention efforts to keep the child in school per this Policy.
 - 2. The school has contacted the juvenile probation department.
 - 3. The school has notified the parent/guardian in writing upon the fifth, consecutive unexcused absence that accumulating ten consecutive unexcused absences will constitute a voluntary disenrollment of the child. Such notice will require a scheduled meeting between the parent and Administration.
 - vi. The Public Education Department's truancy prevention coordinator (or designate) or Children Youth and Families Department representative, or representative of the Probation Services Office, shall be permitted access to any records and information related to chronically absent scholars or excessively absent scholars.
 - vii. The Attendance Officer shall provide a parent/guardian, within 5 days of parent's written request, access to attendance data of the scholar, including information about any intervention strategies that have been employed.
- e. Native American Scholars
 - i. In carrying out its duties under this rule and the school attendance law, the School shall take into consideration the sovereignty of a Native American tribe. While all children attending public schools will still be subject to being reported to the Public Education Department or other authorities per this Policy, the School shall respect tribal laws and traditions in carrying out its duties of early identification, intervention, and parental notification.
- f. Interscholastic Extracurricular Activities (High School Only):
 - i. A scholar shall not be absent for interscholastic extracurricular activities in excess of 15 days per semester, and no class shall be missed in excess of 15 times per semester for Interscholastic Extracurricular Activities.

- ii. A scholar shall have at least a 2.0 grade point average on a 4.0 scale, or its equivalent, either cumulatively or for the grading period immediately preceding participation, to be eligible to participate in any interscholastic extracurricular activity. For purposes of this section, “grading period” is a period of time not less than six weeks. This subsection shall not apply to scholars receiving C or D level special education services.
 - iii. The Secretary of the Public Education Department may issue a waiver relating to the number of absences for participation in any state or national competition that is not an interscholastic extracurricular activity.
- g. Pregnant/Parenting Scholars.
 - i. The Academy shall provide at least ten (10) days of excused medical absences during the school year for a scholar who provides documentation of the birth of the scholar’s child, and the School shall provide time for the scholar to make up the school work missed during the absence.
 - ii. The Academy shall provide four (4) days of excused absences for a scholar who provides appropriate documentation of pregnancy or that the scholar is the parent of a child under the age of thirteen needing care, and the School shall provide time for the scholar to make up the school work missed during the absence.

The ASK Academy Class Schedule 2022-2023

Regular Day Schedules

Middle School		High School	
Class Period	Bell Schedule	Class Period	Bell Schedule
1	8:00 – 9:08	1	8:00 – 9:08
2	9:08 – 10:16	2	9:08 – 10:16
3	10:16 – 11:24	3	10:16 – 11:24
Lunch	11:24 – 12:00	4 CP/FC	11:24 – 12:00
4 CP/FC	12:00 – 12:36	Lunch	12:00 – 12:36
5	12:36 – 1:44	5	12:36 – 1:44
6	1:44 – 2:52	6	1:44 – 2:52
7	2:52 – 4:00	7	2:52 – 4:00

The ASK Academy Class Schedule 2022-2023

Bad Weather / Delayed Day Schedules

Middle School		High School	
Class Period	Bell Schedule	Class Period	Bell Schedule
1	10:00 – 10:45	1	10:00 – 10:45
2	10:45 – 11:30	2	10:45 – 11:30
3	11:30 – 12:15	3	11:30 – 12:15
Lunch	12:15 – 1:00	4 CP/FC	12:15 – 1:00
4 CP/FC	1:00 – 1:45	Lunch	1:00 – 1:45
5	1:45 – 2:30	5	1:45 – 2:30
6	2:30 – 3:15	6	2:30 – 3:15
7	3:15 – 4:00	7	3:15 – 4:00

The ASK Academy 2022-2023 Calendar

The ASK Academy

2022-2023 School Calendar

July 2022						
Su	M	Tu	W	Th	F	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31					5.0	

August 2022						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
				19	2.0	

September 2022						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	
				16	2.5	

October 2022						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31			16	1.5	

November 2022						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			
				16	1.0	

December 2022						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31
				12	1.5	

January 2023						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				
				13	3.0	

February 2023						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				
				15	2.0	

March 2023						
Su	M	Tu	W	Th	F	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	
				14	2.0	

April 2023						
Su	M	Tu	W	Th	F	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30				16	1.5	

May 2023						
Su	M	Tu	W	Th	F	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			
				16	1.5	

June 2023						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

 No School	 Governing Council Meeting
 Virtual Learning Day	 Make-Up Weather Day
 1/2 Prof Dev / Scholar Intervention	 Scholars Begin and End
 Planning / In-service	 AM Classes/PM SLATE
 Admin Start/Stop	 End of Quarter
 Progress Report Grades Recorded	
 Report Card Grades Recorded	

Scholar Days by Semester

1st 79

2nd 74

Staff Prof Dev by Semester

1st 13.5

2nd 10.0

Board Approved 05/12/2022



Exclude the Release of Directory Information

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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

- A playbill, showing your scholar's role in an Academy production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Activity sheets, such as for Robo Rave, or wrestling (showing weight and height of team members).

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

If you do not want The ASK Academy to disclose directory information from your scholar's education records without your prior written consent, you must notify the Academy in writing. The ASK Academy has designated the following information as directory information:

[Note: The ASK Academy, may but does not have to, include all the information listed below.]

• Scholar's name/Parents' names	• Photograph
• Participation in officially recognized activities	• Honors, and awards received
• Address	• Date and place of birth
• Telephone listing	• Grade level
• Electronic mail address(es)	

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

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

Scholar Name: _____

Parent/Guardian Printed Name: _____

Signature: _____

Date: _____



Scholar Incident Report

Scholar Name: _____ Date: _____

Name(s) of other person(s) involved in this incident: _____

Describe in detail –

Where did the incident happen? _____

When did it happen? _____

What did you say or do? _____

What did the other person(s) say or do? _____

Who did you tell before this problem escalated? _____

***Life is full of choices and consequences, so make good choices
because the choices you make today you will live with tomorrow.***



Discipline Matrix

The discipline matrix was designed as a guide for establishing clear, firm, fair and consistent consequences for specified offenses. The administration reserves the right to deviate from the stated consequences depending on the circumstances of the offense. The basis of discipline at The ASK Academy is to provide a positive learning environment for all scholars. When an Out of School Suspension (OSS) is warranted, the scholar and guardian must meet with the Administration or designee for a re-entry meeting before returning to classes. All disciplinary actions are undertaken with the intention of helping the scholar adjust their behavior and return to classes. In addition to the following consequences, the scholar may also be required to develop and fulfill a Scholar Ownership Plan. Since one incident may involve multiple infractions, consequences will cover the scope of each element. When behavior is inappropriate, the following consequences will be enforced:

- 1. General Disruptive Behavior:** Any scholar conduct that disrupts the educational process constitutes a health or safety risk, is in violation of state or municipal law, or is in violation of Academy rules that are specifically covered under policy.
 - 1st Offense - Classroom Consequences, Parent Phone Conference, more depending on severity
 - 2nd Offense - Parent Phone Conference / Classroom Consequences, more depending on severity
 - 3rd Offense - Referral, Lunch detention/ISS* Dependent on severity, Parent Phone Call
 - 4th Offense - Referral, ISS /Possible Out-of- School- Suspension (OSS)*, Parent Phone Call
 - 5th Offense - Referral, Possible OSS* and/or Expulsion*, Parent Phone Call
- 2. Defiance of Academy personnel:** Refusing to comply with any reasonable request made by any Academy staff.
 - 1st Offense - Referral, Conference, Lunch Detention/Possible ISS, Parent Phone Call
 - 2nd Offense - Referral, ISS / possible OSS*, Parent Phone Call
 - 3rd Offense - Referral / possible OSS/Expulsion*, Parent Phone Call
- 3. Profanity/verbal abuse/racial slurs/harassment/bullying:** Any aggressive or unwanted behavior directed towards peers or staff. Depending on severity (hate crimes, ongoing harassment, etc.), these violations may include more serious consequences even after only one offense
 - 1st Offense - Referral, Conference, ISS, Parent Phone Call, Possible Stay-Away Contract,
 - 2nd Offense - Referral, Conference, ISS or Possible OSS*, Stay-Away Contract
 - 3rd Offense - Referral, Possible OSS/Expulsion*
- 4. Sexual Harassment** - Sexual harassment is any unwanted and unwelcome physical or verbal behavior, including gestures, notes, and pictures. Bullying about gender, body parts, or sexual orientation is prohibited.
 - 1st Offense - Referral, Conference, ISS or possible OSS*, Stay-Away Contract, Possible DPS Referral
 - 2nd Offense - Referral, Possible OSS/Expulsion* and DPS Referral
- 5. Cyber Bullying** – any use of electronic information and communication devices, to include but not limited to, email messages, instant messages, text messages, cellular telephone communication, internet blogs, internet chat rooms, Internet postings, and defamatory websites, that:
 1. Deliberately threatens, harasses or intimidates an individual or group of individuals; or
 2. Places an individual in reasonable fear of harm to the individual or damage to the individual's property; or
 3. Display of pictures, images, audio recording, videos or any other representation of another scholar or manager without their express consent.
 4. Has the effect of substantially disrupting the orderly operation of the Academy.
 - 1st Offense - Referral, Mediation, Stay-Away Contract, ISS or OSS, Parent Contact, Possible DPS referral
 - 2nd Offense - Referral, Mediation, OSS or Possible Expulsion (depending on severity, occurrences) Parent Phone Call, Possible DPS referral
 - 3rd Offense - Referral, Mediation, OSS or Possible Expulsion, Parent Contact, Possible DPS referral
 - 4th Offense - Referral, OSS/Expulsion, Parent Contact, Possible DPS referral
- 6. Fighting:** Any aggressive behavior verbally or physically directed towards peers or staff. This includes play fighting.

Minor (Physical engagement, play fighting)

 - 1st Offense - Referral, Conference, Lunch Detention, ISS, Possible OSS* (severity)
 - 2nd Offense - Referral, ISS, Possible OSS*, Parent Phone Call
 - 3rd Offense - Referral, ISS, Possible OSS* Parent Phone Call

**(Anyone instigating or encouraging a fight will result in ISS and administrative discretion)*

Major (Any major physical engagement)

 - 1st Offense - Referral, Conference, ISS, Possible OSS, Parent Phone Call

- 2nd Offense - Referral, Possible OSS / Expulsion*
- 7. Theft/possession:** Any unauthorized possession and/or sale of property of another without consent of owner.
- \$0-\$199 - Referral, ISS/Possible OSS*, Police Notification
 - \$200-\$1,499 - Referral, Possible OSS*, Police Notification
 - \$1,500+ - Referral, Possible Expulsion*, Police Notification
- In all cases restitution can be made if agreed to by all parties.
- 8. Gang-like Activity/Items:** Any group of scholars whose group behaviors are threatening, delinquent or criminal. Examples of inappropriate and unacceptable behaviors are such things as gang graffiti on Academy property, intimidating others, gang fights and/or initiation rituals, and wearing gang attire or “colors”.
- 1st Offense - Referral, Conference, ISS/Possible OSS* , Police Notification
 - 2nd Offense - Referral, Possible OSS* and/or Expulsion*, Police Notification
- 9. Vandalism, Tagging, Graffiti:** Any reckless damage or destruction of property
- Minor Graffiti - Restitution, Referral, ISS
 - \$0-\$200 - Referral, Restitution, ISS, Police Notification
 - \$200-\$999 - Referral, Restitution, Possible OSS*, Police Notification
 - \$1,000+ - Referral, Expulsion*, Police Notification
- 10. Controlled Substance and Possession and Paraphernalia:** Possessing any controlled substance, e-cigarettes and or paraphernalia (rolling papers, pipes or bongs).
- 1st Offense - Referral, Parent Phone Call, 3-5 Days Possible OSS*, Confiscation, Police Notification
 - 2nd Offense - Referral, Parent Phone Call, 5 Days Possible OSS*, Confiscation, Police Notification
 - 3rd Offense - Referral, Parent Phone Call, Possible OSS/Expulsion*, Confiscation, Police Notification
- 11. Controlled Substance Sale or Distribution:** Selling or distributing a substance capable of producing a change in behavior or altering a state of mind or feeling; including a look-a-like or an item sold as a controlled substance.
- 1st Offense - Parent Phone Call, Referral, 3-5 Days Possible OSS* and/or expulsion, Confiscation, Police Notification
 - 2nd Offense -Parent Contact, Referral, 5-10 Days Possible OSS* and/or Expulsion*, Confiscation, Police Notification
- 12. Controlled Substance Use or Under the Influence:** Absorbing a substance capable of producing a change in behavior or altering a state of mind of feeling, including look-alike or an item sold as a controlled substance.
- 1st Offense - Referral, Parent Phone Call, Possible 3-5 Days OSS*, Police Notification
 - 2nd Offense - Referral, Parent Phone Call, Possible 5 Days OSS/Possible Expulsion*, Police Notification
 - 3rd Offense - Referral, Parent Phone Call, Possible Expulsion*, Police Notification
- 13. Weapons - Possession/Use:** Not limited to; fire arms, knife, club, or any other item that may cause or is intended to cause injury or death (fake and look-alike included)
- ANY Offense - Referral, Confiscation, and Possible Expulsion for 1 Year*, Police Notification
- 14. Skipping/Leaving Campus Without Permission:** Skipping class at any time during the day.
- 1st Offense - Referral, Conference, ISS
 - 2nd Offense - Referral, Conference, Possible OSS*
 - 3rd Offense - Referral, Conference, Possible Expulsion*
- 15. Tardy:** (Mangers classroom discipline plan)
- Excessive tardies will be referred to the Administration for conference. Subsequent disciplinary action will be taken.
- 16. Unauthorized Selling:** Selling of any items on Academy property without consent.
- 1st Offense - Conference, Referral, Possible ISS or OSS 1-5 Days
 - 2nd Offense - Conference, Referral, Possible 3-5 Days OSS*
 - 3rd Offense - Conference, Referral, Possible Expulsion*
- 17. Uniform:** Any violation regarding dress and grooming guidelines. Repeated violations elevate the referral to insubordination/defiance and will result in more stringent consequences.
- 1st and 2nd Offenses - Sent to the Office, Parent Phone Call, Change of Clothing, Lunch Detention/Possible ISS
 - 3rd and 4th Offense - Referral, Parent Phone Call, ISS/Possible OSS*
 - 5th Offense - Referral, Parent Phone Call, Possible OSS
- 18. Cheating/Plagiarism/Forgery:** Any making of writing with the intent to defraud or to deceive or practice fraud/present another’s writing as one’s own. This also includes copying answers or any other test or class work that is not your work.
- 1st Offense - Conference, Referral, ISS 1-5 Days
 - 2nd Offense - Conference, Referral, Possible 3-5 Days OSS*
 - 3rd Offense - Conference, Referral, Possible Expulsion*
- 19. Driving:** (parking pass violation, reckless driving on ASK Academy property, non-compliance with passenger restrictions in a moving automobile)
- 1st Offense - Referral, Lunch Detention, Driving / Parking Privileges Revoked for a Month
 - 2nd Offense - Referral, ISS, Driving/Parking Privileges Revoked for a Semester

3rd Offense - Referral, Possible OSS*, Driving / Parking Privileges Revoked for the Remainder of the Academic Year

4th Offense - Referral, Possible Expulsion*

20. Technology: Inappropriate use of technology. *

1st Offense - Classroom Consequences – Confiscated, Review Rules. Depending on content accessed, or security elements offense may rise to a more serious level and invoke extra consequences.

2nd Offense - Referral, ISS 1-3 Days, Parent Phone Call. Depending on content accessed, or security elements violated, the offense may rise to a more serious level and invoke extra consequences.

3rd Offense - Referral, ISS or Possible 1-3 Days OSS*, Parent Phone Call. Depending on content accessed, or security elements offense may rise to a more serious level and invoke extra consequences.

4th Offense - Referral, Possible 3-7 Days OSS*, Internet Privileges Revoked, Parent Phone Call. Depending on content accessed, or security elements offense may rise to a more serious level and invoke extra consequences.

5th Offense - Referral, Possible Expulsion*

* All inappropriate use offenses carry the possibility of ongoing technology use restrictions which may include checking out a computer when needed, more restrictive software monitoring system, and a possible ban on using technology on campus. Since inappropriate sounds, images, or videos may be disruptive, threatening, or intrusive to other scholars' learning space, further consequences from other segments of the Discipline Matrix may be part of any consequences.

Expulsion:

Scholars may be expelled from ASK after serious infractions of the ASK Scholar Code of Conduct and when numerous consequences have been unsuccessful in modifying the scholar's behavior. Any such expulsion shall follow state laws and regulations and ASK policies and procedures.

Administrative Discretion:

The number of incidents does not take precedence over the "severity" of incidents in which the scholar is involved. If any situation jeopardizes the safety, well-being, and/or educational progress of The ASK Academy, its scholars and/or staff, the administration has the authority to act with discretion and implement resolution decisions immediately, pursuant to Academy policies and procedures.

*= pursuant to Academy OSS/Expulsion policies and procedures.



The ASK Academy Charter Academy

Acceptable Use of Technology Policy and Laptop Contract

2022-2023

This contract dated is by and between **The ASK Academy Charter School**, the Scholar (Print Scholar Name) _____ and the Parent(s)/Guardian(s) (Print Names) _____. This contract contains the vital components of which are integral to the terms and conditions of this Contract:

Acceptable Use of Technology Agreement

Computers and technology are used to support learning and enhance educational Instruction. Computer networks and telecommunications allow people to access information from other computers in different locations. It is a general policy that all computers and other technology equipment used at The ASK Academy are to be used in a responsible, efficient, ethical, and legal manner. Failure to adhere to this policy and the guidelines established below shall result in the revocation of access privileges and/or disciplinary actions involving local, county, state, or federal agencies. A scholar's use of a computer at The ASK Academy or an ASK Academy Laptop in any location is not subject to privacy protections. Internet, a network of networks, allows users to interact with millions of other people using computers. It is the belief of The ASK Academy that the educational benefits to scholars and project managers accessing various online services and the Internet far exceed any potential disadvantages. The majority of sites accessed can provide a wealth of educational opportunities. It is the intent of The ASK Academy to provide access to such services to further the educational goals and objectives of The ASK Academy and is in full compliance with the Scholars' Internet Protection Act. However, parents should be aware that scholars using telecommunications have the potential to access unacceptable sources if they disobey or disregard Academy rules and guidelines. Even through the vast majority of Internet sites provide useful information, some sites may contain information that is offensive, defamatory, sexually oriented, or inaccurate. The intent of The ASK Academy is for technology resources to be used as a valuable educational tool.

These guidelines, along with ASK Board policies, must be followed whether ASK computers access the ASK network or the Internet **on or off campus at any time of day or night**. When using the Internet, scholars will be held responsible for information viewed, received, and sent. As a user of technology resources provided by The ASK Academy, each scholar must review, understand, and accept the following rules. Failure to obey the following statements will result in disciplinary action.

- ◇ I understand that all technology use must be for educational purposes as directed by my project manager.
- ◇ I will not download or play any non-educational games on an Academy computer.
- ◇ I will not download or play music or videos from the Internet, without permission of my project manager.
- ◇ I will respect personal privacy for myself and others.
- ◇ I will not give out any personal information about myself or anyone else (home address, telephone number, etc.)
- ◇ I will only use my computer account and won't use anyone else's login id and/or password nor will I give my login information to anyone.
- ◇ I will not copy, change, read or use files that belong to another user.
- ◇ I understand that software and ideas are protected by copyright laws.
- ◇ I will not copy information received from any source and say that it is my work.
- ◇ I will list all sources of information that I use in my projects and work.
- ◇ I will not copy any personal software onto any computer at the Academy.
- ◇ I will not make copies of any software found on The ASK Academy's equipment or on the Internet.
- ◇ I will not deface, damage or destroy the equipment.
- ◇ I will follow the rules of network etiquette, which include use of appropriate language and polite responses.
- ◇ I understand that abusive language (including name calling and swearing) and bullying is prohibited.
- ◇ I understand that I must follow state and federal rules when using technology.
- ◇ I will not try to bypass the security measures of any computer equipment.
- ◇ I will not knowingly create or introduce any virus to The ASK Academy's equipment or network.
- ◇ I will not produce, send, or distribute unethical, illegal, immoral, inappropriate or unacceptable information of any type through electronic mail or telecommunications.
- ◇ I understand that I have no expectation of privacy in connection with my use of Academy technology.
- ◇ I understand that email on networks should not be considered absolutely secure or private.
- ◇ There is a risk that attachments may contain programs or executable files that carry viruses. I will not open attachments unless the source and/or sender can be verified.
- ◇ I will tell an adult in charge immediately if I encounter materials which violate the rules of appropriate use.

Assignment of an ASK Laptop

The scholar is assigned a laptop computer which the scholar will use to complete required learning assignments in Academy, at home, and in the field. All Equipment assigned to the scholar is the property of The ASK Academy. The software applications are fully licensed and appropriate for scholar use. The computer has been imaged to allow scholars to save their work to the hard drive. Scholars may not add any new software to the laptop computer unless it has been approved by The ASK Academy’s System Administrator. Some software additions may impede or conflict with the Equipment’s established software or disable a level of the computer’s performance. The system administrator must have all software licensing on file. Any questions regarding the addition of software to the laptop computer should be directed to The ASK Academy’s System Administrator.

The scholar and her/his parent/guardian(s) accept full financial responsibility for the repair or replacement of the Equipment should the Equipment be lost or damaged through misuse or negligence during the period of this contract.

If a scholar does not return the laptop at the end of the year, when withdrawing from the Academy, or upon disenrollment a police report will be filed for theft of property.

The Terms of the Contract will be as follows:

The scholar is enrolled as a full-time scholar at The ASK Academy who agrees to the conditions of this contract as well as all Academy policies and procedures. The scholar and parent/guardian agree to abide by policies identified in The ASK Academy’s Acceptable Use of Technology Policy at the Academy and at home.

1. Authority:

The ASK Academy personnel will be available to assist the scholar in any way possible. The sponsor Project Manager is the first person the scholar should consult regarding the use of Equipment or problems that may arise. The ASK Academy’s Systems Administrator will be notified by the scholar’s Project Manager so that the appropriate processes for computer help or needed repair can be followed. The equipment will be the responsibility of the scholar and the parent/guardian when it is used at home. Scholars will be asked to bring the laptop **DAILY** to Academy for in-Academy projects. **Scholars may not LOAN or EXCHANGE their assigned laptop at the Academy or at home.**

Scholars may choose to connect their computer to the Internet when at home. The parent/guardian and the scholar understand that they must have an Internet Service Provider in order to use the Internet. The ISP connection is the responsibility of the parent/guardian.

2. Transportation of the Equipment (High School scholars):

The scholar is responsible for transporting the Equipment **ONLY** in a padded backpack that will need to be provided by the family. It is important that the scholar take great care not to drop the laptop and break the screen as breaking the screen may render the laptop useless and the family will have to pay full depreciated cost of the laptop before another laptop can be issued to them.

3. Parent/Guardian Consent:

By signing this contract, the Parent/guardian of The ASK Academy scholars gives permission for her/his child to accept or use the laptop computer. The scholar’s parent/guardian accepts responsibility or the consequences of her/his child’s actions and/or behavior while using the Equipment. Additionally, the parent/guardian of a high school scholar agrees to pay the **yearly maintenance fee of \$60.00 (non-refundable)** for the use of the laptop and ability to take that laptop home during the academic year.

Bringing a Personal Laptop for use at The ASK Academy

If the scholar and parent/guardian choose to have the scholar use a personal laptop at The ASK Academy, then they agree to download required ASK software, including the ASK security software (anti-virus, anti-spyware, etc.) onto that personal laptop. Furthermore, they agree to pay a **yearly software and network usage fee of \$15.00 (non-refundable)** for the use of the Academy software, and ASK internet access.

___ CHECK HERE IF THE SCHOLAR WILL BE USING THEIR OWN LAPTOP

By signing this Contract, all parties agree to the terms and conditions stated within.

Signature of Scholar

Date

Signature of Parent/Guardian

Date



Review of Scholar and Parent Handbook 2022-2023

This handbook will also be located on our website at www.theASKAcademy.org

We, the parent(s)/guardian(s) of an ASK Academy scholar understand that the Scholar and Parent Handbook contains important information. We acknowledge that this handbook contains information and policies that we should be familiar with while our scholar attends The ASK Academy.

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

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

Directions for return of this form:

- 1.) Scholar and Parent/Guardian review handbook together.
- 2.) Scholar and Parent/Guardian sign handbook acknowledgements below.
- 3.) Tear out or print this page from the handbook.
- 4.) Scholar returns this page to the Academy.

New and transfer scholars registering after the start of the academic year must return this acknowledgement page within one week after receipt.

Date: _____

Scholar Name (Print) _____

Scholar Signature _____

Parent/Guardian Name (Print) _____

Parent/Guardian Signature _____

Please sign and return this page **immediately** and keep.

The ASK Academy Scholar and Parent Handbook at home for future reference.



A New Mexico Public Charter School

An Educational Pipeline for

Engineering & Design

& Biomedical Science Careers

With 21st Century Design Thinking

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A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Policy 100

By-Laws

The ASK Academy

Adopted: February 18, 2010

Revised: September 1, 2011; June 12, 2014; June 11, 2015; April 16, 2020

Reviewed: October 11, 2018

**BY-LAWS of
The ASK Academy
A New Mexico Charter School**

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ARTICLE I - Name

Section 1- Name

- The ASK Academy, hereinafter referred to as (ASK), is a Local Educational Agency (LEA) in the state of New Mexico, under the New Mexico Charter School Act.
- ASK is an acronym for Attitude, Knowledge and Skills.

Section 2 - Location

- The principal office of The ASK Academy (ASK) shall be located in Rio Rancho, New Mexico or other location as approved by the New Mexico Public Education Commission or New Mexico Public Education Department
- ASK may have such other offices, either within or without the State of New Mexico, as the business of ASK requires to support its mission.

Section 3 - Purposes

- ASK is a public charter school organized under the laws of the State of New Mexico and its purposes are exclusively educational as set forth in the Charter Contract from the State of New Mexico. More specifically, the purposes for which ASK is organized is to be determined by the BOARD and included here.

Section 4 - Statute and Code

- ASK shall operate in accordance with the Charter School Program Act of New Mexico.

Section 5 - Non-discrimination

- ASK shall not discriminate on the basis of race, religion, national origin, gender or age in both the hiring and other employment practices of the school or in its admission policies for students. Further, ASK shall be open to all students in its authorized geographic area on a space available basis. ASK shall conduct all activities in accordance with all applicable local, state, and federal laws and regulations applicable to the operation of charter public schools in the State of New Mexico.

ARTICLE II - Board of Directors

Section 1 – General Powers

- The Board of Directors (BOARD) shall have all powers and authority, as designated in the Charter, for the management of the business, property, and affairs of ASK; to do such lawful acts as it deems proper and appropriate to promote the objectives and purposes of ASK.
- The BOARD may, by general resolution, delegate to committees of its own number or to agents of the ASK such powers as it may see fit for specified periods of time.

Section 2 - Number

- The BOARD shall consist of no less than five (5) persons.
- That number may be increased or decreased from time to time by action of the BOARD without the necessity of an amendment to these Bylaws so long as the number is not less than five (5). Terms shall be assigned so that they are consistent with tenure as specified in Section 5 of Article II.
- No decrease shall have the effect of shortening the term of any incumbent Director.

Section 3 - Qualifications

- The board of ASK shall be comprised of individuals who have::
 - Good character
 - Science, Technology, Engineering and Mathematics (STEM) thinking and attitudes
 - Backgrounds in STEM careers and/or programs
 - State of New Mexico residency.

Section 4 - Appointment of Directors

- The names of the initial BOARD is set forth in the Charter contract with the Public Education Commission (PEC).
- All subsequent Directors shall be appointed by action of the BOARD.
- Newly appointed directors shall assume office at the first board meeting following their appointment.
- The CHAIR shall have the authority to appoint interim board member for a period not to exceed sixty (60) days.

Section 5 – Tenure

- Directors shall be elected and hold office for a term of four (4) years or until June 30th following the Annual Meeting of the fourth year.

- At the organizational meeting of ASK, three (3) of the initial Directors shall be appointed to hold office for an initial term of four years, two (2) shall be appointed to hold office for an initial term of two years.
- Thereafter, Directors shall be appointed every two years at a board meeting for a four (4) year term.
- A member's obligation to maintain confidentiality shall survive the Board member's tenure on the Board.

Section 6 - Term Limits

- BOARD membership shall have unlimited terms.

Section 7 - Resignation and Removal

- Any Director may resign from office at any time by delivering a written notice of resignation to the office of ASK and such resignation will take effect immediately.
- Any Director(s) may be removed from the BOARD, after receiving 24-hours notice, by action of the BOARD.

Section 8 - Annual Meeting

- An annual meeting of the BOARD for the appointments of new directors and/or officers and such other business as may come before the meeting to be held in June of each year. Written notice shall be given not less than 10-days prior to the meeting of the time, place, and purposes of the meeting.

Section 9 - Regular Meetings

- In addition to the Annual Meeting, Regular meetings of the BOARD shall be held as needed and as determined by the BOARD in accordance with the Open Meetings Act.
- Meetings shall be conducted in accordance with Roberts Rules of Order.

Section 10 - Special Meetings

- Special meetings of the BOARD for any purpose may be called at any time by the Chair upon a petition by a majority of the BOARD.
- Notice of the meeting shall be given not less than 72-hours prior to the special meeting and shall be given personally or by telephone, telephone facsimile, or electronic mail.
- The notice shall specify the time and place of the meeting and in all respects comply with the notice requirements contained in the New Mexico Open Public Meetings Act.

Section 11 - New Mexico Open Public Meetings Act (OPMA).

- All meetings of the BOARD shall be held in accordance with the New Mexico Open Public Meetings Act.

Section 12 - Quorum

- A quorum shall consist of no less than three (3) members of the BOARD.
- A quorum, once attained at a meeting, shall be deemed to continue until adjournment notwithstanding a voluntary withdrawal of enough Directors to leave less than a quorum. If a board member leaves the meeting in which a quorum has been established and leaves less than quorum, the remaining members can either wait for enough members to return to re-establish a quorum or determine a new date to meet. You may not continue a meeting if you have less than a quorum.
- When a quorum is present, a majority of the BOARD present may take any action on behalf of the BOARD, except to the extent that a larger number is required by law, by the Charter, or by these By-laws.
- ACTION of the BOARD shall require a majority of the BOARD present at any meeting.

Section 13 - Vacancies

- A vacancy on the BOARD, including a vacancy caused by an increase in the number of directors, may be appointed by action of the BOARD.

Section 14 - Compensation

- Directors receive no payment for their services as a member of the BOARD.
- With BOARD pre-approval, directors may be reimbursed for out-of-pocket expenses incurred on board business. Members may be reimbursed for reasonable expenses in accordance with Section 2.42.2 NMAC.
- Within the next two regularly scheduled meetings after expenses are incurred Directors must present receipts for all such approved expenses. Expenses shall be itemized and documented. Such expenses must be approved by an action of the BOARD.

Section 15 - Meeting Attendance

- Directors are expected to attend all Board meetings. It shall be the duty of the Secretary of the Board to communicate with any director after such director's three unexcused, consecutive absences to ascertain the interest in retaining Board membership. Failure to provide an adequate response may qualify as sufficient cause for removal from the BOARD.

