



**Siembra Leadership High School**  
**Instructional Materials**  
**DRAFT POLICY Pending Governing Board Approval**

Siembra Leadership High School uses a variety of curriculum materials and other classroom materials as well as on-line and software materials to practice community engagement, student support and project-based learning through the entrepreneurial lense. In all instances every SLHS student will have access to all required books and/or instructional materials for each class that conform to curriculum requirements. These materials will be available in sufficient number to allow every student to take the book/materials home should this be required.

Books and other classroom materials that are taken home are checked out/in through the classroom by the classroom teacher. Teachers will record the book number checked out to each student. Students must return the book and/or classroom material that has been checked out to them or pay the replacement cost for said book/material before the student's transcripts are released. If a graduating senior has outstanding books or other classroom materials, the school will hold the student's transcripts and their diploma until these items are either returned or payment is made to the school.

Supplies, materials and equipment we use are aligned with the projects we do and our community engagement model. Supplies, material and equipment are also aligned to meet the needs of students through an equity lense - taking into account culture, language, demographics, socioeconomic status, etc.

Committee and Council work will aslo drive decision making for instructional materials purchases. These committees include Advisory Committee, Equity Council, Entrepreneurial Committee, Entrepreneurial Framework Work Group and the Curriculum, Instruction & Assessment Work Group.

Siembra Leadership High School will obtain community input for project-based learning, community engagement and student support materials in a number of ways. The first is in school wide events that occur twice a year. First is at the beginning of the school year and is called "Jump Start." This is where students, parents and community members come together to learn about our school, our program and projects and about the curriculum and use of title 1 funds. The community will be able to provide input regarding instructional materials the students will be using for these projects. We also have a meeting toward the end of the year entitled "Open House." Once again community





members, students and parents are informed of our program, and projects and can give input regarding the use of instructional materials.

Next, we have events during the year called “Ed Cafes.” These are events where community members pitch project ideas to the school for involving the students in real life programs and business ideas and partnerships. This will occur three times per year and community members, students, parents, teachers and staff members are able to give input on materials needed for various projects which will be selected in upcoming trimesters. Projects are chosen based on learning potential, credits students can earn by participating in these projects and community need. All materials are selected carefully after input is received, credits are determined and projects are selected.





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**Siembra Leadership High School**  
**Teaching of Controversial Issues Policy**  
**Approved by the Governing Board: January 8th, 2020**

The Siembra Leadership High School Governing Board recognizes the role of public education in preparing students for effective citizenship. The Board also recognizes that as students prepare for effective citizenship, they often encounter issues that may be considered controversial.

**Purpose.**

The purpose of this policy is to establish guidelines for the teaching of controversial issues at Siembra Leadership High School.

**Definitions.**

“Controversial Issue” for the purpose of this Policy means a point or matter about which there exist significant opposing viewpoints and/or multiple perspectives.

“Curriculum” for the purposes of this Policy means the prescribed elements of programs and courses which state clearly and specifically what students are to know and be able to do, how well they will be able to do it, how they will meet the learning objectives and by what means they will be assessed.

**Standards.**

A controversial issue may be considered as part of Curriculum when the following conditions are met:

- The issue has political, economic, or social significance and is presented within appropriate curricular guidelines;
- Students are provided access to relevant and credible information pertaining to the issue under study;
- The issue is presented in an atmosphere free from bias and prejudice;
- Students are able to form and express their own opinions on the issue without jeopardizing their relationship with teachers or the school; and
- Controversial issues must be presented in an impartial and objective manner.

**Compliance.**





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Teachers are responsible for ensuring that information from all views on a controversial issue is presented in an appropriate manner. Any complaints alleging a violation of this Policy are to be filed with the School's Executive Director.





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**Siembra Leadership High School**  
**Civil Rights Assurance Policy**  
**Approved by the Governing Board: January 8th, 2020**

**Programs Available**

1. Nutrition Program
  - Breakfast - Siembra Leadership High School offers nutritious breakfasts to children to promote learning and healthy eating behaviors. All students eat for free.
  - Lunch - Siembra Leadership High School serves a variety of healthful, balanced lunches that prepare students to learn. All students eat for free.
  - Nutrition Support - Siembra Leadership High School will make modifications to the regular school meals for a student with a disability that restricts his/her diet. This service requires a diet prescription form to be completed that is available at the front office.
2. Title I
  - Title I, Part A (Title I) of the Elementary and Secondary Education Act, as amended (ESEA) provides financial assistance to local educational agencies (LEAs) and schools with high numbers or high percentages of children from low-income families to help ensure that all children meet challenging state academic standards. Technology Leadership High School is a school wide Title I to upgrade the instructional program for the entire school.
3. Title II
  - Provides funds for preparing, training, and recruiting High Quality Teachers, Principals, or other School Leaders
4. McKinney Vento
  - “Children and youth in transition” means children and youth who are otherwise legally entitled to or eligible for a free public education, including preschool, and who lack a fixed, regular, and adequate nighttime residence, including the below. A child or youth will be considered to be in transition for as long as he or she is in a living situation described above.





