

Mission Achievement and Success

Student Handbook & Code of Conduct

~Building Positive Behavioral Interventions and Supports~

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Section I: Introduction

I.1 Introduction

MAS is committed to creating and maintaining a positive learning environment that encourages cooperation, fosters creativity, and nurtures students to take the risks involved in learning. This type of environment is safe, orderly, and conducive to learning for all members of the community. We recognize the need to clearly define the expectations for student conduct, to detail how these expectations will be taught and reinforced, to identify the possible consequences for unacceptable conduct, and to ensure that, when necessary, discipline is administered promptly and fairly.

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

Students consistently need to be reminded that their behavior directly impacts the learning environment and that they make a difference in the school climate by upholding this Code of Conduct. It establishes clear operating principles to help students understand expected behaviors. Staff will consistently teach and uphold these expectations by explaining their meaning, modeling how they look, and emphasizing their importance to students so that they will choose to behave in an appropriate manner.

Nondiscriminatory enforcement: The Governing Board and MAS administrative authorities will not enforce school rules or impose disciplinary punishments in a manner which discriminates against any student on the basis of race, religion, color, national origin, ancestry, sex, gender identity, or disability. This statement shall not be construed as requiring identical treatment of students for violation of the same rule; it shall be read as prohibiting differential treatment which is based on race, religion, color, national origin, ancestry, sex, gender identity, or disability rather than on other differences in individual cases or students.

I.2 Definitions

For the purposes of the Code of Conduct, the following definitions apply:

- “Board” means the Governing Board of MAS.
- “Parent” means the parent, guardian, or person in parental relationship to a student.
- “MAS” means Mission Achievement and Success Charter School.
- “School district of residence” means the public school district in which the school is housed.
- “School property” means in or within any building, structure, athletic playing field, playground, parking lot or land contained within the real property boundary line of the school, at the public bus stops located around the school property, on a school bus, parked around the perimeter of the MAS school building, and in or at any school function, whether on school grounds or off.
- “School function” means any school-sponsored or school-affiliated event or activity, whether held on School property or elsewhere.
- “Code” means the MAS Student Handbook & Code of Conduct.
- “PBIS” means Positive Behavioral Interventions and Supports.

1.3 School Governing Board

MAS' Governing Board makes policy decisions concerning the school and interviews and hires the CEO for his/her position. The members of the Governing Board operate according to its bylaws. The board members are volunteers who provide oversight of the school and ensure that MAS' charter goals and mission are carried out. Regular meetings are held on the third Thursday of each month at 3:00 p.m. at 1718 Yale Boulevard SE, Albuquerque, New Mexico 87106 (unless otherwise indicated) and often, other meetings are convened to discuss school business. Notices of the MAS Governing Board meetings are posted on the school website.

All parents are encouraged to attend MAS Board meetings as a way to keep informed about our school. Often committees are formed to carry out specific functions and parent and community participation is encouraged.

1.4 School Calendar and Hours

The school calendar is located on our website. School hours are from 8:30 a.m. until 3:40 p.m. Monday through Friday. Students are to arrive no earlier than 7:30 a.m. and no later than 8:20 a.m. in order to have time to eat breakfast and be ready for class to start at 8:30 a.m. The opening of the school day is very important and we expect all students to be on time. Students late must report to the office for admittance into class and must be signed in by a parent.

Section II: Student Responsibilities & Accountability

II.1 Student Rights and Responsibilities

MAS is committed to safeguarding the rights of all students. All students have the right to:

- have equal access to high quality education;
- take part in all school activities;
- be free from discrimination;
- present their version of events relating to disciplinary matters; and
- be informed of school rules and expectations.

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

- respect and obey all staff members and other adults, and respect fellow students connected to the school at all times;
- respect school property and that of fellow students, staff members, and neighbors;
- use acceptable language at all times;
- cooperate in keeping the school building neat and the premises clean;
- obey school rules and regulations;
- wear the appropriate school uniform;
- be on time and in attendance each school day;
- arrive at school well-rested and ready to learn; and,
- maintain acceptable conduct during field trips, at school functions and extracurricular activities, and at bus stops located both on and off school property.

Knowing the Rules - MAS has rules for all students, which you must know and follow. If you break a rule, you will be treated fairly. You will be allowed to tell your side of the story to your teacher or someone in the administrative office. Consequences may include talking with you, talking with your parents, serving lunch detention, staying after-school, or more severe consequences depending on your behavior.

Learning in School - School will help you grow into a productive and successful adult. To do this, you must take part in all of your classes and other activities to the best of your ability. All school staff are here to help you do your best. If you have any questions or problems, ask for help.

Respecting Others - Students who bother others and make it hard for them to learn and may be removed from the classroom.

Coming to School - You must attend school each day and be on time. When you are sick or have a family emergency, you may remain at home, but you must follow the school's policies on reporting absences.

II.2 Positive Behavioral Interventions and Supports

MAS' behavior management system is based on Positive Behavioral Interventions and Supports (PBIS). PBIS is a major advance in school-wide discipline because it includes proactive strategies for defining, teaching, and supporting appropriate student behaviors to create a positive school environment. It uses systematic and individualized strategies for achieving important social and learning outcomes while proactively working to prevent problem behaviors.

Specifically, PBIS:

- Defines behavioral expectations.
- Teaches students from the start of the year about PBIS and continues that instruction throughout the year.
- Provides instruction in self-control and social skill strategies for all students.
- Designs a reward system that uses creative and individualized rewards.
- Gives immediate feedback on inappropriate behavior and creates limits that make challenging behavior unproductive for students. PBIS does not do away with consequences; it just emphasizes them less than positive behavior.
- Recognizes that about 5% of students have chronic challenging behaviors. These students, when identified, will have a positive behavioral support plan devised for them that includes a functional behavioral assessment and continuous monitoring for effectiveness.
- Identifies problems by using the data from the school discipline database and devised plans to address the issues informed by data.
- Involves ALL staff.

Research shows that a school-wide approach using PBIS stimulates appropriate behaviors by all students; however, it is essential to acknowledge that success does not happen overnight. Research estimates that it takes 3-4 years for significant improvement in some of the most challenging students. To accomplish this improvement, PBIS is a systems approach that relies on all staff promoting the use of PBIS. If students are given the appropriate amount of time to make durable changes, the time will be well worth the wait. **PBIS can ensure both a free appropriate-public education in the least restrictive environment that is safe and conducive to learning for all students.** MAS is committed to providing equal access to high quality education for *all* students and PBIS is a means to achieving this.

MAS' Core Values and Expectations

MAS' core values and expectations for both staff and students include the following: passion, commitment to excellence, and a willingness to learn and grow. The details below articulate our three core values and expectations and explain what those values and expectations look like at MAS. Core values and expectations are taught to students consistently throughout the year because when students know and embrace our school's values and expectations, disciplinary infractions are reduced substantially.

Passion

- We are passionate about high quality education in academics and emotional intelligence for every person, no matter what.
- We discover our passions and relentlessly pursue them.
- We are passionate about positively impacting the lives of others.

Commitment to Excellence

- We all take 100% responsibility for our actions and outcomes and we keep our promises.
- We all have high expectations for ourselves and each other.

Willingness to Learn and Grow

- We learn from our mistakes and welcome challenges because they help us to grow.
- We constantly strive to improve ourselves both academically and with emotional intelligence.
- We are open to change and fully embrace it.

School Discipline Database

The school discipline database is a web-based, confidential information system designed to help staff use data to design school-wide and individual student interventions and to support the implementation of PBIS. The three primary elements of our discipline database include:

1. an efficient system for gathering information;
2. a web-based computer application for data entry and report generation; and
3. a practical process for using data-based information for decision making.

These three elements support MAS in evaluating individual student behavior, the behavior of groups of students, behaviors occurring in specific settings, and behaviors occurring during specific time periods of the school day. The reports generated from the discipline database allow staff to identify problem behaviors, locate problem areas in the school, identify individual students who need additional supports due to their failure to respond to universal interventions, and allow teachers and administrators to shape school-wide environments to maximize students' academic and social achievements.

II.3 Search and Seizure

MAS recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. These searches are intended to be minimally intrusive such as emptying pockets, backpacks, purses, removal of hats, socks, and shoes and these searches may be conducted by the School Leader or designee. In the case of storage spaces provided to students by MAS, these spaces shall remain property of MAS and, in accordance with law, may be the subject of random searches. If students are provided places that can be secured by locks, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply at MAS' facility including MAS parking lots, and during any school-sponsored activity whether on or off campus.

Physical Search of Person

Search of a student's person shall be conducted by a person of the student's gender whenever possible, in the presence of another staff member, and only in exceptional circumstances – that is - when the health or safety of the student or of others is immediately threatened. Except as provided below, a request for the search of a student or a student's possessions will be directed to the School Leader who shall seek the freely offered consent of the student to the inspection. Search of a student's person will involve, at most, a "pat down" of the student's outer clothing. Whenever possible, search of a student's person will be conducted by the School Leader in the presence of another staff member. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property. In no event shall a MAS student be subjected to a "strip search."

Seizure of Items

Illegal items, legal items which threaten the safety or security of others, and items which are used to disrupt or interfere with the educational process may be seized by authorized persons. Seized items shall be released to appropriate authorities or a student's parent, or returned to the student when and if the administrative authority deems appropriate.

Notification of Law Enforcement Authorities

If the school conducts the search and it discloses illegally possessed contraband material or evidence of some other crime or delinquent act, local law enforcement may be called.

Record Keeping

The School Leader shall promptly make a record of each search of a student's property or person and include the reasons for the search; information received that established the need for the search, 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 School Leader shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

II.4 Prohibitions

The use, possession, sale, transfer, or distribution of alcohol, drugs, and illegal substances, or drug paraphernalia, is strictly prohibited on school grounds or any school-related function or activity. The terms drugs and other illegal substances shall include, but not be limited to, vapes, inhalants, marijuana, hemp, cocaine, hashish, hashish oil, LSD, PCP, methamphetamine, amphetamines, heroin, opium or opiates, steroids, look-alike drugs, any derivative of the foregoing and any of those substances commonly referred to as “designer drugs” (e.g. ecstasy, ephedrine, ketamine, etc.). Drug paraphernalia means all equipment, products and materials of any kind that are used, intended for use or designed for use in, storing, containing, concealing, injecting, ingesting, inhaling or otherwise introducing into the human body drugs or illegal substances, including lighters, matches, and vapes. Drugs and illegal substances includes, but is not limited to prescription drugs possessed or used without a lawful prescription from a licensed medical care provider and/or nonprescription drugs used in violation of packaging directions without a health care provider’s written directive and used in violation of school policies for medication.

Use or possession of prescription and nonprescription drugs on school property is not permitted except when prescription and nonprescription medication needs to be taken during school. It shall be given to the school nurse along with a written physician’s direction (if prescription) and written parental authorization to administer medication to the student. Students are forbidden to self-administer any medication on school property without express permission of MAS administration. Students requiring self-administration of medication, using inhalers, diabetes management tools, and other methods must follow MAS’ Self-Administration of Medications policy, see below. Appropriate law enforcement officials may be notified of any violations of this prohibition.

Smoking and Possession of Tobacco Products

Smoking or chewing tobacco or using tobacco-based products, including e-cigarettes and vapes on school property or at school functions is strictly prohibited. The use, sale, transfer, or distribution of tobacco and/or smoking paraphernalia (including pipes, e-cigarettes, vapes, etc.) on school property or at school functions is strictly prohibited. In addition, students are strictly prohibited from possessing tobacco and/or smoking paraphernalia on school property or at school functions. Appropriate law enforcement officials may be notified of any violations of this prohibition.

Weapons, Firearms, and Dangerous Objects

No person shall bring, possess, carry, or use any weapon, firearm, or dangerous object on school property or at a school function. Students found guilty of a violation of this prohibition will be subject to expulsion from school, for a period of not less than one year, if students are determined to have knowingly brought a weapon to school. The School Leader may refer all violations of this prohibition to the law enforcement authorities as appropriate.

II.5 Corporal Punishment

MAS maintains a strict Code of Conduct and clear disciplinary procedures. These procedures prohibit corporal punishment and include a clear set of expectations and consequences including detentions, loss of privileges, suspensions, and expulsions. Teachers and school staff are strictly prohibited from administering corporal punishment. Corporal punishment is defined as physically handling a student in any way to inflict punishment. Prohibition of corporal punishment does not prohibit the reasonable use of physical force to:

- protect oneself from physical injury;
- protect another student, teacher, or other person from physical injury;
- protect the property of the school or others; and
- protect the pupil from injuring himself/herself.

Any student who believes that a staff member has used physical force in violation of the Code shall immediately report the incident to the School Leader. An investigation of the alleged misconduct will be immediately launched with a written report completed at the conclusion of the investigation.

II.6 Student Conduct

In the interest of safety and the good of the school community, the following behaviors are prohibited and students may be subject to disciplinary action, up to and including: a written referral, detention (lunch detention, after-school detention, and/or Saturday detention), calls home, suspensions (in-school and out-of-school), student contracts, mediations and restorative circles, and expulsion from school for engaging in these behaviors during school, on school property, going to and from school, during school functions and/or, behavior that is off campus but intended to reach and disrupt the operations of the school. **MAS gives notice that not all inappropriate student behavior can be identified and consequently there may be other circumstances that result in a student being disciplined for his or her conduct. MAS also gives notice that the list of consequences provided above is not all inclusive and other consequences may be rendered as deemed appropriate by the administration of the school.**

The following is a list of behaviors that can result in disciplinary action; however, this list is not exhaustive:

- criminal or delinquent acts;
- use or possession of prescription and nonprescription drugs or alcohol or tobacco products as well as drug and alcohol paraphernalia;
- gang related activity;
- violation of the school sexual harassment/anti-discrimination policy;
- public displays of affection;
- use of electronics outside of designated areas and times;
- disruptive conduct;
- refusal to identify self;
- refusal to cooperate with school personnel/insubordination;
- running in the hallways;
- littering;
- using language or gestures, or making drawings that are profane, lewd, vulgar, obscene, threatening, or abusive;
- gambling;
- unexcused absences from classes, cafeteria, and/or the school building;
- tardiness and/or failure to sign in at the main office when tardy;
- violation of the computer usage policy;
- violation of prohibited conduct as described in the school's social media policy;
- violation of school uniform policy;
- threats of violence;
- making false accusations;
- defamation;
- failure to report for detention;
- failure to report to the main office as directed;
- failure to report serious offenses;
- acting in a disrespectful manner toward students or staff;
- creating a hazardous or offensive condition;
- engaging in any willful act disruptive to the normal operation of the school;
- fighting/battery;
- loitering;
- trespassing;
- throwing objects and/or tipping over furniture;
- vandalism or destruction of property;
- stealing;
- hazing; violation of the school's policy against bullying, cyberbullying, racialized aggression, and violence;
- selling, using, or possessing obscene materials;
- engaging in sexual activity on school property;

- committing forgery;
- arson;
- inciting others;
- committing plagiarism;
- making verbal or physical threats through any forum;
- use of racial or religious slurs;
- lying;
- indecent exposure;
- extortion, coercion, or blackmail;
- interference with or intimidation of school personnel and;
- violation of any other policy in this handbook.

II.7 MAS Student Code of Conduct for Use of Social Media

As a young person, you have extensive exposure and access to social media. Social media apps and content sharing platforms like YouTube, Facebook, Instagram, TikTok, Snapchat, Threads, Twitter, BeReal, Reddit, and many others offer variety of positive experiences and benefits to students, including increased engagement in the community, and increased sense of social connection. But social media platforms also harbor a number of known risks to students' privacy, future employment, and current well-being. The risks include, but are not limited to bullying, harassment, defamation, and injury to reputation. Those risks are increased by the public nature and inherent insecurity of electronic digital communication.