Section 16 – Nepotism

- No candidate shall be hired for a position where they may report to, or supervise a member of their immediate family. Immediate family is defined as: parent(s); step parent(s); foster parent(s); sibling(s); children; grandparent(s); grandchildren; spouse or life partner; grandparent, parent, child, grandchild, or sibling of spouse or life partner. Prior to accepting any offer of employment, potential employees are required to disclose personal relationships with other school employees, the head administrator, or members of the Board of Directors. Failure to do so will be grounds for termination of employment.

Section 17 – Misuse of Power

- No Council member will use his/her position to attempt to influence the decision of any school employee to grant special treatment to (a) the child or ward of such Council member, (b) any relative of such Governing Council member, or (c) any "Related Entity". For purposes of these Bylaws, a "Related Entity" is a business enterprise, nonprofit organization or other entity with respect to which such Governing Council member, or a relative of such Governing Council member (i) has a direct or indirect financial interest; (ii) is an officer or director; or (iii) is otherwise in a position to control the management or decision-making of such entity. Every Council member and every ASK Academy Charter employee who is a parent or guardian of an ASK Academy Charter student shall inform his or her child that he or she is required to follow all rules, policies and procedures applicable to ABC Charter students, that he or she is not entitled to special treatment by virtue of the relationship with a Council member or employee, and that any attempt to seek such special treatment may result in disciplinary action.

ARTICLE III - Committees

Section 1 - Establishment

- The BOARD may appoint such standing committees and/or ad hoc committees as it deems necessary for the effective governing of the school.

Section 2 - Standing Committees

- Each standing committee shall have a duty as assigned by action of the BOARD
- The function of any committee so established shall be fact-finding, deliberative, and advisory to the BOARD.
- Committees shall not have authority to take legislative or administrative actions, nor to adopt policies for the school.
- Each committee shall consist of at least one member of the BOARD. Each committee may have an ASK Academy charter school representative except in cases where his/her evaluation, tenure, or salary is to be deliberated.
- Standing committees shall be:
 - In accordance with New Mexico law, the BOARD shall establish a Finance and Audit Committee.
 - Committee members shall be appointed each year at the first BOARD meeting following the annual meeting.

Section 3 - Ad Hoc Committees

- Each Ad Hoc committee shall have a duty as assigned by action of the BOARD
- Members of ad hoc committees shall be drawn from those parents and staff of the school community who indicate interest in serving on the ad hoc committee and from such others as may be deemed appropriate by the BOARD.

ARTICLE IV - Officers

Section 1 - Titles

- The Officers of the BOARD are a Chair, a Vice Chair, and Secretary.
- The BOARD may create such other officer positions as it deems necessary.
- Each officer position shall have its duties and responsibilities specified and\ included in these By-laws.
- No Officer may hold more than one position at the same time.

Section 2 - Election

- The Officers shall be elected from among the BOARD at each annual meeting of the Directors and shall serve for one year and until their successors are elected.

Section 3 - Terms

- The Chair may serve no more than three consecutive one-year terms.
- DIRECTORS elected to the other officer positions may serve no more than five consecutive one-year terms.
- Former officers, after a break in service of two years, may be elected to another term as an officer.

Section 4 - Duties

- Officers shall have the duties and responsibilities belonging to their office, including the follow.
 - The Chair shall be the chief executive officer of the Board, responsible, along with his/her fellow Directors, for the oversight of its business and affairs. He/she shall preside at all meetings of the BOARD. The Chair shall have full and equal vote as accorded to all Directors. The Chair may enter into and execute in the name of the BOARD contracts or other instruments that are authorized by the BOARD. The Chair may delegate, as needed, to any other officer any or all of the duties of the office of Chair. He/she shall have such other powers and duties as may be prescribed by the BOARD or by these By-laws.
 - The Vice Chair shall have such duties and responsibilities as may be delegated to him/her by the Chair. The Vice Chair shall have full and equal vote as accorded to all DIRECTORS. In the absence of the Chair, the Vice Chair shall perform all the duties of the Chair and, when so acting, shall have all the responsibilities of and be subject to all the restrictions as fall upon the Chair, including presiding at

meetings of the BOARD. He/she shall have such other powers and duties as may be prescribed by the BOARD or by these By-laws.

- The Secretary shall cause notices of all meetings to be served to all members of the BOARD and the General Manager and shall keep or cause to be kept the minutes of all meetings of the Board, including the time and place, the names of those present, the actions taken, and the votes on such actions. The Secretary shall present the minutes of the previous meeting at the subsequent meeting to be approved by the Board and duly noted in the minutes. He/she shall have such other powers and duties as may be prescribed by the Board or by these By-laws.

Section 5 - Removal

- Any officer may be removed from office, by action of the BOARD at any regular meeting or special meeting called for that purpose.
- Any officer proposed to be removed shall be entitled to at least 24-hours notice of the meeting of the BOARD at which such removal is to be voted upon and shall be entitled to appear before and be heard by the BOARD at such meeting.

ARTICLE V - Fiscal Year and Fiscal Responsibility

Section 1 - Fiscal Year

- The fiscal year of the BOARD shall be July 1st to June 30th.

Section 2 – Fiscal Responsibility

- Any fiscal or contractual obligations in excess of sixty thousand dollars (\$60,000), budget transfers in excess of \$60,000 and/or exceeding the current fiscal year shall require action of the BOARD.
- Any fiscal or contractual obligations less than sixty thousand dollars (\$60,000) and/or expiring in the current fiscal year shall require signature by a school representative as designated by school procurement policy.

ARTICLE VI - Amendments to By-laws

Section 1 - Amendments

- The BOARD shall have the power to make, amend, or repeal the By-laws of the charter school, either in whole or in part.
- Any change shall require unanimous approval by the entire BOARD.

ARTICLE VII - Dissolution

Section 1 - Revocation of Charter

- If, at any time and for any reason, the school charter is revoked or the school becomes insolvent, all assets of the charter school, after satisfaction of all outstanding claims by creditors, will be distributed equitably by the Commissioner of Education, in accordance with law, among the participating districts of residence and non-resident district(s).

Section 2 - Voluntary Dissolution

- Should the BOARD choose to dissolve for reasons other than the revocation of its charter or financial insolvency, all assets of the charter school, after satisfaction of all outstanding claims by creditors and governmental grantors will be distributed as required by law.

ARTICLE VIII - Additional Provisions

Section 1 - Indemnification of DIRECTORS and Officers

- A Director shall not be personally liable for damages for breach of any duty owed to the BOARD, its beneficiaries, or its BOARD, except that nothing contained herein shall relieve a Director from liability for breach of a duty based on a violation of law or other policies as adopted by the BOARD resulting in receipt of an improper personal benefit.

Section 2 - Insurance

- The BOARD shall provide for the liability and other forms of insurance deemed necessary and prudent as protection for directors against possible claims.

These Revised By-laws were adopted by the BOARD at its meeting held on April 16, 2020 by a unanimous vote.


Board Chair



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Board of Directors Conflict of Interest

Policy 101

Conflict of interest arises whenever the personal or professional interests of a Board Member are potentially at odds with the best interests of the ASK Academy.

No member of the Board of Directors, or any of its Committees, shall derive any personal profit or gain, directly or indirectly, by reason of his or her participation with the ASK Academy. Each individual shall disclose to the organization any personal interest which he or she may have in any matter pending before the organization and shall refrain from participation in any decision on such matter. All directors of the board shall sign an affidavit of Governing Body Member regarding conflict of interests and any update will be disclosed on the attached form as necessary throughout his or her tenure.

If an issue is to be decided by the Board that involves potential conflict of interest for a Board Member, it is the responsibility of the Board Member to:

1. Identify and disclose the potential conflict of interest;
2. Refrain from exerting any influence as a Board Member into the discussion or decision making process;
3. Recuse himself or herself from any decision making relating to the issue; and
4. Not vote on the issue.

It is the responsibility of the Board to:

1. Establish a conflict of interest management plan in writing and file with the records of the organization;
2. Record in the minutes of the meeting of the Board of Directors the potential conflict of interest;
3. Record in the minutes of the meeting of the Board of Directors the objective criteria and procedures used in the decision making process, specifically identifying how the potential conflict of interest was managed in the decision making process;

Board of Directors: Conflict of Interest Disclosure Form

Conflict of interest arises whenever the personal or professional interests of a Board Member are potentially at odds with the best interests of the ASK Academy. As a Director of the Board with ASK Academy, I disclose the following potential conflicts of interest. If additional potential conflicts of interest arise during my tenure as a member of the Board of Directors of ASK Academy, I will disclose such potential conflicts of interest in writing to be filed with the records of ASK Academy.

At this time, I am a board member, committee member, or employee of the following organizations:

Other potential conflicts of interest include:

I certify that as a member of the Board of Directors of The ASK Academy, I will not use my position on the Board of Directors to gain personal or professional interests that are at odds with the best interests of The ASK Academy. I will disclose any potential conflicts of interest for any matter coming before the Board of Directors for The ASK Academy, withdraw from any decision making process relating to the potential conflict issue; and will abide by the conflict of interest management plan developed by the Board.

Signature: _____

Printed name: _____

Date: _____

The ASK Academy

Adopted: February 18, 2010

Reviewed: June 11, 2015; October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Board of Directors Nepotism

Policy 102

As provided in New Mexico Statutes, the board shall not initially employ or approve the initial employment in any capacity of a person who is the spouse, father, father-in-law, mother, mother-in-law, son, son-in-law, daughter, daughter-in-law of a member of the school board.

The ASK Academy

Legal Reference: NMSA 1978 §22-5-6

Adopted: February 4th, 2010

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Code of Ethics

Policy 103

The ASK Academy endorses the Code of Ethics of the National School Boards Association.

As a member of The ASK Academy Governing Council, representing all the citizens of ASK, I recognize:

- That my fellow citizens have entrusted me with the educational development of the children and youth of the ASK community;
- That the public expects my first and greatest concern to be in the best interests of each and every one of these young people without distinction as to who they are or what their background may be;
- That the future welfare of this community, of this state, and of this nation depends in the largest measure upon the quality of education we provide in the public schools to fit the needs of every learner;
- That my fellow Board members and I must take the initiative in helping all the people of this community to have all the facts, all the time, about their school, to the end that they will readily provide the finest possible school program, staff and facilities;
- That legally the authority of the Board is derived from the state which ultimately controls the organization and operation of the school system and which determines the degree of discretionary power left with the Board and the people of this community for the exercise of local autonomy; and
- That I must never neglect my personal obligations to the community and my legal obligation to the State, nor surrender these responsibilities to any other person, group or organization, but that beyond these, I have a moral and civic obligation to the nation which can remain strong and free only so long as public schools in the United States are kept free and strong.
- In view of the foregoing consideration, it shall be my constant endeavor:
- To devote time, thought and study to the duties and responsibilities of a school board member so that I may render effective and creditable service;
- To work with my fellow Board members in a spirit of harmony and cooperation
- To base my personal decisions upon all available facts in each situation; to vote my honest conviction in every case not swayed by partisan bias of any kind; and therefore abide by and uphold the final majority decision of the Board;

- To remember at all times, that as an individual, I have no legal authority outside the meetings of the Board, and to conduct my relationships with the school staff, local citizenry and all media of communication on the basis of this fact;
- To resist every temptation and outside pressure to use my position as a Board member to benefit either myself or any other individual or agency apart from the total interest in the school system;
- To contribute to, and maintain the professional atmosphere of, personal relations in the District by voicing concerns regarding school employees only to the Superintendent;
- To bear in mind under all circumstances, that the primary function of the Board is to establish the policies by which the schools are to be administered, but that the administration of the educational program and the conduct of school business shall be left to the employed Superintendent and the professional and support staff;
- To welcome and encourage active cooperation by citizens organizations and the communications media in the system with respect to establishing policy on current school operations and proposed future developments; and
- To strive, step by step, toward ideal conditions for most effective Board service to my community in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

The ASK Academy

Adopted: October 13, 2011

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Annual Resolution

Policy 104

WHEREAS, The ASK Academy Governing Council met in regular session virtually via Zoom on June 10, 2021, at 6:30 pm as required by law; and

WHEREAS, Section 10-15-1 (B) of the Open Meetings Act (NMSA 1978, Sections 10-15-1 to -4) states that, except as may be otherwise provided in the Constitution or the provisions of the Open Meetings Act, all meetings of a quorum of members of any board, council, commission, administrative adjudicatory body or other policymaking body of any state or local public agency held for the purpose of formulating public policy, discussing public business or the purpose of taking any action within the authority of or the delegated authority of such body, are declared to be public meetings open to the public at all times; and

WHEREAS, any meeting subject to the Open Meetings Act requires The ASK Academy Governing Council to determine annually what constitutes reasonable notice of its public meetings;

NOW, THEREFORE, BE IT RESOLVED by The ASK Academy Governing Council that:

1. All meetings shall be held at 4550 Sundt Road NE, Rio Rancho, New Mexico, or as indicated in the meeting notice.
2. Unless otherwise specified, regular meetings shall be held each month on the second Thursday. The agenda will be available at least seventy-two hours prior to the meeting posted on the Academy website and on the front doors of The ASK Academy (when school is in session). Notice of any other regular meetings will be posted on The ASK Academy website www.theaskacademy.org and posted on the front doors of The ASK Academy (when school is in session) at least seventy-two hours in advance of the meeting date. The notice shall indicate how a copy of the agenda may be obtained.
3. All meetings may be held by telephone conference call or other similar telecommunications or electronic equipment by means of which all persons participating in the meeting can hear each other at the same time. Meetings may also be held with some Directors present, in person, and other directors present via telephonic, or other equipment, which allows all Directors participating to simultaneously hear each other during the meeting. A Director participating in the meeting by such means shall be deemed to be in person at the meeting, and any votes therein shall be deemed to carry the same force and validity as an in person vote.
4. Special meetings may be called by the Chair or a majority of the members. The notice shall include an agenda for the meeting or information on how members of the public may obtain a copy of the agenda. The agenda shall be available to the public at least seventy-two hours before any special meeting.
5. For the purposes of regular meetings described in paragraph two of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by posting on The

ASK Academy website and on the front doors of The ASK Academy Academy (when school is in session).

6. *For the purposes of special meetings described in paragraph four of this resolution, notice requirements are met if notice of the date, time, place and agenda is provided by posting on The ASK Academy website and posting on the front doors of The ASK Academy (when school is in session).*
7. *In addition to the information specified above, all notices shall include the following language: If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact Mackenzie Woods at 505.891.0757 at least one (1) week prior to the meeting or as soon as possible. Public documents, including the agenda and minutes, can be provided in various assessable formats. Please contact Mackenzie Woods at 505.891.0757 if a summary or other type of accessible format is needed.*
8. *The ASK Academy may close a meeting to the public only if the subject matter of such discussion or action is expected from the open meeting requirement under Section 10-15-1 (H) of the Open Meetings Act.*
 - (a) *If any meeting is closed during an open meeting, such closure shall be approved by a majority vote of a quorum of The ASK Academy Governing Council taken during the open meeting. The authority for the closed meeting and the subjects to be discussed shall be stated with reasonable specificity in the motion to close and the vote of each individual member on the motion to close shall be recorded in the minutes. Only those subjects specified in the motion may be discussed in the closed meeting.*
 - (b) *If a closed meeting is conducted when The ASK Academy Governing Council is not in an open meeting, the closed meeting shall not be held until public notice, appropriate under the circumstances, stating the specific provision of law authorizing the closed meeting and the subjects to be discussed with reasonable specificity, is given to the members and to the general public.*
 - (c) *Following completion of a closed meeting, the minutes of the open meeting that was closed, or the minutes of the next open meeting if the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting was separately scheduled, shall state whether the matters discussed in the closed meeting were limited only to those specified in the motion or notice for closure.*
 - (d) *Except as provided in Section 10-15-1 (H) of the Open Meetings Act, any action taken as a result of discussions in a closed meeting shall be made by vote of The ASK Academy Governing Council in an open public meeting.*

The ASK Academy

Adopted: October 13, 2011

Reviewed: June 10, 2021



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Staff Tobacco Use

Policy 200

The use of tobacco products, including but not limited to, cigarettes, cigars, chewing or smokeless tobacco, pipes, electronic cigarettes, and other look-alike smoking devices, by employees and any other persons is forbidden in school buildings, on school property, in any district-owned vehicle or in any vehicle used to transport students. Employees are prohibited from using tobacco products when on school business or at school sponsored events off school property.

The ASK Academy

Cross-Reference: Student Tobacco Use Policy 302

Legal Reference: 6.12.4 NMAC

Adopted: February 4, 2010

Revised: June 11, 2015; June 9, 2016; October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Human Immunodeficiency Virus Policy

Policy 201

The ASK Academy adopts into policy and will comply with state rule 6.12.2.10 NMAC in whole, reading as follows:

6.12.2.10 HUMAN IMMUNODEFICIENCY VIRUS (HIV)

- A. This section applies to local school boards, local school districts, and charter schools and governs policies to be implemented by local school districts with regards to students and school employees infected with HIV, provides for appropriate curricula regarding HIV, and requires community involvement in the development of policies and the review of instructional materials.
- B. Each school district shall implement a policy that will ensure that all students infected with HIV have appropriate access to public education and that their rights to privacy are protected and to further ensure that are protected.
- C. Curricula:
 - (1) Each school district shall provide instruction about HIV and related issues in the curriculum of the required health education content area to all students in the elementary grades, in the middle/junior high school grades, and in the senior high school grades.
 - (2) Educational materials and grade levels of instruction shall be determined by the local school district and shall be appropriate to the age group being taught.
 - (3) The instructional program shall include, but not necessarily be limited to:
 - (a) definition of HIV and acquired immune deficiency syndrome (AIDS);
 - (b) the symptoms and prognosis of HIV and AIDS;
 - (c) how the virus is spread;
 - (d) how the virus is not spread;
 - (e) ways to reduce the risks of getting HIV/AIDS, stressing abstinence;
 - (f) societal implications for this disease;
 - (g) local resources for appropriate medical care; and
 - (h) ability to demonstrate refusal skills, overcome peer pressure, and use decision-making skills.

D. Community involvement. Each local board of education shall insure the involvement of parents, staff; and students in the development of policies and the review of instructional materials. [6.12.2.10 NMAC - Rp, 6.12.3.8, 9 & 10 NMAC, 11-15-05]

The ASK Academy

Legal Reference: 6.12.2.10 NMAC

Adopted: November 4, 2010

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Staff Cyber-Bullying

Policy 202

Definition:

Cyber-Bullying is the use of electronic information and communication devices, to include but not limited to, e-mail messages, instant messages, text messages, cellular telephone communications, Internet blogs, Internet chat rooms, Internet postings, and defamatory websites, that:

1. Deliberately threatens, harasses, intimidates an individual or group of individuals; or
2. Places an individual in reasonable fear of harm to the individual or damage to the individual's property; or
3. Has the effect of substantially disrupting the orderly operation of the school.

ASK Academy owned, operated, or supervised technologies is any computer, networking system, electronic equipment, or any other equipment or device that may be used by a person to communicate to another which is owned, leased, operated, or under the control or supervision of the school and/or district staff.

Reporting procedure and investigation:

Any scholar or staff member who believes he/she has reason to believe a scholar or staff member has knowledge or reason to believe another scholar or staff member is being subjected to or has been subjected to cyber-bullying shall immediately fill out the bullying/harassment form and report to the building General Manager or designee. The building General Manager or designee shall investigate all reports of such conduct. Any investigation regarding an allegation of cyber-bullying will provide all parties the appropriate due rights.

If the investigations results show:

NO cyber-bullying occurred: the GM will inform the affected parties of the investigation results.

Cyber-bullying occurred: the scholar will be subjected to appropriate discipline.

Discipline and consequences:

Bullying of any kind will not be tolerated at the ASK Academy. Appropriate consequences for scholars who commit an act of cyber-bullying will be enforced.

Depending of the severity of the incident, administration reserves the right to deal with each situation on a case-by-case basis.

Consequences:

1. First offense- referral, mediation, stay-away contract, ISS, parent phone call
2. Second offence-referral, mediation, ISS or OSS, parent phone call
3. Third offense- referral, mediation, OSS or possible Expulsion, parent phone call
4. Fourth offense- referral, OSS/Expulsion, parent phone call

Reprisal or retaliation prohibited:

The ASK Academy prohibits reprisal or retaliation against any person who reports an act of cyber-bullying. The General Manager will determine the appropriate consequences for any scholar who engages in reprisal or retaliation.

Consequences for false accusation:

Consequences and appropriate action for a scholar found to have falsely accused another of an act of cyber-bullying shall be disciplined in the range from medication up to and including suspension and expulsion.

The ASK Academy

Cross-Reference: Policy 309, Scholar Cyber-bullying

Adopted: September 12, 2013

Reviewed: June 11, 2015; October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Professional Travel Policy

Policy 203

The ASK Charter School Governing Council acknowledges that the educational program for staff can be enhanced through the prudent selection of off-campus experiences. Additionally, the Council encourages attendance by school personnel at professional meetings in order to improve their skills and maintain a high level of morale. The objectives for all staff trips are to be clearly defined and consistent with the objectives of the charter, class, or particular activity of the school. Travel must be based entirely on a bona fide educational activity. It must be understood that the general purpose of staff travel is to supplement the school's educational program. The GM shall develop procedures and specific guidelines for all local and distance travel for staff.

GENERAL GUIDELINES

- 1.) Staff members will be reimbursed for authorized travel and per diem expenses pursuant to the New Mexico Travel and Per Diem Rule, 2.42.2 NMAC, as amended.
- 2.) After consideration of all factors, travel costs shall be kept as low as possible. All travel, specific to staff, must be approved in advance by the GM after educational justification been verified.
- 3.) All out of state travel must have prior approval of the General Manager.
- 4.) Staff who travel on behalf of the school are reminded that they are role models and, therefore, their behavior is expected to reflect positively on the school and the community.
- 5.) All per diem for staff will be paid out according to state guidelines. An employee may request mileage reimbursement when the employee is using their personal vehicle for ASK Academy business. The mileage reimbursement rate cannot exceed 80% of the Internal Revenue Service standard mileage rate, set January 1 of the previous year for each mile traveled.
- 6.) The employee must document: the date of travel; the beginning mileage; the beginning location; the ending mileage; the ending location; and the purpose of the trip in order to substantiate the mileage reimbursement request. Reimbursements will be calculated monthly

and submitted to the business office on the ASK Mileage Report for Work-related travel. The General Manager and the Finance Department must confirm that the trip was for school business.

The ASK Academy

Cross-Reference: 2.42.2 NMAC

Adopted: March 1, 2012

Reviewed: October 13, 2016; October 11, 2018



A New Mexico Public Charter School
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Background Investigation

Policy 204

The ASK Academy shall conduct background checks, based upon fingerprint identification, of all prospective employees.

The ASK Academy shall conduct background checks, based upon fingerprint identification, of all district contractors and contractor employees.

The ASK Academy shall conduct background checks, based upon fingerprint identification, or other personal identifying information, of all volunteers who may have unsupervised access to students.

The ASK Academy

Cross-Reference: Staff Handbook

Legal Reference: 22-10A-5 NMAC 1978; 22-14-32 NMAC 1978, 22-5-17 NMAC 1978

Adopted: September 10, 2015

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
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Staff Drug-Free Schools

Policy 205

Drug-Free Workplace Policy: Staff members who work while under the influence of alcohol or drugs present a safety hazard to themselves, their co-workers and scholars. In addition, staff members who work under the influence of alcohol or drugs threaten ASK's reputation and integrity. ASK policy is to create a drug-free workplace in accordance with the Drug Free Workplace Act of 1988. The unlawful manufacture, distribution, dispensation, possession, sale or use of a controlled substance in the workplace or while engaged in business off premises, such as at a parent's home, are strictly prohibited.

Prohibition and Standards.

1. General Prohibition. No staff or student will unlawfully possess, use, distribute, dispense, manufacture or be under the influence of alcohol or drugs while on ASK grounds; at ASK sponsored or supervised activities (e.g., field trips); in any ASK owned, leased or used vehicle; while engaged in or going to or from ASK activities; or, while attending a ASK-related activity (e.g., workshop).

2. Definition of Drug. For purposes of this policy, the term "drug" will include any "illicit drug," "controlled substance," "intoxicating substance," "inhalant," "counterfeit substance," "look-alike substance," "marijuana," "cannabis," "opiate," "hallucinogen," "narcotic," or other unlawful drug for purposes of federal or state law including, but not necessarily limited to the Drug-Free Workplace Act, the Drug-Free Schools and Communities Act Amendments, the U.S. Controlled Substances Act and the New Mexico Controlled Substances Act. NMSA 1978 §§30-31-1 et seq.

3. Exceptions. This policy is not intended to prevent possession of a controlled substance if it was obtained directly pursuant to a valid prescription or order, from a physician, dentist or other person duly licensed, registered, or otherwise permitted under federal and state law to distribute or dispense the substance in the course of professional practice. If a staff member is taking prescribed or over-the-counter medication that may affect work performance, this information should be immediately reported to the General Manager or his/her designee.

4. Conditions of employment. As a condition of employment, each staff member will abide by the terms of this drug-free workplace policy. Every staff member is required to notify the General Manager of any criminal drug conviction or plea of no contest for a violation occurring in the workplace no later than five (5) days after such conviction.

5. Sanctions. Where a staff member violates the terms of this policy or is convicted of violating a criminal drug statute for an offense occurring in the workplace, the staff member will be subject to sanctions, consistent with law and policy, which may include either appropriate personnel action against the staff member, up to and including termination; or, a requirement that such staff member satisfactorily participate in a drug-abuse assistance or rehabilitation program approved for such purpose by a federal, state or local health agency, law enforcement or another appropriate agency. The staff member will be responsible for all uninsured costs associated with any such program.

The ASK Academy reserves the right to search and inspect for maintenance of a safe drug-free workplace.

The ASK Academy

Cross-Reference: Staff Handbook; Policy 312, Student Drug-Free Schools

Legal Reference: 6.12.4 NMAC

Adopted: June 9, 2016

Reviewed: October 11, 2018



A New Mexico Public Charter School

The ASK Academy

21st Century Design Thinking

COVID-19 RESPONSE: SUPPLEMENTAL SCHOOL POLICIES/PROCEDURES GUIDEBOOK Policy 206

SCHOOL YEAR 2021-22

Due to the declared health emergency in New Mexico related to the Novel Coronavirus (COVID-19), until further notice the following supplemental policies and procedures will be in place at School, in addition to the policies and procedures contained in the School's Student/Family and/or Employee Handbooks, and other School policies/procedures. To the extent that a policy or procedure set forth in this Guidebook conflicts with a policy or procedure contained in the School's Student/Family Handbook, Employee Handbook, or other School policy/procedure, the policy in this Guidebook shall control.

Violation of these policies/procedures may subject students/staff to disciplinary action. Parents/guardians, visitors and other persons who refuse to adhere to School policies and procedures shall be required to immediately leave School premises.

School will abide by all current federal and state public health orders and regulations applicable to public schools and school-related activities. See <https://cv.nmhealth.org/public-health-orders-and-executive-orders/>. To the extent anything herein conflicts with an applicable public health or executive order or adopted regulation, the public health/executive order/regulation shall control. Likewise, this Guidebook endeavors to comply with Public Education Department (PED) guidance relating to operations during the public health emergency, which guidance may change from time to time. To the extent that anything herein conflicts with PED guidance, as amended, the PED's most recent guidance shall control.

RE: VACCINATION

Vaccination against COVID-19 remains the most important COVID-safe practice for those eligible to receive the vaccine, and the School strongly encourages the School's community members to get the vaccine(s) as soon as eligible, for the overall health of the individual and the School community. If you need help in obtaining a vaccine, contact the New Mexico Department of Health at 1-855-600-3453, or see <https://goodtimes.vaccinenm.org/good-times/> for information.

RE: VACCINATION VERIFICATION

Students and school employees/staff/contractors/volunteers will be asked to provide evidence of COVID-19 vaccination status to the ASK Nurse. Submittal of evidence of vaccination is voluntary. Those

individuals who do not provide such evidence shall be presumed to be unvaccinated for purposes of these policies/procedures. COVID-related vaccination records shall be maintained in confidence by the school in the same manner as other immunization/health status information from students/staff and in accordance with state requirements.

Evidence of full vaccination includes:

- Original or copy (including photo) of a vaccination card indicating that the individual completed a course of COVID-19 vaccination at least 14 days prior to the current date; or
- Printout or screen shot from:
https://nmsiis.health.state.nm.us/webiznet_nm_public/Application/PublicPortal
indicating the individual completed a course of COVID-19 vaccination at least 14 days prior to the date evidence of vaccination was requested by School.

RE: CAMPUS ACCESS, HEALTH SCREENING AND SELF-ISOLATION PROCEDURES

Other than during school-related events (e.g., assemblies, dances, award ceremonies, academic competitions, extracurricular events, etc.), access to School buildings by nonessential visitors, volunteers, and external organizations/groups with persons who are not fully vaccinated, may be restricted or limited during this public health emergency. Adults coming onto campus during school hours who have not provided evidence of vaccination are required to complete a COVID screening, including temperature check, upon entry. Masking and social distancing requirements apply to visitors/volunteers/spectators indoors on School campus at all times. Visitor/volunteer access to campus is at the discretion of the School's Head Administrator.

COVID Screening Unvaccinated Employees & Contractors. All employees and school contractors who have not provided evidence of being fully vaccinated, *see above*, will be subject to COVID-19 screening which includes a temperature check and questions relevant to COVID-19 exposure, travel, and COVID-19 testing. The School shall maintain a daily log of all unvaccinated employee screening information in the same manner it maintains confidential medical information for all employees. Contractor screening shall be kept confidential except to advise the contractor of positive COVID symptoms.

Self-Isolation/Quarantine Procedures Employees and Contractors. An employee or contractor who as a result of COVID-19 screening or testing, OR any employee or contractor experiencing any symptoms of COVID-19, shall be required to do the following before returning to work or the School premises:

- (a) Engage in a period of self-isolation/quarantine at home;
- (b) Obtain a test or tests for COVID-19 in accordance with New Mexico Department of Health (DOH) protocols and disclose the results of the test to the School's Head Administrator, which results shall be kept in confidence by the School to the extent such

does not conflict with orders and directives of the DOH and/or New Mexico Public Education Department (PED); and

- (c) If the test is positive, work from home to the extent that work can be performed remotely at the discretion of the Head Administrator. Any School employee engaged in a period of self-isolation required under this Policy/Procedure who is not able or permitted to work from home shall use annual and sick leave or, if eligible, COVID-related supplemental sick leave.
- (d) If the result of the COVID-19 test is NEGATIVE, the employee/contractor may return to work or the school 24 hours after the employee no longer has symptoms and has been fever-free without medication. If the result of the COVID-19 test is POSITIVE, the employee/contractor must stay home until released from isolation (10 days after symptom onset and 24 hours fever free, and improved symptoms).

Mandatory School Reporting. Per order of the New Mexico Environment Department, within four (4) hours of learning that an employee has tested positive for coronavirus disease 2019 (COVID-19), an employer must report the positive test to the NMED's Occupational Health and Safety Bureau.