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

**Nondiscrimination Policy**

In accordance with Federal Civil Rights Law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity, sexual orientation, religious creed, disability, age, political beliefs, marital status, family/parental status, income derived from public assistance or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.) should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at the front office of Technology Leadership High School, and at any USDA office, or call (866) 632-9992 or write a letter addressed to USDA and provide in the letter all of the information requested in the form.

To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail: U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights 1400 Independence Avenue, SW Washington, D.C. 20250-9410; (2) fax: (202) 690-7442; or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). This institution is an equal opportunity provider.





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To file a complaint of discrimination regarding a program receiving Federal financial assistance through the U.S. Department of Health and Human Services (HHS), write: HHS Director, Office for Civil Rights, Room 515-F, 200 Independence Avenue, S.W., Washington, D.C. 20201 or call (202) 619-0403 (voice) or (800) 537-7697 (TTY). This institution is an equal opportunity provider.

#### School Complaint Procedures

Technology Leadership High School takes all concerns and complaints seriously. The school values the concerns of our parents/guardians, staff, students and community. Complaints are respected and honored; there are no negative consequences for filing a complaint. No reprisals or retaliation shall be invoked against any student, parent or employee for processing, in good faith, a complaint, either on an informal or formal basis, or for participating in any way in these complaint procedures. Every attempt is made to resolve complaints informally and at the lowest level possible. In the instances when that is not possible, a formal process is in place:

Step 1: Informal Resolution with Executive Director

Step 2: Filing a Written Formal Complaint to the Executive Director and to the appointed Board Designee

Step 3: Requesting a Governing Board Hearing within 5 working days; written response within 10 working days of review





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## **Siembra Leadership High School**

### **Religious & Holiday Policy**

**Approved by the Governing Board: January 8th, 2020**

Because of the diversity of religious beliefs represented in the Siembra Leadership High School community, the following guidelines apply:

- The concepts of joy, giving, camaraderie, understanding, and sharing should not be negated for any child by holiday practice.
- Instructional materials used should neither advance nor inhibit a particular religious belief. The sacred literature of all faiths may be studied only for its historical, artistic, cultural, literary or other secular importance.
- Holiday activities are permissible, but should have a strong instructional/curriculum tie and should not be drawn out over excessive periods of time.
- Classroom/schools should be "religion neutral" (neither promoting nor inhibiting religious beliefs) so as to assure comfort to all students.
- Religious symbols of any denomination should be used only when teaching about religious beliefs and only for brief periods of time during the course of instruction.
- When a symbol has both a cultural and religious significance, it should be considered a religious symbol and be dealt with according to this Policy.
- Religious exhibits, music or display of religious objects or symbols may be permissible only if they are used as learning materials.
- Student initiated inquiry and/or activities related to religious issues and ceremonies should be handled according to this Policy.
- In case of conflict with the School calendar, students shall be allowed excused absences to observe religious holidays and reasonable accommodation made.

The School shall not conduct or sanction any invocations, benedictions, or formal prayers at any school-sponsored activities.





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**Siembra Leadership High School**  
**Complaint & Grievance Policy**  
**Approved by the Governing Board: January 8th, 2020**

1. **Purpose.** The purpose of this Policy is to provide a process for grievances made against the School or its personnel by any employee, student, parent, or legal guardian of a student against.
2. **Employee Grievances.**
  - A. An employee must deliver a written statement to his/her immediate supervisor stating the pertinent facts relating to or regarding the problem within ten (10) working days of the act or occurrence out of which the problem arose. In cases involving employee groups, the written statement must be filed within fifteen (15) working days of the act or occurrence out of which the problem arose. If the immediate supervisor is the reason for the complaint or grievance the employee or employee group may go directly to the Executive Director.
  - B. Grievances will be heard by the supervisor or Executive Director at a reasonable time agreeable to both parties but in no event more than five (5) working days after the written statement has been delivered to the supervisor or Executive Director.
  - C. An employee may discuss the matter personally with the supervisor or Executive Director or the employee may be accompanied by a representative of his or her choice. The supervisor or Executive Director may also be accompanied by a representative of his or her choice.
  - D. Following this meeting the employee making the complaint and, if applicable, the person who is the reason for the complaint (respondent) will receive written notification of the supervisor or Executive Director's decision.
  - E. If the employee is aggrieved by a decision of a supervisor the employee may appeal to

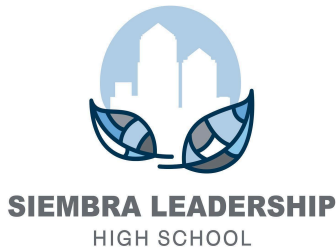


the Executive Director.