The purpose of this social media policy is to promote, instill, and support habits of communication and character that will help you to be successful both in your progress toward high school graduation, college acceptance, and in your future lives. In addition to guidance for online use, the policy also identifies unacceptable behavior for which a student may be subject to discipline at school.

1. **Every student should bring their best self to each and every interaction online so that their presence on social media aligns with their values.**
2. **Students must always be aware that social media is a public space** and understand that once something is posted online, it is difficult to remove. If it is removed, it remains indexed for years to follow.
3. **Students should be honest but careful.** Be honest but be careful when providing personal information and be aware of your intended recipient.
4. **Before you post online follow the T.H.I.N.K.** Before you post a photo or video, and before you comment on something posted by yourself or someone else, ask yourself "*Is it True? Is it Helpful? Is it Inspiring? Is it Necessary? Is it Kind?*"
5. **Students should respect the privacy of others by limiting posts about fellow students or MAS employees.** Never identify someone by name or obviously reference them in some other way without their permission; and never discuss confidential details about someone else while commenting or posting online. If you do speak about another, make sure that what you say is factual and does not criticize that person. When including another's name in your posts be truthful, avoid judgment and criticism, and consider that what you say can always be misinterpreted or taken in a different way than you expect. If you know an individual does not want their name revealed, honor that wish. If you don't know...ASK.
6. **Students should not post illegal or potentially illegal content and must understand there may be consequences by law enforcement or others including MAS for violations.** Do not post anything obscene, offensive, threatening, or discriminatory to any individual, group, or organization — including MAS. **In addition to consequences by law enforcement, such postings violate MAS disciplinary policies and will result in consequences as described in the MAS handbook.**
7. **Students should be empathic and consider the recipient's response to your post.** Do not post comments that you would not say directly to another person, and always consider how other people might react before you post. Remember the recipient does not see your facial expression or have other clues about your intentions – only words on a page which might be misinterpreted.

8. **Honor yourself, don't disclose private matters.** Be smart about protecting yourself and your privacy. Consider carefully what you post and be cautious about disclosing personal details. Be mindful of posting information online that you would not want the public to see. Ask yourself: "Is this the right space to disclose things from my 'core?'"
9. **Get permission to post images of others.** Your classmates, friends, MAS educators, and MAS staff and administrators all should have a say about whether their image is released into the internet. Everyone has a right to privacy and this extends to not having unauthorized photos, videos, or edited or AI altered versions of photos and videos posted on the internet.
10. **Students may not use the MAS name or likeness in the names of social media accounts that students create, manage, or co-manage without the express written consent of Mission Achievement and Success Charter School.** MAS' reputation has been hard-earned and only MAS through its authorized representatives may use "MAS" or "Mission Achievement and Success Charter School" in the name or in a profile image associated with any social media account. Violation of this provision will result in consequences as described in the MAS handbook.
11. **Students' behavior online that results in violation of a MAS rule will be disciplined accordingly.** Students must keep in mind when using social media at home that MAS has the authority to discipline for online behavior that is likely to disrupt the school's operation, which includes interference of another student's ability to feel safe and to benefit from the educational setting. This includes but is not limited to cyberbullying as defined in MAS policy.
12. **Students shall observe copyrights owned by others.** Always credit others for their work; and make sure you have permission to use material before you post it online.

II.8 Sexual Harassment/Anti-Discrimination Policy

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

Sexual Harassment - Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and verbal or physical contacts of a sexual nature whenever submission to or rejection of such conduct results in the denial of or provision of aid, benefits, grades, rewards, employment, faculty assistance, services, or treatment.

Other Forms of Harassment - Other prohibited harassment includes conduct which has the purpose or effect of creating an intimidating, hostile, discriminatory, or offensive learning environment; substantially or unreasonably interfering with an individual's academic performance; or otherwise adversely affects an individual's academic opportunities on the basis of race, color, religious creed, age, sex, national origin or ancestry, mental or physical disability, medical condition, sexual orientation, gender identity and/or any other legally protected characteristic, including use of protective hairstyles or cultural headdresses. Students shall at all times refrain from using racial slurs, hate-related nicknames, bullying and any other name-calling or put downs. Racialized aggression is strictly prohibited.

Strictly Prohibited - The harassment by a student of a staff member, fellow student of MAS or third party (e.g. visitor, volunteer, parent, etc.) is strictly forbidden. In all cases, MAS personnel will take immediate action to protect the victim of alleged abuse. Any student who is found to have harassed a staff member, third party, or student will be subject to discipline in accordance with law and the Student/Parent Handbook.

Reporting Violations of Harassment or Discrimination Policy - A student who believes he/she has been a victim of discrimination and/or harassment and any third persons with knowledge of such conduct shall report the alleged act immediately to the School Leader. MAS will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the obligation to investigate, to take appropriate disciplinary action, and to conform to any discovery or disclosure obligations.

Investigation and MAS Action - In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. A

substantiated charge against a student, employee, visitor, vendor or other individual on MAS premises for harassment shall subject that individual to disciplinary action or other consequences. Disciplinary action may include, but may not be limited to the following: written warning, detention, written reprimand, suspension, and/or expulsion. The severity of the disciplinary action will depend on the frequency, circumstances, and severity of the offense.

Retaliation - MAS will discipline any individual who retaliates against any person who reports, testifies, assists or participates in any manner in any investigation, proceeding or hearing related to complaints of harassment or discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.

Notification - It shall be the responsibility of the School Leader to ensure that all employees and students receive appropriate training related to the implementation of this policy. In addition, students, employees, volunteers, and vendors shall receive appropriate information related to this policy, including the name of designated person to contact to file a complaint and/or receive information related to this policy.

II.9 Bullying, Cyberbullying, Racialized Aggression, and Violence Prohibition Policy

MAS Charter School believes that providing an educational environment for all, free from harassment, intimidation, violence, racialized aggression, or bullying of any kind, supports a total learning experience that promotes personal growth, healthy interpersonal relationships and wellness. The safety and wellbeing of all students in the school learning environment is of primary importance. MAS prohibits bullying, cyberbullying, harassment, racialized aggression, and violence, and it is the school's goal to prevent and respond to all such acts, in accordance with applicable laws, including the New Mexico Safe Schools for All Students Act, NMSA 1978 §§22-35-1, et seq. This policy and prohibition applies on MAS property, including electronic communication on or using school property; at school-sponsored functions; and on MAS to-and-from transportation or 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, 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 MAS. This includes cyberbullying that is posted after school hours and off campus. Examples of cyberbullying include the following:
 - Spreading rumors or attacking someone verbally online and excluding someone from a group on purpose because of an individual's appearance, race, cultural background, socioeconomic status, sex or sexual orientation or gender identification.
 - Repeated teasing, use of sarcasm or malicious jokes, including such behavior based on an individual's appearance, race, sex or sexual orientation or gender identity, cultural background, socioeconomic status or any other protected basis.

- Name-calling, belittling comments, including such behavior based on an individual’s appearance, race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
 - Nonverbal behavior such as photographic gestures, or graphic written statements, including such behavior based on an individual’s appearance, race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
 - Conduct that is physically threatening, harmful, intimidating, or humiliating, including such behavior based on an individual’s appearance, race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
 - Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles, or other communications over social media platforms, including such behavior based on an individual’s appearance, race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
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 of that student by another, or 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. Racialized Aggression. Means conduct that is meant to cause physical or psychological harm against another person based on that individual’s race. “Race” includes traits historically associated with race, including hair texture, length of hair, protective hairstyles or cultural or religious headdresses. “Protective hairstyles” includes such hair styles as braids, locs, twists, tight coils or curls, cornrows, banto knots, afros, weaves, wigs or head wraps. Racialized aggression toward a fellow student or school personnel is strictly prohibited.

To report a complaint of school-based incidents of racial bias call the “Anti-Racism Anti-Oppression Hotline. The number is staffed 8:00 a.m. to 5:00 p.m. Monday through Friday.

To report an incident:

Call (833) 485-1335

Email ARAO.Hotline@state.nm.us

Fill out the online form at bit.ly/BEAHotline

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

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

Bullying, Cyberbullying, Racialized Aggression, and Harassment.

- Spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose, e.g., because of an individual's race, cultural background, socioeconomic status, sex or sexual orientation or gender identification.
- Repeated teasing, use of sarcasm or malicious jokes, including such behavior based on an individual's race, sex or sexual orientation or gender identity, cultural background, socioeconomic status or any other protected basis.
- Name-calling, belittling comments, including such behavior based on an individual's race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
- Nonverbal behavior such as gestures, or graphic written statements, including such behavior based on an individual's race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
- Conduct that is physically threatening, harmful, intimidating, or humiliating, including such behavior based on an individual's race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
- Inappropriate physical restraint, including such behavior based on an individual's race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.
- 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, LinkedEd, TikTok, Pinterest (not an exhaustive list), including such behavior based on an individual's race, sex or sexual orientation or gender identification, cultural background, socioeconomic status or any other protected basis.

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/Racialized Aggression/Violence to school personnel. See, "Bullying/Harassment/Cyberbullying/ Racialized Aggression/Violence Report Form" available at the end of this handbook. Students, parents and/or staff should use the following guidelines when reporting Bullying/Harassment/Cyberbullying/Racialized Aggression/Violence:

1. **Who and What?** Any student who believes he/she has been the victim of Bullying Conduct by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute Bullying/Harassment/Cyberbullying/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 School

Leader.

3. Prompt Notice & Form. Teachers and other school staff who witness Bullying/Harassment/Cyberbullying/Violence or who receive student reports of Bullying/Harassment/Cyberbullying/Violence are required to promptly notify the school administrator, namely the School Leader, Reports by teachers/staff can be made orally or in writing.
4. Assisting Student Reporting. If a student makes a verbal report to a teacher/staff member, the teacher/staff member shall complete the Report Form or take the student to the School Leader, where a form can 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/Violence toward a student shall report the matter immediately or as soon as practical to the School Leader, but in no event later than two calendar days after the employee witnesses or receives a report of bullying.
6. Racialized Aggression may be reported to the New Mexico Public Education Department's Anti-Racism Anti-Oppression Hotline. The hotline is open to anyone and can be used to report incidents of racism, injustice, or discrimination against anyone in a school setting. The phone number is staffed by a trained NMPED employee from 8 a.m. to 5 p.m. Monday through Friday. If after hours, you may leave a message.
Call (833) 485-1335
Email ARAO.Hotline@state.nm.us
Online Form: bit.ly/BEAHotline

D. Investigation

The School Leader, or an administrator designated by the School Leader will accept and promptly investigate *all* reports of Bullying/Harassment/Cyberbullying/Racialized Aggression/Violence. The administrator will notify the parents of the student(s) alleged to have committed the act of Bullying/Harassment/Cyberbullying/Racialized Aggression/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 School Leader or designee 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, MAS 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 School Leader, 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 School Leader or designee 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 School Leader or designee 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 School Leader, 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/ Racialized Aggression/Violence conduct shall result in intervention by the School Leader or his/her designee that is intended to ensure that this policy is enforced. The School Leader or designee will use progressive discipline approaches appropriate to the situation to address Bullying/Harassment/Cyberbullying/

Racialized Aggression/Violence, and/or may impose other disciplinary consequences. The level and severity of the prescribed consequence shall be determined by the School Leader. All consequences shall be designed to (a) appropriately correct the unacceptable behavior; (b) prevent another occurrence of the offending behavior; (c) protect the target of the prohibited conduct; (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 perpetrating the inappropriate conduct, and any history of problem behavior from the student; and (e) for incidents occurring through electronic communications, the School will 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. 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, 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/Violence, or who participates in or cooperates with an investigation of such, is prohibited.

H. Appeal

A student accused or bullying/harassment/cyberbullying/violence, or a student who is the target of bullying, who is not satisfied with the outcome of the School Leader's/administrator's investigation may appeal the investigation report's conclusions to the MAS Governing Board in the manner described in the school's grievance policy.

I. Anti-Bullying Included in Health Education Curriculum

Anti-bullying education shall be included in the MAS' 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/Racialized Aggression/Violence. A copy of the policy will be disseminated annually through students on the first day of school and will be posted on MAS' website through the student handbook.

K. Training

All School employees, and volunteers with significant contact with students, shall complete annual training on bullying, harassment, racialized aggression and cyberbullying prevention. New employee training shall incorporate training on this policy and procedure.

L. Student Safety Support Plan

MAS shall develop a student safety support plan for students who are targets of bullying that addresses safety measures MAS will take to protect targeted students against further threats of bullying and related prohibited conduct.

M. Annual Reporting

MAS shall report aggregate incidents of bullying/harassment/cyberbullying/racialized aggression/violence as required under applicable federal or state laws, along with the MAS' 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 school website. The full student handbook is available on the website and this policy is contained within the handbook. The School Leader shall be the point of contact for any bullying-related concerns, or other concerns relating to this policy. Parents and students shall be informed about this policy at least annually, through student handbooks, and at the annual Meet and Greet event.

II.10 General Disciplinary Process

PBIS encourages students to act positively. Some actions, however, need a different type of intervention. In all cases, students must be informed of the misconduct the student is alleged to have committed. Staff will investigate, to the extent necessary, the facts surrounding the alleged misconduct. MAS also tracks the interventions that each child has needed in the discipline database, which will help to track patterns of behavior in order to meet each student's needs.

Due Process

Students who are found to have violated the school's Code of Conduct may be subject to penalties. Due process provisions assure that a student has the right to due process and to be treated fairly according to their rights as detailed in this Code of Conduct. Students have the right to:

- be provided with the MAS Student Handbook and Code of Conduct and rules and regulations of the school, and each enrolled student shall receive a copy of the Code of Conduct upon enrollment for students enrolled by the first day of school. For students enrolled after the first day of school, they can access the handbook via the school's website;
- know what MAS' expectations are and which behaviors may result in disciplinary actions;
- be counseled by staff in matters related to their behavior as it affects their education and welfare within the school;
- know possible dispositions and outcomes for specific offenses, including for detention, in-school suspension, out-of-school suspension, and expulsion;
- be informed of due process rights in instances of disciplinary action for alleged violations of school regulations for which they receive detention, in-school suspension, out of school suspension, and expulsion;
- know the procedures for appealing the actions and decisions of MAS school officials with respect to their rights and responsibilities as set forth in the Student Handbook and Code of Conduct;
- be accompanied by a parent/adult in parental relationship and/or representative at conferences and formal hearings;
- the presence of MAS school staff in situations where there may be police involvement; and
- challenge and explain in writing any material entered in their student records, in accordance with state and federal laws.

Levels of Discipline

Level 1: Any Staff Member Intervention – Minor Incident: Minor behavioral incidents, such as speaking out in class, talking to a neighbor during instruction, or getting out of one's seat without permission, *usually* result in the staff redirecting the student. The staff may talk to the student directly. **The purpose of these staff-to-student interventions is to immediately address and redirect the low-level inappropriate behavior, and if the student is in a classroom to keep the student in class so as not to miss important instruction.**

Level 2: School Leader Intervention – Minor Incident: If the same minor behavioral incident or a more serious incident occurs that the staff member is not able to redirect, the student may be removed from the classroom and referred to the School Leader. A deeper conversation will occur with the student to try to determine the root cause of the behavior and help the student to identify an appropriate replacement behavior. **The purpose of this conversation is to redirect the behavior, identify a more appropriate behavior, and to return the student to class as soon as possible so as to not miss important instruction.**

Level 3: School Leader Intervention – Major Incident: If a more serious act of misconduct occurs or the minor behaviors continue after Level 2 interventions, the School Leader will use his/her judgment to either speak to the School Leader, contact parents, or work with students during a lengthier removal from class. **Again, the purpose of this conversation is to redirect the behavior, identify a more appropriate behavior, and to return the student to class as soon as possible so as to not miss important instruction.**

Level 4: Short-Term Suspension: If the conversation and interventions attempted by the School Leader and other staff members involved does not work, or a major act of misconduct occurs, the School Leader may place the student on suspension from school, for periods shorter than ten (10) school days. (See section on Short-Term Suspensions).