COVID Screening Unvaccinated Visitors & Volunteers. All visitors and volunteers who have not provided evidence of being fully vaccinated, *see above*, and who seek to enter any school building during normal school hours are subject to COVID-19 screening, which includes a temperature check and questions relevant to COVID-19 exposure, travel, and COVID-19 testing. This screening does not apply to spectators in school buildings outside of normal school hours [Monday-Thursday, 7:30 am to 4:30 pm, Friday 7:30 am to 12 pm] although said visitors are required to follow all Covid Safety Practices (CSP) adopted by the School, including masking. The School will post its CSP requirements in locations throughout the premises. The School shall maintain a daily log of all visitors and volunteers entering the School during school hours. The name, telephone number, and date of entry shall be logged for each visitor. The daily log shall be retained for four (4) weeks and shall be maintained, monitored and secured by Mary Lou Lopez, Receptionist.

Entry. If a visitor or volunteer who is seeking to enter a school building during normal school hours displays or discloses symptoms associated with COVID-19 through the screening process, access will be denied. The School's Head Administrator may require a visitor or volunteer to demonstrate proof that he/she has followed the screening procedure before having access to the School. *See Self-Isolation/Quarantine Procedures Employees and Contractors, above.* Any visitor or volunteer who displays COVID-19 symptoms during his/her visit will be directed to immediately leave the school premises.

RE: UNVACCINATED STAFF SURVEILLANCE TESTING.

To identify unrecognized COVID-19 cases and reduce exposures in the public school population, PED in partnership with DOH requires a statewide surveillance testing program for *unvaccinated staff* who are physically working at a school providing in-person student services, including small-group special education services and athletics. **Individuals who provide evidence of full COVID-19 vaccination are**

not required to participate in surveillance testing. The purpose of surveillance testing is to detect COVID-19 outbreaks as early as possible by screening unvaccinated asymptomatic staff. The School will participate in and cooperate with that program as required by PED/DOH. Twenty-five percent (25%) of the School's unvaccinated employees and contractors who work onsite shall be surveillance tested each week that student services are provided at school. No employee or contractor will be required to participate in weekly surveillance testing more than once every four weeks. Such individuals selected for surveillance testing should provide evidence to the school that their results were received during the assigned week. Access to testing will be provided at no cost to the employee under this program, although testing sites/companies will bill insurance for insured individuals who take the test. Contractors shall be responsible for all costs associated with contractor's employees surveillance testing. The School has designated a COVID-19 Point Person, Dr. Alexandra Boyd, to identify individuals to be tested, to coordinate attendance at testing, and to track the number of employees and contractor employees tested on a weekly basis. Reporting to DOH and/or PED shall be as required by PED/DOH.

Unvaccinated asymptomatic employees and contractors' employees who have not been exposed to COVID-19 and who participate in surveillance testing are not required to self-isolate/quarantine from specimen collection until their results arrive. However, asymptomatic individuals who test positive for COVID-19 must self-isolate for 10 days, counted from the date of specimen collection. Individuals who have tested positive for COVID-19 are exempt from surveillance testing for 90 days from when they last tested positive, however, unvaccinated employees and contractors' employees will continue to be subject to screening and, if COVID-19 symptoms are revealed, be required to seek testing and follow self-isolation practices.

RE: STUDENT SURVEILLANCE TESTING

The School will make surveillance testing available to all unvaccinated students on a voluntary basis. In alignment with CDC guidance, those who participate in athletics and other extracurricular activities are strongly encouraged to participate in surveillance testing. The school has a weekly goal of testing 25% of unvaccinated students. Questions regarding student surveillance testing procedures should be directed to the School's COVID-19 Point Person, Dr. Alexandra Boyd, at 505-891-0757.

RE: MASKING

Who must wear one? Any person (including but not limited to students, staff, parents, contractors, volunteers, visitors) entering the School's indoor premises, who uses School transportation, or who participates in or attends an indoor School-sponsored activity must wear a face mask or similar protective face covering, at all times, except while eating or drinking during allowed times. Masking is required indoors regardless of whether an individual has been fully vaccinated against COVID-19 or otherwise claims to be "immune".

How to wear one? Face masks must cover the mouth and nose and fit snugly against the sides of the face in order to contain respiratory droplets.

What masks are acceptable? The types of allowable face masks include: (1) face masks made of two or more layers of cloth; (2) face masks with a clear plastic window; or (3) surgical, procedural, N95 or KN95 face masks that are approved by the federal Food & Drug Administration for use by staff performing medical duties or similar close contact assignments. The following face coverings are NOT substitutes for face masks: (a) masks with exhalation valves or vents; (b) scarves; (c) bandanas; (d) neck gaiters/neck fleeces; (e) face shields. If you have questions about acceptable masking practices, please contact a School staff member or the School's administration.

How to care for one. The School requests that cloth face masks be washed and dried after each day of use at school, and that masks not be reused without washing.

Request a mask. Students who cannot bring their own face coverings for use at School should notify the ASK Nurse, who will arrange for face coverings to be provided. The School will have a sufficient quantity of masks, as well as Personal Protective Equipment (PPE) (for staff in close contact assignments: any staffing assignment in which a staff member must be within six feet of distance from a student in order to fulfill their duties) on hand.

RE: EXCEPTIONS TO MASK WEARING

General Exceptions. The School's masking requirement does not apply to children under age two or to anyone who has trouble breathing, is unconscious, incapacitated or is otherwise unable to remove the mask without assistance. When wearing a mask would obstruct breathing or aggravate another medical condition for a student, the student should be seen by a healthcare provider to discuss whether it is safe for the student to be in school during the public health emergency. If it is determined by the student's medical care provider that the student cannot safely wear a mask, that information must be provided to the School and reasonable accommodations for the student will be considered and documented in the students IEP or in a 504 Plan.

Students with IEPs/504 Plans. For students who cannot wear a face mask as determined by a medical care provider and who have an IEP or 504 Plan as applicable, the IEP or 504 Team shall meet, to decide about possible accommodations based on the totality of needs, that is, the student's needs and the school community's public health needs.

Possible Accommodations. In most cases, the IEP/504 Team will consider fully remote learning as the appropriate accommodation, per PED guidance. Appropriate school staff shall be convened to explore all options to include the student in whatever activities are feasible, including the feasibility of outdoor learning, in a safe manner to the greatest extent possible while minimizing and mitigating risks and making other possible accommodations. If medical documentation is provided, the IEP/504 Team may determine whether a face shield could be substituted for a face mask. In the event the IEP/504 team allows a face shield to be substituted for a mask, the face shield must be hooded, or start at the forehead, and wrap around the face from ear to ear and extend to the chin. Additional PPE equipment for the student and the staff serving the student shall also be considered. When a student with an IEP/504 Plan cannot wear a face mask due to a behavioral issue, then the IEP/504 team will convene to

consider a fully remote learning option or outdoor learning, if feasible, and to develop a plan for teaching the student to wear a face covering so that the student may return to in-person learning as soon as possible. Again, staff shall convene to explore all options to include the student in whatever activities are feasible in a safe manner.

Staff working with Students. Staff who work with students under an IEP/504 Plan wearing a face shield instead of a face mask should wear a face shield in addition to a mask; the school will provide staff in this situation with a medical mask and/or other PPE. The use of a mask is not required by a School employee when in that person's private, fully-enclosed office or workspace with no one else present and the door(s) closed.

School Employees/Contractors. The face mask requirement is considered a lawful condition of employment and doing business with the School during the public health emergency. Employees who refuse to wear a mask as required by this policy or applicable public health order shall be subject to disciplinary action, up to and including termination/discharge. Contractors will be required to leave the School. When wearing a face mask would exacerbate a breathing obstruction or another severe medical condition for an employee, he/she must provide medical documentation to the appropriate administrative personnel along with a request for a reasonable accommodation as defined by the Americans with Disabilities Act (ADA) and school policies. Such requests shall be treated pursuant to the process for staff requests for a workplace accommodation. The School is not required to make reasonable accommodations to contractors or their employees.

Masking and the Americans With Disabilities Act. Please note that a reasonable accommodation under the ADA may not be required when it would pose a "direct threat" to the School community, or when it presents an "undue burden" involving a "significant difficulty or expense", as defined by the ADA. During the public health emergency, all people's health and safety must be considered.

Refusal to Wear a Mask/Discipline - Students. If a student removes the face mask and refuses to wear a mask during required times and in required places, then the student will be taken to an isolation room and parents/guardians will be called to pick up the student. Students who take off their masks outside of permitted times shall be given a disciplinary warning. After three (3) such warnings, the student shall be subject to further disciplinary measures as defined by the school's disciplinary policies and procedures and may include outdoor learning (if available and provided by School), remote learning (if available and provided by the school), or other alternative instruction, depending on the circumstances. Consequences will be supportive and instructional where possible. The School's administrator has sole discretion to determine what disciplinary measures provide the appropriate consequence under the circumstances.

Refusal to Wear a Mask/Discipline – Employees. Employees who refuse to wear a face mask or follow the School's CSP and who are not entitled to a reasonable accommodation as contemplated herein, must vacate School's indoor premises, and will be subject to disciplinary measures for insubordination up to and including discharge or termination from employment.

Refusal to Wear a Mask/Discipline – Contractors & Visitors. Other persons refusing to wear a mask as required shall be required to leave the School's indoor premises and may be required to leave the School's campus.

RE: PREVENTING EXPOSURE TO OTHERS – SELF CARE

If an employee or student feels unwell before coming to school, the employee or student must stay home and follow sick leave or attendance notification requirements. Employees and families are expected to follow the guidance below when assessing what steps to take before coming to school after demonstrating signs of illness.

Unvaccinated students, employees or contractors. If a student, employee or contractor has mild non-specific COVID-19 symptoms such as fever, cough, headache, runny nose, body aches, diarrhea, shortness of breath, newly developed loss of taste or smell, sore throat, nausea or vomiting ("COVID-like symptoms"):

Employees/Contractors should get tested for COVID-19 and should remain in isolation until the results are available. A negative test result will discontinue the isolation and the employee or contractor shall return to school, provided that the mild non-specific symptoms do not interfere with the employee's or contractor's ability to work in the school buildings.

Students who have not provided evidence of vaccination and who exhibit chronic, mild non-specific COVID-19 symptoms should have their symptoms assessed by the school nurse, a health care provider or the parents/guardians. If there are no changes in symptoms from the baseline state, students need not be tested and may participate in school. If the student has a change in symptoms from his/her baseline as assessed either by a parent/guardian, school nurse or health care provider, then the student should be tested for COVID-19 and shall self-isolate until test results are available. A negative test will discontinue the isolation. If a student has a change in his/her baseline state and the student does NOT get tested, the student must self-isolate for 10 days and be fever-free without fever reducing medication for 24 hours and have improving symptoms before returning to school.

Students/employees/contractors with allergies, asthma, or other non-infectious disease which may present with mild non-specific COVID-19 symptoms should contact their primary care provider. Employees and contractors may be required to provide to administration a memo from their health care provider stating that present non-specific mild symptoms do not differ from the employee's/contractor's baseline health condition and indicate that the individual may return to school without being tested for COVID-19. Students, employees and contractors with mild, chronic conditions such as asthma or allergies who have not provided evidence of vaccination and who receive a negative BinaxNOW COVID-19 antigen self-test, are not required

to self-isolate and may participate in school and extracurricular activities until such time as the individual has a positive COVID-19 test or has a change in symptoms.

Students, employees or contractors staff who have not provided evidence of vaccination, who have tested negative for COVID-19 in the past two weeks, and who have no known exposure to COVID-19 should not be tested again in the presence of COVID-like symptoms that have not changed in a meaningful way during that interval. If those symptoms change from their baseline, then the student/staff should begin home isolation.

If an employee/student/contractor is not fully vaccinated and has COVID-like symptoms, that individual must stay home from school/work and get tested for COVID-19 (if a student, only strongly suggested). If the test result is NEGATIVE, the individual may return to school after 24 hours fever-free without the aid of fever reducing medication, provided that any remaining symptoms do not interfere with the ability to work or attend school. If the individual has had a known exposure to COVID-19, that individual must quarantine for the 10 days from the date of the known exposure regardless of a negative test. If the test result is POSITIVE, the procedure for Confirmed COVID-19 Cases, below, will be followed. A person with suspected or confirmed cases of COVID-19 may not return to campus/in-person activities until he/she demonstrates to the School that he/she has met DOH criteria to discontinue home isolation. "Fully vaccinated" means that an individual has completed a course of COVID-19 vaccination at least 14 days prior.

If employee/student/contractor has COVID-like symptoms after receiving the COVID-19 vaccination:

- If the individual has injection site pain, swelling or redness, only: *self-isolation not recommended, come to work or school.*
- If the individual has cough, shortness of breath, runny nose, sore throat and/or loss of taste/smell: *self-isolate and get tested for COVID-19.*
- If the individual has a fever of 100° Fahrenheit (37.7° Celsius) or higher, and experiences other COVID-19 symptoms, self-isolate until all of the following have been met: i) the individual feels well enough to perform normal activities, AND ii) the fever has resolved, AND iii) the person experiences no other COVID-19 symptoms.
- Self-isolate and get tested for COVID-19 if symptoms are not improving or if they persist for more than three days.

A negative test result after vaccination will discontinue the isolation and the individual may return to school provided that the symptoms do not interfere with the ability to work or attend school in the building.

Students/employees/contractors who get ill while at work or attending school in the school building must do the following:

- Students must notify a staff member that they feel unwell. Employees or contractors must notify the Administration.

- Persons who feel unwell on campus, or who refuse to wear a mask, shall immediately be taken to an isolation room or area to separate them from others and to wait to be transported home if they cannot immediately leave school grounds. Persons in an isolation room shall be supervised at all times; supervising staff shall have appropriate PPE provided by the School. School healthcare staff shall conduct COVID-19 screening procedures and use Standard and Transmission-based Precautions when caring for persons who feel unwell on campus. See <https://www.cdc.gov/coronavirus/2019-ncov/hcp/caring-for-patients-H.pdf> or current guidance.
- Parents/guardians will be called to pick up their student immediately. Employee emergency contacts will be called to pick up the employee immediately. If circumstances appear to require immediate healthcare, the School shall call for ambulance transportation to a healthcare facility. Ill students/employees shall not be allowed to drive themselves home.
- Unvaccinated employees feeling unwell and experiencing COVID-19 symptoms are required, and unvaccinated students feeling unwell and experiencing COVID-19 symptoms are requested to seek and obtain testing for COVID-19 at the earliest opportunity and, for the safety of others, to inform the School of the date(s) of testing and the results of any testing.
- Unvaccinated symptomatic persons with a known exposure to COVID-19 must quarantine for the full 10 days, regardless of a negative test.
- Students/employees/contractors with suspected or confirmed cases of COVID-19 may not return to campus/in-person activities until they demonstrate to the School that they have met DOH criteria to discontinue home isolation.

RE: POPULATIONS WITH UNDERLYING MEDICAL CONDITIONS

High Risk Individuals. Students and employees with underlying medical conditions as defined by the CDC, <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html> staff and students defined as “high-risk” pursuant to 6.12.14.7 NMAC, and/or those who live with someone who is in a high-risk as defined by the CDC, should contact Dr. Alexandra Boyd prior to the start of school, or as soon as reasonably possible, to discuss any concerns or issues about returning to on-campus instruction or work responsibilities. Student and employee reasonable accommodations and educational program modifications will be addressed pursuant to IDEA, Section 504, and/or ADA procedures.

Unexcused Absences-Employees. Employees who do not return to work and who do not timely contact the School requesting an accommodation related to their need for an accommodation for themselves or another high risk individual, will not have absences automatically excused.

RE: CONFIRMED COVID-19 CASES; “CLOSE CONTACTS”

Confirmed Cases Notification. Confirmed COVID-19 positive individuals who are members of the school population must notify the School immediately of that result, and the date of the test. Notification should be provided to: Dr. Alexandra Boyd at 505-891-0757.

Confirmed Cases Isolation. Confirmed COVID-19 positive individuals shall be isolated immediately if they are on school grounds or at a school-related activity at the time they are notified of positive testing and shall be sent home.

School Reporting to NMED-OSHA and PED. Per rule of the New Mexico Environment Department, within four (4) hours of learning that an employee has tested positive for coronavirus disease 2019 (COVID-19), the school must report the positive test to the NMED's Occupational Health and Safety Bureau. In addition, the School will report a positive result of either a student or employee to the PED within four hours or by the following business day. The report to the NMED can be made by email to NMENV-OSHA@state.nm.us, by phone to (505) 476-8700, or by fax to (505) 476-8734. School administration shall follow PED, NMENV and DOH Rapid Response protocols with respect to reporting to/notifying those entities of a positive result at the school site or within the school population. If directed to do so by an entity with proper authority, the School may share information relating to the infected individuals with PED and/or DOH and/or other appropriate entities, consistent with applicable FERPA and privacy rights exceptions.

Family Notification. Within six (6) hours of learning of a confirmed positive COVID-19 case at the school site, the school will notify families, employees and contractors (school community) who work at the school, that a positive case has been identified at the school site using the PED's COVID-19 Positive Case Letter form. Note: the School is only required to notify the school community if a positive case was on campus while infectious.

Notification of Close Contacts. A “close contact” is someone who, over a 24-hour period, has a cumulative exposure of fifteen minutes or longer within six feet of a confirmed COVID-19 case with or without a face covering/mask. Excepted from the definition of “close contacts” in the K-12 indoor classroom setting are students who were within 3-6 feet of an infected student (laboratory-confirmed or a clinically compatible illness), where i) both students were engaged in consistent and correct use of well-fitting face masks, AND ii) other K-12 prevention strategies were in place in the K-12 school setting. (This exception does not apply to teachers, staff or other adults in the indoor classroom setting).

Within four (4) hours of learning of a confirmed positive case at the school site, the school will notify school community members who constitute close contacts of the infected individual in writing of the requirement for any unvaccinated individuals to quarantine for 10 days from the last exposure. The School shall not specifically identify the infected person in any of these notifications. NOTE: If the positive individual was not at school from two days prior to symptom onset (or if asymptomatic, two

days before the specimen leading to the positive test result was collected) through the isolation period, there is not a school exposure and whether to notify the school community is optional.

Close contacts and family members. If a confirmed positive individual resides with any other student(s) or employee(s) at other schools, the School will share the confirmed positive case information among the appropriate schools through their COVID-19 Points of Contact so that impacted students and staff are quarantined. Unvaccinated siblings and household members of a COVID-19 confirmed positive individual should quarantine during the positive individual's isolation period and for an additional 10 days afterward. It is also recommended that these family members are tested for COVID-19.

Unvaccinated close contacts at School. Unvaccinated individuals who came within six feet of a confirmed COVID-19 case for a cumulative total of 15 minutes of a 24-hour period, with or without a face covering) must quarantine for 10 days. The School will notify close contacts who are unvaccinated of the requirement to be tested for COVID-19 (staff) and the recommendation to be tested (students), and the requirement to quarantine for 10 days (staff and students), within 4 hours of learning of a confirmed COVID-19 case within the school population. Vaccinated students, employees or contractors who have close contacts with a confirmed COVID-19 case are not required to isolate or be tested.

Testing Window. Testing of unvaccinated individuals for exposure to close contacts should occur no sooner than 7-10 days into quarantine, or at onset of symptoms. A negative test for a close contact of a COVID-19 positive individual does not end the quarantine period.

Quarantine period. Even if the unvaccinated close contact's COVID-19 test is negative, the 10-day quarantine must be adhered to. Individuals who are fully vaccinated against COVID-19 (i.e., greater than two weeks following receipt of the second dose in a two-dose series, or greater than 2 weeks following receipt of one dose of a single-dose vaccine); and who have had close contact with a COVID-19 infectious individual are not required to quarantine. Once the 10-day quarantine period for unvaccinated close contacts is completed without symptoms, the close contact staff member/student may return to school; a negative test is not needed in order to return.

Close contacts away from School. Unvaccinated students and employees must notify the Head Administrator if they live with, or know that they have been exposed to, others who have tested positive for COVID-19. The School will keep this information in confidence to the extent such does not conflict with orders and directives of the DOH and/or PED. If a School student or employee who is not fully vaccinated (as described above) is determined to have had the equivalent of "close contact" (see above) with any confirmed COVID-19 positive person outside of school, including a household member, during the positive person's infectious period, the employee shall get tested (students are recommended to get tested) AND the unvaccinated student/employee shall engage in a ten (10)-day quarantine period from the last date on which the infected case is likely to have been infectious (as defined/determined by CDC/DOH), before returning to the School and/or participating in School-related in-person events. Test dates and results shall be reported to School administration. The School may seek confirmation of the contact's/household member's positive COVID-19 testing and nature of the contact for staff members.

RE: SCHOOL-RELATED EVENTS

School-related events, including assemblies, dances, award ceremonies, academic competitions and extracurricular events, may be limited at the discretion of the Head Administrator to only the most essential events during the public health emergency. Governing Council meetings and staff/professional development meetings are allowable school events which may meet in person (subject to current public health order) and all School's CSPs.

RE: TRAVEL

Overnight and out-of-state travel are allowed for students and staff for field trips, athletics, professional development and other school business, until/unless limited by executive or public health order. Quarantine is not required upon return (subject to current public health/executive order). Unvaccinated individuals who are not household members may not share sleeping quarters on school-related trips.

RE: SCHOOL FACILITY CLEANING/CLOSURE

Cleaning. All School facilities and buildings operated by the School must be maintained in accordance with the guidelines issued by the New Mexico Department of Health and CDC for the cleaning and disinfection of public facilities and schools during the current public health emergency. Staff further shall comply with any/all cleaning/maintenance requirements that may be issued by the New Mexico Public School Insurance Authority (NMPSIA), NMENV, and/or OSHA (<https://www.osha.gov/coronavirus/safework>).

Closure of Impacted Areas. School site areas impacted by a confirmed COVID-19 positive case shall be closed, cleaned and disinfected in accordance with state official guidelines. In consultation and partnership with the PED and NMED, the school will determine when it is safe to reopen the portions of the school facilities impacted by the initial closure. Decisions to reopen those facilities will be based upon appropriate completion of required action steps related to the positive case.

RE: SOCIAL DISTANCING ENFORCEMENT

Social Distancing. Students and visitors are required to follow the instructions of School staff regarding social distancing. Unvaccinated adults must maintain 6 feet of social distance to the extent possible from other adults and from students. Unvaccinated students are to maintain 3 feet of social distance from other students to the extent possible, except when eating, exercising, taking mask breaks, playing wind instruments, and singing or shouting, in which case 6 feet of social distance is required. Students who repeatedly fail or refuse to social distance may be subject to discipline.

School Directives. Students/staff/essential visitors must follow signs and instructions regarding entering/exiting buildings, and flow paths. Teachers shall develop and maintain seating charts that ensure social distancing requirements are maintained and that limit the number of student interactions.

Class Transitioning. School staff shall supervise class transitions to ensure students are wearing masks and maintaining social distancing requirements, and students/staff will be trained on safe transitions.

Virtual Conferencing/Meeting. Where possible/practical, meetings/conferences shall be held virtually or in small groups with maximum social distancing.

Student pickup/dropoff. To the extent possible, the School will stagger entry and release periods and mark spacing for pickup/dropoff to facilitate social distancing.

RE: SHARED MATERIALS

As a precaution against transmitting the COVID-19 virus through shared texts, students and staff should wash and/or sanitize their hands before and after using shared textbooks, school equipment, or other educational materials.

RE: TRANSPORTATION

Transportation. All drivers, attendants, staff and students must wear face masks covering nose and mouth on School-provided transportation. Students may be assigned to certain seating. Where possible, school buses shall be used to transport students, rather than student activity vehicles. To the greatest extent possible, a maximum of two students may sit together on a bus seat. If student activity vehicles must be used, only one student per bench seat is permitted, and students in the vehicle should be staggered so students are not seated directly in front of or behind each other. Windows in the student activity vehicle should remain open at all times. The same rules apply to athletic/student activity trips.

Carpooling. Parents are strongly encouraged NOT to carpool, and to transport only their student(s) to and from school. If students must carpool with members not in their household, all persons in the car should wear masks and should distance themselves in the vehicle to the maximum extent possible.

RE: FIELD TRIPS

Field trips are limited to essential purposes, as determined by the Head Administrator in consultation with staff. The Head Administrator may limit field trips to outdoor destinations in his/her discretion. COVID-safe practices, including indoor masking and social distancing, shall be enforced during field trips, to the extent possible, with eating and drinking during field trips limited to the outdoors.

RE: MEALS/FOOD ON CAMPUS

To maintain social distancing and reduce the risk of virus transmission, lunch for all students may be served in classrooms, outside (as safe and appropriate), and in other large spaces in which students can maintain safe distances. Any food served in the Commons may be staggered to reduce the number of students in the Commons at any one time. Students should maximize physical distance as much as possible when moving throughout the food service line and while eating (especially indoors). To the

greatest extent possible, unvaccinated students should sit on only one side of a table in the cafeteria and maintain greater than three feet of distance from others.

Masks must be worn when students are finished with their meal. Cleaning/disinfection of tables, high-touch surfaces and school meal sites will be conducted throughout the day.

RE: PHYSICAL EDUCATION

It is recommended, but not required, that unvaccinated individuals wear masks outdoors when participating in outdoor play and physical education activities. When physical education activities are held indoors, masks must be worn, and social distancing requirements must be followed to the extent possible.

RE: ATTENDANCE FOR SUCCESS

In-person Attendance. Students are expected to attend in-person or remote instructional programs (if provided by the School), each day. Students opting for one mode of instruction will not be allowed to switch to the other without advance permission of and discussion with the School's Head Administrator. Students who must quarantine or self-isolate pursuant to COVID-related requirements may ask to attend school remotely (if School provides a remote option) during quarantine/self-isolation, to the extent feasible; arrangements should be made through the School's Head Administrator. Attendance will be officially recorded and reported to PED. The school further will track online participation, if offered, as well as attendance. The New Mexico Attendance for Success Act requires that districts and charter schools provide interventions to students based on the percentage of absences students have accrued.

Attendance During School-Closures. If campus is closed, and a remote-only instructional model is implemented due to emergency, attendance shall continue to be taken and reported to the PED, pursuant to this policy and the Attendance for Success Act. Students will be expected to participate in remote learning during any campus closure period(s) as scheduled.

Unexcused Absences. Failure to attend and/or participate in instructional classes and school programs shall result in processes being implemented pursuant to the School's Attendance Policy and the Attendance for Success Act (see student/parent handbook). Meetings that need to be held with parents/guardians pursuant regarding attendance may be held via videoconference or teleconference in lieu of in-person.

Medical and other excused absences. Absences due to medical conditions, including COVID-related quarantine/isolation, may be excused absences if the status of the student is disclosed to appropriate school personnel and if relevant documentation is provided as per the existing School attendance policies. Students will be allowed to make up schoolwork missed due to excused medical absences as provided in the School's or classroom teachers assignment make up policy. Excused medical absences, including medical absences for students on 504 plans and students who are expectant or parenting, are

included when determining students' attendance intervention tiers. However, for students who are excessively absent (students missing 20 percent or more of class periods or school days), additional excused medical absences need not be considered when determining whether a student must be referred to the probation services office.

RE: STAFF TRAINING

All school personnel and contractors shall follow guidelines in current statewide public health orders. All staff and contractors shall be trained in local and state rules regarding health and safety procedures, such as appropriate use of PPE and procedures for when school personnel or students exhibit symptoms of COVID-19.

The ASK Academy
Adopted: August 12, 2021
Revised:
Reviewed:



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Title IX Policy and Procedures Prohibiting Sex-Based Discrimination

Policy 207

- I. Purpose. The purpose of this policy is to articulate The ASK Academy's commitment to eliminating discrimination based on sex, including sexual harassment which is a type of discrimination, in any education program or activity offered by [School]. The School does not discriminate on the basis of sex in education programs or activities that it operates, or employment of individuals as prohibited by Title IX of the Education Amendments of 1972. Any person with questions about this Policy should contact the Title IX Coordinator or designee whose information shall be prominently listed on the School's website [www.theaskacademy.org].
- II. Reason for Policy. The United States Department of Education recently adopted formal rules related to sexual harassment as prohibited by Title IX of the Education Amendments of 1972 (May 2020). These new regulations require additional procedures and policies related to programs using federal funds. The new law focuses on procedures for reporting, investigating and finding illegal sexual harassment as the term is defined by the rule. The School's governing body has always prohibited discrimination based on sex and sexual harassment in educational programs and activities implemented by it. This policy is intended to comply with the mandates of 34 CFR 106 and other provisions of Title IX.
- III. General Statement of Policy. The School is committed to maintaining a safe school environment free from harassment and discrimination. The School prohibits discrimination based on sex and sexual harassment of students by other students, employees or other persons, at school or school sponsored or school related activities. No student will be excluded from participation in or denied the benefit of any educational program or activity operated by the School as a consequence of sexual discrimination or sexual harassment or retaliation for making complaints of sexual discrimination or sexual harassment as defined by Title IX.
- IV. Definitions.
 - A. *Discrimination based on sex.* Means conduct that excludes a person from participation in, denying the person the benefit of, or subjecting a person to unequal treatment under any academic, extracurricular, occupational training or other education program or activity provided by the School based on sex, e.g. disproportionate funding for athletic programs.

- B. *Sexual Harassment*. A form of sexual discrimination recently defined by the U.S. Department of Education as conduct based on sex that satisfies one or more of the following:
1. An employee who conditions the provision of assistance, benefit, or service offered by a School program or activity or unwelcome sexual conduct "*quid pro quo*" (e.g. sexual favors in exchange for good grades);
 2. Unwelcome conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity; or
 3. "Sexual assault," "dating violence," "domestic violence," or "stalking," each as defined by federal law.
- C. *School Program or Activity*. These terms include locations, events, or circumstances over which the School exercises substantial control over the individuals implicated in a complaint of sexual discrimination, harassment or retaliation. Title IX applies to all School's programs or activities whether such programs/activities are held on or off campus, but not outside the United States. Offending conduct covered by these Procedures can occur by e-mail, over the internet, or other technologies, such as social media, if the School has the requisite authority to control the students' conduct on these technologies.
- V. Title IX Coordinator. The School's governing body hereby authorizes the School's Head Administrator, or a position determined by the Head Administrator as the School's Title IX Coordinator. The Head Administrator shall also designate an alternate Title IX Coordinator in the event a complaint is against the Title IX Coordinator or the designated Title IX Coordinator is unavailable to accept a complaint. The Title IX Coordinator should be contacted about inquiries regarding individual's rights and protections afforded under Title IX. The Title IX Coordinator's contact information along with this Policy shall be prominently published on the School's website, in each student and employee handbook, employment applications, notices of employment opportunities and such other School publications as appropriate. The Title IX Coordinator will be responsible for coordinating the School's efforts to comply with Title IX requirements and shall receive complaints of discrimination based on sex or sexual harassment, or retaliation.
- VI. Grievance Policy Procedures. The School's administration will publish notice of and adopt grievance procedures that ensure a prompt and equitable resolution of student and employee complaints alleging any action that would be a violation of Title IX provisions. Grievance procedures shall comply with the requirements of the U.S. Department of Education's Final Rule on Sexual Harassment. 34 CFR Part 106. The grievance procedures shall include how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, describe the investigation process, and how the School will respond to the complaint among other requirements. Parents and guardians as well as the Title IX Coordinator may file a formal complaint of sexual harassment, even if the student does not wish to file the complaint. Grievances and formal complaint processes will

include reasonable prompt time frames for the process and any appeals. Procedures shall be consistent and comply with laws applicable to confidentiality, including FERPA.