- F. If the employee is aggrieved by a decision of the Executive Director the employee will have ten (10) working days from the date of the decision to submit an appeal in writing to the Governing Board. The Governing Board will have fifteen (15) working days from the date of the receipt of the appeal to inform the complainant of the decision in writing.
- G. If the Executive Director is the subject of or reason for the complaint the employee may bring the complaint directly to the Governing Board via any of its members. The Governing Board member in receipt of the complaint shall immediately relay the complaint to both the President of the Governing Board and the School's legal counsel.
- H. All meetings and hearings shall be conducted in accordance with the Open Meetings Act.
- I. No member of the Governing Board and no member of the administration shall retaliate against any employee because the employee instituted a grievance proceeding by doing any act which affects the employee's employment status, detrimentally affects or damages a party in interest, any professional organization representative or any other participant in the grievance procedure.

### **3. Student, Parent, and Legal Guardian Complaints.**

- A. Any student, parent, or legal guardian of a student may file a complaint of any nature with the Executive Director. The Executive Director or her designee will conduct an investigation into the complaint. This investigation may consist of interviews of the complainant and any witnesses who may have knowledge of the wrongdoing. Additionally, other method(s) or documents may be used. Complaints must be filed within 180 days of any wrongdoing.
- B. An investigation will generally be completed within forty-five (45) calendar days. In some cases, the investigation may take longer. However, Tech will make every reasonable effort to complete investigations within appropriate timelines.
- C. At the conclusion of the investigation, the complainant and respondent (if applicable) will



receive written notification of the outcome.

- D. When the investigation is concluded by Tech, the complainant and respondent (if applicable) will have ten (10) working days from the date of the written notification to submit an appeal in writing to the Governing Board. The Governing Board will have fifteen (15) working days from the date of the receipt of the appeal to inform the complainant or respondent of its decision in writing.
- E. If the Executive Director is the subject of or reason for the complaint the student, parent, or legal guardian may bring the complaint directly to the Governing Board via any of its members. The Governing Board member in receipt of the complaint shall immediately relay the complaint to both the President of the Governing Board and the School's legal counsel.





**Siembra Leadership High School**  
**Tobacco, Alcohol and Drug Free School Policy**  
**Approved by the Governing Board: December 18th, 2019**

Siembra Leadership High School (SLHS) shall comply with NMAC 6.12.4, which prohibits the use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances, and illicit drugs on SLHS property and by students (both SLHS students and any other student) at any school sponsored activity away from school property.

This prohibition does not include the lawful possession or use by a minor of a tobacco-cessation product approved by the United States food and drug administration.

**Definitions**

**Alcoholic beverage:** Any beverage containing more than one-half percent alcohol by volume. This includes all distilled or rectified spirits, potable alcohol or any similar alcoholic beverages, including fermented or blended beverages and dilutions or mixtures of one or more of these alcoholic beverages.

**E-Cigarette:**

1. Any electronic oral device, whether composed of a heating element and battery or an electronic circuit, that provides a vapor of nicotine or any other substances the use or inhalation of which simulates smoking AND
2. Includes any such device, or any part of it, whether manufactured, distributed, marketed or sold as an e-cigarette, e-pipe or any other product, name or descriptor, BUT
3. Does not include any product regulated as a drug or device by the United States food and drug administration under the Federal Food, Drug, and Cosmetic Act, 21 U.S.C. Section 301 et seq.

**Illicit Drugs:** Prescription and over-the-counter medications used for non-medical purposes or not used as medically prescribed by lawfully authorized practitioners or as directed by the manufacturer's literature, and include all supplemental dietary or nutrition ergogenic aids, stimulants, nootropics, adaptogens, painkillers, sedatives and anxiolytics, blood boosters and other performance-enhancing drugs.





**Mood-altering substances:** Substance that change, or are capable of changing, a person's emotional state, and include all stimulants, opioids, intoxicative inhalants and hallucinogens.

**Nicotine liquid container:** A bottle or other container of any substance containing nicotine where the substance is sold, marketed or intended for use in an e-cigarette.