Level 5: Student Behavior Contract: If all the action taken at Levels 1-4 have not corrected the inappropriate behaviors, or if the act of misconduct is repetitious, the School Leader or designee may place the student on a student behavior contract in lieu of an immediate long-term suspension or expulsion. Failure to meet the agreed upon terms of the contract may result in long-term suspension or expulsion.

Level 6: Long-Term Suspension/Expulsion: If all the action taken at Levels 1-5 have not corrected the inappropriate behaviors, or if the act of misconduct is so extreme that it threatens the safety of others (e.g., inflicting serious bodily injury or bringing a weapon to school*), the School Leader may request a long-term suspension hearing for the Governing Board to consider a suspension for a period of longer than ten days, which could also lead to expulsion. A Governing Board Hearing will be held to determine the appropriateness of consequences beyond a ten-day suspension. (See section on Long-Term Suspension and Expulsion). In such case, due process requirements will be followed in accordance with the Long-Term Suspension and Expulsion requirements.

*The Gun Free School Act requires the suspension of at least one year, of a student who has brought a weapon (as defined in the Gun Free School Act).

II.11 Penalties

Any one or more of the following penalties may be imposed by MAS staff, using appropriate procedures and protocols, and depending upon the severity of the infraction. This list is NOT all inclusive as other penalties may be assigned as deemed appropriate by school administration.

Restitution

Restitution may be imposed for students who have damaged, lost, ruined, or destroyed student, staff, or school property. Parents will be notified by the School Leader or designee regarding the damage caused and the amount of restitution required.

Detention

Students may be required to serve one or more days of lunch, after-school, or Saturday detention if they fail to meet school expectations. Staff will always contact the parent by telephone to notify them of the detention prior to a student serving their detention; therefore, it is imperative that phone numbers are kept updated and the parent checks phone messages. The first time a student fails to attend the designated detention session, he/she may receive two (2) days detention as a consequence for not reporting. The second time a student fails to attend the detention session; he/she may receive a Saturday detention. Students who fail to attend Saturday detention may receive a 1- day out-of-school suspension. If the student continues to not attend the assigned detention session(s), further consequences will be explored.

Students facing detention will be informed of the charges against him or her and, if he/she denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his or her version of the facts. The following is a general summary of how a situation such as this will be handled:

- The student will have an opportunity to explain their version of the events in an informal discussion with the administrative authority after the notice of the charges is given.
- A student who denies a charge of misconduct shall be told what act he/she is accused of committing, shall be given an explanation of the evidence supporting the accusation(s), and shall then be given the opportunity to explain his or her version of the facts. The administrative authority is not required to divulge the identity of informants, although he/she should not withhold such information without good cause. He/she is required to disclose the substance of all evidence on which he/she proposes to base a decision in the matter.
- The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited if in the administrator's discretion he/she chooses to allow any or all of them in a particular instance.
- The school shall exert reasonable efforts to inform the student's parent of the charges against the student and their possible or actual consequence as soon as practicable. However, the parent contact is for informational purposes rather than for purposes of asking permission to hold the student for detention.

Suspension from Extracurricular Activities, Athletic Participation, or Field Trips

Parents will be notified by the school if their son or daughter are being prohibited from participation in extracurricular activities, athletics, or field trips. Upon request, a student or the parent will be provided an opportunity for an informal conference with the School Leader and/or designee to discuss the conduct and penalty. Anytime a student is absent from school or scheduled for in-school suspension or out-of-school suspension they are prohibited from attending an extracurricular activity, athletic activity, or field trip for any of the days that they are absent from school for any reason except school activities, or in in-school suspension or suspended. This includes off-campus events if they are school sponsored. Students may participate in extracurricular activities, athletic activities, or field trips beginning at 7:30 a.m. the first school day following their absence or suspension. For example, if a student is suspended on a Friday, they may not resume participation in any activities until the next school day, which would be Monday in this example.

Furthermore, students who fail to maintain the required grade point average set by the charter league will not be allowed to participate in sports during their ineligibility period.

Mandatory Workshops/Education

MAS believes in education. There may be times that instead of imposing a traditional consequence, we provide education to “discipline” through teaching. Mandatory workshops/education can occur as an alternative to traditional consequences such as detention, in-school suspension, and suspension.

In-School Suspension (ISS)

Students, who may not otherwise be suspended from school as the result of misconduct, may be assigned in-school suspension. Due to being a small school staff, ISS is rarely assigned. It involves temporary removal of a student from the classroom and placement in another area of the school building where the student will receive substantially equivalent alternative instruction. Students assigned ISS are suspended from all school sponsored extracurricular activities (e.g., sports practices and games, field trips, clubs, special programs, etc.) during their time in ISS. An informal conference to discuss the misconduct and penalty with the administrative authority may be requested by a student or their parent.

Students facing in-school suspension will be informed of the charges against him or her and, if he/she denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his or her version of the facts. The following is a general summary of how a situation such as this will be handled:

- The student will have an opportunity to explain their version of the events in an informal discussion with the administrative authority after the notice of the charges is given.
- A student who denies a charge of misconduct shall be told what act(s) he/she is accused of committing, shall be given an explanation of the evidence supporting the accusation(s), and shall then be given the opportunity to explain his or her version of the facts. The administrative authority is not required to divulge the identity of informants, although he/she should not withhold such information without good cause. He/she is required to disclose the substance of all evidence on which he/she proposes to base a decision in the matter.
- The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited if in the administrator's discretion he/she chooses to allow any or all of them in a particular instance.
- The school shall exert reasonable efforts to inform the student's parent of the charges against the student by telephone and their possible or actual consequence as soon as practicable. If the school has not communicated with the parent by telephone, including voice message, or in person by the end of the day of the infraction, the school shall on that day, mail a written notice with the required information to the parent's address of record.

Short-Term Suspension/Temporary Suspension (1-9 days)

All short-term suspensions issued by the School Leader require approval by the Chief of Schools. If a student is issued an immediate short-term out of school suspension, the following procedures will apply:

- Students facing short-term suspension/temporary suspension will be informed of the charges against him or her and, if he/she denies them, shall be told what evidence supports the charge(s) and be given an opportunity to present his or her version of the facts. The student will have an opportunity to explain their version of the events in an informal discussion immediately after the notice of the charges is given.
- A student who denies a charge of misconduct shall be told what act he/she is accused of committing, shall be

given an explanation of the evidence supporting the accusation(s), and shall then be given the opportunity to explain his or her version of the facts. The administrative authority is not required to divulge the identity of informants, although he/she should not withhold such information without good cause. He/she is required to disclose the substance of all evidence on which he/she proposes to base a decision in the matter.

- The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited if in the administrator's discretion he/she chooses to allow any or all of them in a particular instance.
- The school shall exert reasonable efforts to inform the student's parent of the charges against the student and their possible or actual consequence as soon as practicable; a parent may be requested to pick up their student from the school immediately. If the school has not communicated with the parent by telephone, including voicemail, or in person by the end of the day of the infraction, the school shall, on that day, mail a written notice with the required information to the parent's address of record.
- Any student suspended from school shall be released directly by a school official to the student's parent, or an adult designated by the parent, or kept on school grounds until the end of the school day.

Long-Term Suspension and Expulsion Procedures (10 or more days)

Long-term suspension is defined as suspension for ten (10) or more school days and expulsion is defined as permanent removal of a student from school due to extreme non-compliance with school or state rules. Under certain circumstances, students may be subject to long-term suspension and/or expulsion by the School Leader. The following list includes, but is not limited to, infractions that could lead to long-term suspension and/or expulsion:

- student is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance, including, but not limited to, illegal narcotics of any kind;
- assault on any staff on school premises or at school-sponsored or school-related events, including athletic games;
- repeated or excessive out-of-school suspensions;
- repeated and fundamental disregard of school policies and procedures;
- assault against a fellow student or other members of the school community who are not considered educational personnel;
- destruction or attempt to destruct school property, including arson; and/or
- possession of alcohol on school premises or at school-sponsored or school-related events.

Long-term suspension and expulsion procedures:

- A student who has been long-term suspended or expelled is not entitled to receive any educational services from MAS during the period of the exclusion from school. However, MAS will provide the ability to make up work for credit during long-term suspension.
- The School Leader shall serve as the initial hearing authority/disciplinarian once a long-term suspension or expulsion is recommended or the School Leader may request the Board Chair serve as the impartial hearing officer.
- An adhoc committee of the Board shall serve as the review authority. The review authority shall have discretion to modify or overrule the disciplinarian's decision, but may not impose a harsher punishment. A review authority shall be bound by a hearing authority's factual determinations.
- No person shall act as a hearing authority, disciplinarian, or review authority in a case where he/she was directly involved in or witnessed the incident(s) in question, or if he/she has prejudged disputed facts, or is biased for or against any person who will actively participate in the proceedings. In cases where the School Leader was directly involved or witnessed the incident in question, the Board Chair will serve as an impartial hearing officer.
- If long-term suspension or expulsion is being recommended, parents will be notified of the long-term suspension and expulsion recommendation through a written notice which will be addressed to the student, through his or her parent, and shall be served upon the parent personally or by mail. In addition to formally mailing notification, whenever possible, parents will also be informed via telephone or in person.
- A hearing on the long-term suspension/expulsion recommendation shall be scheduled no sooner than five (5), and no later than ten (10) school days from the date of receipt of the notice by the parent. The hearing date

may be extended by the hearing authority upon good cause shown. The written notice of the recommendation must contain all of the following information, parts of which may be covered by appropriate reference to copies of any policies or regulations furnished with the notice:

- the school rule(s) alleged to have been violated, a concise statement of the alleged act(s) of the student on which the charge(s) are based, and a statement of the possible penalty;
 - the date, time, and place of the hearing, and a statement that both the student and parent are entitled and urged to be present;
 - a clear statement that the hearing will take place as scheduled unless the hearing authority grants a delay or the student and parent agree 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;
 - a statement that the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in a written notice filed at least seventy-two (72) hours before the hearing with the contact person;
 - a description of the procedures governing the hearing;
 - the name, business address, and telephone number of a contact person through whom the student, parent, or designated representative may request an extension of the hearing or seek further information, including access to any documentary evidence or exhibits which the school proposes to introduce at the hearing; and
 - any other information, materials, or instructions deemed appropriate by the administrative authority who prepares the notice.
- Student's status pending hearing. Where a student has been suspended temporarily and a formal hearing on long-term suspension or expulsion will not occur until after the temporary suspension has expired, the student shall be returned to school at the end of the temporary suspension unless the student and parent have knowingly and voluntarily waived the student's right to return to school pending the outcome of the formal proceedings.
 - Waiver of hearing; voluntary compliance or negotiated penalty. A student and his or her parent may elect to waive the formal hearing and review procedures and comply voluntarily with the proposed penalty, or may waive the hearing and review and negotiate a mutually acceptable penalty with the designated disciplinarian. Such a waiver and compliance agreement shall be made voluntarily, with knowledge of the rights being relinquished, and shall be evidenced by a written document signed by the student, the parent, and the appropriate school official.
 - Procedure for hearing and decision. The formal hearing is not a trial. It is an administrative hearing designed to ensure a calm, orderly determination by an impartial hearing authority of the facts of a case of alleged serious misconduct. Technical rules of evidence and procedure do not apply. The following rules govern the conduct of the hearing and the ultimate decision:
 - The school shall have the burden of proof of misconduct.
 - The student and his or her parent shall have the following rights:
 - the right to be represented by legal counsel or other designated representative, however, the school is not required to provide representation;
 - the right to present evidence, subject to reasonable requirements of substantiation at the discretion of the hearing authority and subject to exclusion of evidence deemed irrelevant or redundant;
 - the right to confront and cross-examine adverse witnesses, subject to reasonable limitation by the hearing authority;
 - the right to have a decision based solely on the evidence presented at the hearing and the applicable legal rules, including the governing rules of student conduct.
 - The hearing authority shall determine whether the alleged act(s) of misconduct have been proved by a preponderance of the evidence presented at a hearing at which the student or a designated representative has appeared.
 - If no one has appeared on the student's behalf within a reasonable time after the announced time for the hearing, the hearing authority shall determine whether the student, through the parent, received notice of the hearing. If so, the hearing authority shall review the school's evidence to determine whether it is sufficient to support the charges(s) of misconduct.

- A hearing authority who is also a disciplinarian shall impose an appropriate sanction if he/she finds that the allegations of misconduct have been proven. A hearing authority who is not a disciplinarian shall report its findings, together with any recommended sanction, to the disciplinarian promptly after the hearing.
- Arrangements to make a tape recording or keep minutes of the proceedings shall be made by the administrative authority that scheduled the hearing and prepared the written notice. A verbatim written transcript is not required, but any minutes or other written record shall fairly reflect the substance of the evidence presented.
- The hearing authority may announce a decision on the question of whether the allegation(s) of misconduct have been proven at the close of the hearing. A hearing authority who is also a disciplinarian may also impose a penalty at the close of the hearing.
- In any event, the hearing authority shall prepare and mail or deliver to the student, through the parent, a written decision within five (5) working days after the hearing. The decision shall include a concise summary of the evidence upon which the hearing authority based its factual determinations. A hearing authority who is also a disciplinarian shall include in the report a statement of the penalty, if any, to be imposed, and shall state reasons for the chosen penalty. A hearing authority who is not a disciplinarian shall forward a copy of his or her written decision to the disciplinarian forthwith. The disciplinarian shall prepare a written decision, including reasons for choosing any penalty imposed, and mail or deliver it to the student, through the parent, within five (5) working days of receipt of the hearing authority's report.
- A disciplinarian who is not a hearing authority may observe, but not participate in the proceedings at a formal hearing. If the disciplinarian has done so and if the hearing authority announces a decision at the close of the hearing, the disciplinarian may also announce his or her decision at that time.
- The disciplinarian's decision shall take effect immediately upon initial notification to the parent, either at the close of the hearing, or upon receipt of the written decision. If initial notification is by mail, the parent shall be presumed to have received the notice on the fifth calendar day after the date of mailing, unless a receipt for certified mail, if used, indicates a different date of receipt.
- *Effect of Decision* - If the hearing authority decides that no allegation(s) of misconduct have been proven, or if the disciplinarian declines to impose a penalty despite a finding that an act or acts of misconduct have been proven, the matter shall be closed. If the disciplinarian imposes any sanction on the student, the decision shall take effect immediately upon notification to the parent and shall continue in force during any subsequent review.
- *Right of Review* - A student aggrieved by a disciplinarian's decision after a formal hearing shall have the right to have the decision reviewed by the Board if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one school semester, or a denial or restriction of student privileges for one semester or longer. The Board may, but is not obligated to, grant a right of review for less severe penalties. A student request for review must be submitted to the review authority within ten (10) school days after the student is informed of the disciplinarian's decision.
- *Conduct of Review* - A review authority shall have discretion to modify the disciplinarian's decision, including imposing any lesser sanction deemed appropriate. A review authority shall be bound by the hearing authority's factual determinations unless the student persuades the review authority 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 review authority shall have discretion to receive new evidence, reconsider evidence introduced at the hearing, or conduct a de novo 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* - A review authority shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved student and school authorities to written materials, or to grant a conference or hearing at which the student and his or her representative, and school authorities, may present their respective views in person. Where a conference or hearing is granted, the record-keeping requirements above apply.
- *Timing of Review* - Except in extraordinary circumstances, a review shall be concluded no later than fifteen (15) working days after a student's written request for review is received by the appropriate administrative authority.