- VII. Reporting. The School's procedures shall provide that any person may report sexual harassment or discrimination. The report may be made in person, by mail, telephone or email, using the Title IX Coordinator's contact information or by any other means that would result in the Title IX Coordinator receiving the complaint either verbally or in writing.
- VIII. School's Response Obligations. The School's procedures shall include prompt processing of complaints. In cases of sexual harassment complaints, the School will offer supportive measures to the alleged victim, even if no complaint is filed. All complaints will be investigated and if the alleged conduct does not constitute a violation under Title IX, the School must dismiss the complaint for purposes of Title IX, but it may still address the violation under other violations of the School's code of acceptable conduct. The School will provide remedies where a violation has been established, but not impose disciplinary sanctions without following the grievance procedures. The School requires Title IX Coordinators, investigators and persons who facilitate the requirements of this Policy to be free from conflicts of interest or bias against the complainant or respondent.
- IX. Employee Obligation to Report. Any school employee who learns of actions that may constitute discrimination based on sex or sexual harassment must report that information to the Title IX Coordinator. Employees have an independent legal duty to report child abuse and/or child neglect to the responsible legal authorities.
- X. Notification of Policy. The School will take affirmative steps to ensure that notices required under Title IX and this policy are posted timely, routinely updated, effectively located to ensure that students, parents, employees and others affected by this policy are given adequate notice of their rights hereunder. The policy shall be published once in a local newspaper within ninety (90) days of adoption, other publications by the School, employment applications, recruitment materials, enrollment policies, and in written communications to every student and employee of the School through the handbooks and relevant policy updates.
- XI. Training. The Head Administrator shall ensure that training is provided for all staff and students regarding rights afforded and obligations imposed pursuant to Title IX and its implementing regulations. This shall include training on the definition of sexual harassment as defined by Title IX regulations. Appropriate staff shall be trained in the investigation practices, grievance procedures, hearings and appeals processes, informal resolution processes and how to avoid conflicts of interest and bias. If training materials are developed by the School, they shall be maintained on the School's website.
- XII. Retaliation Prohibited. The School prohibits retaliation against any person who files a complaint, testifies or cooperates in a School conducted complaint proceeding.

XIII. Periodic Evaluations. The School shall conduct evaluations of all its programs and activities no less frequently than every two (2) years, to ensure that this Policy is successfully implemented. The Head Administrator may recommend modifications to policies and procedures governing School programs and activities to ensure equal opportunities are available to all students regardless of sex.

TITLE IX GRIEVANCE COMPLAINT PROCEDURES

The School's Grievance Complaint Procedures is followed when processing all Formal Complaints of discrimination based on sex as defined herein, or retaliation for making complaints about sex discrimination in violation of Title IX. Every effort to ensure impartiality and non-biased decision making has been employed when appointing those individuals who will implement these Procedures. If at any time a participant believes an administrator of this procedure cannot be impartial, he/she should immediately notify the Title IX Coordinator or the School's Head Administrator.

NOTE: Students and employees may address alleged violations of other School policies including the School's anti-bullying and anti-harassment/discrimination rules, using those procedures as described in the School's handbooks or related procedures. These procedures will not be used to address complaints of discrimination or harassment based on other classifications (race, ethnicity, age, physical or mental disability) This Grievance Process and these Procedures are specifically limited to address complaints of discrimination, sexual harassment and retaliation based on sex and according to Title IX of the Education Amendments of 1972.

I. PURPOSE OF THESE PROCEDURES

- These Grievance Complaint Procedures ("Procedures") are intended to implement the requirements of 34 CFR Part 106 and apply only to complaints raised to address discrimination prohibited by Title IX.
- These Procedures provide students and employees a process to bring formal grievance complaints about conduct that may constitute sex discrimination as defined in these Procedures and to ensure that all parties to a complaint are given fair, even-handed opportunities to present their side of the case before a final determination is reached and before disciplinary actions are imposed, except in emergency situations.

II. DEFINITIONS

- A. Complainant – means the individual who is alleged to be the victim of conduct that could be sexual harassment, discrimination or retaliation for complaining of sexual harassment or sex discrimination as meant by Title IX.
- B. Formal Complaint – is the document submitted by the Complainant or signed by the Title IX Coordinator alleging sexual harassment, discrimination or retaliation against a Respondent and requesting that the School investigate the stated allegations. If the Formal Complaint is signed by the Title IX Coordinator, the Coordinator does not become the Complainant, nor a party to the Grievance Process. The Title IX Coordinator

may submit a Formal Complaint even if the Complainant does not wish to do so on his/her own behalf. If the Title IX Coordinator files the Formal Complaint, he/she must follow the processes stated herein. Additionally, a parent or legal guardian may act on behalf of a Complainant including signing and filing a Formal Complaint.

- C. Impartiality of administrators – Participants in the Grievance Process, to the greatest extent possible, are assured that the Title IX Coordinator, Investigator, Decision Maker and Appeal Officer as the terms are used in this Procedure shall not have a conflict of interest or bias for or against the Complainant or Respondent, and shall have received appropriate training for their respective roles in this process.
- D. Respondent – is the individual against whom the allegations of the Formal Complaint are made. A parent or legal guardian may act on behalf of the Respondent as a party to a Formal Complaint
- E. Sexual Discrimination – Excluding a person from participation in, denying the person the benefit of, or subjecting a person to unequal treatment under any academic, extracurricular, occupational training or other education program or activity provided by the School based on sex, e.g. disproportionate funding for athletic programs. Sexual Discrimination includes Sexual Harassment as defined in paragraph F. For purposes of these Procedures, “sexual discrimination” shall include “sexual harassment.”
- F. Sexual Harassment – A form of sexual discrimination recently defined by the U.S. Department of Education as conduct based on sex that satisfies one or more of the following:
 - 1. An employee who conditions the provision of assistance, benefits, or services offered by a School program or activity or unwelcome sexual conduct “quid pro quo” (e.g. sexual favors in exchange for good grades).
 - 2. Unwelcome conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity; or
 - 3. “Sexual assault,” “dating violence,” “domestic violence,” or “stalking,” each as defined by federal law and collectively referred to in these Procedures as “sexual violence.”
- G. Education Program or Activity – An education program or activity of this School includes all locations, events, or circumstances where the School has the authority to exercise substantial control over both individuals implicated in a complaint of sexual harassment. Title IX applies to all School’s programs or activities whether such programs/activities are held on or off campus, but not outside the United States. Offending conduct covered by these Procedures can occur by e-mail, over the internet, or other technologies, such as social media, if the School has the requisite authority to control the students’ conduct on these technologies.
- H. Title IX Coordinator – an employee of the School who is *duly authorized* to coordinate the School’s efforts to enforce the provisions of Title IX.

III. TITLE IX COORDINATORS’ CONTACT INFORMATION

- 1. Title IX Coordinator
 - a. Constance Castilleja
 - b. Director of Advancement

- c. cdove@theaskacademy.org
- d. 505-891-0757, Ext. 324
- 2. Alternative contact
 - a. Dr. Alexandra Boyd
 - b. Chief Executive Officer
 - c. aboyd@theaskacademy.org
 - d. 505-891-0757, Ext. 302
 - e. The ASK Academy
4550 Sundt Road NE
Rio Rancho, NM 98124

IV. WHO MAY REPORT A COMPLAINT?

- A. Any employee who believes a student has been the subject of sexual discrimination and/or retaliation by a student, employee, or third person (e.g. contractor, visitor, etc.) or who has reason to believe that said conduct has occurred, **must contact** the Title IX Coordinator or Alternate Contact to initiate the filing of a complaint. **This report is in addition to any mandatory obligation to report child abuse or neglect.**
- B. Students are not required to file a Formal Complaint on their own behalf but are encouraged to do so.
- C. Any other person may report sex discrimination whether he/she is the alleged victim of the purported illegal conduct using the methods described in this Procedure.
- D. If Complainant is unwilling or unable to submit a Formal Complaint, the Title IX Coordinator or Alternate may ask for details of the incident in an oral interview. If the Complainant is a student with disabilities, the Title IX Coordinator shall review the reporting student's IEP or 504 Plan to determine the specific accommodations that might be necessary to aid the student in filing a Formal Complaint and/or participating in the Grievance Process.
- E. The School will promptly notify the parents of the Complainant and the Respondent of a complaint alleging sexual discrimination, unless the student is over eighteen (18).

V. GRIEVANCE COMPLAINT

- A. The Title IX Coordinator, upon learning of a complaint of sexual discrimination, sexual harassment or retaliation, shall contact the Complainant and explain the process for filing a Formal Complaint and of the availability of Support Measures as described in Section VI.
- B. The School has a Grievance Complaint form that may be obtained from the Title IX Coordinator and which is posted at www.theaskacademy.org. However, a complaint may be made orally or provided in a writing that contains the following information:
 - a. Name, address, telephone number, email address of Complainant
 - b. Name of person(s) directly responsible for the alleged discrimination or retaliation
 - c. Date(s), time(s), and places of alleged discrimination or retaliation
 - d. Nature of the alleged violation(s); i.e. discrimination, harassment, retaliation
 - e. Detailed description of the specific conduct that is the basis of the alleged violation(s)

- f. Copies of any documents or items related to the alleged violation(s)
 - g. Names and contact information for witnesses
 - h. Any other important information
- C. If the Complainant does not wish to sign and file a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint, which triggers the Procedures stated herein, even over the objections of the Complainant. The Title IX Coordinator shall keep the Complainant informed of the process.
- D. A Formal Complaint can be submitted in person, by mail, or by electronic mail by using the contact information stated in Section III.

VI. INTERIM SUPPORT MEASURES DURING PROCESS

- A. Upon notice of a complaint, even if a Formal Complaint is not filed, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of Supportive Measures as described herein. The Title IX Coordinator shall consider the Complainant's wishes with respect to Supportive Measures. Supportive Measures shall remain confidential to the extent possible for the School to successfully implement the measure.
- B. The Title IX Coordinator will make sure the Complainant is aware of his/her Title IX rights and the right of the Complainant to report a crime to law enforcement.
- C. Once a Formal Complaint is filed, the Title IX Coordinator will take steps to ensure that both the Complainant and Respondent continue to have equal access to education programs including by providing Support Measures before for the Investigation is completed and the Written Decision is issued.
- D. Supportive Measures means non-disciplinary, non-punitive individualized services provided by the School before or after filing of a Formal Complaint, or even where no complaint has been filed. These measures are designed to preserve both Complainant's and Respondent's equal access to their education program or activity. Measures will be designed to protect the safety of all parties, the School's educational environment and to deter sexual harassment or discrimination.
- E. Supportive Measures may include steps such as counseling, extending deadlines or making other course-related adjustments, modifications of work or class schedules, on-campus escort services, mutual restrictions on contact between the parties, leaves of absences (employees), increased security and monitoring, or other measures as appropriate and reasonably available, with no charge to the Complainant or Respondent.
- F. Interim measures afforded will depend on the situation. The Title IX Coordinator shall take into consideration: the specific needs expressed by the Complainant; the age of the students involved; the severity or pervasiveness of the alleged conduct; any continuing affects on the Complainant; whether the Complainant and Respondent share classes, transportation, or extra-curricular activities; or whether there are judicial orders in place to protect the Complainant.
- G. A Respondent shall not be disciplined or have punitive measures imposed prior to the outcome of the Investigation and Written Decision.
- H. Emergency Removal. Respondent may be removed from the School or School activity immediately, provided that the School conducts an individualized safety and risk

analysis and determines that an immediate threat to the physical health or safety of any student, not just the Complainant, or other individual arising from the allegations of sexual harassment, discrimination or retaliation, justifies removal. If removal is warranted, the Respondent shall be afforded the opportunity to challenge the decision immediately following the removal. The extent of the challenge afforded will depend on the duration of the removal deemed warranted. An emergency removal cannot modify any rights a student may have under his/her IEP or 504 Plan.

- I. If the Respondent is an employee, he/she may be placed on administrative leave with pay during the pendency of the Grievance Process based on the allegations of the Formal Complaint.

VII. FORMAL COMPLAINT PROCESS

A. Timelines and due dates.

1. A Formal Complaint under this Procedure should be filled as soon as possible but not later than ninety (90) days after the incident or last incident giving rise to the allegations. Failure to file a Formal Complaint within these timelines may result in dismissal of the Formal Complaint. Dismissal, however, shall not preclude an individual from pursuing his/her complaint through external enforcement agencies. *See Section XVI below.*
2. The Title IX Coordinator and other administrators of this procedure will make every reasonable attempt to adhere to the time limits applicable to each stage of the process. Requests by the parties for extension of time should be made to the Title IX Coordinator who will decide whether there is good cause for an extension under the circumstances.

B. Notice of Formal Complaint. Upon receipt of a Formal Complaint, the School shall provide a written notice that contains the following information to the Complainant and Respondent:

1. A copy of these Grievance Procedures.
2. A statement of allegations of the Formal Complaint with sufficient details for the Respondent to prepare a response including, the name of the Complainant and other individuals involved in the incident (if known), the conduct allegedly constituting sexual discrimination, sexual harassment or retaliation, and the date and location of the incident. The Respondent shall be notified of any amendments to the allegations during the Investigation and a fair opportunity to respond.
3. A statement that the Respondent is presumed not to be responsible for the alleged conduct and that a determination of responsibility shall not be made until the Grievance Process is completed including any final decision on appeal.
4. Inform the parties that they may have a representative of their choice, who may be, but is not required to be an attorney. If represented by an attorney, the attorney's name and contact information must be provided to the Title IX Coordinator within five (5) business days of the notice of the complaint or no later than three (3) days prior to any interview or meeting on behalf of the represented party.
5. The right to inspect and review evidence presented to the Investigator.
6. An explanation that an Informal Resolution Process is available, but only if both parties agree in writing to the process as described in these Procedures.

7. A statement that the making of false statements or knowingly submitting false information during the Grievance Process may result in closure of the Formal Complaint as described in Section XI, or greater weight given to evidence presented by the other party during the Investigation and/or the final determination process.
- C. Confidentiality.
1. Limitations. The School shall maintain confidentiality to the extent possible. The School cannot assure complete confidentiality but will treat sensitive information as not to be shared with others except in limited circumstances. Exemptions may include but are not limited to the following examples: information required by law to be reported; information imparted to others in supervisory positions to further an investigation or to stop a discriminatory or harassing practice; information given to the Respondent that is necessary for Respondent to have a fair opportunity to provide a response to the allegations of the Formal Complaint.
 2. Considerations before Disclosure. The School will evaluate a confidentiality request in the context of whether it can maintain a safe and nondiscriminatory environment for all students, and will weigh the request against other factors it deems relevant, including without limitation:
 - a. The Complainant's age;
 - b. Circumstances that suggest there is an increased risk of future acts of harassment and/or sexual violence under similar circumstances; and
 - c. Whether the School possesses other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence).
 3. All parties to a Formal Complaint under this Procedure, including Complainant, Respondent, and witnesses, are cautioned to not divulge or publicize the nature of the proceedings or the identity of those involved outside the scope of the Investigation.
- D. Formal Investigation Process
1. The School, through its Investigator, shall be responsible for gathering evidence sufficient to reach a determination. The burden of supporting the final determination is on the School, not the Complainant or the Respondent. The School shall establish a violation of Title IX by a preponderance of the evidence obtained through Investigation Process.
 2. The parties will be provided the opportunity to present witnesses and documents to support their positions within the timeframes set forth by the Investigator.
 3. The Investigation shall be completed within thirty (30) calendar days unless scheduling conflicts or other circumstances necessitate a delay as approved by the Title IX Coordinator.
 4. The parties will be provided no less than three (3) business days' notice of the time, date, location, participants and purpose of all meetings, interviews, or other meetings.
 5. After the Investigator has completed the investigation, and prior to completing the Investigation Report, the Investigator shall send each party and their representatives, if any, the evidence the Investigator has collected and which is subject to inspection (and not otherwise confidential) by email or print copy. Each

party shall have ten (10) business days to prepare a response to the evidence, which the Investigator shall consider before completing the Investigation Report.

6. The Investigator shall issue a written Investigation Report summarizing the information collected during the Investigation and provided by the parties within ten (10) business days from the date the Responses are due and provide a copy simultaneously by email to the parties and their representatives, if any.
7. Before the Decision Maker renders a decision and after receipt of the Investigation Report, each party shall have five (5) calendar days to submit written questions to the Decision Maker that any party wants asked of any party or witness. The Decision Maker shall provide each party with answers within ten (10) business days. Each party shall have three (3) calendar days to submit any follow up questions. The Decision Maker must provide a reason for not responding to questions presented by the parties.

E. Decision Maker's Written Determination

1. The Decision Maker, who shall not be the Title IX Coordinator or the Investigator and shall render a Written Determination within thirty (30) days from the date of the Investigation Report.
2. The Written Determination shall include:
 - a. Identification of the allegations that potentially constitute sexual discrimination.
 - b. Procedural history from the date the Formal Complaint was received by the Title IX Coordinator through the date of the Written Determination, including notices to parties, interviews with parties and witnesses site visits, methods used to gather other evidence and meetings held.
 - c. Findings of facts supporting the determination and if a violation is found that it is supported by the preponderance of the evidence.
 - d. Conclusions regarding the application of the School's code of conduct to the facts, if any.
 - e. Statement of and rationale for determination as to each allegation, any finding of responsibility, any discipline imposed and whether any actions taken are designed to ensure that equal access to educational opportunities are preserved or restored on behalf of Complainant.
 - f. Statement of the discipline to be imposed on Respondent and, if the discipline includes a long-term suspension or expulsion, Respondent's rights to a due process hearing pursuant to 6.11.2 NMAC.
 - g. Statement of the appeal rights with deadline for filing an appeal.
3. A copy of the Written Determination shall be provided to the Complainant and Respondent, and their representatives, if any, simultaneously via email.

VIII. INFORMAL RESOLUTION PROCESS

- A. After the Formal Complaint has been filed, and at any time prior to issuance of the Investigator's Report, the parties may agree in writing to engage in an informal resolution process, unless the Formal Complaint alleges sexual violence, or when the complaint is against an employee of the School, which must be investigated and finally processed as described above.
- B. An Informal Resolution Process may include:

- Informal inquiry and discussion
 - Mediation
 - Or other dispute resolution processes agreed to by the parties
- C. Any evidence or information shared during the Informal Resolution Process may be used during the Formal Complaint Investigation if either party terminates the Informal Resolution Process prior to reaching a final agreement.
 - D. Either party may withdraw their consent to the Information Resolution Process at any time and proceed with the Formal Complaint procedures described herein. The party choosing to end the Information Process must provide written notice to the other party and to the Title IX Coordinator.
 - E. If a resolution is reached it shall be documented, and signed by both parties, their representatives and the Title IX Coordinator. A resolution through this process ends the Formal Complaint process, which may not be resubmitted or appealed.

IX. POTENTIAL DISCIPLINARY ACTIONS

- A. Employees and students may be disciplined, but only if it is determined through these Procedures that discriminatory action, treatment, harassment or retaliation for complaining has occurred in violation of Title IX or School policies. The Title IX Coordinator shall refer imposition of discipline to the School's Head Administrator.
- B. Discipline may include counseling, restrictions on contact between the parties, modifications of work or class schedules, other course-related adjustments, suspension, expulsion, restorative justice participation, or other forms of discipline deemed appropriate under the School's discipline policies. If a student is expelled or long term suspended, he/she shall be entitled to a due process hearing as afforded pursuant to 6.11.2 NMAC.
- C. Employees will be placed on administrative leave with pay pending the outcome of the Investigation. If the Decision Maker determines there has been a violation of Title IX policies, the employee will be disciplined up to termination or discharge from employment in accordance with the requirements of the New Mexico School Personnel Act.

X. APPEALS

- A. Respondent. If there is a finding that Respondent's conduct resulted in sexual discrimination as the term is defined by Title IX and these Procedures, and disciplinary action is imposed, the Respondent may request an appeal within five (5) calendar days of the Written Determination.
- B. Complainant. If Complainant believes that a finding that the Respondent's conduct did not constitute sex discrimination as the term is defined by Title IX was wrong or that the discipline was inadequate, the Complainant may request an appeal within five (5) calendar days of the date Written Determination.
- C. Request for Appeal. A request for appeal must be in writing, signed by the party initiating the appeal and state why that party disagrees with the Written Determination. The request for appeal must be submitted to the Title IX Coordinator who will provide a copy indicating receipt to all parties, and notifying the parties that each shall have the option to submit a written statement in support or opposition to the request for appeal.

The statement must be submitted within five (5) calendar days of receipt from this notice and delivered to the Title IX Coordinator.

- D. The Appeal Officer who may not be the Title IX Coordinator, Investigator or the Decision Maker, will review the request for appeal, the investigation documents, statements in response to the request for appeal and may interview the Complainant and Respondent if necessary, to make a determination. An Appeal Determination will be made within fifteen (15) working days from the date the request for appeal was made.
- E. The Appeal Determination shall be a written decision and include the Appeal Officer's rationale for the decision.
- F. The Appeal Determination shall be sent to both parties simultaneously and the Appeal Officer's decision is final at the School level. *See Section XVI below for further redress.*

XI. DISMISSAL OF FORMAL COMPLAINT

- A. A Formal Complaint may be dismissed and not processed if:
 - 1. The Complainant, even after contact and follow up with the Investigator, fails to describe in sufficient detail the conduct that is the basis of the complaint and it is determined that the complaint does not provide sufficient facts to support a potential Title IX violation.
 - 2. The conduct alleged in the Formal Complaint does not state a claim, even if true under Title IX.
 - 3. The Complainant refuses to cooperate with the Investigation.
- B. The School may dismiss the Formal Complaint, or any allegations therein, if at any time during the Investigation the Complainant notifies the Title IX Coordinator in writing that the Complainant wants to withdraw the Formal Complaint, the Respondent is no longer enrolled or employed by the School, or the School is prevented from gathering evidence to make a determination.
- C. The parties to the Formal Complaint will be promptly notified in writing with an explanation of the School's decision to dismiss the Complaint. This decision may be appealed by the Complainant within seven (7) calendar days of notice of a decision not to proceed. The request for appeal must include a written explanation for why the Complainant believes the decision not to process the Formal Complaint was wrong. An Appeal officer will review the decision to not proceed as well as the Complainant's written appeal statement and render a decision within seven (7) calendar days.
- D. An Appeal Officer's decision to uphold the decision not to proceed with investigating the Complaint shall be final at the School level.
- E. If the Appeal Officer overturns the decision not to proceed, the Formal Complaint will be sent back for investigation according to the Procedures described above.

XII. ABUSE OF GRIEVANCE PROCESS

If the preponderance of the evidence supports a finding that the Complainant submitted a false or misleading Formal Complaint alleging harassment, discrimination or retaliation, the Formal Complaint will be dismissed, the student or employee who submitted the complaint will be recommended for discipline according to School policies.

XIII. RETALIATION

- A. Students, employees or parents who make a complaint of discrimination in good faith, shall be free from retaliation, coercion, and reprisal in seeking resolution to a complaint, whether filed as a Formal Complaint under this policy or otherwise. Prohibition against retaliation applies to witnesses and others who cooperate in the Grievance Process at any level.
- B. Complainants, Respondents and others participating in the Grievance Process are hereby notified that retaliation is a separate violation distinct from the underlying discrimination or harassment allegation. Claims of retaliation, submitted in good faith and in writing to the Title IX Coordinator, shall be investigated pursuant to these Procedures. Individuals who engage in retaliation shall be subject to discipline, regardless of whether there has been a finding of cause for the underlying complaint.

XIV. COMPLAINTS TO LAW ENFORCEMENT/EFFECTS ON PROCESS

- A. If a person believes he or she is a victim of sexual violence, the School recommends that the incident be reported to law enforcement immediately. The School has a mandatory reporting requirement under said circumstances.
- B. The Title IX Coordinator will not postpone processing of a Formal Grievance if a criminal complaint has been filed. However, the School may be required to delay the investigation while local law enforcement officials are gathering evidence. During any delay caused by law enforcement efforts, the Title IX Coordinator will ensure that interim Supportive Measures will be implemented, continued and revised, if necessary. The Title IX Coordinator will make every effort, contingent on receipt of timely information from law enforcement, to update the parties on the status of the investigation.

XV. MAINTENANCE OF RECORDS

- A. Records relating to a Formal Complaint pursuant to this Procedure must be maintained by the School for seven (7) years.
- B. Records to be preserved include all documents, audio or audio-visual recordings, or transcripts that were received, produced or kept by the School or its designees related to a Formal Complaint process, any Informal Complaint Resolution process, all interim supportive measures provided, or documentation of why such measures were not provided, evidence to support that the School's response in this matter was not deliberately indifferent and that measures were taken to preserve or restore equal access to the educational program or activity.
- C. All material used to train Title IX Coordinators, Investigators, Decision Makers and any person who facilitates an informal resolution process, must be retained for seven (7) years.

XVI. REPORTS TO STATE AND FEDERAL AGENCIES/ADDITIONAL INFORMATION

Individuals may pursue claims with the agencies listed below as well as obtain additional information about their rights and the obligations of the School.

- A. Employment discrimination complaints may be filed with the New Mexico Human Rights Bureau or the United States Equal Opportunity Commission.

New Mexico Human Rights Division
1595 Pacheco St., Suite 103
Santa Fe, NM 87505
<https://www.dws.state.nm.us/Filing-a-Charge-of-Discrimination>

U.S. Equal Employment Opportunity Commission
505 Marquette Avenue, NW
Albuquerque, NM 87102
<https://www.eeoc.gov/filing-charge-discrimination>

Las Cruces – EL Paso Office
100 Stanton Towers
100 N. Stanton Street, Suite 600
El Paso, TX 79901-1433

- B. Students may file discrimination complaints through the United States Department of Education – Office for Civil Rights
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

Denver Office
Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582

The ASK Academy
Adopted: August 13, 2020
Revised:
Reviewed:



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Compulsory School Attendance

Policy 300

Regular class attendance by school age persons at all grade levels is an essential component of the learning process, the development of self discipline and preparation for post-secondary training, education and employment. It is also a requirement of this New Mexico's Compulsory School Attendance Law, NMSA §§22-12-1, et seq. (2009) ("Law"): unless excused by the Law, all school age persons subject to the Law shall attend school until attaining the age of majority during the established District school year.

Any parent of a school age person subject to the Law is responsible for the school attendance of that person.

This Board has adopted the following rules which are intended to help parents and educators carry out their responsibilities in preventing truancy, to identify students who may require interventions, and to assist other agencies which may have law enforcement responsibilities under the Children's Code (NMSA 1978, §§ 32A-1-1, et seq.) or other laws.

State law requires schools to report violations of the Law to the Probation Services Office of the judicial district where the student resides for further investigation to determine whether the student is being neglected or belongs to a family in need of services under the Children's Code. Parents may be subject to criminal sanctions for violation of Law. In addition, the Law contains provisions authorizing the Children's Court to order a suspension of a habitual truant's driver's license for up to ninety (90) days on the first determination of habitual truancy and up to one (1) year for any subsequent finding.

A. Definitions

"Age of majority": any person who has reached his eighteenth birthday.

"Excused Absence": any absence that is excused by a parent or legal guardian within two days of a student's return to school through a phone call or written note.

"Habitual Truant": a student who has accumulated the equivalent of ten (10) or more unexcused absences within a school year.

"Parent": parent or legal guardian.

"Qualified Student" or "Student"

a. a person who is at least five years of age prior to 12:01 a.m. on September 1 of the school year and who has not received a high school diploma or its equivalent. A maximum age of twenty-one shall be used for a person who is receiving special education services; and

b. is regularly enrolled in one-half, i.e. two, or more of the minimum course requirements approved by the Public Education Department for public school students.

"Student in Need of Early Intervention": a student who has accumulated five unexcused absences within any twenty (20) day period.

"Unexcused absence": an absence from school or a class for which the student does not have an allowable excuse pursuant to the Law or rules of this Board. A one-half day absence shall be recorded as unexcused when two (2) or more classes up to 50% of the instructional day are missed without an allowable excuse. A full day absence shall be recorded as unexcused if more than 50% of an instructional day is missed without an allowable excuse.

B. Exemptions from the Law

Any qualified student and any person who because of his age is eligible to become a qualified student shall be excused from remaining in school until attaining the age of majority if:

1. the person is specifically exempted by law;
2. the person has graduated from a high school or received a general education certificate;
3. with written consent of the parent of the person to be excused the person is excused from the provisions of the Law by the superintendent of schools because of a hardship.

C. Attendance Record

A record of student class attendance shall be taken and maintained by class period for every instructional day for each student attending The ASK Academy.

D. Parent Notification of Excused Absences

Excused Absences

1. Short Term Illness

A parent shall notify the school each day the student is absent or, if the school has been notified the parent anticipates the absence will extend beyond one school day, the parent may provide a written explanation of the reasons, signed by the parent, to be presented within two days of the student's return to school. The principal or his/her designee may, in addition, require a written verification from the student's licensed health care provider if a student is absent for three (3) or more consecutive days due to the student's health. If a parent has not contacted the school on the first day of the student's absence, the school will make a reasonable attempt to contact the parent before the end of the day and shall document the contact and reasons for the absence. After 5 excused absences the school will schedule a student/parent conference to review student's status.

2. Prolonged/Chronic Health Conditions

If the student's health condition is chronic or reasonably expected to last ten (10) days or more and the student's condition does not prevent him/her from completing school work, the parent shall provide a written statement from the student's licensed health care provider, including a prognosis as to the length of the student's absence and the student's ability to complete school work. On receipt of the healthcare provider's written statement the student will be placed in a home bound school program until he or she is able to return to school.

3. Excused Absences and makeup work

The following are considered to be excused absences:

- a. Any phone call or letter from parent or guardian excusing the student from the school day(s) within two days of the students return.
- b. Eligible students who participate in school-sponsored interscholastic extracurricular activities may be absent from school for such activities as provided in §22-12-2.1 of the Law, provided further that such excused absences from school for school sponsored interscholastic extracurricular activities shall not exceed fifteen (15) days per semester and no class may be missed in excess of fifteen times per semester.
- c. A student will be given at least 1 day for every day absent to make up missed work. Extensions may be granted at the teacher's discretion on a case-by-case basis.

E. Unexcused Absences

If an absence is unexcused, any work which should have been submitted during the period of unexcused absence and any tests given during such period shall be treated according to the school handbook.

F. Procedures for Notice of Unexcused Absences

All parental notifications shall be respectful and in a language and in a manner that is understandable to the parent and student.

1. If a student is absent the school will attempt to contact the parent during that school day. The school shall document such attempts or contacts.
2. If a student accumulates five (5) unexcused absences during a twenty (20) day period, the school shall contact the parent in writing, by mail or personal service to schedule a meeting with the parent to identify the causes for the student's truancy, identify what actions can be taken that might prevent the student's truancy, identify possible school and community resources to address the causes for the student's truancy, and establish a corrective action intervention plan to address the student's truancy. At the meeting the parent will be provided with a copy of the Law. The principal and parent will sign the intervention plan and the parent will be provided one copy of the plan.
3. If a student has accumulated the equivalent of seven (7) unexcused absences within any school year, the school shall notify the parent in writing, by mail or personal service of a date, time and place to meet and discuss the student's continued truancy. The principal, or his or her designee, the parent and the student shall hold an in person meeting to review the student's intervention plan and to make any modification deemed necessary to prevent additional unexcused absences. The parent, student and principal shall sign any modified plan and the parent shall be given a copy of the modified plan.