- *Decision* - A review authority may announce a decision at the close of any conference or hearing held on review. In any event, the review authority shall prepare a written decision, including concise reasons, and mail or deliver it to the disciplinarian, the hearing authority, and the student, through the parent within ten (10) working days after the review is concluded.
- *Effect of Decision* - A review authority's decision shall be the final administrative action to which a student is entitled.

Discipline Files

At the discretion of the School Leader, out-of-school suspension reports, discipline forms, and/or corrective action plans can be removed from a student's permanent file at the end of the school year if that student showed improvement in behavior after the disciplinary action was implemented.

II.12 Discipline Procedures for Students with Disabilities

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

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

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

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

Immediate Removal - Immediate removal of a student with disabilities may be done when a student brings a weapon to school or a school function; or knowingly possesses or uses illegal drugs, or has sold or solicited the sale of a controlled substance while at school or a school function. This also applies if a student has engaged in a fight or has injured another student.

II.14 Physical Restraint and Seclusion Policy and Procedures

Purpose: To establish policies and procedures for judicious use of physical restraint and seclusion techniques under conditions where a student exhibits unsafe behaviors with the primary goal of providing a safe environment for all individuals.

Policy: MAS is committed to providing a safe environment for all students and in doing so employees crisis intervention techniques intended to de-escalate student behavior and employs physical restraint and/or seclusion as a last resort.

Definitions:

- Mechanical Restraint – means the use of any device or material attached or adjacent to the student's body that restricts freedom of movement or normal access to any portion of the student's body and that the student cannot easily remove, but does not include mechanical supports or protective devices;
- Physical Restraint – means the use of physical force without the use of a mechanical device, but does not include a physical escort;
- Restraint – means either Mechanical Restraint or Physical Restraint

- Seclusion – means the involuntary confinement of a student alone in a room from which the student cannot leave. It does not mean a voluntary behavioral management technique, including a timeout location, as part of a student’s IEP, behavioral plan, or other similar technique.

Condition for Use of Restraint/ Seclusion:

Qualified MAS employees may use restraint or seclusion only if both of the following apply:

- the student’s behavior presents an imminent danger of serious physical harm to the student and/or others; and
- a less restrictive intervention appears insufficient to mitigate the imminent danger of serious physical harm to the student and/or others. Less restrictive interventions include de-escalation strategies, positive behavior intervention supports, or other comparable behavior management techniques known or that can be known to the school employee with responsibility for the student at the time of the incident.

If a restraint or seclusion technique is used on a student:

- a school employee must maintain visual observation of the student for the entire course of the restraint or seclusion;
- the restraint or seclusion must end as soon as the student’s behavior no longer presents an imminent danger of serious physical harm to the student or others;
- only school employees who are trained in the safe and effective use of restraint and seclusion techniques may use said techniques UNLESS an emergency situation does not allow sufficient time for trained employees to aid in the situation;
- the technique employed may not impede the student’s physical ability to breath or speak;
- the type and duration of the restraint or seclusion used must account for the student’s age and physical condition; and
- MAS shall consider appropriate supports and strategies for school employees to successfully reintegrate a student who has been restrained or secluded back into the school environment.

Reporting to Parent/Guardian:

- The designated school employee shall provide the parents of a student who has been restrained or secluded as defined above, with written or oral notice on the same day of the incident, unless circumstances prevent such notification. If same-day notification is not possible, notice shall be provided within twenty-four (24) hours of the incident.
- The designated school employee shall also provide the student’s parent with a written description of the student’s behavior giving rise to the student’s restraint or seclusion, including information about any persons (to the extent confidentiality requirements permit), locations, or activities that may have triggered the behavior giving rise to the use of restraint or seclusion, if known. The written report will also include specific information about the type and duration of the restraint or seclusion used.
- The foregoing reporting must be completed even where law enforcement was called instead of using a restraint or seclusion technique on a student.

Training Requirements:

- MAS shall provide annual training for school personnel (school leadership and facilities staff) charged with implementing restraint and seclusion techniques.
- The designated employees shall be trained in de-escalation strategies, positive behavioral intervention supports, or other comparable behavior management techniques and use of restraint and seclusion techniques. Designated employees shall attend training at least every two years or complete a certification course, exam, or other comparable demonstration of competency that provides evidence that the individual has up-to-day knowledge of proper restraint and seclusion techniques.
- Newly designated employees must complete the training within 60 days of being appointed.

Review Procedures:

- If a student has been restrained or secluded for two or more times within 30 calendar days, MAS will review strategies used to address the student's behavior and determine whether the student may need a functional behavior assessment, a referral to a student assistance team, behavior intervention plan team, or, if a student has an IEP, a referral to the student's IEP team.
- If a student has been restrained or secluded two or more times within 30 calendar days the student's IEP team, behavioral intervention plan team, or student assistance team shall meet within two weeks of each subsequent use to provide recommendations for avoiding future incidents requiring the use of restraint or seclusion.
- The reviewed described in subparagraphs VI(A) and (B) shall consider whether school personnel involved in the restraint/seclusion incidents were adequately trained in the use of de-escalation strategies, positive behavior intervention supports, or restraint and seclusion techniques.
- Each year, MAS shall conduct a review and analysis of all incidents where restraint and seclusion techniques were used, including reviewing the number and type of incidents, personnel involved, student demographics and whether there is a need for additional staff training.

Reporting to NMPED:

MAS will report to the NMPED through the department's data collection and reporting system the following information according to the schedule determined by the NMPED:

- All instances when a restraint or seclusion technique is used;
- All instances in which law enforcement is summoned instead of using a restraint or seclusion;
- The names of the students and school personnel involved in an incident in which restraint or seclusion was used;
- If a student was restrained, the type of restraint used; and
- If MAS personnel called law enforcement instead of employing a restraint or seclusion technique.

School Safety Plan:

- MAS has established procedures for use of restraint and seclusion as part of its School Safety Plan required by the NMPED, which is applicable to the general population of students. The plan shall include the circumstances in which law enforcement will be called instead of an employee using restraint or seclusion;
- The School Safety Plan team drafting procedures for restraint and seclusion includes at least one administrator, one regular education teacher, one special education teacher and an individual trained in restraint and seclusion techniques. The team may also include a counselor, social worker, nurse, or school resource officer or member of the school's security staff.
- MAS shall submit a copy of the School Safety Plan to NMPED every three years.

II.14 Student Conduct During Transportation

All students are expected to maintain proper conduct while on the school bus or other modes of transportation. Misconduct that occurs during transportation may be subject to penalties contained in Section II.7 (General Discipline Process and Penalties). Violations of this Code will be reported by the driver to the school. A student accused of violating this Code will be given the opportunity to explain his or her side of the situation. Parents will be notified by the administrative authority prior to their student losing his or her privilege of bus transportation.

All students are expected to:

- obey all instructions given by the driver;
- notify the driver of any problems with other students while on the bus;
- sit according to any applicable seating chart;
- remain seated while the vehicle is in motion;
- refrain from eating or drinking (if not allowed on the bus);
- refrain from using any illegal items;
- refrain from extending arms, legs, head, or other body parts out of windows;
- refrain from yelling, pushing, shoving, or fighting; and,
- always pass in front of the bus when the bus is stopped.

Section III: General School Policies

III.1 Attendance Policy

Policy Statement. Mission Achievement and Success Charter School (“School”) requires a high level of participation in engaged learning. Daily attendance and on-time arrival are critical to student success at MAS and in life and any absence has the potential to negatively impact student performance.

Definitions

“Absence” is when a child is not at school for a class or school day, whether excused or not, provided that Absence does not apply to participation in interscholastic extracurricular activities.

“Absence equivalencies:

Any combination of two Half-Day Excused absences will equate to one Excused Absence.

Any combination of two Half-Day Unexcused Absences will equate to one Unexcused Absence.

“Chronically Absent” means an absenteeism rate of 10%, but less than 20% of classes or school days, regardless of the reason for absence, and/or whether excused or not. Chronically absent students require Early Intervention; see below.

“Early Release” is a student’s departure from school 30 minutes or less prior to dismissal for reasons listed in this Policy. An early release may be excused or unexcused. If an Early Release is for longer than 30 minutes it will be considered a half-day absence.

“Excessively Absent” means an absenteeism rate of 15% or greater from classes or school days, regardless of the reason for the absence and/or whether excused or not. If a student is Excessively Absent Intensive Support is required; see below.

“Excused Absence” At MAS, up to three absences reported verbally by a parent for a student will be excused if the parent provides a valid reason and reports the absence by 8:30 a.m. to the Attendance Secretary at via phone at 505-242-3118 extension 1143 for Yale and extension 1157 for Old Coors or via cell phone or text at 505-307-3299 for Yale or 505-604-2583 for Old Coors, or via email at attendance@mascharterschool.com (all considered “verbal”). After three verbal excused absences, all future absences will only be excused with a written notification from a medical care provider’s office, legal notification, tribal officer, funeral home, or other documentation supporting the excuse for the absence. Whenever possible, notification of a student’s absence should be given prior to missing school. However, when the circumstances dictate, the information concerning a student’s absence should be provided by no later than three school days after the absence. Failure to advise the school’s Attendance Secretary in writing or by a telephone the same day of the student absence will result in an “unexcused absence.” Excused absences may include the following:

- * Doctor’s appointment
- * Dental appointment
- * Legal appointments
- * Tribal traditions/laws
- * Medical absence (parent or medical care provider)
- * Therapy
- * Death in the immediate family
- * Illness
- * Religious instruction

The School Leader may, after review of the documentation, determine that the reason given for the excused absence is unacceptable. Special family situations may be considered appropriate for excused absence when prior approval is received from the School Leader. The School Leader’s decision on the request shall be considered final.

“Excused Absence due to Religious Instruction” A student may, subject to the prior approval of the School Leader, be absent from school to participate in religious instruction for not more than one class period of the school day with the written consent of the parent/guardian, at a time that is not in conflict with the academic program of the school. School does not assume responsibility for the religious instruction for any student, nor does it permit religious instruction to be conducted on School property. School shall provide time for the student to make up the school work missed during the absence.

“Excused Absence Due to Tribal Obligations” A student may, subject to the prior approval of the School Leader, be absent from school to participate in tribal obligations with the written consent of the parent/guardian. The School shall provide time for the student to make up the school work missed during the absence.

“Excused Absence for Birth of Child” A student who provides documentation of a birth of that student’s child shall be provided at least ten (10) days of medical absence and be provided time to make up work during the absence. Additional excused absences beyond the above referenced ten (10) days will be allowed for any pregnant or parenting student when deemed medically necessary by the student’s physician. Medical documentation will be required. In these instances, the student will be allowed a time period to make up missed work that equals the number of days missed.

“Excused Absence for Parenting Student” A student who provides documentation of pregnancy or that a student is a parent of a child under the age of 13 needing care, shall be provided four days of excused absences and an opportunity to make up work missed during the absence.

“Medical Absence” means a student does not attend for a class or a school day for a parent or doctor-authorized medical reason.

“Tardy” is an arrival to school after the start of the day, but 30 minutes or less late. Late arrivals in excess of 30 minutes will be considered a full period absence. A tardy may be deemed excused or unexcused.

“Unexcused Absence” is an absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy. An “unexcused absence” means an absence from school or classes for which the student does not have an allowable excuse as determined by the rules of MAS. Unexcused absences of two (2) or more classes, up to fifty percent of an instructional day, shall be counted as one-half day absence, and the unexcused absence of more than fifty percent of an instructional day shall be counted as one full-day absence. MAS’ rules provide that a student’s absence will be recorded as “unexcused” for the following reasons:

- if pre-registered, not showing up for first day of school;
- leaving school early for unexcused reasons;
- absences related to custodial parent changes;
- trips to other states or countries for non-school related legal problems;
- lack of transportation to or from school;
- family vacations outside of scheduled school breaks; and/or
- any other absence for which the School Leader deems the reason should be deemed unexcused.

Procedures

1. Attendance Requirements
 - a. The Act requires that all persons between the ages of 5 and 18 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 School Leader.
 - b. Parents and guardians are legally responsible for their students attending school.
 - c. Students enrolled in MAS are required to attend each day of the school year as established by the School’s calendar.
 - d. Students are expected to have no more than 5% absentee rate per school year, which includes both excused absences and unexcused absences.
 - e. Students are expected to arrive on time to school each day and to remain in school until the scheduled dismissal.
 - f. A student may not be given credit for a class unless the student is in attendance for at least 90% of the days the class is offered.
2. Whole School Efforts to Ensure Student Attendance
 - a. Teachers or another adult responsible for the class are required to take accurate attendance for each class of every school day.

- b. Notification of an Absence by a Parent or Guardian: The parent or guardian shall notify School's Attendance Secretary each day that his or her student will be absent from any part of the school day, except in the case of an emergency, and shall give the reason for the absence and shall provide a written parental verification upon the child's return to school, but in no event longer than three school days after the absence.
 - c. Notification of an Unexcused Absence by the School: If a student is absent from school or class without a parent or guardian's notification of absence, School's Attendance Secretary (or the designee) will, as soon as practicable, contact the parent or legal guardian by telephone, text or e-mail to give notice of the student's unexcused absence and to ascertain and document the reason for the Absence.
 - d. The School shall notify parent/guardian of a child who has reached a 5% absentee rate regardless of reason for absence and shall keep a record of notification(s).
3. Make up of Work Missed Assignments missed due to excused or unexcused absences may always be made up by the student. The student is responsible for obtaining his/her assignments from his/her teacher and completing the assignments within the time frame determined by the teacher. Please note that making up assignments does not override attendance requirements for the awarding of high school credit.
4. School Actions Regarding Attendance Issues
- a. Out-of-school suspension and expulsion will not be used as punishment for chronically absent or excessively absent students. However, after explicit notification to the parent/guardian that the student is excessively absent despite exhaustion of all intervention efforts described in this policy, the school may consider further unexcused absences to constitute a voluntary withdrawal of the child from School's enrollment.
 - b. Students in need of individualized prevention (5-9% absent). The School Leader or designee shall communicate with the parent/guardian (either in writing or in person) and inform them of the student's attendance history, the impact of student absenteeism on student academic outcomes, the intervention or services available to the family, and the consequences of further absences, which may include referral to the Children, Youth and Families Department (CYFD) for chronic absenteeism.
5. Early Intervention for Chronically Absent Students (10-15% absent)
- a. Parents/guardians of students found to be chronically absent shall meet with the School Leader or designee.
 - b. The school 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 School Leader or designee.
 - c. The purpose of the meeting will be to establish an early intervention plan that focuses on strategies for improving student's attendance. This plan will include an attendance contract and weekly monitoring and reporting of student attendance to the parent/guardian.
 - d. Parents of students with any further unexcused Absence after meeting with School Leader or designee to develop an early intervention plan may be referred to the CYFD for suspected neglect.
6. Intensive Support for Excessively Absent Students (15% or greater absent)
- a. Parents/guardians of students found to be excessively absent shall meet with the School Leader or designee.
 - b. The School shall notify the parent/guardian of the student found to be excessively absent in writing, and include the date, time and location for parent/guardian to meet with the School Leader or designee.
 - i. The purpose of this meeting will be to establish non-punitive consequences and appropriate specialized supports to address the causes of the underlying absenteeism, and to apprise the student and parent of the consequences of further absences.
 - ii. The School Leader shall consult with a student's teacher and initiate meetings with the teacher, the student, and parent if the alleged cause of absenteeism is the teacher-student relationship.
 - iii. If unexcused absences continue after written notice of excessive absenteeism and after meeting with the School Leader, the School is required by law to report the excessively absent student to the Probation Services Office of the local judicial district court ("Probation Services Office") for an investigation as to whether the student should be considered a neglected child or child in a family of need of family services. The School Leader shall report further unexcused absences within ten (10) business days to the Probations Services Office after such absence. Such referrals shall include documentation of interventions provided to the family.

- iv. If the Probation Services Office determines that the student and/or family need services, the law requires that a case worker be assigned and will meet with the family and school to determine if any other intervention services may be provided.
- 7. Voluntary Withdrawal for Ten (10) Consecutive Unexcused Absences: The school will consider ten (10) *consecutive* unexcused absences as a voluntary withdrawal from enrollment. Voluntary withdrawal will be processed by the school only after:
 - a. The school has documented and exhausted intervention efforts described in this policy to keep the child in school.
 - b. The school has contacted CYFD and/or Probation Services Office.
 - c. The school has notified the parent/guardian in writing upon the fifth consecutive unexcused absence that accumulating ten (10) consecutive unexcused absences will constitute a voluntary disenrollment of the student. Such notice will require a scheduled meeting between the parent and School Leader or designee. The parent/guardian's failure to attend the required meeting shall constitute an acknowledgement that the student will be voluntarily disenrolled after the tenth consecutive day.
- 8. The Public Education Department's truancy prevention coordinator (or designee) or CYFD representative, or representative of the Probation Services Office, shall be permitted access the student's records and information related to chronically absent students or excessively absent students.
- 9. The school shall provide a parent/guardian, within five (5) days of parent's written request, access to attendance data of the student, including information about any intervention strategies that have been employed.
- 10. School Action for Tardy/Early Release
 - a. The school shall notify parent/guardian of a child when the child has accumulated ten (10) or more of any combination of tardies or early releases.
 - i. Chronically late/leaving early: When a student's combined total of tardies and/or Early Releases reaches fifteen (15), the parents/guardians shall be required to meet with the School Leader or designee
 - ii. The School shall notify the parent/guardian of the student found to have fifteen (15) tardies and/or early releases, and include the date, time and location for parent/guardian to meet with the School Leader or designee.
 - b. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.
 - c. The School Leader or designee will decide on appropriate consequences for continued tardies or Early Releases.
 - d. Continued meetings will be scheduled for every five (5) instances of tardies or early releases.
- 11. Excessively late/leaving early: When a child's combined total of tardies and/or early releases reaches twenty (20), the parents/guardians shall be required to meet with the School Leader or designee.
 - a. The School shall notify the parent/guardian of the student found to have twenty (20) tardies and/or early releases, and include the date, time and location for parent/guardian to meet with the School Leader or designee.
 - i. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.
 - b. The School Leader or designee will decide on appropriate consequences for continued tardies or early releases.
 - c. The School Leader or designee may create and implement additional measures to address chronic or excessive late arrivals/early releases.
- 12. Native American Students. In carrying out its duties under this rule and the Act, the School shall take into consideration the sovereignty of a Native American tribe. While all children attending public schools must be 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.
- 13. Supports for Students who have Experienced a Disrupted Education
 - a. "Disrupted Education" refers to a student who has one or more changes of school enrollment during a single school year as a result of
 - i. Homelessness as defined by the McKinney-Vento Homeless Assistance Act and as otherwise determined by the School;
 - ii. An Adjudication:

1. As an abused or neglected child as determined by CYFD;
 2. A part of a family in need of court-ordered services or voluntary placement pursuant to the Family Services Act; or
 3. As a delinquent if the parent or guardian wishes to disclose the adjudication of delinquency; or
 4. Placement in a mental health treatment facility or rehabilitation program for developmental disabilities, or placement in foster care.
- b. A student who has experienced a Disrupted Education shall have:
 - i. priority placement in classes that meet state graduation requirements; and
 - ii. timely placement in elective classes that are comparable to those in which the student was enrolled at the student's previous school as soon as the School receives verification from the student's records.
 - c. For a student who has experienced a Disrupted Education at any time during the student's high school enrollment, the School will ensure:
 - i. acceptance of the student's state graduation requirements for a diploma of excellence pursuant to the Public School Code;
 - ii. equal access to participation in sports and other extracurricular activities, career and technical programs or other special programs for which the student qualifies;
 - iii. timely assistance and advice from counselors to improve the student's college or career readiness; and
 - iv. that the student receives all special education services to which the student is entitled.
 - d. A student who has experienced Disrupted Education and has transferred between public schools shall receive credit for any work completed prior to the transfer, regardless of whether the transfer occurred at the end of a grading period.

14. Distribution of Attendance Policy. Upon enrollment at School, parents and guardians will be provided with a copy of the Attendance Policy and the School will keep a current version on its website.

Attendance and High School Credits

A student may not be given credit for a class unless the student is in attendance for at least 90% of the days the class is offered. The only exception to this policy will be considered for excused absences. Attendance is imperative to be successful in school and is a requirement to earn credit for coursework.

III.2 Admissions/Registration

Students are admitted to MAS through the lottery process. For information concerning enrollment or the lottery process, please refer to the Admissions Section of our MAS website www.mascharterschool.com. MAS does not discriminate against any student based on race, gender, religious affiliation, national origin, ethnicity, physical or mental disability, gender identity, or sexual orientation. The school is nonsectarian in its programs, admission policies, and employment practices.

MAS' annual lottery is held the second Friday in April each year. Families admitted through the lottery will have five (5) business days from the date of the telephone call notifying them of acceptance to complete registration paperwork or make arrangements to do so. Failure to register your child within the five (5) days will result in forfeiture of your seat at MAS and the lottery seat will be provided to the next student on the waitlist. MAS offers seats on a rolling basis meaning that as soon as a seat becomes available that seat is offered to the next student on the waitlist. The turnaround time for a seat being offered is generally within 48-72 hours of the known opening. Families admitted through the waitlist process will have five (5) business days from the date of the telephone call notifying them of acceptance to complete registration paperwork or make arrangements to do so. Failure to register your child within the five (5) days will result in forfeiture of your seat at MAS and the lottery seat will be provided to the next student on the waitlist.

Returning MAS families do not have to reapply through the lottery. However, families do need to complete a letter of intent indicating their intent to return to MAS for the following school year. Letters of intent will be provided to families at a date to be determined each school year between the months of February and March. Notification will be provided of the letters of intent going home through email communication and our automated telephone communication system. Families will have

two weeks from the date of notice each year to return their letter of intent. Failure to submit the letter of intent within the two-week window will result in a forfeiture of your seat for the following school year.

Additionally, returning families of MAS students are required to complete new registration paperwork each school year for each child that attends MAS. Returning student registration paperwork/directions will be provided to families before the end of the school year. **All returning families will have two weeks from the date the re-registration information becomes available, to complete and return all registration paperwork for the upcoming school year.** Failure to do so will result in forfeiture of your seat for the upcoming school year. The following is a list of forms due at the time of re-enrollment. This list is subject to change.

- Student Registration Form
- Multipurpose Release Form
- Technology Usage Agreement
- Field Trip Permission Slip
- Dental Consent Form
- Emergency/Medical Form
- School Meals Application
- Custody orders (if applicable)

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

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

III.3 Parent Custody

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

The custodial parent is responsible for:

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

The school is responsible to:

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

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

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

III.4 Weather Related Closings

In the event of poor weather conditions, such as heavy snow, please listen for a phone call and email from MAS through our automated system. All staff, students, and parents will always be notified by telephone and email through our automated messaging system of ALL school cancellations and delays, so again, it is imperative that proper contact information is maintained with MAS Charter School. All updates to contact information should be reported to a main office staff member. MAS is NOT part of APS and does NOT follow APS delays and closings.

III.5 Tardy Policy

If students are late after the tardy bell, they must sign in at the main office. If your child is going to be late for school and you know, call the school to notify us in advance. Timely arrival to school is imperative to student success.

III.6 Early Dismissal Policy

In order to minimize disruptions to class, we ask that notification regarding early dismissals of individual students be made as far in advance as possible. We also ask that whenever possible, doctor and dentist appointments are limited to non-school hours to avoid students missing valuable class time. Families are encouraged to consider the class period start and ending times when determining early dismissal requests. Parents will be required to enter the school and to sign their student out for early dismissal requests.

III.7 Student Dress Code

In order to promote an appropriate and productive educational environment, to promote a more effective climate for learning, to foster school unity and pride, and to allow students to focus solely on learning and not on attire, the school has a dress policy for students that applies during all school days and to all school-sponsored events. Students out of uniform will be required to contact their parents to bring an appropriate change of clothes. Secondary students out of uniform for non-excused reasons will also receive an automatic detention for thirty (30) minutes, during lunch, that same school day. Parents will be notified of this detention when notified that they need to bring an appropriate change of clothes. It is very important to establish the team culture at MAS. In order to do so, it is expected that students show up on a daily basis in uniform to show that they are part of the MAS team. Three (3) uniform shirts are provided for each family at the beginning of the school year as well as one sweatshirt. Families are responsible for the purchase of uniform pants. Financial assistance is available for parents of students who cannot afford uniform pants. Please contact the main office staff if this applies.

Bottoms – Acceptable bottoms include black pants, capris, skirts, or skorts (skirts and skorts must be an appropriate length; rule of thumb is the same length as the longest fingertip of a student’s arm when the arms are extended downward). NO JEANS OR DENIM MATERIAL, NO JERSEY/GYM SHORTS, NO SWEATPANTS, NO RIPS OR TEARS ON PANTS, AND NO DESIGNS ON THE PANTS INCLUDING STRIPES.

Tops – Acceptable tops include a red long-sleeve polo, red short-sleeve polo, or red sweatshirt, all with MAS embroidered on the shirt. Three (3) uniform shirts are provided for each family at the beginning of the school year, one long sleeve shirt and two short sleeve shirts. If desired, additional uniform shirts can be purchased from our uniform vendor.

Students may NOT wear anything other than their school uniform. Unaccepted accessories include, but are not limited to, suspenders, ties, hats, bandanas, large necklaces/chains, or other jewelry that may be distracting. Additionally, students may not wear a sweatshirt, jacket, sweater, or anything like this over their school uniform. Students are also NOT allowed to wear other shirts under their school uniform EXCEPT for short-sleeve t-shirts, NO long sleeve shirts are allowed under the MAS short-sleeve uniform shirt. Notwithstanding, MAS students are not prohibited from wearing protective hairstyles or cultural or religious headdresses. As used herein, (1) “cultural or religious headdresses” includes hijabs, head wraps or other headdresses used as part of an individual's personal cultural or religious beliefs; (2) “protective hairstyles” includes such hairstyles as braids, locs, twists, tight coils or curls, cornrows, bantu knots, afros, weaves, wigs or head wraps; and (3) “race” includes traits historically associated with race, including hair texture, length of hair, protective hairstyles or cultural or religious headdresses.

III.8 Silent Transitions

We require students to respect classes in session by remaining silent and following all other school-wide expectations when

moving through the hallways between class periods and while other classes are in instruction. All transitions during instructional time are expected to be silent.

III.9 Grade Change Policy

Teachers must diligently maintain records that justify the final course grade awarded to 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. However, if a change needs to be made, the following apply:

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 clerical mistake as where a student has been misidentified, the School Leader shall promptly notify the Assessment and Accountability Division of the Public Education Department for guidance.

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 School Leader, upon authorization and proper documentation by the teacher.

A student of legal age or parent who requests a course grade change shall utilize the following procedure:

1. The student/parent must complete and submit to the School Leader a signed, written "Grade Change Request" letter stating reasons for the course grade change request, within **five (5) days** of receipt of the course grade.
2. 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.
3. The School Leader 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.
4. In further consultation with the teacher, the School Leader 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.
5. The teacher who issued the course grade shall provide to the School Leader 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.
6. As part of fact-finding, the School Leader will meet with the student/parent and the teacher, together or separately, to determine the validity of the student's/parent's request.
7. A written, signed response which includes the School Leader's findings and decision will be provided to the student/parent within five (5) 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 School Leader's response shall articulate the reasons and basis for the grade change.
8. The School Leader will be the final determinant of the decision.
9. If the School Leader decides that a grade change is merited, in addition to the student or parent, the School Leader shall comply with any NMPED notification requirements.
10. If the School Leader 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.
11. The Grade Change Request letter and a copy of the School Leader's decision shall be placed in the student's permanent cumulative record file. The student/parent may request of the School Leader that the documents be removed and destroyed upon the student transferring or graduating from the school. The School Leader 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.

Mission Achievement and Success 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.

III.10 Grade Point Average (GPA) for High School

The student’s semester grades determine grade point average. The GPA is the average number of grade points earned per course in grades nine through twelve, including grade points retroactively earned for successful completion of certain high school courses taken while in middle school. Grade point average is based upon the following:

- A = 4 points
- B = 3 points
- C = 2 points
- D = 1 point
- F = 0 points

In addition, grades in honors classes and select dual credit classes include a weighting factor in determining grade point average. Courses that qualify for a weighted factor are pre-determined and pre-approved by the School Leader. If you have questions about whether or not a course is weighted, please clarify with the School Leader.

Grade points are derived by multiplying the number of credits offered in a course by the appropriate number of grade points according to the student’s final grade. Weighted grade points (bonus points) are added to individual pre-determined and pre-approved honors classes, advanced placement classes, and select dual credit classes by adding .0344 bonus points to the final grade value of A or A-; .0172 bonus points to a final grade value of B, B+, B-; and .0086 bonus points to a final grade of C, C+, or C- for full credit courses.

Students who repeat a course will receive credit only once. The higher grade will be recorded on the transcript; only the higher grade is used in computing the grade point average. Classes evaluated on a pass/fail basis, no credit classes due to attendance, and withdrawn courses are not counted in computing the GPA or class rank.

MAS uses standards-based grades and the standards-based grades are computed into letter grades for the purpose of determining a GPA. The following is the conversion chart used to convert standards-based grades to letter grades.

STANDARDS BASED GRADE	LETTER GRADE EQUIVALENT
4	A
3.667	A-
3.333	B+
3	B
2.667	B-
2.333	C+
2	C
1.667	C-
1.333	D+
1	D
.667	D-
0	F

Standards-based grades are based on proficiency at the end of the marking period, standards-based grades per standard taught are NOT averaged, but instead, a standards-based letter grade per standard is determined based on current proficiency toward meeting the learning standard. The totality of each standard within a content area are averaged together to determine the final standards-based grade for that marking period for that subject. When computing the marking period standards-based grade for the course, teachers do not round up.

A student may not be given credit for a class unless the student is in attendance for at least 90% of the days the class is offered. A loss of credit will be reflected as No Credit (NC) on the student's transcript and report card, and will NOT be included in the computation for the grade point average and weighted grade point average.

Transferred credits and grades from other school systems shall be converted by the School Leader or designee into appropriate MAS credits as determined by the School Leader or designee and shall be included in the GPA and weighted grade point average (WGPA) computations.

III.11 Elementary and Middle School Retention Process

Teachers and instructional leaders recognizing students with significant educational progress deficiencies shall notify the School Leader no later than the end of the second grading period if retention is anticipated. The teacher shall work closely with the School Leader, leadership, and the support personnel to develop a special support program. Any student not proficient in reading and/or math based on quarterly report card grades is considered for retention. Parental help should be elicited when initial concerns arise.

No student shall be retained without documented remediation/intervention strategies provided based on the school remediation plan program and recommendations from school support staff members to focus attention on the unique needs of the student.

If there is a consideration to retain a student, a conference consisting of a member of the instructional leadership team which could include the School Leader, senior instructional leader, instructional coach, and/or classroom teacher(s), and parent will be scheduled and the parents will be notified of the conference. All factors will be taken into consideration. There will be a review of all pertinent records, and all significant points of view should be aired by all interested parties. MAS considers retention for any student in grades K-8 who are not proficient in reading and/or math. If MAS recommends retention and parents disagree, a one-time waiver to waive will be considered, but MAS reserves the right to retain with a student without agreement of the parent, but will consider the parent's position. However, if a waiver is allowed and the student is not on grade level by the end of the following year, retention will be mandatory.