4. A notice of habitual truancy shall be delivered to the parent by mail or personal service after a student's tenth (10th) unexcused absence in a school year. The notice shall include a date, time and place for the parent to meet with the principal to again review the modified plan.
5. If unexcused absences continue after written notice of habitual truancy has been served on the parent, the principal or his/her designee shall report the student to the proper Probation Services Office within seven (7) days for investigation as to whether the student shall be considered a neglected child or a child belonging to a family in need of services and thus subject to the provisions of the Children's Code.
6. For each student who is a habitual truant, the school shall document and maintain records of the attempts by the school to notify the parent that the student had unexcused absence; attempts of the school to meet with the parent to discuss intervention strategies; and intervention strategies implemented to support keeping the student in school.
7. Withdrawal, as provided in Section 22-8-2 may be considered by a school only after intervention efforts outlined in this policy have been exhausted.

G. Parent's Failure to Meet

If a parent fails to arrange or attend a meeting within ten (10) days following written notice that the student is considered a habitual truant, the principal shall provide the Probation Services Office with written notification of such failure and shall cooperate with the Probation Services Office in any subsequent determination as to whether the parent has knowingly allowed the student to continue to violate the Law.

H. Distribution of Policy/Acknowledgment of Receipt

Parents will receive a copy of this policy with their initial application. A receipt signed by both student and parent must be returned as part of a complete application package.

I. Limitation on Disciplinary Action for Truancy

No out of school suspension or expulsion shall be imposed on a student as a penalty for truancy, however, a student may be withdrawn from the school if he or she is a habitual truant and all other efforts to keep the student in the educational setting have been exhausted. Other

disciplinary actions and strategies that focus on keeping truants in an educational setting, including, but not limited to, the reassignment of a student to an alternative school program may be imposed. Academic consequences may include being held back a grade level.

The ASK Academy

Adopted: April 15, 2010

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Health and Wellness

Policy 301

The ASK Academy Public Charter School believes that good health habits foster benefits for children and adults that last a lifetime, as well as creating an optimum environment for effective teaching and learning. In accordance with this philosophy and with the direction provided in New Mexico Public Education Department Wellness Policy rule 6.12.6.6. NMAC and the requirements of Public Law 108-265, the Child Nutrition and WIC Reauthorization Act of 2004, the district establishes the following policies relating to health, wellness, and nutrition:

1) **Definitions:**

A) "A la carte" in the context of this policy and the state nutrition regulations means a beverage or food product sold in schools to students during the lunch period that is not part of the United States Department of Agriculture school meal program.

B) "Competitive food" means a food or beverage sold at school other than one served as part of the United States Department of Agriculture school meal program. The term includes any item sold in vending machines, a la carte or through other school fundraising efforts.

C) "Coordinated school health approach" means the framework for linking health and education. The focus is healthy and successful students. There are eight interactive components of coordinated school health: health education; physical education and activity; nutrition; social and emotional well-being; healthy and safe environment; health services; staff wellness; and family, school and community involvement.

D) "Family, school and community involvement" means an integrated family, school and community approach for enhancing the health and well-being of students accomplished through the establishment of a district school health advisory council with the responsibility for making recommendations to the school board in the development or revision, implementation, and evaluation of the wellness policy.

E) "Fund raisers" means beverage or food products sold to raise money that are not sold in vending machines or a la carte sales as defined in 1) A), or as part of the United States Department of Agriculture school meal program.

F) "Health education" means the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health-related risk behaviors. The health education program will allow students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices and meet the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC.

G) "Health services" means services provided for students to appraise, protect, and promote health. These services are designed to ensure access or referral to primary health care or behavioral health services or both, foster appropriate use of primary health care services, behavioral health services, prevent and control communicable diseases and other health problems, provide emergency care for illness or injury, promote and provide optimum sanitary conditions for a safe school facility and school environment, and provide educational and counseling opportunities for promoting and maintaining individual, family, and community health.

H) "Healthy and safe environment" means the physical and aesthetic surroundings and the psychosocial climate and culture of the school. It supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse.

I) "Nutrition" means programs that provide access to a variety of nutritious and appealing meals and snacks that accommodate the health and nutrition needs of all students.

J) "Physical activity" means body movement of any type, including recreational, fitness, and sport activities.

K) "Physical education" means the instructional program that provides cognitive content and learning experiences in a variety of activity areas. It provides the opportunity for all students to learn and develop the skills, knowledge and attitudes necessary to personally decide to participate in a lifetime of healthful physical activity. It meets the content standards with benchmarks and performance standards as set forth in Section 6.30.2.20 NMAC. 6.12.6 NMAC.

L) "Social and emotional well-being" means services provided to maintain and/or improve students' mental, emotional, behavioral, and social health.

M) "Staff wellness" means opportunities for school staff to improve their health status through activities such as health assessments, health education and health-related fitness activities. These opportunities encourage school staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale, and a greater personal commitment to the school's overall coordinated school health approach.

N) "Vended beverages and foods" means a beverage or food product sold in vending machines to students in schools.

2) Family, school and community involvement

The goal of family, school and community involvement within a coordinated school health approach is to create a total school environment conducive to student health and academic achievement. Shared responsibility and effective partnerships among families, schools and communities support the development and maintenance of this comprehensive learning environment.

A) In accordance with Public Education Department rule 6.12.6.6 NMAC, The ASK Academy Public Charter School shall establish a School Health Advisory Council (SHAC) that consists of parent(s), school food authority personnel, school board member(s), school administrator(s), school staff; student(s); and community member(s). It shall be the responsibility of the Superintendent or designee to appoint the members of the SHAC in accordance with federal and state requirements.

The SHAC will have the responsibility to make recommendations to the local school board in the development or revision, implementation, and evaluation of the wellness policy consistent with this rule and will meet for this purpose a minimum of two times annually.

3) Physical education

Physical education is an instructional program taught by a certified physical educator. Physical education is one source, but should not be the only source of physical activity.

A) The ASK Academy Public Charter School shall offer a planned, sequential K-12 physical education curriculum aligned to the physical education content standards with benchmarks and performance standards as set forth in 6.30.2.20 NMAC. Activities shall be based on goals and objectives that are appropriate for all children.

4) Physical activity

Physical activity covers a broad spectrum of opportunities for students to move and exercise their brains and bodies outside of the physical education curriculum. These may include but are not limited to integration of movement into core courses in classrooms to provision of sports, fitness, and recreational activities before and after school.

A) Students shall be provided with opportunities to engage in moderate to vigorous physical activity before, during and/or after school. The district shall create guidelines to provide such physical activity opportunities to students in addition to those provided through physical education classes.

B) All schools will provide education on the health benefits of physical activity that align with the New Mexico health education content standards, benchmarks, and performance standards as set forth in 6.30.2.19 NMAC.

5) Nutrition

Nutrition Education aims to teach, encourage and support healthy eating by students. Nutrition Education and healthy eating support proper physical growth, physical activity, brain development, ability to learn, emotional balance, a sense of well-being, obesity prevention and the ability to resist disease.

A) The ASK Academy shall promote the role of nutrition in academic performance and quality of life and will adhere to or exceed the nutrition guidelines set forth in 6.12.5.8 NMAC, to include:

i) Nutrition guidelines for a la carte offerings that meet or exceed the minimum guidelines set forth in Subsection B of 6.12.5.8 NMAC.

ii) Guidelines for school sponsored fund raisers during the normal school hours that meet or exceed the minimum guidelines set forth in Paragraph (1) of Subsection C of 6.12.5.8 NMAC.

iii) Guidelines for school sponsored fund raisers before and after school hours ensuring that at least 50% of the offerings shall be healthy choices in accordance with the requirements set forth in Paragraph (2) of Subsection C of 6.12.5.8 NMAC.

B) All schools will provide nutrition education activities that align with the New Mexico health education content standards, benchmarks, and performance standards as set forth in 6.30.2.19 NMAC.

6) Health Education

A) The ASK Academy will provide a planned, sequential, K-12 health education curriculum that addresses the physical, mental, emotional and social dimensions of health and is aligned with the health education content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. The curriculum will provide the mechanism to help students acquire life skills that promote personal, family, community, consumer, and environmental health.

B) All schools will provide activities in comprehensive health education that align with the New Mexico health education content standards, benchmarks, and performance standards as set forth in 6.30.2.19 NMAC.

C) Parents may opt for one of two courses of study in grade levels where the sexuality performance standards are addressed:

- i. The state health education curriculum that includes all sexuality performance standards included in the state standards and benchmarks
- ii. An “abstinence-only” curriculum

At the time students register their children for school in those grade levels in which the sexuality performance standards are addressed, they will be asked to designate which course of study they desire for their child. Parents or guardians requesting an exemption from the portions of the health education curriculum that address the sexuality performance standards will also have the option of providing parent-guided lessons.

D) Schools shall provide age-appropriate instruction about HIV and related issues in the curriculum of the required health education content area to all students in the elementary grades, in the middle/junior high school grades, and in the senior high school grades as set forth in 6.12.2.10.C NMAC.

7) Healthy and Safe Environment

A healthy and safe school environment is vital to academic achievement and includes both the physical and aesthetic surroundings of the school and the creation of a climate and culture

before, during, and after school that promotes personal growth, healthy interpersonal relationships, and respect for all members of the school community.

A) The ASK Academy will develop and regularly review school safety plans that meet state requirements. These plans must include prevention strategies, policies and procedures in line with federal and state law and board policy, and emergency response plans.

B) ASK will comply with state law requiring that a minimum of 12 emergency drills will be conducted each year. These drills must include nine fire drills, two shelter-in-place drills, and one evacuation drill (which may be conducted as a tabletop exercise) at the intervals described in subsection M of 6.30.2.10 NMAC.

8) Social and Emotional Well-Being

A safe and healthy school environment where all students are effective learners requires creating a respectful and nurturing climate where students' mental, emotional, behavioral, and social health needs are supported and, as necessary, improved.

A) The ASK Academy Public Charter School shall develop and maintain plans addressing the behavioral health needs of all students in the educational process. Where possible, the district will collaborate with community agencies to provide services and promote strategies that maintain and/or improve students' social and emotional well-being.

9) Health Services

The ASK Academy Public Charter School is committed to providing health services through its schools that are appropriate to the school setting and that meet the needs of students in the educational process.

A) The ASK Academy Public Charter School shall develop and maintain plans providing for health services that meet the needs of all students in the educational process. Such services shall be defined, coordinated, and evaluated through the district's Health Services Plan.

B) School personnel will meet all federal and state reporting, record-keeping and confidentiality requirements.

10) Staff Wellness

Staff wellness activities are designed to promote the physical, emotional and mental health of school employees as well as to prevent disease and disability. A staff wellness program allows the staff to learn and practice skills to make personal decisions about health-enhancing daily habits.

A) ASK's staff wellness plan will address the staff wellness needs of all school and district employees that minimally insures an equitable work environment and meets the Americans with Disabilities Act, Part III.

B) Employees will be provided with opportunities to learn and participate in strategies supporting a healthy lifestyle.

11) Evaluation

A) District health and wellness plans for family/school/community involvement, physical activity, nutrition, health education, physical education, healthy and safe environment, health services, social and emotional well-being, and staff wellness will include measurable targets and benchmarks for evaluating the implementation of the policy.

B) As per the provisions of rule 6.12.6.6. NMAC, one or more persons shall be delegated operational responsibility for ensuring that each school in the district is in compliance with this policy.

C) The SHAC will provide an annual progress report to the board.

The ASK Academy
Adopted: February 18, 2010
Revised: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Student Tobacco Use

Policy 302

Use of tobacco products, including but not limited to, cigarettes, cigars, chewing or smokeless tobacco, pipes, electronic cigarettes, and other look-alike smoking devices, by students is forbidden in school buildings on school property or in any vehicle used to transport students to and from schools or school-related activities. For purposes of this policy a school vehicle is defined as any vehicle used to transport students to and from any school or school-related function and which has school-sponsored chaperones.

Use of tobacco products shall be strongly discouraged in all schools through a compulsory program of instruction regarding the effects of the use of such products.

The ASK Academy

Cross-Reference: Policy 200, Staff Tobacco Use

Legal Reference: 6.12.4 NMAC

Adopted: February 18, 2010

Revised: June 11, 2015; June 9, 2016; October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Bullying Prevention

Policy 303

The Board is committed to providing a positive and productive learning and working environment. To this end, hazing, harassment, intimidation, menacing or bullying by students, staff or third parties are strictly prohibited and shall not be tolerated in the District.

A. Definitions

1. **"Bullying"** means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student upon another which may, but need not be based on the student's race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation.
2. **"District"** includes district facilities, district premises and non-district property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.
3. **"Electronic expression"** means written, verbal, or pictorial communication conveyed through any form of electronic medium, including, but not limited to, desktop or laptop computers (e.g., the internet, email, instant messaging, web sites, web-cameras, chat rooms), cell phones (e.g., text messaging, digital photographs or movies), and instant messaging devices.
4. **"Harassment"** means knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person and that serves no lawful purpose. The conduct must be such that it would cause a reasonable person to suffer substantial emotional distress. Harassment includes, but is not limited to, any act which subjects an individual or group to unwanted, degrading, humiliating or abusive behavior of a nonverbal, verbal, written or physical nature, on the basis of age, race, religion, color, national origin, disability, sexual orientation or ethnicity. Verbal and nonverbal harassment includes speech or gestures which are lewd, indecent, profane or obscene and libel.

5. **“Hazing”** includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment. Examples include, but are not limited to, forced or coerced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene, degrading or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate a particular person or group.

6. **“Intimidation”** includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience in accessing school facilities, educational or school sponsored programs or subject another to offensive physical contact or inflict serious physical injury which may, but need not be based on the basis of race, color, religion, national origin or sexual orientation.

7. **“Menacing”** includes, but is not limited to, any assault intended to place a school employee, student or third party in fear of imminent physical injury.

8. **“Third parties”** include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at inter-district and intra-district athletic competitions or other school events.

B. Complaint Procedures.

1. Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation, bullying or menacing conduct in violation of this policy shall report his/her concerns immediately to the building principal or superintendent. The building principal or superintendent has overall responsibility for all investigations. Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chairman. A student also may report concerns to a teacher or counselor who shall be responsible for notifying the appropriate district official.
2. All complaints of conduct that may be in violation of this policy shall remain confidential. Complaints may be made anonymously. All complaints about behavior that may violate this policy shall be promptly investigated. Complaints and the identity of the complainant shall be kept confidential, except to the extent necessary for communicating in the investigative process with administrators and staff on a “need to know” basis. The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

C. Discipline/Sanctions.

1. Hazing, harassment, intimidation, menacing or bullying conduct shall be subject to discipline or sanctions if it (a) substantially interferes with a student's educational benefits, opportunities or performance; (b) takes place on school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop; and (c) has the effect of (i) physically harming a student or damaging a student's property, (ii) knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property, or (iii) creating a hostile educational environment by causing substantial emotional distress.
2. Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Disciplinary decisions shall comply with state and federal IDEA requirements. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board. Individuals who engaged in conduct in violation of this policy also may be referred to law enforcement officials.
3. Retaliation, reprisal or false accusations against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy, independent of whether a complaint is substantiated, and shall be subject to disciplinary consequences. False charges also shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.
4. The superintendent shall be responsible for ensuring notice of this policy is provided annually to students, staff and third parties and posted at each school site, and the development of administrative regulations, including reporting and investigative procedures. In addition, the promotion of anti-bully behavior and conduct shall be included as part of the health education curriculum as set forth in 6.30.2.19 NMAC.

The ASK Academy

Adopted: February 4, 2010

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Parental Involvement

Policy 304

PART I. GENERAL EXPECTATIONS

The ASK Academy agrees to implement the following statutory requirements:

- The ASK Academy will put into operation programs, activities and procedures for the involvement of all parents, including Title I, Part A programs, consistent with section 1118 of the Elementary and Secondary Education Act (ESEA). Those programs, activities and procedures will be planned and operated with meaningful consultation with parents of participating children.
- Consistent with section 1118, The ASK Academy will work to ensure that the required parental involvement policies meet the requirements of section 1118(b) of the ESEA, and each include, as a component, a school-parent compact consistent with section 1118(d) of the ESEA.
- The ASK Academy will incorporate this parental involvement policy into its LEA plan developed under section 1112 of the ESEA.
- In carrying out the Title I, Part A parental involvement requirements, to the extent practicable, The ASK Academy will provide full opportunities for the participation of parents with limited English proficiency, parents with disabilities, and parents of migratory children, including providing information and school reports required under section 1111 of the ESEA in an understandable and uniform format and, including alternative formats upon request, and, to the extent practicable, in a language parents understand.
- If the LEA plan for Title I, Part A, developed under section 1112 of the ESEA, is not satisfactory to the parents of participating children, The ASK Academy will submit any parent comments with the plan when it submits the plan to the State Department of Education.

- The ASK Academy will involve the parents of children served in Title I, Part A in decisions about how the 1 percent of Title I, Part A funds reserved for parental involvement is spent, and will ensure that not less than 95 percent of the one percent reserved goes directly to the schools.
- The ASK Academy will be governed by the following statutory definition of parental involvement, and expects that it will carry out programs, activities and procedures in accordance with this definition:

Parental involvement means the participation of parents in regular, two-way, and meaningful communication involving student academic learning and other school activities, including ensuring—

(A) that parents play an integral role in assisting their child's learning;

(B) that parents are encouraged to be actively involved in their child's education at school;

(C) that parents are full partners in their child's education and are included, as appropriate, in decision-making and on advisory committees to assist in the education of their child;

(D) the carrying out of other activities, such as those described in section 1118 of the ESEA.

PART II. DESCRIPTION OF HOW THE ASK ACADEMY WILL IMPLEMENT REQUIRED PARENTAL INVOLVEMENT POLICY COMPONENTS

1. **The ASK Academy** will take the following actions to involve parents in the joint development of its parental involvement plan under section 1112 of the ESEA:

The ASK Academy has implemented a Parent Advisory Committee to develop the parental involvement plan.

2. **The ASK Academy** will take the following actions to involve parents in the process of school review and improvement under section 1116 of the ESEA:

The Parent Advisory Committee is involved in semi-annual school review and improvement through its Strategic Plan and continuous improvement process.

3. **The ASK Academy** will provide the following necessary coordination, technical assistance, and other support to assist in planning and implementing effective parental involvement activities to improve student academic achievement and school performance:

Activities and their coordination, technical assistance and support are determined annually through the Student/Parent Engagement Goal and Objectives of the Strategic Plan.

4. **The ASK Academy** will coordinate and integrate parental involvement strategies in Part A with parental involvement strategies under all other programs.
5. **The ASK Academy** will take the following actions to conduct, with the involvement of parents, an annual evaluation of the content and effectiveness of this parental involvement policy in improving the quality of the school. The evaluation will include identifying barriers to greater participation by parents in parental involvement activities (with particular attention to parents who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background). The ASK Academy will use the findings of the evaluation about its parental involvement policy and activities to design strategies for more effective parental involvement, and to revise, if necessary (and with the involvement of parents) its parental involvement policies.

The General Manager and the Parent Advisory Committee will conduct an annual evaluation of the Parental Involvement Policy and the Student/Parent Engagement Goals and Objectives through its Strategic Plan and continuous improvement process.

6. **The ASK Academy** will build the schools' and parent's capacity for strong parental involvement, in order to ensure effective involvement of parents and to support a partnership among the school, parents, and the community to improve student academic achievement, through the following activities specifically described below:

A. The ASK Academy will provide assistance to parents of children served by The ASK Academy, as appropriate, in understanding topics such as the following, by undertaking the actions described in this paragraph --

- the State's academic content standards,
- the State's student academic achievement standards,
- the State and local academic assessments including alternate assessments,
- the requirements of Part A,
- how to monitor their child's progress, and
- how to work with educators:

Student/Parent Engagement Goals and Objectives are set annually through the schools Strategic Plan to address academic standards, assessments, Part A requirements, student progress and working effectively with educators.

- B. The ASK Academy will, with the assistance of its schools, provide materials and training to help parents work with their children to improve their children's

academic achievement, such as literacy training, and using technology, as appropriate, to foster parental involvement, by:

Student/Parent Engagement Goals and Objectives are set annually through the schools Strategic Plan to assist parents in improving their children's academic success.

- C. The ASK Academy will, with the assistance of its schools and parents, educate its teachers, pupil services personnel, principals and other staff, in how to reach out to, communicate with, and work with parents as equal partners, in the value and utility of contributions of parents, and in how to implement and coordinate parent programs and build ties between parents and schools, by:

Student/Parent Engagement Goals and Objectives are set annually through the schools Strategic Plan to build communication and ties between parents and the school.

- D. The ASK Academy will, to the extent feasible and appropriate, coordinate and integrate parental involvement programs and activities that encourage and support parents in more fully participating in the education of their children, by:

Implementation of Student/Parent Engagement Goals and Objectives recommended by the Parent Advisory Committee and adopted by the schools Governing Council.

- E. The ASK Academy will take the following actions to ensure that information related to the school and parent- programs, meetings, and other activities, is sent to the parents of participating children in an understandable and uniform format, including alternative formats upon request, and, to the extent practicable, in a language the parents can understand:

All school information is sent to parents in English, and other formats, to the extent practicable upon request.

PART III. DISCRETIONARY PARENTAL INVOLVEMENT POLICY COMPONENTS

The ASK Academy may provide the following discretionary activities listed under section 1118(e) of the ESEA:

- paying reasonable and necessary expenses associated with parental involvement activities, including transportation and child care costs, to enable parents to participate in school-related meetings and training sessions;
- training parents to enhance the involvement of other parents;
- in order to maximize parental involvement and participation in their children's education, arranging school meetings at a variety of times, or conducting in-home conferences between teachers or other educators, who work directly with

participating children, with parents who are unable to attend those conferences at school;

- adopting and implementing model approaches to improving parental involvement;
- establishing a district wide parent advisory council to provide advice on all matters related to parental involvement in Title I, Part A programs;
- developing appropriate roles for community-based organizations and businesses, including faith-based organizations, in parental involvement activities; and
- providing other reasonable support for parental involvement activities under section 1118 as parents may request.

PART IV. ADOPTION

This Parental Involvement Policy has been developed jointly with, and agreed on with, parents of children participating in Title I, Part A programs, as evidenced by *Parent Advisory Committee* meetings.

SCHOOL-PARENT COMPACT

The ASK Academy and the parents of the students participating in activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESEA) (participating children), agree that this compact outlines how the parents, the entire school staff, and the students will share the responsibility for improved student academic achievement and the means by which the school and parents will build and develop a partnership that will help children achieve the State's high standards.

This school-parent compact is in effect during school years 2015-2020.

REQUIRED SCHOOL-PARENT COMPACT PROVISIONS

School Responsibilities

The ASK Academy will:

- 1. Provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards as follows:**

The ASK Academy will provide high-quality curriculum and instruction, and do so in a supportive and effective learning environment, according to its Charter and the Strategic Plan adopted by the Governing Council.

- 2. Hold parent-teacher conferences during which this compact will be discussed as it relates to the individual child's achievement. Specifically, those conferences will be held:**

Parent-teacher conferences are recommended by teachers for students not making adequate progress after each six-week reporting period.

- 3. Provide parents with frequent reports on their children's progress. Specifically, the school will provide reports as follows:**

Progress reports are provided to parents every six weeks.

- 4. Provide parents reasonable access to staff. Specifically, staff will be available for consultation with parents as follows:**

The staff is available for consultation with parents at any time by appointment at The ASK Academy.

5. **Provide parents opportunities to volunteer and participate in their child's class, and to observe classroom activities, as follows:**

Parents have an opportunity to volunteer for specific activities and participate in the Parent Advisory Committee. Classroom activities and observations can be arranged by permission from the General Manager.

Parent Responsibilities

We, as parents, will support our children's learning in the following ways:

Describe the ways in which parents will support their children's learning, such as:

- *Monitoring attendance.*
- *Monitoring my child's progress in course completion.*
- *Participating, as appropriate, in decisions relating to my children's education.*
- *Promoting positive use of my child's extracurricular time.*
- *Staying informed about my child's education and communicating with the school by promptly reading all notices from the school either received by my child or by mail and responding, as appropriate.*
- *Serving, to the extent possible, on policy advisory groups, such as being the Title I, Part A parent representative on the school's Parent Advisory Committee.*

The ASK Academy will:

1. **Involve parents in the planning, review, and improvement of the school's parental involvement policy, in an organized, ongoing, and timely way.**
2. **Involve parents in the joint development of any school wide program plan, in an organized, ongoing, and timely way.**
3. **Hold an annual meeting to inform parents of the school's participation in Title I, Part A programs, and to explain the Title I, Part A requirements, and the right of parents to be involved in Title I, Part A programs. The school will convene the meeting at a convenient time to parents, and will offer a flexible number of additional parental involvement meetings, such as in the morning or evening, so that as many parents as possible are able to attend. The school will invite to this meeting all parents and will encourage them to attend.**
4. **Provide information to parents of participating students in an understandable and uniform format, including alternative formats upon the request of parents with disabilities, and, to the extent practicable, in a language that parents can understand.**

5. Provide to parents of participating children information in a timely manner about Title I, Part A programs that includes a description and explanation of the school's curriculum, the forms of academic assessment used to measure children's progress, and the proficiency levels students are expected to meet.
6. On the request of parents, provide opportunities for regular meetings for parents to formulate suggestions, and to participate, as appropriate, in decisions about the education of their children. The school will respond to any such suggestions as soon as practicably possible.
7. Provide to each parent an individual student report about the performance of their child on the State assessment in at least math, language arts and reading.
8. Provide each parent timely notice when their child has been assigned or has been taught for four (4) or more consecutive weeks by a teacher who is not highly qualified within the meaning of the term in section 200.56 of the Title I Final Regulations (67 Fed. Reg. 71710, December 2, 2002).

The ASK Academy

Adopted: December 17, 2010

Revised: October 11, 2018

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

McKinney Vento Homeless Policy

Policy 305

The ASK Academy Charter High School will meet all requirements regarding students eligible under the McKinney-Vento Homeless Education Assistance Act and remove any barriers that exist for these students in regards to access to a regular education. The school will conduct a yearly review of the living accommodations of all students in order to identify any eligible students. The school will ensure that all eligible students will receive a free and appropriate public education and that they are given meaningful opportunities to succeed in our school. The ASK Academy will ensure that McKinney-Vento eligible students are free from discrimination, segregation and harassment. The attached procedures will outline the rights of eligible students, as well as a grievance process.

McKinney-Vento Procedures

There is a traditional view regarding the word “homeless”, but under the McKinney-Vento Act there is a wide variety of ways a student can qualify as homeless. As a result, these procedures will not refer to children as homeless; it will instead use the term “McKinney-Vento eligible students.” Under federal law, McKinney-Vento eligible students must have access to appropriate public education and should be given a full opportunity to meet state and local academic achievement standards. They must be included in state and school-wide assessments and accountability systems. The school must ensure that McKinney-Vento eligible students are free from discrimination, segregation and harassment.

McKinney-Vento eligible students means students who are otherwise legally entitled to or eligible for a free public education and lack a fixed, regular, and/or adequate nighttime residence, including:

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

1 A student shall be considered to be McKinney-Vento eligible for as long as he or she is in a living situation described above.

Identification

The ASK Academy will identify McKinney-Vento eligible students in a formal process each year, as well as informally throughout the school year. The school homeless liaison will train school personnel on possible indicators of homelessness, sensitivity in identifying families, and procedures for forwarding information indicating homelessness to the General Manager. The General Manager will also instruct school registrars and secretaries to inquire about possible homelessness upon the enrollment of every student, and to forward information indicating homelessness to the General Manager. The school will also be responsible for entering each student's eligibility into the Student Data System.

The school homeless liaison will keep data on the number of McKinney-Vento eligible students in the school, where they are living, their academic achievement (including performance on state and school-wide assessments), and the reasons for any enrollment delays, interruptions in their education or school transfers.

Enrollment

Due to the realities of homelessness and mobility, McKinney-Vento eligible students may not have school enrollment documents readily available. Nonetheless, the school selected for enrollment must immediately enroll any McKinney-Vento eligible students. Enrollment may not be denied or delayed due to the lack of any document normally required for enrollment, including:

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

McKinney-Vento eligible students must also be immediately enrolled in school. They may either enroll themselves or be enrolled by a parent, non-parent caretaker, older sibling or the General Manager. The school homeless liaison should be contacted immediately to see if there is any way to assist in obtaining or providing the needed information.

School of Origin

Each McKinney-Vento eligible student has the right to remain at his/her school of origin, or to attend any school that housed students who live in the attendance area in which the student is actually living are eligible to attend. Therefore, McKinney-Vento eligible students shall have the option of remaining at their school of origin to the extent feasible. Feasibility shall be a child-centered determination, based on the needs and interests of the particular student and the parent or youth's wishes.

Potential feasibility considerations include:

- Safety of the student;
- Continuity of instruction;
- Likely area of family's or youth's future housing;
- Time remaining in the academic year;
- Anticipated length of stay in temporary living situation;
- School placement of siblings; and
- Whether the student has special needs that would render the commute harmful.

McKinney-Vento eligible students shall also be provided with transportation services comparable to those offered to other students.

Services

McKinney-Vento eligible students shall be provided services comparable to services offered to other students, including:

- Transportation;
- Title I;
- Educational services for which the student meets eligibility criteria, including special education and related services and programs for English language learners;
- Vocational and technical education programs;
- Gifted and talented programs;
- School nutrition programs; and
- Before and after school programs.

Training

General Manager will lead and coordinate ASK's compliance with this policy. The school homeless liaison will conduct training and sensitivity/awareness activities for the school staff at least once each year, and will receive available training annually. The trainings and activities will be designed to increase staff awareness of homelessness, facilitate immediate enrollment, ensure compliance with this policy, and increase sensitivity to McKinney-Vento eligible students.

Grievance and Due Process Procedures

The ASK Academy does not discriminate if a student is deemed McKinney-Vento Eligible in the areas of admission, access to services, or participation in programs and activities. Any complaints of discrimination in violation of the McKinney-Vento act should be addressed through the following grievance procedure:

Step 1: Informal Discussion with the McKinney-Vento School Homeless liaison

Complainants (Parents, Students, or appointed representatives) are encouraged to try to resolve problems promptly through informal dispute resolution. The complainant meets informally with the school homeless liaison and discusses his/her complaint. The school homeless liaison will investigate, documenting all steps, and reply in writing to the complainant. The student shall also have the rights of a student in transition to all appropriate educational services, transportation, free meals and Title I services while the dispute is pending.

Step 2: Written Complaint

If the complainant is not satisfactorily resolved through Step 1, the complainant may file a written grievance with the General Manager within 10 working days of disposition at Step 1. If a complainant is unable to read or write, a verbal complaint will be accepted. The written complaint must include:

- A clear statement of the alleged violation;
- The remedy sought by the complainant;
- The complainant's signature and date.

The General Manager will conduct a full investigation of the grievance and will prepare a written report of the investigation that will include:

- A clear statement of allegations of the grievant and remedy sought;
- A statement of the facts as contended by each party;
- A statement of the facts as found by the school homeless liaison and evidence to support each fact;
- A list of all witnesses interviewed and documents reviewed during the investigation;
- A narrative describing attempts to resolve the grievance; and
- The General Manager's conclusions on whether the grievance is valid.

If the General Manager believes the grievance is valid, the General Manager will recommend appropriate action to the General Manager. The report will be filed with the General Manager within 15 days of receipt of the written grievance. A copy of the report will be provided to the complainant. If the General Manager agrees with the recommendations of the General Manager, the recommendations will be implemented.

Step 3: Appeal to Governance Council

If the complaint is not satisfactorily resolved through Step 2, the complainant may file a written appeal to the Governance Council. The appeal, which must be filed within 10 working days of the General Manager's decision, must include copies of the disposition at Step 1, if applicable, the written complaint, the General Manager's report and the General Manager's decision at Step 2.