When a waiver is allowed, a parent or guardian shall sign a waiver indicating that the child's promotion is against the specific advice and recommendation of the school acknowledging that failure to reach grade level proficiency the following year will result in retention. If a student is retained, a Retention of Student form will be completed by school personnel. A copy of this form will be placed in the student's electronic cumulative file.

III.12 Health Education/Exemption/HIV Curriculum

New Mexico law requires that students in grades one through twelve receive health education. The content and standards for health education are set out in Public Education Department rules. The law allows a parent/guardian to request that his/her student be exempted from that part of the health education curriculum intended to meet "sexuality performance standards" for each grade level. See 6.29.6.8 NMAC (for Grades K-4) (note kindergarten not required by law); 6.29.6.9 NMAC (Grade 5-8) and 6.29.6.10 NMAC (for Grades 9-12). A parent/guardian may not request an exemption for an entire health education course.

Parents who wish to request year-long exemption from their student participating in any lesson that includes content that is intended to meet a sexuality performance standard may do so by submitting a request in writing to the School Leader of their child's respective school by no later than September 15th of each school year. As a courtesy, MAS will send an automated email communication to families prior to the delivery of content that will cover a "sexuality performance standard." The teacher will provide an exempted student with an alternative lesson for content that is intended to cover the "sexuality performance standards."

MAS will provide instruction about [human immunodeficiency virus] (HIV) and related issues in the required health education curriculum to all students in grades one through twelve. The law does not provide for an exemption for health education curriculum that addresses HIV or related issued as contemplated in the. See 6.12.2.10 NMAC

III.13 Closed Campus/Food Deliveries/Outside Food

MAS is a closed campus meaning that students may not leave campus at any time unless signed out by a parent/guardian. This also means that students may not leave campus for lunch or any other time throughout the school day. This includes students who drive going to their vehicles throughout the school day without direct permission from a school administrator for an extenuating reason. Furthermore, as a safety measure and as a means of reducing distractions to the school day, students may not have food delivered to the school throughout the day for any reason. Students bringing their lunch must arrive to school in the morning with their lunch as deliveries will not be accepted. This includes families delivering fast food to their student during the breakfast, lunch, or snack period.

Furthermore, students are not allowed to bring food and drinks into the classrooms except for food that is brought with the intention of consuming the items during the designated lunch period or snack period. In these circumstances, food and drinks should be brought in a lunch box or paper bag and food and drinks will only be allowed to be consumed during the designated times for lunch and snack. The only other exception is water. Students are allowed to bring water bottles and may consume water throughout the day.

III.14 Distance Learning

While MAS strives to provide a high-quality education for all students that uses and develops 21st century teaching and learning skills, MAS will not use distance learning in our program. Distance learning is 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.

III.15 Dual Credit Policy

MAS will offer dual credit courses for eligible high school students. All 9th grade students will be assessed before the end of their 9th grade school year on the Accuplacer assessment to determine eligibility for CNM dual credit courses. Students in grades 9-12 will be assessed at least two times a year to determine eligibility for dual credit courses until they reach the readiness level on both math and reading. All associated costs for dual credit courses including textbooks for these classes will be incurred by MAS Charter School.

III.16 Foreign Exchange and Non-Immigrant Foreign Students

Foreign exchange students carry a J-1 visa and are “adolescent cultural exchange visitors” and may request entry to Mission Achievement and Success Charter School. No specific academic standards apply other than the students must be enrolled full-time and students must apply through the lottery process. It is strongly recommended that foreign exchange students have a demonstrated proficiency in the English language. Their stay in the United States is limited to one year and a federally approved exchange program must sponsor them. Foreign exchange students must complete their placement during one MAS school year. They will not be permitted to overlap their exchange from one school year to the next.

Foreign exchange students have special regulations regarding working while they are in the United States. Violation of these regulations can result in the student being deported and severe financial penalties for employers. Schools are cautioned to exercise care regarding work-study and “work for credit”.

Criteria for Acceptance and Placement of Foreign Exchange Students

Foreign exchange programs will be expected to comply with the Department of State regulations for exchange visitor programs 22 CFR 62. The local area representative of foreign exchange programs, host families, and exchange students must agree to register with and provide necessary data to the District, abide by all School and District rules, regulations and procedures and have a full listing with the Council on Standards for International Education Travel (CSIET).

Foreign exchange students will be accepted and placed only in high schools in grades 9 to 12. Grade 11 is the preferred placement as the standard curriculum/course sequence provides the maximum exposure to United States history and American literature at this grade level.

The student should not come to MAS with the expectation of graduating, as they are primarily here for a cultural exchange and most students do not satisfy our District and State requirements. Those students who are attempting to graduate must provide an official transcript from their home school district. The District will only grant diplomas to foreign exchange students who have met all graduation requirements as defined by the New Mexico Public Education Department and MAS Charter School.

Process and Time Lines

All foreign exchange students will need to be admitted through the standard lottery process. The population of foreign exchange students will not exceed one percent (1%) of the school's population. It is strongly recommended that foreign exchange students arrive in Albuquerque ten (10) calendar days before the first day of school. Foreign exchange students will not be placed after the first day of the school year, except in extenuating circumstances as determined by the School Leader.

III.17 Parental Concern Policy about Students

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

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

Step 2 - If a resolution cannot be reached at this level, then the parent may contact the person's supervisor and request a meeting with the supervisor and the other MAS employee with whom there is a disagreement. (If it is the School Leader with whom there is a disagreement, then move to Step 3.)

Step 3 - If a resolution cannot be reached at Step 2, or the issue is with the School Leader, then the parent should submit a written complaint to the Governing Board President requesting a meeting with the Governing Board or its designated committee in closed session. Matters concerning a student or employee dispute will not be addressed in an open meeting.

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

III.18 Grievance Policy to Address Non-Student Concerns

Initial inquiry - Inquiries or concerns from a community member, parent, or student regarding a specific MAS staff member or program (NOT A STUDENT) should first be directed to the staff member involved or responsible for such program. If a community member, parent, or student (hereinafter "community member") is not sure who is the responsible staff member, or if the community member has an inquiry or concern of a broad nature, the community member should contact the School Leader 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 School Leader. After a meeting between the community member and the School Leader or designee, the School Leader or designee will prepare a written summary of the attempt to resolve the community member's concern of the matter not resolved. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at the administrative level, the community member may take the issue to the MAS Governing Board for disposition.

Governing Board Review - The Governing Board, in its sole discretion, may decide whether any particular issue submitted to them is appropriate for Governing Board intervention. Typically, the Governing Board will NOT review administrative decisions regarding the following: student discipline less than a long-term suspension or expulsion, student placements (in special education or regular education classes), complaints about a staff member's performance (except the School Leader), matters particularly within the expertise of the educational staff and administration. The following procedure shall be followed for a Governing Board Review:

- The community member may submit his/her grievance in writing to the MAS Governing Board within five (5) days of receiving the School Leader's statement concerning the good faith effort to resolve the dispute.
- The letter must be in writing, signed by the community member, and delivered to the Governing Board at the school. A copy of the School Leader's statement should be enclosed.
- If the community member does not submit a written grievance within five (5) days from the date the written summary prepared by the administrator is delivered to the community member, the complaint will be deemed "resolved."
- The grievance submitted to the Governing Board should include specific reasons why the community member is not satisfied with the administrator's decision, any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person submitting the complaint.
- The Governing Board 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 Board 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 Board deems appropriate.
- MAS Governing Board 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 Board deems the excusal necessary to provide the complaining community member a fair consideration of the grievance.
- 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.
- A decision will be established by a majority vote of the members of the MAS Governing Board hearing the issue. The MAS Governing Board may designate a committee of the Governing Board to meet with or conduct the hearing. Any final action required to be taken by the Governing Board will be made after the committee's recommendation is presented to the full Governing Board.

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 Board will issue a final written decision regarding the grievance. The decision of the Governing Board is final.

III.19 Reporting Violations of the Code and Crimes

Teachers shall inform the School Leader of serious and/or persistent student discipline problems. Instances of severely disruptive and/or unmanageable behavior shall be immediately referred to the School Leader.

All teachers must immediately report and refer a violent student to the School Leader for a violation of the Code. A disciplinary referral is to be prepared as soon as possible by the referring staff member. The School Leader, upon receiving the referral or when processing a case for suspension, shall gather the facts relevant to the matter and record them for subsequent presentation, if necessary. The School Leader, should notify the appropriate law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of the school as soon as practical.

Section IV: Building Safety & Security

IV.1 Public Conduct on School Property and at School Functions

MAS Charter School is committed to providing an orderly, respectful environment that is conducive to learning. To create and maintain this kind of environment, it is necessary to regulate public conduct on school property and at school functions, on or off school property. For purposes of this section of the Code, public shall mean all non-students when on school property or attending a school function, including but not limited to parents, volunteers, community members, visitors, contractors/vendors, other students, etcetera. All persons on school property or attending a school function shall conduct themselves in a respectful and orderly manner.

No person, either alone or with others, shall:

- refuse to identify him or herself and state a lawful purpose for entering school property;
- intentionally injure any person or threaten to do so;
- intentionally damage or destroy school property or the personal property of a teacher, administrator, other school employee, or any person lawfully on school property, including graffiti or arson;
- distribute or wear materials on school grounds or at school functions that are obscene, advocate illegal action, appear libelous, or obstruct the rights of others;
- disrupt classes, school programs, or other school activities;
- intimidate or harass any person on the basis of race, color, creed, national origin, religion, age, gender, sexual orientation, gender identity, or disability;
- enter any portion of the school premises without authorization or remain in any building or facility after it is normally closed without permission or staff supervision;
- obstruct free movement of any person in any place to which the Code applies;
- violate the traffic laws, parking regulations, or other restrictions on vehicles;
- violate the prohibition on alcohol, drugs, and other illegal substances;
- violate the prohibition on tobacco and smoking including e-cigarettes;
- violate the prohibition on weapons, firearms, and dangerous objects;
- loiter on school property;
- gamble on school property or at school functions;
- refuse to comply with any reasonable order of school officials performing their duties;
- willfully incite others to commit any of the acts prohibited by the Code;
- interfere in any way with the educational process; and/or
- violate any federal or state statute, local ordinance, or Board policy while on school property or at a school function.

Students who violate this Code shall be subject to penalties contained in this Code. A visitor's authorization, if any, to remain on school property or at a school function will be withdrawn and they will be directed to leave the premises if any violations occur. If they refuse to leave, they will be subjected to ejection. The School Leader or his/her designee is responsible for enforcing the conduct required by this section of the Code and may call law enforcement for support if the violator refuses to leave the premises. Violators may be prohibited from future entry to the school or to school sponsored events.

IV.2 Visitor Policy

MAS Charter School encourages parents and other interested persons in the community to visit the school and classrooms to observe the work of students, teachers, and other staff. Since schools are a place of work and teaching, certain limits must be set for such visits. The following apply to visitors of the school:

- Anyone who is not a regular staff member, MAS contractor, or student of the school will be considered a visitor.
- All visitors to the school must sign the visitor's log at MAS' front desk.
- All visitors should have a visitor's pass at all times so staff members know that they have checked in at the front desk.
- Visitors are only permitted to visit a class with the permission of the School Leader or designee.
- Visitors shall not have unsupervised access to students, unless they have undergone and cleared a criminal background check.

- Teachers shall not use class time to discuss individual matters with visitors.
- Visitors must avoid disruption of classes or the education environment. Visitors may be precluded from visiting a class at the discretion of the School Leader or designee.
- Any unauthorized person on school property will be reported to the School Leader. Unauthorized persons may be asked to leave. The police may be called if an individual does not comply with a request to leave.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code, including the requirement to comply with any reasonable orders of school officials.
- Visitors who are school volunteers must also abide by the school's Volunteer Policy.
- Visitors must be escorted at all times while in the building.

IV.3 Fire Safety and Evacuation Procedures

In case of an emergency, if a student or staff member sees fire or smells smoke, he/she should close the door and pull the fire alarm located in the hallway. Upon hearing the alarm, school staff will assemble students and proceed out of the building according to the fire evacuation plan posted in each room. Students should follow the direction of staff members who will verify the safety of hallways and lead students outside the building to the designated locations, where school staff will line up students by class and take attendance.

Because of the importance of fire drills, students are required to be silent during this time. Any student who talks, moves out of line, does not follow a staff member's direction, or does not follow any other school-wide expectation, may receive a consequence.

Section V: General School Information

V.1 Student Wireless Communication and Electronic Devices - Use and Possession at School

A “Wireless Communication Device” means an electronic device that is hand held or hands-free that can send or receive voice, text or data messages. These devices include, but are not limited to cell phones, smart watches, iPad, and tablets. Students may bring Wireless Communication Devices (“Electronic Devices”) to school for use before the start and after the end of the school day.

If a student brings an Electronic Device to school, the student will be required to relinquish the Electronic Device to his/her first period teacher at the start of the first period class. This rule applies to students in every grade at MAS. Each Electronic Device will be stored in a separate plastic sleeve marked with the student’s first and last name and secured by MAS each day. Devices should be off or in silent mode when turned over to the MAS representative. At the end of the fourth period, just prior to release, Electronic Devices will be returned to students by their teacher. A student must immediately report to the teacher of his/her fourth period class that he/she turned in an Electronic Device but did not receive it at the end of the day.

Access/Security: All Electronic Devices, once collected by MAS personnel, will be securely stored, and students will not have access to them until the end of the day. If a student must leave school in the middle of the day for an appointment or illness, the student’s Electronic Device may be retrieved by the parent/guardian from the front-desk secretary or designee at sign out. Students are encouraged to leave their Electronic Devices at home if they know they will not be attending a full day. If a student arrives tardy to school, the student must check-in his/her Electronic Device with the secretary at the front desk. The student’s fourth period teacher will return the Electronic Device at the end of fourth period.

Non-Compliance – Electronic Devices: If a student refuses to relinquish his/her Electronic Device, appropriate disciplinary actions will be taken. The first instance will be a call to the student’s parent by the student, the Electronic Device will be confiscated, and the student may retrieve the Electronic Device at the end of the school day from his/her fourth period teacher. For the second offense the student will be required to call the student’s parent, the Electronic Device will be confiscated by school administration and the Electronic Device will only be released to the parent from the School Leader. Parents/guardians should call or send an email to the School Leader to schedule an appointment to retrieve the Electronic Device and to discuss the student’s rule infraction and disciplinary consequences. Subsequent offenses may include loss of privileges to bring any Electronic Device to school for a period as determined by the administration, detention, or other appropriate measures as determined by school administration.

Emergency Calls: MAS understands that students may need to make emergency calls during the school day. Students will be permitted to use the main office phone to make emergency calls. Making arrangements for pickup or after school activities and similar examples of “failure to plan,” are not considered emergencies. Parents may call the front office if changes to drop off arrangements or appointments must be communicated to a student. The messages will be delivered to the student’s classroom.

Before/After School Use: Electronic Devices may be used before the first class starts and after the last class ends each school day. Students will not have access to their Electronic Devices during lunch or any other time during the school day.

No Responsibility: It is a privilege not a right to bring and use Electronic Devices to school. Please be advised, that neither the School nor any of its employees are responsible for any lost, stolen, or damaged Electronic Devices a student chooses to bring to school.

Students may only use the main office phone during the school day for emergencies. If students have cell phones, these devices must be in the off or silent mode at all times during instructional time. Cell phones and other electronic devices are allowed to be used during the before/after-school program and at lunch. If students are seen using their cell phones during instructional time, including at passing period and while outside the classroom during an instructional period, staff members are instructed to take the cell phone, secure it in a safe location, and return it at the end of the class period or at the end of the school day at the discretion of the staff member. If this continues to be a problem, parents will be contacted

in regard to the disruption that the use of the cell phone creates. At no time is MAS responsible for the loss or damage of a student's cell phone.

While MAS does not prohibit students from bringing electronic devices to school, we emphasize two things:

1. We are NOT responsible for lost, stolen, or damaged electronic devices.
2. Students may NOT use any electronic device during instructional periods which includes passing period. Student are allowed to use electronic devices during the before/after-school program and during lunch.

Electronic devices, include, but are not limited to:

- cell phones,
- iPods and mp3 players,
- ipads,
- laptops,
- personal game players, and
- CD players.

V.2 Acceptable Use Policy

While the internet is a tremendous resource for electronic information, it has the potential for abuse. MAS makes no guarantees, implied or otherwise, regarding the factual reliability of data available over the internet. Users of MAS' internet service assume full responsibility for any costs, liabilities, or damages arising from the way they choose to use their access to the internet. MAS has installed special filtering software in an effort to block access to material that is not appropriate for students.

The internet also allows for easy communication between individuals and groups, and therefore allows for quick and efficient communication between school and home. Families are encouraged to contact staff to set up appointments to discuss any student or school issues, or to ask brief questions, but should not use email for extended conversations. Please note that inappropriate conduct while on the internet, including but not limited to email communication, is subject to disciplinary action if it impacts school property, the school environment, or school business.

Unacceptable Use

The following is a list of prohibited behaviors. This list is not exhaustive, but illustrates unacceptable uses of MAS' computer and internet services:

- accessing websites during class, other than those identified by the teacher as appropriate for class;
- disclosing, using, or disseminating personal identification information about self or others;
- accessing, sending, or forwarding materials or communication that are defamatory, pornographic, obscene, sexually explicit, threatening, harassing, or illegal;
- using the internet service or school computers/equipment for any illegal activities such as gaining unauthorized access to other systems/hacking, arranging for the sale or purchase of drugs or alcohol, participating in criminal gang activity, threatening others, transferring obscene material, or attempting to do any of the above;
- using school equipment/internet service to receive or send information relating to dangerous instruments such as bombs or other explosive devices, automatic weapons, other firearms, or other weaponry;
- vandalizing school computers by causing physical damage, reconfiguring the computer system, attempting to disrupt the computer system, or destroying data by spreading computer viruses or by any other means;
- plagiarizing materials obtained from the internet; any material obtained from the internet and included in one's own work must be cited and credited by name or by electronic address or path on the internet; information obtained through email or news sources must also be credited to sources;
- using school equipment/internet service for commercial purposes;
- downloading or installing any commercial software, shareware, freeware, or similar types of material onto network drives or disks without prior permission;
- overriding the internet filtering software; and/or
- violating software licensing agreements.

School network spaces are analogous to student desks or cubbies and may be inspected when network maintenance

becomes necessary, if students are suspected of abusing access rights, and to ensure compliance with MAS policies and applicable laws and regulations.

V.3 Health Services

Before a student can enroll at MAS, the school must have on file current immunization records. The school nurse or an appropriate designee will be at the school to administer medication to students who require it during the school day, and to provide counseling as-needed on health-related issues, first aid to injured students, and basic care to students who become ill during the school day. Select staff members are certified in Red Cross Standard First Aid and/or CPR, as detailed in MAS' Safety Plan.

If a student requires the administration of prescribed medication while in school, the school must have on file an Authorization to Dispense Medication form filled out by the student's physician. No student is allowed to bring medication to school without the full knowledge of the School Leader or designee. When possible, medication doses should be given at home to avoid interruptions in the school day. If medication is needed during the school day, the policy is as follows:

Inform - Parents must inform the nurse or designee when a student requires medications during the school day. Students observed by school personnel self-administering unauthorized medications shall be reported to school administration.

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

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

Administration - A school nurse or designee will administer prescribed medication. Students will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency (See additional requirement below).

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

Disposal - When the medication is no longer needed, it will be returned to the parent or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator located in the nurse's office.

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

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

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

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

Minor accidents, cuts, scrapes, and bruises will generally be treated at the school by the school nurse or designee. The school is not equipped to handle medical services beyond basic first aid. Students with injuries requiring more extensive treatment will be transferred to the closest medical facility via ambulance or, in non-emergency situations, a parent shall be called to transport the student. In the event that a child requires emergency medical care or transport, a parent will be notified as soon as possible. If a parent or other emergency contact cannot be reached, the school may need to initiate medical treatment. Thus, it is essential that we have on file each student's Emergency Contact Card, which provides up-to-date contact information for parents, and which gives the school permission to initiate emergency medical treatment if a parent cannot be reached.

The school requests that students do not come to school if they are contagiously ill. If school staff believes that a child needs to see a doctor, is contagious, increases the risk of illness to other children, or requires prolonged individual staff attention that interferes with the safety and regular functioning of the classroom, the school will contact families and ask them to pick up their child. Parents will be contacted if a child has a moderate to high fever; is experiencing vomiting or diarrhea; shows signs of contagious diseases; and/or has an illness that prevents the child from participating in activities.

Medical Cannabis Policy/Procedure

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

1. A written treatment plan for the administration of the medical cannabis is agreed to and signed by the School Leader or designee, and by the qualified student’s parent or legal guardian. The treatment plan must be on the written treatment plan form posted on the NMPED’s website, and must include:
 - a. An affirmation of diagnosis of a qualifying debilitating medical condition, and description of the qualified student’s debilitating medical condition per the Lynn and Erin Compassionate Use Act;
 - b. Description of the plan of treatment with medical cannabis, including:
 - i. Recommended dosage allotment;
 - ii. Recommended frequency of administration in a school setting; and
 - iii. Signature of the parent/guardian and the certifying practitioner;(treatment plan form may be found at <https://webnew.ped.state.nm.s/bureaus/safe-healthy-schools/medical-cannabis-in-schools/>); and

2. Before the first administration of medical cannabis in a school setting, the qualified student’s parent or legal guardian completes and submits documentation to the School Leader that includes a:
 - a. Copy of the qualified student’s written certification for use of medical cannabis pursuant to the Lynn and Erin Compassionate Use Act from a certifying practitioner;
 - b. A copy of the student’s New Mexico Department of Health (NMDOH)-issued ID card, which includes the name of the primary caregiver;
 - c. A signed Health Insurance Portability and Accountability Act (HIPAA) authorization, using the HIPAA authorization form posted on the NMDOH’s website (<http://nmhealth.org/publication/view/form/137/>), which shall be retained by the School as a medical record; and
 - d. Written statement from the qualified student’s parent or legal guardian releasing the school and school personnel from liability (see School Leader for copy of required form), except in cases of willful or wanton misconduct or disregard of the qualified student’s treatment plan.
3. The written certification and written treatment plan shall be valid for no more than one year from the date of issuance and shall be presented to the School at or prior to the school year for which the certification and treatment plan shall apply.
4. In case of spillage or waste of medical cannabis on School premises, cleanup and destruction of spillage or waste shall be immediate and shall be documented by a School employee witness.
5. The parent/guardian shall provide the written certification and written treatment plan, a new release from liability, and a new package or container with clearly labeled identifiers including the qualified student’s name, date of birth, and dosage allotment, upon enrollment in a new public school following disenrollment, withdrawal, transfer, or graduation from another school.
6. School personnel shall not administer medical cannabis on campus or at school-related activities; only a qualified student’s parent/legal guardian may administer medical cannabis, in accordance with state law and this policy.
7. Parents/guardians administering medical cannabis to their student in the school setting may only do so in accordance with the student’s written treatment plan and this Policy. The School shall not store medical cannabis administered by the parent/guardian. The administration of Mission Achievement and Success Charter School shall designate the School location at which parent/guardian administration of medical cannabis shall occur. Parent/guardians administering medical cannabis to their student must check in and out with the school’s main office prior to and after each administration of medical cannabis to their student.
8. A student shall not possess, store, or self-administer medical cannabis at a school setting or at a School-related activity. A parent, legal guardian, and/or designated school personnel shall not administer medical cannabis at a school setting or during a school-related activity in a manner that creates disruption to the educational environment or causes other students to be exposed to medical cannabis.
9. Administration and use of medical cannabis in a school setting is *not* authorized, and being under the influence of cannabis in a school setting is not authorized, where the student is not a qualified student pursuant to the Lynn and Erin Compassionate Use Act who requires medical cannabis as a reasonable accommodation necessary for the student to attend school, where the student’s performance/behavior at school/school activities is adversely affected by such use, where it may pose a danger to other students, and/or where it disrupts or has the potential to disrupt the educational process.
10. Student possession, use, distribution, sale or being under the influence of a cannabis product in a manner inconsistent with this Policy, inconsistent with the Medical Marijuana in Schools Act, and/or inconsistent with the Lynn and Erin Compassionate Use Act, is banned and will be considered a violation of the School’s policies against distribution/possession/use of an unlawful substance on campus, and shall be disciplined accordingly.
11. The School shall not discipline a qualified student on the basis that the student requires medical cannabis as necessary for the student to attend school, or deny eligibility to attend school to a qualified student on the basis that the qualified student requires medical cannabis as a reasonable accommodation necessary for the student to attend school or an in-state school-sponsored activity.
12. The School shall annually provide appropriate training on this Medical Cannabis Policy to all school personnel.

As used in this section:

- i. “certifying practitioner” means a health care practitioner who is licensed in New Mexico to diagnose a qualified patient and recommend medical cannabis as a course of treatment;
- ii. [Omit if school does not administer] “designated school personnel” means a school employee whom the School specifically authorizes to possess, store and administer medical cannabis to a qualified student in

- accordance with the Act;
- iii. “medical cannabis” means cannabis that is:
 - a. Recommended for treatment of a debilitating medical condition as defined in the Lynn and Erin Compassionate Use Act, in a written certification by a certified practitioner; and
 - b. Dispensed by a cannabis producer that has received approval from the New Mexico Department of Health (NMDOH) to conduct sales of medical cannabis; and
 - c. Is in the form of a capsule, extract, or concentrate to be ingested through the mouth that:
 - i. May be safely divided into measurable doses;
 - ii. is not an aerosol product consumable through smoking or in particulate form as a vapor or by burning;
 - iii. is not a food or a beverage product;
 - iv. is not a salve, balm, or other topical product;
 - v. does not require refrigerated storage; and
 - d. If administered by designated school personnel, is provided to the school in package or container clearly labeled with the student’s name, date of birth, and dosage allotment; if administered by the parent/guardian, is brought to the school for administration by the parent/guardian in a package or container clearly labeled with the student’s name, date of birth, and dosage allotment.
 - iv. “qualified student” means a student who demonstrates evidence to the School Leader that the student is authorized as a qualified patient pursuant to the Lynn and Erin Compassionate Use Act to carry and use medical cannabis in accordance with the provisions of that Act, 6.12.10 NMAC, the Lynn and Erin Compassionate Use Act, and New Mexico department of health rules regarding the Lynn and Erin Compassionate Use Act. Note: a qualified student is prohibited from possessing any form of cannabis in a school setting;
 - v. “school setting” means any of the following locations during a school day:
 - a. A school building;
 - b. A school bus or activity vehicle used within the state during, in transit to or in transit from a school-sponsored activity;
 - c. A public vehicle used within the state during, in transit to or in transit from a school-sponsored activity in the state; or
 - d. A public site in the state where a school-sponsored activity takes place;
 - vi. “written certification” means a statement written by a qualified student’s certifying practitioner in a qualified student’s medical records or in the written treatment plan statement; certifying that the qualified student has a debilitating medical condition pursuant to the Lynn and Erin Compassionate Use Act; certifying that the certifying practitioner believes that the potential health benefits of the medical use of cannabis would likely outweigh the health risks for the qualified student; and signed by the certifying practitioner. A written certification is not valid for more than one year from the date signed by the certifying practitioner.
 - vii. “written treatment plan” means a document developed by the parent/guardian in collaboration with the certifying practitioner that:
 - a. Includes the certifying practitioner’s diagnosis and description of the qualified student’s debilitating medical condition per the Lynn and Erin Compassionate Use Act;
 - b. Describes the plan for recommended treatment with medical cannabis, including:
 - i. The recommended dosage allotment;
 - ii. the recommended frequency of administration of medical cannabis in a school setting; and
 - iii. is signed by the parent/guardian and the certifying practitioner.

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

Ref: NMSA 1978 §22-33-5
 NMSA 1978 §§26-2B-1 et seq.
 6.12.10 NMAC

Student Diabetes Management Policy/Procedure

- A. Definitions. As used in this Policy:
1. “diabetes” means 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.; the employee need not be a health care practitioner;
 3. “diabetes 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 rules for the training of school employees for the care of students with diabetes.
 3. At minimum, the training shall address:
 - a. Recognition 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 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. As relates to students with diabetes, understanding recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels and actions to be implemented in the case of schedule disruption.
 4. The training shall be provided by the school nurse, or 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. The School nurse must receive the training.
 6. If at any time fewer than two school employees are available to be trained as diabetes care personnel, the School Leader/Head Administrator shall distribute to all 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 identity 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 October 1st of each year. Employees volunteering to replace trained individuals no longer acting as diabetes care personnel shall be trained within four weeks.
 8. The School Leader shall confirm that the training has occurred in an annual report to the Governing Board.
- 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 four weeks of hire.
4. The School Leader shall confirm that the training has occurred in an annual report to the Governing Board.

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 pressure 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, 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.

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 and ketone levels or 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 through the insulin delivery system that the student uses;
 - e. Providing oral diabetes medications; 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.

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 Board Reporting.

The Governing Board shall provide a report to the New Mexico Public Education Department by October 15th of each year 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.

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 Act, or for school's failure to permit self-management of diabetes pursuant to Subsection D.4 of this policy.

Ref: SB48 (2019); NMSA 1978 §§22-34-1 et seq.

IEP Related Health Issues

Parents are required to submit any and all new medical information documentation pertaining to new medical conditions to the Special Education Director, IEP Specialist and school nurse for consideration of revising IEP or the creation or revision of the Individualized Student Health Plan. If any medical documentation is submitted to any school personnel related to special education students, the paperwork will be immediately forwarded to the Special Education Director, the school nurse, and the School Leader.

Health & Sexual Education

New Mexico Administrative Codes §§ 6.12.2.10, 6.29.6.8, and 22-13-1.1.1 mandate that schools must teach a course in health education in either middle or high school. Each school district must “provide instruction about [human immunodeficiency virus] (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.”

Sexual education is specifically taught in high school. Parents and guardians can request to remove their student from sex education instruction. This is referred to as an “opt-out” policy. Parents selecting to opt out of sexual education must do so by submitting a request in writing to the School Leader of their child's respective school no later than September 15th of each school year. As a courtesy, MAS will send an automated email communication to families prior to the delivery of sexual education content to our secondary students.

V.4 Confidentiality of Records

The Family Education Rights and Privacy Act of 1974 (FERPA) requires MAS to protect the privacy of a student's education records. The school will not disclose any information from the student's permanent record except as authorized pursuant to FERPA, or in response to a subpoena, as required by law. The parent of a student under eighteen (18) years of age, or a student eighteen (18) years of age or older, is entitled to access the student's education records by submitting a written request to the School Leader. Further information concerning the disclosure of student information and limitations on such disclosure may be found in FERPA and the school's annual FERPA notice, distributed at registration.

V.5 Books and School Materials and Equipment

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

V.6 Service Animal Policy

Mission Achievement and Success Charter School adheres to the Americans with Disabilities Act and state laws permitting the use of service animals by individuals with disabilities. MAS will make reasonable accommodations for qualified individuals with disabilities in accordance with state and federal law and applicable board policies. A qualifying individual with a disability is eligible to be accompanied by his or her service animal on MAS property, subject to the conditions of this policy. The School Leader shall establish any necessary administrative regulations for the use of service animals on MAS property in accordance with this policy.

DEFINITIONS

Qualified person with a disability: “an individual with a disability who, with or without reasonable modifications to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities” provided by the school.¹

Disability: “a physical or mental impairment that substantially limits one or more of the major life activities of such individual; a record of such an impairment; or being regarded as having such an impairment.”²

Pet: A pet is a domesticated animal that is “kept for pleasure rather than for utility.”³ MAS prohibits bringing a pet to school or having a pet in MAS buildings, or on the MAS campus and/or premises without prior approval.