The appeal will be considered at the next regularly scheduled Governance Council meeting as long as the appeal is filed at least five working days before the meeting. Within 10 working days of considering the appeal, the council will issue a written decision through the General Manager's Office.

The ASK Academy
Adopted: November 4, 2010
Revised: October 11, 2018
Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Use of Pesticides

Policy 306

The ASK Academy adopts into policy and will comply with state rule 6.29.1.9.O.6 NMAC in whole, reading as follows:

Use of pesticides by districts and charter schools will be governed by the following standards:

(a) Definitions as used in this section:

(i) "Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling or mitigating any pest.

(ii) "Pest" means any living organism injurious to other living organisms, except humans, viruses, bacteria or other microorganisms in or on other living organisms other than plants, which is declared to be a pest pursuant to the Pesticide Control Act, Sections 76-4-1 through 76-4-39 NMSA 1978.

(b) Districts and charter schools will develop procedures for the implementation of pest management with consideration for reducing the possible impact of pesticide use on human health and the environment, including people with special sensitivities to pesticides. Procedures will include, but are not limited to, the following:

(i) No pesticide may be applied to public school property and no pest control device, as defined in the New Mexico Pesticide Control Act, may be used on public school property except those pesticides and devices currently registered for legal use in the state by the New Mexico department of agriculture.

(ii) No pesticide may be applied to public school property except by those persons certified in the applicable category and currently licensed by the New Mexico department of agriculture or by employees under their direct supervision.

(iii) Pesticides will only be applied in or on the outside of school buildings when a pest is present, and will not be applied on a regular or calendar basis unless it is to treat an infestation and is a part of a pest management system being implemented to address a particular target pest. A pest is considered to be present when it is observed directly or can reasonably be expected to be present based on finding evidence, such as droppings, body parts, or damage that is typically done by the pest. This section of the regulation does not apply to pre-construction termite treatments or the use of outdoor herbicides.

(iv) Pesticides that are applied in a liquid, aerosolized or gaseous form through spraying, aerosol cans, bombs, fumigation or injections into the ground, foundation or plants will not be applied on public school property when students, staff or visitors are present, or may reasonably be expected to be present within 6 hours of the application. In emergency

cases, where a pest infestation threatens the health or safety of the occupants of public school property, and which requires the immediate application of a pesticide to remediate, students, staff and other school occupants will be removed from the treatment area prior to the application. Small amounts of gel or liquid pesticides applied to cracks and crevices or baits used to treat pest infestation are exempt from this section.

(v) At the beginning of each year, and when new students register, schools will develop a list of parents and guardians who wish to be notified prior to pesticide application during the school year. These parents/guardians will be notified in writing prior to pesticide application. General notification of anticipated pesticide applications will occur by posting or dissemination of notices, by oral communication or other means of communication. In emergency cases where a pest infestation threatens the health or safety of the occupants of public school property, no pre-notification is required. Immediately following the application of a pesticide in emergency cases, signs will be posted indicating an application was made.

(vi) Written records of pesticide applications will be kept for three years at each school site and be available upon request to parents, guardians, students, teachers and staff.

(vii) If any part of Paragraph (6) of Subsection O of 6.29.1.9 NMAC is found to be in conflict with the provisions of the Pesticide Control Act, the remainder of the regulation will remain in full force and effect.

The ASK Academy

Adopted: November 4, 2010

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Uniform Policy

Policy 307

The ASK Academy Charter School requires all Scholars (Students) to wear a prescribed uniform. ASK is a Science, Technology, Engineering, and Mathematics institution; the school is a pipeline for STEM careers and educational programs.

ASK has developed a *Dress for Success* uniform policy to improve the learning environment and train the scholars of the importance of making first impressions in these professional fields and careers. An important consideration in the uniform policy is safety and the type of work that ASK scholars perform during the school day. The uniform is important as scholars are designing and producing products, analyzing chemical reactions, and studying the effects of microbes in the micro-biology lab. These are examples of activities that require professional wardrobe. The Uniform Policy will be enforced during all school days that The ASK Academy is in session.

ASK Dress for Success Uniform is mandatory for all scholars.

The ASK Academy

Adopted: June 1, 2011

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Offsite Activities & Chaperone Policy

Policy 308

OVERVIEW

Events sponsored or coordinated by a school must be related to a specific school activity with defined goals and objectives and properly supervised. These events are not to be simply an opportunity for travel or socialization. All activities must be in compliance with this policy, and have the approval of the General Manager/Principal. Parent/Guardian permission slips and, if applicable, driver information forms should be utilized for all off-site functions.

In all instances, written parental approval is required along with proper supervision.

Sponsor: ALL Sponsors must have an approved *Field Trip Sponsor Form* along with reading the *Field Trip Justification Form* TWO WEEKS prior to any field Trip.

Approval of the General Manager/Principal is required for school events that involve taking students off School property.

Events sponsored or coordinated by a school must be related to a specific school activity with defined goals and objectives and properly supervised.

OVERNIGHT FIELD TRIPS

Students may participate in overnight events provided they are properly supervised. Parent/Guardian permission slips and, if applicable, driver information forms must be utilized for all off-site functions.

All events require approval and proper supervision as stated in the above Overview.

SUPERVISION OF MINORS

All approved events involving students require proper supervision. All teachers, coordinators, and chaperones must provide evidence of clearing a background check. All adult leaders and/or chaperones must be advised of their responsibilities and the seriousness of their role.

TRANSPORTATION OF MINORS

Because of potential risks associated with transporting minors off school property, all safety and transportation requirements must be adhered to. The School must follow the **Poms & Associates (800) 578-8802/New Mexico Public School Insurance Authority Transportation Policies**. Public licensed carriers or school buses are the most desirable method of transportation. **Use of 10-16 passenger vans are prohibited**. If private passenger cars are utilized, parents and volunteers using personal vehicles must be advised that their insurance coverage is primary and driver information sheets must be completed. In all type of vehicles, available seat belts must be utilized.

PROCEDURES FOR POLICY 308

1. Definition and Restrictions

An Off-Site Activity is defined as an excursion that (a) involves students enrolled in a school program, (b) is sponsored by the school and/or coordinated by school leaders, and (c) involves taking the student or students away from the school property or the site where the school program regularly occurs. Even when the parents provide the transportation and/or serve as chaperones during the off-site activity, the activity is still governed by these Guidelines since it has been sanctioned by the school.

2. Approval and Documentation Required

The General Manager/Principal of the school must pre-approve all off-site activities. **It is expected that permission for an off-site activity will be secured before any announcement or other preparations are made.**

Parents must pre-approve their student's participation in the field trip, in writing, and they have the right to refuse their child's participation without incurring any penalty. The school is to ensure that each child's parent/guardian signs a permission form, in advance, which also releases the school of liability and covers medical emergencies (Parent/Guardian Permission Slip). The school leader responsible for the off-site activity carries with her/him the completed Parent/Guardian Permission Slips during the off-site activity and keeps them on file at the school for one year.

3. Chaperones

All off-site activities must be chaperoned by an adequate ratio of adults to students (scholars must be supervised by at least 1 adult per every 8 students) to match with the age and maturity of the students. Prior to leaving the school for the off-site activity all chaperones and accompanying adults must provide written verification of having clearing the Volunteer Background Check.

4. Overnight Off-Site Activities

Overnight off-site activities are permitted for ASK students (grades 7-12) when the activity is part of the school program. Permission for an overnight off-site activity must be requested in advance in writing from the principal who must also be informed in advance in writing of each

off-site activity. The written permission must also include a cost accounting of income and report provided after the trip. The final report must itemize income and expenses, with receipts for all expenses, and a copy provided to principal by the person responsible for the off-site activity. The report must also be available for review, upon request, by parents/guardians.

5. *Chaperone Guidelines for Overnight Off-Site Activities*

a. Sleeping and Bath Accommodations

1. Adults and chaperones are not to be housed in the same room with minors except when the minor is the child of the adult or chaperone.
2. As an exception to #1 above, in a large dorm situation adult chaperones of the same gender may be housed in the same room with minors provided that at least two adult chaperones and at least four minors are assigned to the dorm. All of the adult chaperones must have undergone the criminal history background check.
3. There is to be no co-ed sleeping in tents or hotel rooms.
4. Chaperones are not to use a community shower with minors, nor should a chaperone be in any state of undress except in the privacy of his or her room.
5. All adults and chaperones must understand that extreme caution must be exercised at these times so that no actions have the potential for misinterpretation.
6. In the case of public restrooms and shower areas, adult chaperones should be in the vicinity of the restroom to monitor the coming and going of the students and to be available in case of emergency.
7. Any necessary disciplinary actions or conversations are to be carried out after the minor has had the time to be properly dressed and must take place outside of changing, washing or toilet areas.

b. Outdoor Camping

1. It is strongly recommended that tents that can accommodate large numbers be used whenever possible. This will allow for better supervision.
2. There is to be no co-ed sleeping in tents.
3. Adults or chaperones are not to sleep in a tent alone with a minor, except when the minor is the adult or chaperone's own child.
4. In the event that outdoor camping is held without tents, there must be enough chaperones available so that at least one chaperone is on duty throughout the night to ensure the safety of the group.
5. No sharing of sleeping bags is to be allowed. Each individual will sleep in a single sleeping bag.

c. Hotel Rooms

1. Care is to be taken when booking hotels for groups. A request must be made upon making reservations that, if possible, all of the rooms be on the same floor in the hotel, in close proximity.
2. All rooms must be checked by the trip coordinator before assigning them to groups to avoid males and females having adjoining doors. Adjoining rooms should only be shared by minors of the same gender.
3. Minors must never be allowed unsupervised access to the hotel rooms.
4. Minors must always be informed and reminded of safety rules and security measures.
5. It is recommended that the chaperone monitor rooms periodically; however, chaperones should conduct such monitoring in pairs.
6. Adults and minors are not to be housed in the same room, with the exception of families staying together.

d. Miscellaneous

1. If a minor is taking medication that must be administered by an adult chaperone, the parent must give the chaperone explicit written directions and written permission to administer the prescribed medication. Chaperone shall have the school permission/medical authorization/indemnity agreement form available to know exactly what medications need to be administered.

e. Adults and Chaperones—Education and Screening

1. All school employees and volunteers will have a background check on file at the school.
2. All adults and chaperones should lead by example, following as much as possible the same rules given to minors (for example, no alcohol consumption).
3. Adults or chaperones shall not at any time purchase questionable or illegal items for a minor (examples: cigarettes, alcohol, drugs, weapons, condoms, and sexually-suggestive materials) and shall report the possession and/or attempt to sell these items to the responsible adult leader.
4. The principal or his/her delegate must approve all chaperones for each overnight event.
5. No adult who has been convicted of or is undergoing legal prosecution for any criminal act involving sexual misconduct with a minor is to be allowed to chaperone any minors.

f. Behavior of Minors

1. Clear expectations for behavior of minors are in place in each school handbook for the outing or other event.
2. All minors will be clearly instructed about the expected behavior and other rules pertaining to their behavior, as well as the consequences for breaking the rules, during the outing or other event.

g. Notifications

1. A clear itinerary with contact information for the responsible adult is to be left with the principal or his/her designate prior to departure.
2. A clear itinerary with contact information for the responsible adult must be provided to the parent/guardian of each participant with the names of adult leaders, hotel name (if any), and contact information (telephone numbers, including mobile phones).
3. Copies of permission slips for all participants are to be carried by the responsible person in charge of the activity; separate copies are to be left at the school where they are accessible during the activity.
4. Adult leaders and chaperones are encouraged to carry mobile phones during off-site activities, in case of emergency.
5. A detailed list of all participants and chaperones, including the telephone numbers of chaperones, and a list of parents/guardians to be contacted in the case of emergency during the off-site activity must be left with the school sponsoring the activity.
6. The principal or his/her delegate is to be notified immediately of any major accident or disciplinary issue that may arise during the off-site activity.

6. Transportation of Minors

- a. Because of the potential risks associated with transporting minors off school property, the school must strictly observe all transportation and safety requirements.
- b. Public licensed carriers or school buses are to be used whenever possible.
- c. The driver vehicle transiting minors must have the proper license to operate the vehicle and have completed the criminal history background check through the New Mexico Department of Public Safety. Only licensed drivers at least 21 years old may serve in this capacity.
- d. School bus guidelines and regulations provided by Poms & Associates must be strictly followed.
- e. Parents and volunteers using personal vehicles must be advised that their insurance coverage is primary.
- f. In all types of vehicles, available seat belts must be utilized.

- g. Questions about transportation requirements may be directed to **Poms & Associates** (800) 578-8802 and/or the **New Mexico Public School Insurance Authority**.

The ASK Academy

Adopted: October 7, 2010

Revised: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Cyber-Bullying

Policy 309

Definition:

Cyber-Bullying is the use of electronic information and communication devices, to include but not limited to, e-mail messages, instant messages, text messages, cellular telephone communications, Internet blogs, Internet chat rooms, Internet postings, and defamatory websites, that:

1. Deliberately threatens, harasses, intimidates an individual or group of individuals; or
2. Places an individual in reasonable fear of harm to the individual or damage to the individual's property; or
3. Has the effect of substantially disrupting the orderly operation of the school.

ASK Academy owned, operated, or supervised technologies is any computer, networking system, electronic equipment, or any other equipment or device that may be used by a person to communicate to another which is owned, leased, operated, or under the control or supervision of the school and/or district staff.

Reporting procedure and investigation:

Any scholar or staff member who believes he/she has reason to believe a scholar or staff member has knowledge or reason to believe another scholar or staff member is being subjected to or has been subjected to cyber-bullying shall immediately fill out the bullying/harassment form and report to the building General Manager or designee. The building General Manager or designee shall investigate all reports of such conduct. Any investigation regarding an allegation of cyber-bullying will provide all parties the appropriate due rights.

If the investigations results show:

NO cyber-bullying occurred: the GM will inform the affected parties of the investigation results.

Cyber-bullying occurred: the scholar will be subjected to appropriate discipline.

Discipline and consequences:

Bullying of any kind will not be tolerated at the ASK Academy. Appropriate consequences for scholars who commit an act of cyber-bullying will be enforced.

Depending of the severity of the incident, administration reserves the right to deal with each situation on a case-by-case basis.

Consequences:

1. First offense- referral, mediation, stay-away contract, ISS, parent phone call
2. Second offence-referral, mediation, ISS or OSS, parent phone call
3. Third offense- referral, mediation, OSS or possible Expulsion, parent phone call
4. Fourth offense- referral, OSS/Expulsion, parent phone call

Reprisal or retaliation prohibited:

The ASK Academy prohibits reprisal or retaliation against any person who reports an act of cyber-bullying. The General Manager will determine the appropriate consequences for any scholar who engages in reprisal or retaliation.

Consequences for false accusation:

Consequences and appropriate action for a scholar found to have falsely accused another of an act of cyber-bullying shall be disciplined in the range from mediation up to and including suspension and expulsion.

The ASK Academy

Cross-Reference: Policy 202, Staff Cyber-bullying

Adopted: September 12, 2013

Reviewed: June 11, 2015; October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Release of Scholar Information

Policy 310

The ASK Governing Council, in compliance with the Family Education Rights and Privacy Act of 1974 (FERPA), as amended, and state law and regulation shall allow the release of directory information about ASK Academy scholars only to those persons or organizations having a legal right to know. All release of scholar information requests shall be reviewed and approved or denied by the custodian of public records.

Administrative Position:

- General Manager

Department Director:

- Custodian of Public Records

The ASK Academy

Cross-Reference: Scholar & Parent Handbook

Legal Cross Ref.:

- FERPA
- NMSA 1978 §22-21-2
- 6.10.6 NMAC

Adopted: October 9, 2014

Reviewed: June 9, 2016; October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Student Drug-Free Schools

Policy 311

The ASK Academy realizes that substance abuse among the school age population remains high as reflected in national statistics. Substance abuse by students can seriously injure the health of students, adversely impair their academic and athletic performance, and endanger the safety and well-being of ASK employees, other students, and members of the community. To reduce the significant harm to individuals and the community caused by substance abuse among students, the board is committed to the enforcement of policies furthering drug free schools.

1. Federal Funding Requirements. This policy is adopted in accordance with the Safe and Drug-Free Schools and Communities Act, as amended, for receipt of federal program funds.

2. Substance Abuse Prohibited. Substance abuse on school premises and during school programs is prohibited.

3. Definitions. The following definitions are used in this policy:

(a) "Substance abuse" means the unauthorized possession, distribution, dispensing, manufacture, sale, or use or being under the influence of controlled substances that are identified in Schedules I through V of Section 202 of the Controlled Substances Act, 21 USC, Statute 812 (United States Code, Title XXI, Chapter 13) or its implementing regulations, 21 CFR Sections 1308.11 to 1308.15 where the use is neither authorized by law nor a valid prescription, or the misuse of a legal substance, including but not limited to prescription drugs, including attendance and learning, in a safe, adequate and secure manner. Substance abuse also shall include the unauthorized use or possession of, or being under the influence of, alcohol or alcoholic beverages, tobacco products, including but not limited to nicotine gum, nicotine patches, electronic cigarettes, and nicotine containers, mood altering substances and imitation controlled substances as defined in NMSA 1978, § 30-31A-1 or other look-alike drugs in the workplace, on school premises, during school programs, or while on school business.

(i) "Controlled substances" means any drug or substance identified in Schedules I through IV of the Controlled Substances Act or its implementing regulations and includes, but is not limited to, marijuana,

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barbiturates, anabolic steroids, cocaine (including crack), amphetamines, heroin, PCP, hallucinogens, and certain prescription drugs.

(b) "School premises" means any school building and any school property or drug free school zone as defined on NMSA 1978 §§ 30-31-1, et seq., any school-owned vehicles and any other school-approved vehicle used to transport students to and from school activities or for school business. 307-2

(c) "School programs" means any school sponsored or approved activity, event or function, on or off school premises where students are under the jurisdiction of the ASK; or during any period of time students are supervised by school employees.

4. Use of Authorized Prescriptions and Drugs. Authorized prescription drugs and "over the counter" legal drugs may be used by a student, provided that the student's use and possession of the authorized prescription or drug complies with Policy 313.

5. Discipline. Any student who violates the terms of this policy may be disciplined pursuant to Scholar Handbook. Students who participate in extracurricular activities shall also be subject to additional penalties including expulsion or suspension from such activities. In addition, or alternatively, a student may be required to participate in and satisfactorily complete a drug abuse assistance or rehabilitation program approved by the ASK at the student's expense.

6. Reasonable Suspicion. A school principal or his/her designee may require a student to submit to a search of his or her person or possessions if the principal or his/her designee reasonably suspects that the student's behavior may be affected or impaired by substances abuse.

(a) "Reasonable suspicion" means reasonable belief, based upon observations made during, just preceding or just after the period of the day during which this policy applies, that the individual behavior, speech, body odor, or appearance of the student are indicative of substance abuse. Circumstances that give rise to reasonable suspicion of substance abuse may include, but are not limited to:

- (i) Observed use, possession or sale of illegal drugs and/or use, possession sale or abuse of alcohol, and/or the illegal use or sale of prescription drugs;
- (ii) Apparent physical state of impairment of motor functions;
- (iii) Marked changes in personal behavior not attributable to other factors;
- (iv) Student involvement in or contribution to an accident where the use of alcohol or drugs is reasonably suspected or student involvement in a pattern of repetitive accidents, whether or not they involve actual or potential injury;

(v) Violations of criminal drug law statutes, involving the use of illegal drugs, alcohol, or prescription drugs and/or violation of drug statutes.
307-3

(b) Written Record. A written record shall be made of the observations giving rise to the principal or his/her designee's reasonable suspicion of substance abuse. The school official or student who made the observations shall sign, date and record the approximate time of the observed conduct on the written record.

7. Confidentiality and Due Process. Students and their parents or guardians are assured that every effort will be taken to protect their confidentiality pursuant to state and federal laws. Actions taken against students in enforcement of this policy shall comply with such hearing or due process procedures as may be required by ASK policy or state and federal laws.

The ASK Academy

Cross-Reference: Scholar & Parent Handbook; Drug-Free Schools Staff Policy 205

Legal Reference: 6.12.4 NMAC

Adopted: June 9, 2016

Reviewed: October 11, 2018



A New Mexico Public Charter School

The ASK Academy

21st Century Design Thinking

Student Medication Use

Policy 312

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

- **Inform** - Parents/guardians must inform the nurse or administrator when a scholar requires medications during the academic day. Scholars observed by academy personnel self-administering unauthorized medications shall be reported to their parents/guardians.
- **Written Permission** - A written statement is required from the parent/guardian and physician authorizing the administration of all medications and releasing academy personnel from liability should reactions result from the medication. The written statement must include the scholar's name, diagnosis, name of medication, dose, time to be given, and signatures of parent/guardian and physician. Forms are available from the office.
- **Labeled Containers** - Medication must be provided in pharmacy labeled containers that indicate pharmacy name and telephone number, scholar's name, physician, name and dosage of medication. The dispensing pharmacy must split medication into duplicate bottles if it is necessary to give medication during academic hours. One bottle will be kept at home and the other at the academy under the care of academy authorities.
- **Administration** - A nurse will administer prescribed medication. In the absence of the nurse, the medication will be dispensed by an administrator. Scholars will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency (See additional requirement below).
- **Doctor's Orders** - Tylenol or other over-the-counter medicines will be administered to scholars only with a physician's written order in addition to the parent authorization as required above. Such over-the-counter medication must be in the original container. Again, parents are urged to administer such medication at home when possible. Forms are available from the office.
- **Disposal** - When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

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

Self-Administration of Certain Drugs

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

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

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

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

The ASK Academy

Cross-Reference: Scholar & Parent Handbook

Adopted: June 9, 2016

Reviewed: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Student Diabetes Management Policy

Policy 313

A. Definitions. As used in this Policy:

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

B. Diabetes Care Personnel Training.

1. School shall ensure that annual diabetes training programs are provided for all School nurses and diabetes care personnel.
2. Training shall be in accordance with NMPED rule 6.12.11 NMAC for the training of school employees for the care of students with diabetes.
3. At minimum, the training shall address:
 - a. Identification and treatment of hypo- and hyperglycemia;
 - b. Understanding the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student’s diabetes medical management plan;
 - c. Understanding the interpretation of health care practitioner instructions regarding diabetes medication drug dosage, frequency and manner of administration;
 - d. Performance of finger stick blood glucose testing and ketone testing and recording of results;
 - e. The administration of glucagon and insulin and the recording of results;

- f. Understanding how to administer glucagon and insulin through the insulin delivery system;
 - g. Recognizing diabetes-related complications that require emergency assistance; and
 - h. Understanding recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels and actions to be implemented in the case of schedule disruption.
- 4. The training shall be provided by a health care practitioner with expertise in diabetes.
- 5. The training shall be provided to a minimum of two School employees willing to act as diabetes care personnel; the employees acting as diabetes care personnel need not be health care practitioners.
- 6. If at any time fewer than two School employees are available to be trained as diabetes care personnel, the Principal/Head Administrator shall distribute to all School staff a written notice stating that the School is seeking volunteers to serve as diabetes care personnel.
The notice shall inform the staff that:
 - a. The School is required to provide diabetes care to one or more students with diabetes and is seeking personnel willing to be trained to provide that care;
 - b. The tasks to be performed by diabetes care personnel;
 - c. That participation is voluntary and the School will not take action against any staff member who does not volunteer to be designated;
 - d. That training will be provided to employees who volunteer to provide care; and
 - e. The contact information of the person whom staff should contact in order to volunteer to be diabetes care personnel.
- 7. The annual training shall take place as soon as possible after the beginning of a new School year, and no later than September 15. Employees volunteering to replace trained individuals no longer acting as diabetes care personnel shall be trained within two weeks.
- 8. The Principal/Head Administrator shall confirm that the training has occurred in an annual report to the Governing Council.
- C. Training for School employees with primary responsibility for supervision of a student with diabetes.**
 - 1. All School employees who have primary responsibility for supervising a student with diabetes during some portion of the school day, including bus/school activity drivers responsible for the transportation of a student with diabetes, shall be trained annually on:
 - a. Recognition of hypoglycemia;
 - b. Recognition of hyperglycemia; and

c. Actions to take in response to diabetes related emergency situations.

2. This training shall be provided by the school nurse, or a health care practitioner with expertise in diabetes.
3. New employees with primary responsibility for supervising a student with diabetes hired after the annual training shall be trained within two weeks of hire.
4. The Principal/Head Administrator shall confirm that the training has occurred in an annual report to the Governing Council.

D. Parent/Guardian Responsibilities.

1. Upon enrollment at the School or at annual registration, the parent/guardian of each student with diabetes who seeks diabetes care while at school shall submit to the school a diabetes medical management plan.
2. Upon submission of the diabetes medical management plan, the School shall review the diabetes medical management plan with the parent/guardian, and shall implement the plan.
3. The School shall not require or compel parents/guardians to provide diabetes care for a student with diabetes at school or school-related activities.
4. Upon the written request of a parent/guardian of a student with diabetes and authorization by the student's diabetes medical management plan, and upon demonstrated proficiency, a student with diabetes shall be permitted to perform blood glucose checks, administer insulin through the insulin delivery system that the student uses, treat hypoglycemia and hyperglycemia and other wise attend to the care and management of the student's diabetes in the classroom, in any area of the school or school grounds, and at any school-related activity.
 - a. The student shall be permitted to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring/treatment functions; however, the student shall be responsible for keeping supplies/equipment safe, and shall not make it available to other students.
 - b. If the student or parent/guardian requests, the student shall have access to a private area for performing diabetes care tasks.
5. The parent/guardian of a student with diabetes may volunteer to assume the official responsibility of diabetes care for their student, should the parent/guardian be attending a school-sponsored activity, trip, extended offsite excursion, or extracurricular activity in which the student with diabetes is participating. The parent/guardian must prearrange with the principal to assume these responsibilities, if desired.

E. School Implementation of Diabetes Medical Management Plans.

1. The School shall ensure that all students with diabetes receive appropriate and needed diabetes care at school, as specified in the student's diabetes medical management plan.
2. In accordance with the request of a parent/guardian of a student with diabetes, and in accordance with the student's diabetes medical management plan, the school nurse or, in the absence of a school nurse, diabetes care personnel, shall perform diabetes care functions that shall include, at a minimum:
 - a. Checking and recording the student's blood glucose levels or ketone levels and assisting the student with checking and recording those levels;
 - b. Responding to blood glucose levels that are outside of the student's target range;
 - c. Administering glucagon and other emergency treatments as prescribed;
 - d. Administering insulin or assisting a student in administering insulin;
 - e. Providing oral diabetes medications as prescribed; and
 - f. Following instructions regarding meals, snacks and physical activity.
3. The school nurse, or at least one diabetes care personnel, shall be available at the School to provide care to each student with diabetes in accordance with subsections E.1 and E.2 above, during regular school hours and during all school-sponsored activities, trips, extended offsite excursions and extracurricular activities in which a student with diabetes is a participant, and on buses/activity vehicles where the bus/activity driver has not been trained in diabetes care and the student with diabetes is a passenger.
4. The School Nurse and/or diabetes care personnel shall safely store medical supplies and diabetes medication in the manner appropriate for the supplies/medication. The supplies/medication shall be stored in the nurse's office.

F. Right to Attend.

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

G. Governing Council Reporting.

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

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

H. Administrative Complaint.

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

Ref: NMSA 1978 §§22-34-1 et seq.; 6.12.11 NMAC

The ASK Academy

Adopted: June 11, 2020

Revised:

Reviewed:



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

COVID-19 Reentry Policy

Policy 314

Due to the declared health emergency in New Mexico related to the Novel Coronavirus (COVID-19), until further notice the following policies and procedures will be in place at School, in addition to the policies and procedures contained in the School's Student/Family and/or Employee Handbooks, and other School policies/procedures. To the extent that a policy or procedure set forth in this Guidebook conflicts with a policy or procedure contained in the School's Student/Family Handbook, Employee Handbook, or other School policy/procedure, the policy in this Guidebook shall control.

Violation of these policies/procedures may subject students/staff to disciplinary action. Parents/guardians, visitors and other persons who refuse to adhere to School policies and procedures shall be required to immediately leave School premises.

School will abide by all current federal and state public health orders applicable to schools and school-related activities. See <https://cv.nmhealth.org/public-health-orders-and-executive-orders/>. To the extent anything herein conflicts with a public health or executive order, the public health/executive order shall control.

HEALTH SCREENING, MASKING AND SELF-ISOLATION PROCEDURES

Screening. In addition to the School's regular security and other visitor screening procedures, the School shall screen any person (including students and employees) wishing to enter the School premises or School-related in-person event or activity, or any other building operated or occupied by the School, and shall deny on-campus access to anyone, including any School employee, volunteer, student, parent, visitor, contractor, or any other person, as appropriate, based on the person's answers to the screening questions required by the School for entry to School property/events. These questions are available at https://www.ahcancal.org/facility_operations/disaster_planning/Documents/COVID19-Screening-Checklist-SNF-Visitors.pdf.

Further, School shall conduct temperature checks for all persons seeking to enter the School premises or School-related in-person event or activity, or any other building operated or occupied by the School, and shall deny entry to anyone with a temperature of 100.4 degrees Fahrenheit or higher.

The School shall maintain a daily log of all persons entering the School who is not a student at the School, or a School employee. The name, telephone number, and date of entry shall be

logged for each School visitor, contractor, volunteer, parent, or any person other than a currently-enrolled student at the School, or a School employee. The daily log shall be retained for four (4) weeks and shall be maintained, monitored and secured by the receptionist.

Masking. Any person entering the School premises or who is participating in or attending a School-related activity must wear a mask or similar protective face covering, covering the nose and mouth, at all times, except while eating or drinking or during PE or other activities involving exercise (i.e. recess). This does not apply to any person who provides written proof from a health care provider that the person has been advised by a health care provider not to wear a face covering. The use of a mask/face covering is not required by a School employee when in that person's private office with no one else present.

Students who cannot bring their own face coverings for use at School should notify the ASK Nurse, who will arrange for face coverings to be provided.

Self-Isolation Procedures. Any person who is denied access to School premises or in-person events because of the results of the screening or temperature check requirements herein or as required by the State of New Mexico, shall be required to do the following before further attempting to access School premises or in-person events:

- (a) Engage in a fourteen (14)-day period of self-isolation;
- (b) Obtain a test or tests for COVID-19 in accordance with New Mexico Department of Health (DOH) protocols and disclose the results of the test to the School's Head Administrator, which results shall be kept in confidence by the School to the extent such does not conflict with orders and directives of the DOH and/or New Mexico Public Education Department (PED); and
- (c) Attend School from home, or work from home to the extent that work can be performed remotely with the permission of the Head Administrator. Any School employee engaged in a period of self-isolation required under this Policy/Procedure who is not able or permitted to work from home shall use annual and sick leave or, if eligible, leave under the Emergency Paid Sick Leave Act. *See related policy*

If a School student or employee has contact with any person, including a household member, while that person is required to engage in a period of self-isolation under any applicable executive order, the student or employee shall engage in a fourteen (14)-day period of self-isolation from the date of last contact with that person before returning to the School and/or participating in School-related in-person events.

Students/parents and staff must notify the Head Administrator if he/she knows that he/she has been exposed to others who have tested positive for COVID-19. The School will keep this information in confidence to the extent such does not conflict with orders and directives of the DOH and/or PED.

School shall adhere to DOH and/or PED guidelines and shall work with state and local health officials with respect to contact tracing.