If the child arrives at school with a pet and previous approval has not been obtained, then the parents/guardians will be immediately notified and requested to come to the school to retrieve the animal. The child will remain with the pet in the school main office until the parent/guardian removes the animal from school property. A student wishing to bring his or her pet to MAS for academic purposes must seek approval from the School Leader at least one day before the student anticipates bringing the pet to school.

Service animal: Under the Americans with Disabilities Act (“ADA”), service animals are “any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual, or other mental disability. . . The work or tasks performed by a service animal must be directly related to the individual's disability.”⁴ Under the ADA, miniature horses may also be utilized as service animals under specific circumstances.⁵ Examples of work or tasks for the benefit of an individual with a disability, include, but are not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, fetching dropped items, or other tasks that are directly related to the individual's disability or necessary to mitigate a disability.⁶ Animals whose sole function is to provide emotional support, comfort, therapy, companionship or therapeutic benefits, to promote emotional well-being or to act as a deterrent to crime are not service animals.⁷

POLICY

An animal must meet the definition of service animal above to be considered a service animal for purposes of this policy, regardless of whether it has or has not been licensed or certified by a state or local government, or by a private agency. No other type of service animal will be permitted.

I. USE OF SERVICE ANIMALS ON SCHOOL GROUNDS OR AT SCHOOL SPONSORED EVENT⁸

Individuals with disabilities using a service animal shall have access to all areas of the school's facilities where such individuals are usually allowed to go when participating in the school's activities or programs.⁹

A person using a service animal shall not be asked about the nature or extent of their disability or for proof of a service animal's training.

By law, a public entity, i.e. school, may *only* ask the following two questions to determine whether an animal qualifies as a service animal:

- A. if the animal is required because of a disability and
- B. what work or task the animal has been trained to perform.

¹ 42 U.S.C.A. § 12131.

² 42 U.S.C.A. § 12102. If needed, a broader definition of “disability” and related terms is covered under 28 C.F.R. § 35.108.

³ <https://www.merriam-webster.com/dictionary/pet>.

⁴ 28 C.F.R. § 35.104.

⁵ 28 C.F.R. § 35.136(i).

⁶ *Id.*

⁷ *Id.*

⁸ 28 C.F.R. § 35.136(f).

⁹ 28 C.F.R. § 35.136(g).

The school cannot ask these two questions if it is “readily apparent that an animal is trained to do work or perform tasks for an individual with a disability.”

The ADA prohibits requiring documentation such as proof of training, certification, or licensing as a service animal.

II. PROCEDURES/REQUIREMENTS FOR USE OF A SERVICE ANIMAL BY STUDENTS OR STAFF

Use of service animals by staff or students with a disability is subject to the following procedures and requirements:

A. Application

1. Applications for the use of service animals on school property during the school day must be in writing and submitted no less than ten (10) business days prior to the proposed use of the service animal. Applications for use of a service animal by an employee or student shall be submitted to the School Leader. All such applications must state whether the animal is required because of a disability and must identify what work or task the animal is trained to perform that is directly related to the individual’s disability. A service animal will not be permitted on school property without the prior approval of the School Leader or his/her designee.
2. All applications for use of a service animal on school system property will be considered on a case-by-case basis. Approval of the use of a service animal on school system property is subject to periodic review, revision or revocation by the school as allowed by law. At a minimum, requests for the use of a service animal must be renewed annually, prior to the start of each subsequent school year. In addition, the request must be renewed when the individual accompanied by the service animal desires to use a different service animal.

B. Use of Service Animal by Student or Employee

1. Service animals must be housebroken; must wear proper identification; must have received all vaccinations as required by state law; must wear a rabies tag; must be free of parasites and otherwise in good health; must be under the control of its handler; and must be on a harness, leash or other tether, unless the service animal is required to perform a task that it could not accomplish while on a leash/lead or the handler is otherwise unable to maintain the animal on a leash/lead due to a disability.¹⁰ In such a case, the handler still must be able to maintain control over the animal.
2. All costs related to the handling and care of the service animal are the responsibility of the parent/guardian of the student or the staff member who uses the service animal.
3. The school is not responsible for the care or supervision of a service animal.¹¹ A student or employee with a service animal is expected to care for and supervise the animal. In the case of a young child or a student with disabilities who is unable to care for or supervise his/her service animal, the parent is responsible for providing care and supervision to the service animal.
4. The use of a service animal on school property by a student or employee will be subject to a plan which introduces the service animal to the school environment, any appropriate training for staff and students regarding interaction with the service animal, and other activities or conditions deemed necessary by MAS.
5. Service animals may be permitted on school transportation vehicles if necessary to access educational services and programs and if consistent with safety requirements. Requests for transportation will be considered on an individual basis and may include review by the student’s IEP team and/or Section 504 team, if appropriate. A representative of the MAS may meet with the animal’s owner to determine whether and under what conditions the service animal can be transported safely.

¹⁰ 28 C.F.R. § 35.136(d).

¹¹ 28 C.F.R. § 35.136(e).

6. The owner or handler of a service animal is solely responsible for any damage to school property or injury to personnel, students, or others caused by the animal.¹²

III. REMOVAL OF SERVICES ANIMALS FROM SCHOOL PROPERTY

A school administrator can require an individual with a disability to remove a service animal from school property under the following circumstances:

- A. The animal is out of control and the animal's handler does not take effective action to control it;¹³
- B. the animal is not housebroken,¹⁴ or
- C. the presence of the animal poses a direct threat to the health or safety of others.¹⁵

If the service animal is removed, the individual with a disability shall be provided with the opportunity to participate in the service, program, or activity without the service animal.

Any animal that causes injury to staff or students or that behaves aggressively will be immediately isolated and removed from the school premises.¹⁶

IV. LIABILITY

The owner or handler of a service animal may be held liable for any physical damage or injuries caused by the service animal to the same extent the school would hold an individual responsible for damage he or she may cause.¹⁷ The student and parent/guardian of a student who uses a service animal on school system property will hold Mission Achievement and Success Charter School harmless and indemnify MAS from any such damages.

V. APPEALS

Decisions regarding the use of service animals may be appealed through the MAS grievance process.

New Mexico regulations requires that a school have a transportation policy regarding the transport of service animals **6.41.4.8(B)(4) NMAC**, "a policy regarding the transportation of animals which accompany a student with disabilities; the policy shall at a minimum address the certification, training, and immunization of the animal".

¹² 28 C.F.R. § 35.136(h).

¹³ 28 C.F.R. § 35.136(b).

¹⁴ *Id.*

¹⁵ NMSA 1978, § 28-11-3.

¹⁶ NMSA 1978, § 77-1A-1, et seq.

¹⁷ 28 C.F.R. § 35.136(h).

Section VI: Code of Conduct

VI.1 Role of School Employees

All staff members are expected to support a successful learning environment by modeling the following behaviors, consistent with MAS' expectations, policies, and performance standards:

- promote mutual respect between students and adults;
- develop and use Positive Behavioral Interventions and Supports (PBIS) for reinforcing the expected behavior;
- promote a sense of pride and community by contributing to an open and friendly environment, by supporting and maintaining school spirit while promoting service in the school community; and
- establish and maintain strong home to school communications, including communication with parents of students demonstrating misconduct in violation of the Code.

Teachers shall manage their classroom and the supervision of students on school grounds and at school sponsored events in a manner consistent with MAS' expectations for the learning environment and the specific expectations set forth in the Code and in MAS' Employee Handbook and A-Z Handbook.

When a discipline problem occurs, the teacher should exhaust all reasonable possibilities and resources available to resolve the problem. If these strategies are unsuccessful, the teacher should seek further assistance from the administrative authority. All problems are to be dealt with in a firm, fair, legal, and timely manner.

VI.2 Role of Parents

Parents are expected to participate in their child's education in the following ways:

- communicate routinely and as necessary with their child's teacher(s);
- participate in developing their child's educational program at scheduled conferences;
- keep informed about MAS' policies and their child's academic expectations, including homework;
- ensure that their child attends school regularly, arrives on time, and is prepared for school; and
- alert MAS to specific problems or difficulties that may impede the child's learning or well-being.

VI.3 Role of the Governing Board

The Board is expected to:

- review this Code, at least annually, to evaluate its effectiveness, fairness, and the consistency of its application, and modify this Code as necessary. In so doing, the Board will consider comments from the school community concerning this Code;
- disseminate this policy in accordance with the procedures set forth below;
- conduct themselves in accordance with the expectations for conduct set forth in this Code and in Governing Board bylaws; and
- act as role models at all times.

VI.4 Dissemination

The Governing Board and School Administration will publicize this Code by:

- providing copies of the Code to all students at the beginning of the school year and during registration for students admitted after the start of the school year;
- providing current teachers and other staff members with a copy of the Code; and
- making the Code available in the school office for review by staff, students, parents, and other community members and also posting the Code via the school website.

Section VII: Student Support Information

VII.1 Student Support

NCLB and IDEA 2004 call for early intervention strategies with family involvement to improve the academic and functional outcomes of students. When students are struggling with learning or behaviors that interfere with learning at MAS, we use the Response to Intervention (RTI) process that finds and uses strategies that will work with the student. We look at how students are making progress with the current instruction in the classroom to find more effective ways to help students make academic and functional progress at school. We also look at what may contribute to difficulties. Together with families, we work to develop interventions aimed at increasing the likelihood that students can be successful and maintain their placement in the general education setting.

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

VII.2 Section 504

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with disabilities by organizations receiving federal assistance. Included in the regulation is the requirement that handicapped students be provided with a "Free Appropriate Public Education" (FAPE). These regulations require identification, evaluation, provision of appropriate service, and procedural safeguards in all public schools. Individuals who have been determined to be with disabilities under Section 504 may or may not be disabled under special education (IDEA). Section 504 services could apply to any school age student who:

- has had a physical or mental impairment which substantially limits a major life activity, or
- is regarded as having a disability by others.

Major life activities include walking, seeing, hearing, speaking, breathing, learning, working, caring for oneself, and performing manual tasks. Parents who have concerns or questions regarding 504 services should contact the student’s teacher or the School Leader.

VII.3 Student Find

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

VII.4 Educational Service for Gifted Students in School

MAS offers services to students who qualify as gifted through the special education program. For information on referral/screening procedures, eligibility requirements, and program options, contact the School Leader or the Special Education Director.

VII.5 Abuse and Neglect in School

If any member of MAS’ staff suspects student abuse or neglect, appropriate authorities will be notified. The call and report will be made as soon as any sign of abuse is noticed. Any member of the staff can make the call, but all calls need to be discussed with the School Leader prior to being made unless it is an emergency situation. Calls may remain anonymous. Signs of suspected abuse or neglect will be documented and sent to the School Leader and appropriate state authority.

VII.6 Statement of Rights of Parents under The Family Educational Rights and Privacy Act (FERPA)

FERPA affords parents with certain rights with respect to the student's education records. MAS provides the following notice regarding those rights:

Inspection - You may inspect and review your student's education records within forty-five (45) days of the day MAS receives a written request for access. Parents of students should submit to the School Leader or designee a written request that identifies the record(s) they wish to inspect. The School Leader will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

Amendment - You may request the amendment of your student's education records if you believe they are inaccurate or misleading. To amend the record, the parent should write to the School Leader and clearly identify the part of the record the parent wants changed, and specify why it is inaccurate or misleading. If MAS decides not to amend the record as requested by the parent or eligible student, MAS will notify the parent of the decision and advise the parent or eligible student of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

Disclosure/Consent – A parent has the right to consent to disclosures of personally identifiable information contained in the student's education records. Note that FERPA authorizes disclosure without the parent's consent to school officials with legitimate educational interests. A "school official" is a person employed by MAS as an administrator, supervisor, instructor, or support staff member; a person serving on the Governing Board; a person or company with whom MAS has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Directory Information – Right to Opt Out - MAS classifies the following as directory information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. Any parent or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the School Leader/Executive by no later than September 15th each year. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received by September 15th of each year, information designated above will be classified as directory information until the beginning of the next school year. ***By receiving this policy in connection with the MAS Student Handbook and Code of Conduct, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.*** If you chose to opt out for permitting your student's directory information from being released, please notify the school in writing by September 15th. Your letter should be addressed to the School Leader.

Complaint - You have the right to file a complaint with the U.S. Department of Education concerning alleged failures by MAS 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.

VII.7 Transfer of Student Records

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

STUDENT HANDBOOK & CODE OF CONDUCT ACKNOWLEDGEMENT OF RECEIPT
&
PARENT/SCHOOL COOPERATIVE AGREEMENT

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

I/We support the high academic and performance standards of MAS.

I/We understand that we need to facilitate our student's on-time arrival and preparedness for all classes.

I/We understand that exceptional attendance is crucial to the educational process, and students should miss no more than ten (10) days whether excused or unexcused, during the school year.

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

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

I/We have received and reviewed MAS' Student Handbook and Code of Conduct. I/We understand the policies set forth in the handbook and agree to abide by MAS' policies and procedures and to ensure that my/our student follows the rules of the school.

Parent (Print)

Parent (Signature)

Date

Parent (Print)

Parent (Signature)

Date

Student (Print)

Student (Signature)

Date

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

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

- a playbill, showing your student's role in a drama production;
- the annual yearbook;
- honor roll or other recognition lists;
- graduation programs; and
- sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two (2) 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 (3) directory information categories: names, addresses, and telephone listings unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want MAS to disclose directory information from your student's education records without your prior written consent, you must notify the school in writing by September 15th of the current school year. MAS has designated the following information as directory information:

- Student's Name
- Parent's Name
- Participation in Officially Recognized Activities
- Address
- Telephone Listing
- Electronic Mail Address
- Date and Place of Birth
- Awards Received
- Student's Photograph
- Most Recent Previous School Attended by the Student

MAS Complaint Form for Bullying/Harassment/Cyberbullying/Racialized Aggression/Violence

STUDENT INFORMATION		
Name:		
Grade:	Phone Number:	Home Address:
COMPLAINT FILED AGAINST:		
Name :	Grade: (or position if not a student)	
Name:	Grade: (or position if not a student)	
DESCRIPTION OF INCIDENT:		
Date of Incident:	Time of Incident:	
Location of Incident:		
Is this the first time this has happened? YES NO		
Is this the first time you are reporting this? YES NO		
WITNESSES (IF APPLICABLE)		
Name of Witness #1:	Grade/position:	Phone number:
Name of Witness #2:	Grade/position:	Phone number:
Name of Witness #3:	Grade/position:	Phone number:
REPORT INFORMATION		
Today's Date:		
Did anyone help you fill out this form? YES NO		
If yes, whom?		
OFFICE INFORMATION		
Who received this complaint form?		
Position:		
Date Received:		

REQUEST FORM FOR SERVICE ANIMALS IN SCHOOL

Name: _____

Address: _____

Who will need to be accompanied by the service animal? _____

Email Address: _____

Phone Number: _____

School/Site: _____

Name of Activity/function to be attended: _____

What type of service animal will accompany you?

- Dog Miniature Horse

When will the service animal be at the school? _____

What time will the animal be at school, and for how long? _____

Does the service animal perform task(s) or functions that mitigate the individual's disability?

- Yes No

Does the service animal meet all minimum standards?

- It is clean, well-groomed and does not have an offensive odor
- Does not urinate or defecate in appropriate locations
- Does not solicit attention, visit or annoy any member of the general public
- Does not vocalize unnecessarily, i.e., barking, growling or whinnying
- It shows no aggression towards people or other animals
- Does not solicit or steal food or other items from the general public

Please attach the health certificate or report of examination, indicating that the service animal has a vaccination license and is free of disease.