Paperwork/records relating to employee/student COVID-19 screening, testing, diagnosis and related documentation shall be maintained by School Administration in confidential, segregated, locked files as medical records.

IF YOU FEEL SICK AT SCHOOL

If you feel unwell before school or work, you must stay home and follow attendance notification requirements. Students/staff who become unwell while at School must do the following:

- Students must notify a staff member that they feel unwell. Staff must notify Administration.
- Persons who feel unwell on campus shall immediately be taken to an isolation room or area to separate them from others. School healthcare staff shall conduct COVID-19 screening procedures and use Standard and Transmission-based Precautions when caring for persons who feel unwell on campus. See <https://www.cdc.gov/coronavirus/2019-ncov/hcp/caring-for-patients-H.pdf>
- Parents/guardians will be called to pick up their student immediately. Employee emergency contacts will be called to pick up the employee immediately. If circumstances appear to require immediate healthcare, the School shall call for ambulance transportation to a healthcare facility. Ill students/employees shall not be allowed to drive themselves home.
- Students/staff feeling unwell must contact the DOH Coronavirus hotline for next steps (1-855-600-8453), and will be required by School to seek and obtain testing for COVID-19 at the earliest opportunity and, for the safety of others, to inform the School of the results of any testing. School shall maintain confidentiality consistent with the ADA and other applicable federal and state privacy laws.
- The School shall inform the DOH, staff, and School families immediately of a possible case of COVID-19, while maintaining confidentiality consistent with the ADA and other applicable federal and state privacy laws. Students/employees shall not be identified to the School community by name, and shall avoid, to the extent reasonably feasible, making other references that would permit the community to guess the person's identity. While the School cannot prevent speculation, it will take reasonable steps not to contribute to it.
- Parts of the School facility used by a possible COVID-19 positive sick person shall be closed and remain unused for 24 hours, and shall not be used thereafter until thorough cleaning and disinfection has occurred.
- DOH/health officials will work with the School to identify individuals exposed to the infected person and test them for COVID-19.

- School shall immediately contact DOH to activate contact tracing. Students/staff who are notified by DOH via contact tracing must follow all directives of DOH.
- Students/staff with suspected or confirmed cases of COVID-19 may not return to campus/in-person activities until they demonstrate to the School that they have met DOH criteria to discontinue home isolation.

TRAVEL

School employees shall not travel out of state for School-related business until further notice.

All students, families, and School employees are strongly discouraged from traveling out of state on personal business. Any School employee who engages in personal out of state travel shall report the nature, extent, and details of the travel to the Head Administrator before traveling or, if advance notice of the out of state travel is not possible because of unforeseen, emergency circumstances, as soon as possible after the travel begins. For so long as executive/DOH order 2020-054 or similar order remains in place, any student or employee who engages in or returns from out of state or international travel shall engage in a fourteen (14)-day period of self-isolation upon return to New Mexico before returning to the campus or attending in-person School events, whether or not they are exhibiting any health symptoms.

SCHOOL FACILITY CLEANING

All School facilities and buildings operated by the School must be maintained in accordance with the guidelines issued by the New Mexico Department of Health and CDC for the cleaning and disinfection of public facilities and schools during the current public health emergency. See, e.g., <https://www.cdc.gov/coronavirus/2019-ncov/community/reopen-guidance.html>; <https://www.cdc.gov/coronavirus/2019-ncov/community/organizations/cleaning-disinfection.html>; <https://www.cdc.gov/coronavirus/2019-ncov/community/disinfecting-building-facility.html>. Staff shall be required to keep and provide daily checklists or similar verification that facilities have been cleaned in accordance with these DOH guidelines. Staff further shall comply with any/all cleaning/maintenance requirements that may be issued by the New Mexico Public School Insurance Authority (NMPSIA).

SOCIAL DISTANCING ENFORCEMENT

Social Distancing. All large group gatherings shall be avoided on School premises or during School-related events. Outside of class, students/staff/visitors shall not congregate in groups larger than 5, or the maximum number of people allowed to congregate as defined by then-current DOH or Executive Order applicable to the School's area.

Students/staff/visitors must maintain proper social distancing measures at all times (minimum 6 feet between individuals, whether or not a mask is worn).

Where possible/practical, meetings/conferences shall be held virtually or in small groups with maximum social distancing.

Staff shall closely monitor and enforce social distancing requirements.

TRANSPORTATION

Transportation.

Parents are strongly encouraged NOT to carpool, and to transport only their student(s) to and from school. If students must carpool with members not in their household, all persons in the car should wear masks and should distance themselves in the vehicle to the maximum extent possible.

POPULATIONS WITH UNDERLYING MEDICAL CONDITIONS

Students and employees with underlying medical conditions as defined by the CDC, https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fneed-extra-precautions%2Fgroups-at-higher-risk.html, and/or employees over the age of 50, and/or those who live with someone who is in a high-risk category, should contact Dr. Alexandra Boyd or her designee prior to the start of school, or as soon as reasonably possible, to discuss any concerns or issues about returning to on-campus instruction. School will maintain such discussions and documentation in confidence and in segregated, locked files as medical-related records and information. Student accommodations and modifications will be addressed pursuant to IDEA, Section 504, and/or ADA procedures. Personnel accommodations shall be addressed in compliance with ADA and OSHA requirements. *See also Emergency Paid Sick Leave and Extended Family Medical Leave Policy.* The School aims to be as flexible as possible in making alternative arrangements.

FIELD TRIPS

Until further notice, School field trips necessitating vehicular transportation to indoor or outdoor locations will be curtailed. Walking field trips to outdoor locations where social distancing can be maintained may occur, subject to prior scheduling and approval by School administration and parents/guardians.

MEALS/FOOD ON CAMPUS

During mealtimes on campus, students and staff are required to maintain social distancing requirements and to wear masks when finished with their meal. Cleaning/disinfection of tables, high-touch surfaces and school meal sites will be conducted throughout the day.

ATTENDANCE FOR SUCCESS

Students are expected to attend in-person or remote instructional programs, as provided by the School, each day. Attendance will be officially recorded and reported to PED for days in which students are physically present in school. For days in which students participate in a remote learning program, the school is required to track student participation. The New Mexico Attendance for Success Act requires that districts and charter schools provide interventions to students based on the percentage of absences students have accrued.

Hybrid Model: For hybrid learning models in which students attend in-person classes on some days of the week and participate in remote learning on other days of the week, accurate attendance data for in-person classes shall be documented. Students will not be marked as present or absent for classes they were not expected to attend in-person. For example, if a student has in-person classes on Monday and Tuesday and remote learning Wednesday through Friday, school attendance for this student will only be marked and reported for Monday and Tuesday. However, teachers will still track participation and engagement data for remote learning days, as determined by whether or not students participate in online instructional activities through Google classroom. This data shall be kept at the school site.

If campus is closed: For the purposes of determining the attendance intervention tiers of support in the Attendance for Success Act to which students are assigned, or identifying chronically or excessively absent students, participation in offsite instructional activities during any period of campus closure will **not** be considered. However, students are expected to participate in remote learning during any campus closure period(s) as scheduled. Data regarding the submission of schoolwork and participation in online activities will be counted as participation or engagement data and used to support student learning and engagement with instructional content. Teachers will track whether or not students are logging on to online instructional activities. The School will monitor those students who are not participating or engaging with online instructional activities and provide supports as appropriate.

Medical and other excused absences: Absences due to medical conditions may be excused absences if the status of the student is disclosed to appropriate school personnel and if relevant documentation is provided as per the existing School attendance policies. Students will be allowed to make up schoolwork missed due to excused medical absences. Excused medical absences, including medical absences for students on 504 plans and students who are expectant or parenting, are included when determining students' attendance intervention tiers. However, for students who are excessively absent (students missing 20 percent or more of class periods or school days), additional excused medical absences need not be considered when determining whether a student must be referred to the probation services office.

Absenteeism calculation: When calculating absenteeism rates, the School will calculate the percentage of expected in-person days missed. For instance, if a student is expected to attend in-person classes on Monday and Tuesday each week and is absent every Monday, that reflects a 50 percent absentee rate for that student, not a 20 percent absentee rate.

Optional Online-Only program: For optional online instructional programs that the school may employ to better meet the needs of some families, and in which families may choose whether or not to participate, attendance will be regularly taken and reported for program participants, and students will be supported with appropriate interventions in accordance with the Attendance for Success Act.

The ASK Academy

Adopted: August 13, 2020

Revised:

Reviewed:



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Title IX Policy and Procedures Prohibiting Sex-Based Discrimination

Policy 315

- I. Purpose. The purpose of this policy is to articulate The ASK Academy's commitment to eliminating discrimination based on sex, including sexual harassment which is a type of discrimination, in any education program or activity offered by [School]. The School does not discriminate on the basis of sex in education programs or activities that it operates, or employment of individuals as prohibited by Title IX of the Education Amendments of 1972. Any person with questions about this Policy should contact the Title IX Coordinator or designee whose information shall be prominently listed on the School's website [www.theaskacademy.org].
- II. Reason for Policy. The United States Department of Education recently adopted formal rules related to sexual harassment as prohibited by Title IX of the Education Amendments of 1972 (May 2020). These new regulations require additional procedures and policies related to programs using federal funds. The new law focuses on procedures for reporting, investigating and finding illegal sexual harassment as the term is defined by the rule. The School's governing body has always prohibited discrimination based on sex and sexual harassment in educational programs and activities implemented by it. This policy is intended to comply with the mandates of 34 CFR 106 and other provisions of Title IX.
- III. General Statement of Policy. The School is committed to maintaining a safe school environment free from harassment and discrimination. The School prohibits discrimination based on sex and sexual harassment of students by other students, employees or other persons, at school or school sponsored or school related activities. No student will be excluded from participation in or denied the benefit of any educational program or activity operated by the School as a consequence of sexual discrimination or sexual harassment or retaliation for making complaints of sexual discrimination or sexual harassment as defined by Title IX.
- IV. Definitions.
 - A. *Discrimination based on sex.* Means conduct that excludes a person from participation in, denying the person the benefit of, or subjecting a person to unequal treatment under any academic, extracurricular, occupational training or other education program or activity provided by the School based on sex, e.g. disproportionate funding for athletic programs.

- B. *Sexual Harassment*. A form of sexual discrimination recently defined by the U.S. Department of Education as conduct based on sex that satisfies one or more of the following:
1. An employee who conditions the provision of assistance, benefit, or service offered by a School program or activity or unwelcome sexual conduct "*quid pro quo*" (e.g. sexual favors in exchange for good grades);
 2. Unwelcome conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity; or
 3. "Sexual assault," "dating violence," "domestic violence," or "stalking," each as defined by federal law.
- C. *School Program or Activity*. These terms include locations, events, or circumstances over which the School exercises substantial control over the individuals implicated in a complaint of sexual discrimination, harassment or retaliation. Title IX applies to all School's programs or activities whether such programs/activities are held on or off campus, but not outside the United States. Offending conduct covered by these Procedures can occur by e-mail, over the internet, or other technologies, such as social media, if the School has the requisite authority to control the students' conduct on these technologies.
- V. Title IX Coordinator. The School's governing body hereby authorizes the School's Head Administrator, or a position determined by the Head Administrator as the School's Title IX Coordinator. The Head Administrator shall also designate an alternate Title IX Coordinator in the event a complaint is against the Title IX Coordinator or the designated Title IX Coordinator is unavailable to accept a complaint. The Title IX Coordinator should be contacted about inquiries regarding individual's rights and protections afforded under Title IX. The Title IX Coordinator's contact information along with this Policy shall be prominently published on the School's website, in each student and employee handbook, employment applications, notices of employment opportunities and such other School publications as appropriate. The Title IX Coordinator will be responsible for coordinating the School's efforts to comply with Title IX requirements and shall receive complaints of discrimination based on sex or sexual harassment, or retaliation.
- VI. Grievance Policy Procedures. The School's administration will publish notice of and adopt grievance procedures that ensure a prompt and equitable resolution of student and employee complaints alleging any action that would be a violation of Title IX provisions. Grievance procedures shall comply with the requirements of the U.S. Department of Education's Final Rule on Sexual Harassment. 34 CFR Part 106. The grievance procedures shall include how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, describe the investigation process, and how the School will respond to the complaint among other requirements. Parents and guardians as well as the Title IX Coordinator may file a formal complaint of sexual harassment, even if the student does not wish to file the complaint. Grievances and formal complaint processes will

include reasonable prompt time frames for the process and any appeals. Procedures shall be consistent and comply with laws applicable to confidentiality, including FERPA.

- VII. Reporting. The School's procedures shall provide that any person may report sexual harassment or discrimination. The report may be made in person, by mail, telephone or email, using the Title IX Coordinator's contact information or by any other means that would result in the Title IX Coordinator receiving the complaint either verbally or in writing.
- VIII. School's Response Obligations. The School's procedures shall include prompt processing of complaints. In cases of sexual harassment complaints, the School will offer supportive measures to the alleged victim, even if no complaint is filed. All complaints will be investigated and if the alleged conduct does not constitute a violation under Title IX, the School must dismiss the complaint for purposes of Title IX, but it may still address the violation under other violations of the School's code of acceptable conduct. The School will provide remedies where a violation has been established, but not impose disciplinary sanctions without following the grievance procedures. The School requires Title IX Coordinators, investigators and persons who facilitate the requirements of this Policy to be free from conflicts of interest or bias against the complainant or respondent.
- IX. Employee Obligation to Report. Any school employee who learns of actions that may constitute discrimination based on sex or sexual harassment must report that information to the Title IX Coordinator. Employees have an independent legal duty to report child abuse and/or child neglect to the responsible legal authorities.
- X. Notification of Policy. The School will take affirmative steps to ensure that notices required under Title IX and this policy are posted timely, routinely updated, effectively located to ensure that students, parents, employees and others affected by this policy are given adequate notice of their rights hereunder. The policy shall be published once in a local newspaper within ninety (90) days of adoption, other publications by the School, employment applications, recruitment materials, enrollment policies, and in written communications to every student and employee of the School through the handbooks and relevant policy updates.
- XI. Training. The Head Administrator shall ensure that training is provided for all staff and students regarding rights afforded and obligations imposed pursuant to Title IX and its implementing regulations. This shall include training on the definition of sexual harassment as defined by Title IX regulations. Appropriate staff shall be trained in the investigation practices, grievance procedures, hearings and appeals processes, informal resolution processes and how to avoid conflicts of interest and bias. If training materials are developed by the School, they shall be maintained on the School's website.
- XII. Retaliation Prohibited. The School prohibits retaliation against any person who files a complaint, testifies or cooperates in a School conducted complaint proceeding.

XIII. Periodic Evaluations. The School shall conduct evaluations of all its programs and activities no less frequently than every two (2) years, to ensure that this Policy is successfully implemented. The Head Administrator may recommend modifications to policies and procedures governing School programs and activities to ensure equal opportunities are available to all students regardless of sex.

TITLE IX GRIEVANCE COMPLAINT PROCEDURES

The School's Grievance Complaint Procedures is followed when processing all Formal Complaints of discrimination based on sex as defined herein, or retaliation for making complaints about sex discrimination in violation of Title IX. Every effort to ensure impartiality and non-biased decision making has been employed when appointing those individuals who will implement these Procedures. If at any time a participant believes an administrator of this procedure cannot be impartial, he/she should immediately notify the Title IX Coordinator or the School's Head Administrator.

NOTE: Students and employees may address alleged violations of other School policies including the School's anti-bullying and anti-harassment/discrimination rules, using those procedures as described in the School's handbooks or related procedures. These procedures will not be used to address complaints of discrimination or harassment based on other classifications (race, ethnicity, age, physical or mental disability) This Grievance Process and these Procedures are specifically limited to address complaints of discrimination, sexual harassment and retaliation based on sex and according to Title IX of the Education Amendments of 1972.

I. PURPOSE OF THESE PROCEDURES

- These Grievance Complaint Procedures ("Procedures") are intended to implement the requirements of 34 CFR Part 106 and apply only to complaints raised to address discrimination prohibited by Title IX.
- These Procedures provide students and employees a process to bring formal grievance complaints about conduct that may constitute sex discrimination as defined in these Procedures and to ensure that all parties to a complaint are given fair, even-handed opportunities to present their side of the case before a final determination is reached and before disciplinary actions are imposed, except in emergency situations.

II. DEFINITIONS

- A. Complainant – means the individual who is alleged to be the victim of conduct that could be sexual harassment, discrimination or retaliation for complaining of sexual harassment or sex discrimination as meant by Title IX.
- B. Formal Complaint – is the document submitted by the Complainant or signed by the Title IX Coordinator alleging sexual harassment, discrimination or retaliation against a Respondent and requesting that the School investigate the stated allegations. If the Formal Complaint is signed by the Title IX Coordinator, the Coordinator does not become the Complainant, nor a party to the Grievance Process. The Title IX Coordinator

may submit a Formal Complaint even if the Complainant does not wish to do so on his/her own behalf. If the Title IX Coordinator files the Formal Complaint, he/she must follow the processes stated herein. Additionally, a parent or legal guardian may act on behalf of a Complainant including signing and filing a Formal Complaint.

- C. Impartiality of administrators – Participants in the Grievance Process, to the greatest extent possible, are assured that the Title IX Coordinator, Investigator, Decision Maker and Appeal Officer as the terms are used in this Procedure shall not have a conflict of interest or bias for or against the Complainant or Respondent, and shall have received appropriate training for their respective roles in this process.
- D. Respondent – is the individual against whom the allegations of the Formal Complaint are made. A parent or legal guardian may act on behalf of the Respondent as a party to a Formal Complaint
- E. Sexual Discrimination – Excluding a person from participation in, denying the person the benefit of, or subjecting a person to unequal treatment under any academic, extracurricular, occupational training or other education program or activity provided by the School based on sex, e.g. disproportionate funding for athletic programs. Sexual Discrimination includes Sexual Harassment as defined in paragraph F. For purposes of these Procedures, “sexual discrimination” shall include “sexual harassment.”
- F. Sexual Harassment – A form of sexual discrimination recently defined by the U.S. Department of Education as conduct based on sex that satisfies one or more of the following:
 - 1. An employee who conditions the provision of assistance, benefits, or services offered by a School program or activity or unwelcome sexual conduct “quid pro quo” (e.g. sexual favors in exchange for good grades).
 - 2. Unwelcome conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity; or
 - 3. “Sexual assault,” “dating violence,” “domestic violence,” or “stalking,” each as defined by federal law and collectively referred to in these Procedures as “sexual violence.”
- G. Education Program or Activity – An education program or activity of this School includes all locations, events, or circumstances where the School has the authority to exercise substantial control over both individuals implicated in a complaint of sexual harassment. Title IX applies to all School’s programs or activities whether such programs/activities are held on or off campus, but not outside the United States. Offending conduct covered by these Procedures can occur by e-mail, over the internet, or other technologies, such as social media, if the School has the requisite authority to control the students’ conduct on these technologies.
- H. Title IX Coordinator – an employee of the School who is *duly authorized* to coordinate the School’s efforts to enforce the provisions of Title IX.

III. TITLE IX COORDINATORS’ CONTACT INFORMATION

- 1. Title IX Coordinator
 - a. Constance Castilleja
 - b. Director of Advancement

- c. cdove@theaskacademy.org
- d. 505-891-0757, Ext. 324
- 2. Alternative contact
 - a. Dr. Alexandra Boyd
 - b. Chief Executive Officer
 - c. aboyd@theaskacademy.org
 - d. 505-891-0757, Ext. 302
 - e. The ASK Academy
4550 Sundt Road NE
Rio Rancho, NM 98124

IV. WHO MAY REPORT A COMPLAINT?

- A. Any employee who believes a student has been the subject of sexual discrimination and/or retaliation by a student, employee, or third person (e.g. contractor, visitor, etc.) or who has reason to believe that said conduct has occurred, **must contact** the Title IX Coordinator or Alternate Contact to initiate the filing of a complaint. **This report is in addition to any mandatory obligation to report child abuse or neglect.**
- B. Students are not required to file a Formal Complaint on their own behalf but are encouraged to do so.
- C. Any other person may report sex discrimination whether he/she is the alleged victim of the purported illegal conduct using the methods described in this Procedure.
- D. If Complainant is unwilling or unable to submit a Formal Complaint, the Title IX Coordinator or Alternate may ask for details of the incident in an oral interview. If the Complainant is a student with disabilities, the Title IX Coordinator shall review the reporting student's IEP or 504 Plan to determine the specific accommodations that might be necessary to aid the student in filing a Formal Complaint and/or participating in the Grievance Process.
- E. The School will promptly notify the parents of the Complainant and the Respondent of a complaint alleging sexual discrimination, unless the student is over eighteen (18).

V. GRIEVANCE COMPLAINT

- A. The Title IX Coordinator, upon learning of a complaint of sexual discrimination, sexual harassment or retaliation, shall contact the Complainant and explain the process for filing a Formal Complaint and of the availability of Support Measures as described in Section VI.
- B. The School has a Grievance Complaint form that may be obtained from the Title IX Coordinator and which is posted at www.theaskacademy.org. However, a complaint may be made orally or provided in a writing that contains the following information:
 - a. Name, address, telephone number, email address of Complainant
 - b. Name of person(s) directly responsible for the alleged discrimination or retaliation
 - c. Date(s), time(s), and places of alleged discrimination or retaliation
 - d. Nature of the alleged violation(s); i.e. discrimination, harassment, retaliation
 - e. Detailed description of the specific conduct that is the basis of the alleged violation(s)

- f. Copies of any documents or items related to the alleged violation(s)
 - g. Names and contact information for witnesses
 - h. Any other important information
- C. If the Complainant does not wish to sign and file a Formal Complaint, the Title IX Coordinator may sign a Formal Complaint, which triggers the Procedures stated herein, even over the objections of the Complainant. The Title IX Coordinator shall keep the Complainant informed of the process.
- D. A Formal Complaint can be submitted in person, by mail, or by electronic mail by using the contact information stated in Section III.

VI. INTERIM SUPPORT MEASURES DURING PROCESS

- A. Upon notice of a complaint, even if a Formal Complaint is not filed, the Title IX Coordinator must promptly contact the Complainant to discuss the availability of Supportive Measures as described herein. The Title IX Coordinator shall consider the Complainant's wishes with respect to Supportive Measures. Supportive Measures shall remain confidential to the extent possible for the School to successfully implement the measure.
- B. The Title IX Coordinator will make sure the Complainant is aware of his/her Title IX rights and the right of the Complainant to report a crime to law enforcement.
- C. Once a Formal Complaint is filed, the Title IX Coordinator will take steps to ensure that both the Complainant and Respondent continue to have equal access to education programs including by providing Support Measures before for the Investigation is completed and the Written Decision is issued.
- D. Supportive Measures means non-disciplinary, non-punitive individualized services provided by the School before or after filing of a Formal Complaint, or even where no complaint has been filed. These measures are designed to preserve both Complainant's and Respondent's equal access to their education program or activity. Measures will be designed to protect the safety of all parties, the School's educational environment and to deter sexual harassment or discrimination.
- E. Supportive Measures may include steps such as counseling, extending deadlines or making other course-related adjustments, modifications of work or class schedules, on-campus escort services, mutual restrictions on contact between the parties, leaves of absences (employees), increased security and monitoring, or other measures as appropriate and reasonably available, with no charge to the Complainant or Respondent.
- F. Interim measures afforded will depend on the situation. The Title IX Coordinator shall take into consideration: the specific needs expressed by the Complainant; the age of the students involved; the severity or pervasiveness of the alleged conduct; any continuing affects on the Complainant; whether the Complainant and Respondent share classes, transportation, or extra-curricular activities; or whether there are judicial orders in place to protect the Complainant.
- G. A Respondent shall not be disciplined or have punitive measures imposed prior to the outcome of the Investigation and Written Decision.
- H. Emergency Removal. Respondent may be removed from the School or School activity immediately, provided that the School conducts an individualized safety and risk

analysis and determines that an immediate threat to the physical health or safety of any student, not just the Complainant, or other individual arising from the allegations of sexual harassment, discrimination or retaliation, justifies removal. If removal is warranted, the Respondent shall be afforded the opportunity to challenge the decision immediately following the removal. The extent of the challenge afforded will depend on the duration of the removal deemed warranted. An emergency removal cannot modify any rights a student may have under his/her IEP or 504 Plan.

- I. If the Respondent is an employee, he/she may be placed on administrative leave with pay during the pendency of the Grievance Process based on the allegations of the Formal Complaint.

VII. FORMAL COMPLAINT PROCESS

A. Timelines and due dates.

1. A Formal Complaint under this Procedure should be filled as soon as possible but not later than ninety (90) days after the incident or last incident giving rise to the allegations. Failure to file a Formal Complaint within these timelines may result in dismissal of the Formal Complaint. Dismissal, however, shall not preclude an individual from pursuing his/her complaint through external enforcement agencies. *See Section XVI below.*
2. The Title IX Coordinator and other administrators of this procedure will make every reasonable attempt to adhere to the time limits applicable to each stage of the process. Requests by the parties for extension of time should be made to the Title IX Coordinator who will decide whether there is good cause for an extension under the circumstances.

B. Notice of Formal Complaint. Upon receipt of a Formal Complaint, the School shall provide a written notice that contains the following information to the Complainant and Respondent:

1. A copy of these Grievance Procedures.
2. A statement of allegations of the Formal Complaint with sufficient details for the Respondent to prepare a response including, the name of the Complainant and other individuals involved in the incident (if known), the conduct allegedly constituting sexual discrimination, sexual harassment or retaliation, and the date and location of the incident. The Respondent shall be notified of any amendments to the allegations during the Investigation and a fair opportunity to respond.
3. A statement that the Respondent is presumed not to be responsible for the alleged conduct and that a determination of responsibility shall not be made until the Grievance Process is completed including any final decision on appeal.
4. Inform the parties that they may have a representative of their choice, who may be, but is not required to be an attorney. If represented by an attorney, the attorney's name and contact information must be provided to the Title IX Coordinator within five (5) business days of the notice of the complaint or no later than three (3) days prior to any interview or meeting on behalf of the represented party.
5. The right to inspect and review evidence presented to the Investigator.
6. An explanation that an Informal Resolution Process is available, but only if both parties agree in writing to the process as described in these Procedures.

7. A statement that the making of false statements or knowingly submitting false information during the Grievance Process may result in closure of the Formal Complaint as described in Section XI, or greater weight given to evidence presented by the other party during the Investigation and/or the final determination process.
- C. Confidentiality.
1. Limitations. The School shall maintain confidentiality to the extent possible. The School cannot assure complete confidentiality but will treat sensitive information as not to be shared with others except in limited circumstances. Exemptions may include but are not limited to the following examples: information required by law to be reported; information imparted to others in supervisory positions to further an Investigation or to stop a discriminatory or harassing practice; information given to the Respondent that is necessary for Respondent to have a fair opportunity to provide a response to the allegations of the Formal Complaint.
 2. Considerations before Disclosure. The School will evaluate a confidentiality request in the context of whether it can maintain a safe and nondiscriminatory environment for all students, and will weigh the request against other factors it deems relevant, including without limitation:
 - a. The Complainant's age;
 - b. Circumstances that suggest there is an increased risk of future acts of harassment and/or sexual violence under similar circumstances; and
 - c. Whether the School possesses other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence).
 3. All parties to a Formal Complaint under this Procedure, including Complainant, Respondent, and witnesses, are cautioned to not divulge or publicize the nature of the proceedings or the identity of those involved outside the scope of the Investigation.
- D. Formal Investigation Process
1. The School, through its Investigator, shall be responsible for gathering evidence sufficient to reach a determination. The burden of supporting the final determination is on the School, not the Complainant or the Respondent. The School shall establish a violation of Title IX by a preponderance of the evidence obtained through Investigation Process.
 2. The parties will be provided the opportunity to present witnesses and documents to support their positions within the timeframes set forth by the Investigator.
 3. The Investigation shall be completed within thirty (30) calendar days unless scheduling conflicts or other circumstances necessitate a delay as approved by the Title IX Coordinator.
 4. The parties will be provided no less than three (3) business days' notice of the time, date, location, participants and purpose of all meetings, interviews, or other meetings.
 5. After the Investigator has completed the investigation, and prior to completing the Investigation Report, the Investigator shall send each party and their representatives, if any, the evidence the Investigator has collected and which is subject to inspection (and not otherwise confidential) by email or print copy. Each

7. A statement that the making of false statements or knowingly submitting false information during the Grievance Process may result in closure of the Formal Complaint as described in Section XI, or greater weight given to evidence presented by the other party during the Investigation and/or the final determination process.

C. Confidentiality.

1. Limitations. The School shall maintain confidentiality to the extent possible. The School cannot assure complete confidentiality but will treat sensitive information as not to be shared with others except in limited circumstances. Exemptions may include but are not limited to the following examples: information required by law to be reported; information imparted to others in supervisory positions to further an Investigation or to stop a discriminatory or harassing practice; information given to the Respondent that is necessary for Respondent to have a fair opportunity to provide a response to the allegations of the Formal Complaint.
2. Considerations before Disclosure. The School will evaluate a confidentiality request in the context of whether it can maintain a safe and nondiscriminatory environment for all students, and will weigh the request against other factors it deems relevant, including without limitation:
 - a. The Complainant's age;
 - b. Circumstances that suggest there is an increased risk of future acts of harassment and/or sexual violence under similar circumstances; and
 - c. Whether the School possesses other means to obtain relevant evidence (e.g. security cameras or personnel, physical evidence).
3. All parties to a Formal Complaint under this Procedure, including Complainant, Respondent, and witnesses, are cautioned to not divulge or publicize the nature of the proceedings or the identity of those involved outside the scope of the Investigation.

D. Formal Investigation Process

1. The School, through its Investigator, shall be responsible for gathering evidence sufficient to reach a determination. The burden of supporting the final determination is on the School, not the Complainant or the Respondent. The School shall establish a violation of Title IX by a preponderance of the evidence obtained through Investigation Process.
2. The parties will be provided the opportunity to present witnesses and documents to support their positions within the timeframes set forth by the Investigator.
3. The Investigation shall be completed within thirty (30) calendar days unless scheduling conflicts or other circumstances necessitate a delay as approved by the Title IX Coordinator.
4. The parties will be provided no less than three (3) business days' notice of the time, date, location, participants and purpose of all meetings, interviews, or other meetings.
5. After the Investigator has completed the investigation, and prior to completing the Investigation Report, the Investigator shall send each party and their representatives, if any, the evidence the Investigator has collected and which is subject to inspection (and not otherwise confidential) by email or print copy. Each

party shall have ten (10) business days to prepare a response to the evidence, which the Investigator shall consider before completing the Investigation Report.

6. The Investigator shall issue a written Investigation Report summarizing the information collected during the Investigation and provided by the parties within ten (10) business days from the date the Responses are due and provide a copy simultaneously by email to the parties and their representatives, if any.
 7. Before the Decision Maker renders a decision and after receipt of the Investigation Report, each party shall have five (5) calendar days to submit written questions to the Decision Maker that any party wants asked of any party or witness. The Decision Maker shall provide each party with answers within ten (10) business days. Each party shall have three (3) calendar days to submit any follow up questions. The Decision Maker must provide a reason for not responding to questions presented by the parties.
- E. Decision Maker's Written Determination
1. The Decision Maker, who shall not be the Title IX Coordinator or the Investigator and shall render a Written Determination within thirty (30) days from the date of the Investigation Report.
 2. The Written Determination shall include:
 - a. Identification of the allegations that potentially constitute sexual discrimination.
 - b. Procedural history from the date the Formal Complaint was received by the Title IX Coordinator through the date of the Written Determination, including notices to parties, interviews with parties and witnesses site visits, methods used to gather other evidence and meetings held.
 - c. Findings of facts supporting the determination and if a violation is found that it is supported by the preponderance of the evidence.
 - d. Conclusions regarding the application of the School's code of conduct to the facts, if any.
 - e. Statement of and rationale for determination as to each allegation, any finding of responsibility, any discipline imposed and whether any actions taken are designed to ensure that equal access to educational opportunities are preserved or restored on behalf of Complainant.
 - f. Statement of the discipline to be imposed on Respondent and, if the discipline includes a long-term suspension or expulsion, Respondent's rights to a due process hearing pursuant to 6.11.2 NMAC.
 - g. Statement of the appeal rights with deadline for filing an appeal.
 3. A copy of the Written Determination shall be provided to the Complainant and Respondent, and their representatives, if any, simultaneously via email.

VIII. INFORMAL RESOLUTION PROCESS

- A. After the Formal Complaint has been filed, and at any time prior to issuance of the Investigator's Report, the parties may agree in writing to engage in an informal resolution process, unless the Formal Complaint alleges sexual violence, or when the complaint is against an employee of the School, which must be investigated and finally processed as described above.
- B. An Informal Resolution Process may include:

- Informal inquiry and discussion
 - Mediation
 - Or other dispute resolution processes agreed to by the parties
- C. Any evidence or information shared during the Informal Resolution Process may be used during the Formal Complaint Investigation if either party terminates the Informal Resolution Process prior to reaching a final agreement.
 - D. Either party may withdraw their consent to the Information Resolution Process at any time and proceed with the Formal Complaint procedures described herein. The party choosing to end the Information Process must provide written notice to the other party and to the Title IX Coordinator.
 - E. If a resolution is reached it shall be documented, and signed by both parties, their representatives and the Title IX Coordinator. A resolution through this process ends the Formal Complaint process, which may not be resubmitted or appealed.

IX. POTENTIAL DISCIPLINARY ACTIONS

- A. Employees and students may be disciplined, but only if it is determined through these Procedures that discriminatory action, treatment, harassment or retaliation for complaining has occurred in violation of Title IX or School policies. The Title IX Coordinator shall refer imposition of discipline to the School's Head Administrator.
- B. Discipline may include counseling, restrictions on contact between the parties, modifications of work or class schedules, other course-related adjustments, suspension, expulsion, restorative justice participation, or other forms of discipline deemed appropriate under the School's discipline policies. If a student is expelled or long term suspended, he/she shall be entitled to a due process hearing as afforded pursuant to 6.11.2 NMAC.
- C. Employees will be placed on administrative leave with pay pending the outcome of the Investigation. If the Decision Maker determines there has been a violation of Title IX policies, the employee will be disciplined up to termination or discharge from employment in accordance with the requirements of the New Mexico School Personnel Act.

X. APPEALS

- A. Respondent. If there is a finding that Respondent's conduct resulted in sexual discrimination as the term is defined by Title IX and these Procedures, and disciplinary action is imposed, the Respondent may request an appeal within five (5) calendar days of the Written Determination.
- B. Complainant. If Complainant believes that a finding that the Respondent's conduct did not constitute sex discrimination as the term is defined by Title IX was wrong or that the discipline was inadequate, the Complainant may request an appeal within five (5) calendar days of the date Written Determination.
- C. Request for Appeal. A request for appeal must be in writing, signed by the party initiating the appeal and state why that party disagrees with the Written Determination. The request for appeal must be submitted to the Title IX Coordinator who will provide a copy indicating receipt to all parties, and notifying the parties that each shall have the option to submit a written statement in support or opposition to the request for appeal.

The statement must be submitted within five (5) calendar days of receipt from this notice and delivered to the Title IX Coordinator.

- D. The Appeal Officer who may not be the Title IX Coordinator, Investigator or the Decision Maker, will review the request for appeal, the investigation documents, statements in response to the request for appeal and may interview the Complainant and Respondent if necessary, to make a determination. An Appeal Determination will be made within fifteen (15) working days from the date the request for appeal was made.
- E. The Appeal Determination shall be a written decision and include the Appeal Officer's rationale for the decision.
- F. The Appeal Determination shall be sent to both parties simultaneously and the Appeal Officer's decision is final at the School level. *See Section XVI below for further redress.*

XI. DISMISSAL OF FORMAL COMPLAINT

- A. A Formal Complaint may be dismissed and not processed if:
 - 1. The Complainant, even after contact and follow up with the Investigator, fails to describe in sufficient detail the conduct that is the basis of the complaint and it is determined that the complaint does not provide sufficient facts to support a potential Title IX violation.
 - 2. The conduct alleged in the Formal Complaint does not state a claim, even if true under Title IX.
 - 3. The Complainant refuses to cooperate with the Investigation.
- B. The School may dismiss the Formal Complaint, or any allegations therein, if at any time during the Investigation the Complainant notifies the Title IX Coordinator in writing that the Complainant wants to withdraw the Formal Complaint, the Respondent is no longer enrolled or employed by the School, or the School is prevented from gathering evidence to make a determination.
- C. The parties to the Formal Complaint will be promptly notified in writing with an explanation of the School's decision to dismiss the Complaint. This decision may be appealed by the Complainant within seven (7) calendar days of notice of a decision not to proceed. The request for appeal must include a written explanation for why the Complainant believes the decision not to process the Formal Complaint was wrong. An Appeal officer will review the decision to not proceed as well as the Complainant's written appeal statement and render a decision within seven (7) calendar days.
- D. An Appeal Officer's decision to uphold the decision not to proceed with investigating the Complaint shall be final at the School level.
- E. If the Appeal Officer overturns the decision not to proceed, the Formal Complaint will be sent back for investigation according to the Procedures described above.

XII. ABUSE OF GRIEVANCE PROCESS

If the preponderance of the evidence supports a finding that the Complainant submitted a false or misleading Formal Complaint alleging harassment, discrimination or retaliation, the Formal Complaint will be dismissed, the student or employee who submitted the complaint will be recommended for discipline according to School policies.

XIII. RETALIATION

- A. Students, employees or parents who make a complaint of discrimination in good faith, shall be free from retaliation, coercion, and reprisal in seeking resolution to a complaint, whether filed as a Formal Complaint under this policy or otherwise. Prohibition against retaliation applies to witnesses and others who cooperate in the Grievance Process at any level.
- B. Complainants, Respondents and others participating in the Grievance Process are hereby notified that retaliation is a separate violation distinct from the underlying discrimination or harassment allegation. Claims of retaliation, submitted in good faith and in writing to the Title IX Coordinator, shall be investigated pursuant to these Procedures. Individuals who engage in retaliation shall be subject to discipline, regardless of whether there has been a finding of cause for the underlying complaint.

XIV. COMPLAINTS TO LAW ENFORCEMENT/EFFECTS ON PROCESS

- A. If a person believes he or she is a victim of sexual violence, the School recommends that the incident be reported to law enforcement immediately. The School has a mandatory reporting requirement under said circumstances.
- B. The Title IX Coordinator will not postpone processing of a Formal Grievance if a criminal complaint has been filed. However, the School may be required to delay the investigation while local law enforcement officials are gathering evidence. During any delay caused by law enforcement efforts, the Title IX Coordinator will ensure that interim Supportive Measures will be implemented, continued and revised, if necessary. The Title IX Coordinator will make every effort, contingent on receipt of timely information from law enforcement, to update the parties on the status of the investigation.

XV. MAINTENANCE OF RECORDS

- A. Records relating to a Formal Complaint pursuant to this Procedure must be maintained by the School for seven (7) years.
- B. Records to be preserved include all documents, audio or audio-visual recordings, or transcripts that were received, produced or kept by the School or its designees related to a Formal Complaint process, any Informal Complaint Resolution process, all interim supportive measures provided, or documentation of why such measures were not provided, evidence to support that the School's response in this matter was not deliberately indifferent and that measures were taken to preserve or restore equal access to the educational program or activity.
- C. All material used to train Title IX Coordinators, Investigators, Decision Makers and any person who facilitates an informal resolution process, must be retained for seven (7) years.

XVI. REPORTS TO STATE AND FEDERAL AGENCIES/ADDITIONAL INFORMATION

Individuals may pursue claims with the agencies listed below as well as obtain additional information about their rights and the obligations of the School.

- A. Employment discrimination complaints may be filed with the New Mexico Human Rights Bureau or the United States Equal Opportunity Commission.

New Mexico Human Rights Division
1595 Pacheco St., Suite 103
Santa Fe, NM 87505
<https://www.dws.state.nm.us/Filing-a-Charge-of-Discrimination>

U.S. Equal Employment Opportunity Commission
505 Marquette Avenue, NW
Albuquerque, NM 87102
<https://www.eeoc.gov/filing-charge-discrimination>

Las Cruces – EL Paso Office
100 Stanton Towers
100 N. Stanton Street, Suite 600
El Paso, TX 79901-1433

- B. Students may file discrimination complaints through the United States Department of Education – Office for Civil Rights
<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>.

Denver Office
Office for Civil Rights
U.S. Department of Education
Cesar E. Chavez Memorial Building
1244 Speer Boulevard, Suite 310
Denver, CO 80204-3582

The ASK Academy
Adopted: August 13, 2020
Revised:
Reviewed:



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Grading and Assessment

Policy 400

The ASK Academy requires that scholars be assessed frequently and scholar progress be reported to scholars and parents regularly. An Academy-developed grading system will be utilized. Grades will reflect academic performance and will not be used for disciplinary purposes. Grades must be logical, fair, and outlined in the course syllabus so that the scholars and parents are aware of the system being used. Grades will be reported numerically and project managers will keep a careful record of the grades assigned to scholars.

Written reports to the parents concerning scholar achievement will be made through Report Cards, and additional written reports will be made when necessary.

Project managers will confer with parents when necessary concerning academic progress and discipline of scholars. Project managers will report to parents on scholars' conduct, scholarship, attendance, or excessive tardiness.

Grading / Assessment Procedures

PART I: SUBJECT GRADE

The subject grade should be based upon scholar mastery of the content of the course. The project manager will establish a reasonable standard for average achievement in each of the subjects. If at any time the project manager is in doubt that this standard is either too high or too low, the project manager should discuss the matter with the General Manager.

The project manager will establish a uniform system of grading. Content of the course shall be set up to be measured by numerical percentages which are then transferred to letter equivalents.

- The grading system should be consistent within the course for the entire year.
- An average of four (4) grades per every two (2) weeks should be kept in numerical values in the project manager's grade book for each subject. Average numerical values for the quarter will also be recorded in the grade book.

- The scholar should understand the system thoroughly, such as, the content on which the grade for the course depends, the weight attached to various phases of the material, the manner in which the letter grade is devised, and the meaning of the final letter grade which is sent home as a report to the parent.
- If a project manager from year to year consistently finds the scores predominantly high or low for a large percent of the scholars in a course, then the project manager should evaluate their established standards of average achievement on grading.
- Grades on must not be awarded or upheld based upon disciplinary problems or conduct.
- The following scales will serve as a guide for the distribution of grades:

<u>Grading Scale</u>	<u>GPA Scale</u>
96% - 100% = A+	4.5
90% - 95% = A	4.0
80% - 89% = B	3.0
70% - 79% = C	2.0
Below 70% = NC – 0.0 GPA	

Semester Grades

Semester 1

Quarter 1 = 40% of Semester 1

Quarter 2 = 40% of Semester 1

Exam 1 = 20% of Semester 1

Total = 100% of Semester 1

Semester 2

Quarter 3 = 40% of Semester 2

Quarter 4 = 40% of Semester 2

Exam 2 = 20% of Semester 2

Total = 100% of Semester 2

PART II: REPORT CARDS AND RECORDS

A. Scholar Progress Reports and Report Cards

It is essential that each scholar's progress in school be fully communicated to their parents.

The ASK Academy will report scholars' progress to the scholars and to their parents or guardians as appropriate. The reports will be clear, concise, and accurate, and will provide a basis of understanding among project managers, parents, and scholars for the benefit of the individual scholars.

The ASK Academy will develop progress report forms or report cards in accordance with this policy.

Progress Reports will be given to scholars to take home mid-way through each Quarter (approximately four and a half weeks into the Quarter). This progress report is meant to convey an idea of where the scholar's grades are headed for the current Quarter.

Report Cards will be distributed every quarter (approximately every nine weeks). Report cards include an explanation of the system of marks used. Report Cards are presented at SLATE (Scholar Led Academic Tales of Excellence) conferences which are held after Quarter 1 and Quarter 3 are complete. Before report cards are distributed each quarter, the project managers should explain the marking system to the scholars.

Additional reports will be made when necessary.

- Parents will be informed regularly, and at least four (4) times a year, as to the progress their scholars are making in school.
- Parents will be alerted and conferred with as soon as possible when a scholar's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration.
- Insofar as possible, distinctions will be made between a scholar's attitude and academic performance.
- At comparable levels, the academy will strive for consistency in grading and reporting except as this is inappropriate for certain courses or certain scholars.
- When grades are given, academy staff members will take particular care to explain to parents the meaning of marks and symbols as they apply to scholar achievement.
- When no grades are given but evaluation is made informally in terms of the scholar's own progress, such evaluation will be a realistic appraisal of the skills developed by the scholar.

B. Parent Conferences

A parent shall be notified no later than the end of the second grading period that their child is failing to earn credit, and a conference consisting of the parent and the project manager(s) shall be held to discuss possible remediation programs available to assist the scholar in attaining credit.

Parents will be invited to attend two (2) SLATE Conferences after Quarter 1 and Quarter 3 of each school year. At these conferences, the scholar will present the quarter report card and graduation progress, as well as artifacts which represents the scholar's master project and as current course work. The scholar will present their best work as well as work that could be improved upon.

In addition to scheduled opportunities, parents shall have opportunities to arrange conferences with project managers throughout the year.

PART III: GRADE CHANGE

Teachers must diligently maintain records that justify the final course grade awarded a student. Assuming due diligence on the part of the teacher, and that no mistake or clerical error has been made in the tabulation of grades, every student is ultimately responsible for the grade that he/she is awarded.

1. **Changes to a test grade or a class assignment grade:** Once issued by the teacher, changes to a test grade or a class assignment may occur only where there has been a clear mistake, clerical error or misidentification of the student by the teacher. The teacher who issued the test or assignment grade may change or direct the changing of the grade due to a clear mistake, clerical error, or misidentification. Requests for grade changes on tests or class assignments shall be handled between the student and the teacher, with the teacher being the final determinant of the decision. The teacher shall document the justification for the test grade or class assignment grade change. Nothing in this policy is intended to apply to grade changes for statewide tests used to determine adequate yearly progress or graduation from high school. If there is a need to change a grade or result on such state-mandated testing due to a clearly clerical mistake as where a student has been misidentified, the Director shall promptly notify the assessment and accountability division of the Public Education Department for guidance.
2. **Changes to course grades:** Changes to course grades may be made by a teacher where there has been a clear mistake or clerical error in the tabulation or misidentification of the student. Such course grade changes must be brought to the attention of, and approved by, the Director, upon authorization and proper documentation by the teacher.

A student of legal age or parent/guardian who requests a course grade change shall utilize the following procedure:

- a. The student/parent must complete and submit to the Director a signed, written "Grade Change Request" form stating reasons for the course grade change request, within **five days** of receipt of the course grade.
- b. Upon request, the student/parent will be permitted to review any available records and documents belonging to the student related to the determination of how the grade was awarded.
- c. The Director will consult with the teacher to determine if there has been any clear mistake or clerical error, or if there has been any misidentification of the student.
- d. In further consultation with the teacher, the Director will determine if a change in final course grade is merited for any other justifiable reason, such as extenuating circumstances articulated and demonstrated by the student/parent, additional graded work submitted by the student, additional or make-up testing, or other meaningful criteria that can be verified.
- e. The teacher who issued the course grade shall provide to the Director his/her reasons to support or oppose the requested grade change and shall not be pressured into or retaliated against for making a certain recommendation.
- f. As part of fact-finding, the Director will meet with the student/parent and the teacher, together or separately, to determine the validity of the student's/parent's request.

- g. A written, signed response which includes the Director's findings and decision will be provided to the student/parent within five days of the meeting. The response shall include whether the request is denied or allowed and the grade entered if allowed. If a grade change is allowed, the Director's response shall articulate the reasons and basis for the grade change.
- h. The Director will be the final determinant of the decision.
- i. If the Director decides that a grade change is merited, in addition to the student or parent, the Director shall comply with any NMPED notification requirements.
- j. If the Director decides that a course grade change is merited for a particular student, the grade change must be equally available and applied to all students who are similarly situated.
- k. The "Grade Change Request" form and a copy of the Director's decision shall be placed in the student's permanent cumulative record file. The student/parent may request of the Director that the documents be removed and destroyed upon the student transferring or graduating from the school. The Director has full discretion in complying with the student's/parent's request.

Due to the urgent nature of determining whether a grade change is merited, the timelines established herein shall be considered maximums.

The ASK Academy shall strictly adhere to FERPA in administering this Grade Change Policy. Under no circumstances will the identity of the student involved in the grade change request be made known publicly, and confidentiality involving the request and the identity of the student will be maintained among those personnel involved in addressing and processing the grade change request. Additionally, the identity of any other students whose grades may be used for comparison purposes shall not be disclosed publicly, or to the student/parent making the grade change request. Adherence to FERPA requirements and regulations regarding student records and information shall be required of all school personnel.

This Grade Change Policy in no way limits or eliminates the rights afforded to parents under federal regulations 34 CFR Sections 300.618 through 300.621 under the Individuals with Disabilities Education Act, and 34 CFR Sections 99.20 through 99.22 under FERPA, both as they relate to amendment of a student's educational records.

The ASK Academy

Cross-Reference: Scholar & Parent Handbook

Adopted: January 13, 2013

Reviewed: October 11, 2018



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Children's Internet Protection Act (CIPA): Internet Safety Policy

Policy 401

Introduction

It is the policy of The ASK Academy to: (a) prevent, to the extent practical, user access or the transmission over its computer network, of inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent, to the extent practical, unauthorized access and other unlawful online activity; (c) prevent, to the extent practical, unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

Definitions

Key terms are as defined in the Children's Internet Protection Act (CIPA).

Access to Inappropriate Material

The ASK Academy believes that staff supervision, an acceptable use procedure, electronic monitoring of Internet activity, and the use of technology protection measures are all parts of a comprehensive plan to protect students from inappropriate materials.

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet access to inappropriate information, or other forms of electronic communications, deemed inappropriate.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

Inappropriate Network Usage

To the extent practical, steps shall be taken to promote the safety and security of users of the The ASK Academy online computer network when using electronic mail and other forms of direct electronic communications. The ASK Academy computer resources will not be used with chat rooms or instant messaging.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking', and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

Supervision and Monitoring

It shall be the responsibility of all members of The ASK Academy staff to supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act.

Procedures for the disabling or otherwise modifying of any technology protection measures shall be the responsibility of the General Manager, Information Technology, or the designated representatives.

The ASK Academy

Adopted: December 17, 2010

Reviewed: October 11, 2018



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21st Century Design Thinking

Distance Learning

Policy 402

The ASK Academy strives to provide a high quality education for all students that uses and develops 21st Century teaching and learning skills. The Director or the Director's designee is authorized to establish Distance Learning as per 6.30.8 NMAC, a process used to provide instruction for credit when the student and primary instructor are not necessarily physically present at the same time and/or place. ASK will assure that students enrolled in a distance learning program have the necessary access to technology at school for all classes or activities.

The ASK Academy
Adopted: May 5, 2011
Revised: October 11, 2018



A New Mexico Public Charter School
The ASK Academy
21st Century Design Thinking

Course Enrollment

Policy 404

The ASK Academy requires that all scholars be enrolled in at least one course in each of the four core areas every semester of enrollment. Core areas include English, math, science and social studies.

The ASK Academy also requires that all scholars be enrolled in at least one ASK Academy course within their career pathway every semester of enrollment to fulfill the mission of the Academy.

COURSE WITHDRAWAL

With the proper documentation a scholar may withdraw from a course without penalty up to three weeks after Quarter 1 and Quarter 3 grades are submitted.

Course Withdrawal Procedures

- If a scholar drops a course after the three week period, they will receive a Withdrawal with No Credit ('WNC') on their transcript for the course. A WNC does not affect the GPA and may be replaced if the scholar successfully repeats the same/equivalent course at a later date.
- If a scholar withdraws from a course with a WNC, they cannot be scheduled into another credit awarding course during that period. The scholar will be placed in early dismissal, late arrival, study hall or office aide for NO CREDIT.
- Scholars may not withdraw or be removed from the roster of a course because of mathematical inability to pass the course. Interventions and additional opportunities for help will be provided on an individual basis. If behavioral issues present themselves, the General Manager shall become involved.

The ASK Academy

Adopted: January 17, 2013

Reviewed: October 11, 2018



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Dual and Concurrent Enrollment

Policy 405

The ASK Academy will offer Dual Enrollment and Concurrent Enrollment programs that allow eligible scholars to enroll in college-level courses prior to graduation and receive high school and college credit simultaneously. NMAC 6.30.7.

DUAL ENROLLMENT

Dual Enrollment refers to a program that allows scholars who have met eligibility requirements to enroll in college-level courses offered by partnering postsecondary institution(s). Courses may be academic or career technical but not remedial or developmental, and simultaneously earn credit toward high school graduation and college credit.

Within this program, the postsecondary institution will waive tuition and general fees, The ASK Academy will fund required instructional materials, and the scholar is responsible for course-specific fees (e.g. lab, computer).

The ASK Academy will record credit earned from the partner institution upon receipt of an official grade or transcript record.

Dual Enrollment Procedures

- Scholars must be enrolled at least 51% of their school day (i.e. 4 out of 7 class periods) at The ASK Academy.
- Scholars must receive prior approval from The ASK Academy's General Manager or his/her designee, from the scholar's parent/guardian, and from the postsecondary institution representative through a fully executed form prior to enrolling in a dual credit course.
- Scholars must have a minimum cumulative high school GPA of 2.5 or better.
- Scholars are subject to the postsecondary institution's enrollment and course eligibility requirements, code of conduct and all policies related to course completion, including: grading, attendance, drop/add and withdrawal procedures.

- Scholars must provide their own transportation.
- Scholars must abide by regular operating calendars, schedules and associated requirements of both The ASK Academy and the postsecondary institution. In instances in which the calendars are incongruent, the scholar is required to independently satisfy both calendar requirements and may consult with The ASK Academy Achievement Coach for assistance.
- One (1) and two (2) credit college-level courses equal one half (0.5) credit at The ASK Academy. Three (3) and four (4) credit college-level courses equal one (1.0) credit at The ASK Academy.
- Course credits earned through Dual Enrollment will count as elective credit at the ASK Academy. Scholars may request that Dual Enrollment credits apply towards core credit required for graduation through The ASK Academy General Manager.
- Instructional materials funded by The ASK Academy must be returned to the Academy.
- Should a scholar fail or withdraw from dual credit classes that they were intending to use to substitute for a high school requirement, the scholar will have to make up those credits in order to graduate.
- The dual credit course grade will appear on the student high school transcript.
- Scholars may appeal decisions pertaining to enrollment in dual credit programs to the General Manager.

CONCURRENT ENROLLMENT

Concurrent Enrollment refers to a program that allows scholars to enroll, on their own, in college-level courses that are not designated as Dual Enrollment or Dual Credit. This includes courses not listed within the Dual Enrollment master agreement between The ASK Academy and its partner institution(s). Concurrent Enrollment courses may simultaneously earn credit toward high school graduation and college credit.

Scholars are responsible for paying for tuition, instructional materials and applicable fees at the postsecondary institution.

The ASK Academy will record credit earned from an accredited institution as elective credit upon receipt of an official grade or transcript record.

Concurrent Enrollment Procedures

- Scholars participating in Concurrent Enrollment are subject to the postsecondary institution's enrollment and course eligibility requirements, code of conduct and all policies related to course completion, including: grading, attendance, drop/add and withdrawal procedures.
- Scholars must provide their own transportation.
- It is the scholar's responsibility to ensure that an official transcript is provided to The ASK Academy from the accredited postsecondary institution for the credits to be included on the scholar's ASK Academy official transcript.
- Credits earned through Concurrent Enrollment at an accredited institution will be applied in the same way as Dual Enrollment credits.

The ASK Academy

Adopted: January 17, 2013

Reviewed: October 11, 2018



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Instructional Materials

Policy 406

The ASK Academy directs the Head Administrator to secure and purchase Instructional Materials and textbooks that support the instructional program. These purchases will be based on projections for the upcoming year. Instructional Materials and textbook adoption will be completed in a manner to accomplish timely implementation for optimum student learning and financial efficiency.

Each student will have access to instructional materials and textbooks for school and home use that conform to curriculum requirements and state standards. The ASK Academy Governing Council shall give written notice to parents and other community members, and shall invite parental involvement in the adoption process of instructional materials.

The Governing Council will also give public notice, which notice may include publication in a newspaper of general circulation in the school district or school-wide website (NMSA 22-15-8 B). The ASK Academy Governing Council policy is for each student to have access to instructional materials and textbooks for school and home use. (NMSA 22-15-9D).

The ASK Academy

Adopted: April 15, 2010

Revised: August 9, 2018

Reviewed: June 11, 2015; October 11, 2018



A New Mexico Public Charter School
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Lottery Policy

Policy 500

The ASK Academy students will be selected initially by lottery. Future lotteries will be held as necessary, as existing waiting lists deplete, by grade level, to fill grade levels 6-12. Grade level capacities will be published annually. The ASK Academy's maximum student enrollment is limited to 600 by its New Mexico State Charter.

The following preferences will be followed for the lottery process:

1st Preference: Siblings of ASK Academy, current and incoming students, will be offered a seat, as space allows, at The ASK Academy.

2nd Preference: Students whose number is randomly drawn in the "lottery", in the order in which they are drawn will be offered a seat at The ASK Academy, until all available seats are filled.

The ASK Academy

Adopted: April 15, 2010

Reviewed: June 11, 2015; October 11, 2018



A New Mexico Public Charter School
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Internal Procedures for Purchasing

Policy 501

The following policy and procedures for purchasing are deemed to be in compliance with the requirements established within the New Mexico State Procurement Code (Section 1-1 through 13-1-199, NMSA, 1978 Compilation). Updated SB443 Enacted July 1, 2013.

ASK Academy will designate a Chief Procurement Officer by January 1, 2014. The ASK Academy will require state purchasing agent to be certified by January 1, 2015; through the state purchasing office of NM.

Purchase Requisitions

A purchase requisition (PR) or equivalent must be submitted to the Business Office for review. It must contain the signature of the Purchasing Agent. The Business Manager will use this PR to verify sufficient budget capacity and cash balance for requested expenditure. If sufficient capacity and cash balance exist, the Business Manager will assign a Purchase Order number and forward to the General Manager for approving signature. In the event the General Manager is unavailable, the Purchasing Agent has authority to sign a purchase order.

Purchase Order

A purchase order PO number will be assigned and PO number will be prepared from the information provided in the purchase requisition. An original copy of the PO must be signed by the General Manager and returned to the business office where it will be forwarded to the appropriate vendor. A notice will be sent to the originator to verify date of order. Purchase orders that have been initiated but not issued should be voided to prevent duplicating PO numbers. One copy of the purchase order, including voided purchase orders, will be retained in numeric order in a purchase order log in the business office. Another copy of the purchase order will be kept in an OPEN PO file along with the original purchase requisition in the business office.

Receiving

Once the items are delivered, the receiver must inspect the items for visible damage. Damaged goods should not be accepted. The receiver must double check the packing list to ensure the

quantities received and list on the packing list match. Once the information is verified, the receiver must sign and date the packing slip, then forward it to the business office where it will be compared to the original purchase requisition. The packing list will be attached to the original purchase requisition and filed until an invoice is received from the vendor. For partial shipments or returned items, the business office will make a note on the OPEN PO as to which items have been received or returned and attach a copy of the packing list in the file.

Invoices

Invoices received will be date stamped by the business office. The business office manager will review the vendor invoice for mathematical accuracy, terms and items received against the packing list and original purchase order. The General Manager will sign the invoice indicating it is accurate. Differences must be resolved before payment is made. If a partial shipment was received, the vendor will only be paid for items received. The original invoice, packing list and purchase requisition will be forwarded to accounts payable where it will be entered into the database for payment.

Accounts Payable

An open payables list will be created and reviewed by the business manager on a bi-weekly basis in order to determine vendors to be paid. An AP register will be approved by the Purchasing Agent, or secondarily the General Manager. The accounts payable clerk will prepare and issue checks from the database, then obtain the proper signatures. Once the signatures are obtained, the invoice will be stamped "Paid" and dated accordingly. The check number will be recorded on the invoice and all supporting documentation will be filed in the Vendor files in the business office and payment mailed to vendor.

The Business Manager will compare the check to the check register on a test basis to ensure that the following agree: Check Number, Payee, Account code, and amount.

Responsibility of School Employees

The ASK Academy staff members should determine the best value of the items requested. Staff will consider: school need, quality, and competitive pricing when requesting a purchase. Staff should plan purchases delivery to allow adequate time for the business office to compare purchase need to budget, meet legal requirements, and delivery time. Staff should allow approximately two weeks for processing plus delivery time.

Federal and State laws and regulations require that a purchase order must be issued before any product or service is purchased. All school funds, including activity funds, require a purchase order prior to purchasing goods or services. School employees may be personally accountable for purchases that do not comply with school requirements.

Types of Purchases

1. **Check Bequests:** Purchases determined to be exempt from or of a non-competitive nature by the Business Office will be processed by this method:
 - a. Training materials in printed or electronic format.
 - b. Magazine subscriptions, web-based or electronic subscriptions, conference registration fees, and other similar purchases where prepayment is required not exceeding \$10K
 - c. Legal subscriptions and research services.
2. **Small purchases less than \$20,000:**
 - a. Complete a purchase requisition and forward it to the business office for approval in the usual manner.
3. **Services, Construction, or Tangible Property – Greater than \$20,000 but less than \$60,000 excluding sales tax:**
 - a. Purchases \$60,000 or more require ASK board approval.
 - b. Prepare the purchase requisition as required.
 - c. Submit the requisition with a complete description to the business office.
 - d. Justify best obtainable price. .
4. **Services, Construction, or Tangible Property-Greater than \$60,000-Formal Bids:** If estimated or actual cost of purchase exceeds \$60,000, you must (For Professional Services-Bids are required over \$60,000):
 - a. Establish available funding.
 - b. Prepare “draft specifications” which clearly identify the technical item or service required.
 - c. Identify vendors who you know can supply the item or service required.
 - d. Submit the requisition and “draft specifications” to the Business Office to be formally bid. The Business Office will mail or otherwise distribute bid documents as well as publish public notice not less than ten (10) calendar days prior to the date set forth for opening the bid.
 - e. For purposes of planning, staff should allow at least 35 working days for processing and award which does not include delivery time.
5. **Emergency purchases over \$60,000:** Required to protect the health or safety of the scholars or the property of The ASK Academy.
 - a. The General Manager and two Directors will determine the emergency exists. The group will consult the business office to verify sufficient budget exists.
 - b. The General Manager will inform the Board at the next Board meeting of the emergency and actions taken by ASK.

The ASK Academy

Adopted: November 12, 2009

Cross Reference: SB-443

Revised: August 8, 2013; October 11, 2018