**Regular volunteer:** Those persons, including relatives of students or school personnel, who commit to serve on a regular basis at a school district, charter school, or other educational entity without compensation.

**School Personnel:** All administrators, principals, teachers, counselors, social workers, speech therapists, psychologists, nurses, librarians and other support staff who is employed by a school, or who perform services for the school on a contractual basis.

**Spontaneous Volunteer:** Those persons, including relatives of students or school personnel, who volunteer for a one-time event.

**Tobacco Product:** Any product made or derived from tobacco that is intended for human consumption, including any component, part or accessory of a tobacco product. This includes, among other products, cigarettes, cigars, pipe tobacco, roll-your-own tobacco, dissolvable tobacco, and smokeless tobacco. Smokeless tobacco means any snuff or chewing tobacco.

### **Application of this policy**

This policy applies to all school personnel, students, regular volunteers, spontaneous volunteers, and visitors (including family members) while on school property. This policy also applies to school personnel, students (both SLHS students and any other student), regular volunteers and spontaneous volunteers at school-sponsored activities away from school property.

### **Prohibited acts under this policy**

Prohibited acts include consuming or using any product listed in the definitions section above.

### **Policy enforcement and consequences of violating this policy**





Policy enforcement will be dictated through Student Support Director.

### **Reporting violators of this policy**

Any school personnel who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall not be held liable for any civil damages as a result of such report or efforts to enforce this policy.

### **Communication of this policy**

This policy will be communicated to students, school personnel, regular volunteers, spontaneous volunteers, parents, school visitors and the community through inclusion in the student handbook, inclusion in the staff handbook, inclusion in the volunteer handbook, on the SLHS web-site and through posted notices on school property.

SLHS shall post conspicuous notices on the school premises stating the prohibition of use, possession and distribution of tobacco products, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs in school buildings, on school property and by students (both SLHS students and any other student) at school-sponsored activities away from school property.





**Siembra Leadership High School**  
**Homeless Education and Assistance**  
**McKinney-Vento Homeless Education Policy**  
**Approved by the Governing Board on: December 18th, 2019**

Siembra Leadership High School (SLHS) shall comply with The McKinney-Vento Act, NMAC 6.10.3, and Title IV, Part A of Every Student Succeeds Act (ESSA) which provides for the education of students who meet the definition of Homeless.

**Definitions**

Homeless: a lack of permanent housing resulting from extreme poverty, or, in the case of unaccompanied youth, the lack of a safe and stable living environment.

Homeless Children and Youth: As defined in 42 U.S.C 11434a(2)

1. Individuals who lack a fixed, regular, and adequate nighttime residence AND
2. Includes:
  - a. Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative accommodations; are living in emergency or transitional shelters; are abandoned in hospitals;
  - b. Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
  - c. Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; AND
  - d. Migratory children who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described a-c above.

McKinney-Vento Homeless Assistance Act: a homeless assistance program and federal law that ensures immediate enrollment and educational stability for homeless children and youth. The Act mandates that school counselors provide services for children who are homeless.





**School of Origin:** the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

**Unaccompanied Youth:** includes youth in homeless situations who are not in the physical custody of a parent or guardian. Included in this definition are preschool children, migrant children, and youth whose parents will not permit them to live at home or who have run away from home (even if their parents are willing to have them return home).

### **Services for Homeless Students**

SLHS will disseminate public notice of the education rights of children and youth in locations frequented by parents and guardians of homeless children and youths and unaccompanied youths. This public notice will be in a manner and form understandable to the families and youth. Identification and outreach strategies will be conducted sensitively and without stigma, to create an environment in which families, children and youth will be comfortable seeking support. Families have the discretion to accept or reject the assistance allowed under this act. Children are to be identified as homeless even if services are not provided.

The SLHS Executive Director will designate a staff member who will be the liaison for students experiencing homelessness. This staff member must be able to carry out the duties under the law (42 U.S.C. §11432(g)(1)(J)(ii) which requires liaisons to ensure that homeless children and youth are identified by school personnel through outreach and coordination with other entities and agencies in order to provide support and offer appropriate services to the family, child and/or youth. These agencies will include the New Mexico Public Education Department (PED) Homeless Education Coordinator, as well as homeless service providers, the parents/guardians of homeless students, advocates for homeless families and the students themselves.

Homeless students shall be provided the same free, appropriate public education and related services are provided to other students, including special education services, tutoring, transportation and meals through school meal programs, if available.

### **Residency Requirements for Homeless Students**

SLHS shall enroll homeless students in the same manner it enrolls any other student, except that homeless students may be enrolled with or without records of residency.





## **Student Records for Homeless Students**

Records are not required for a homeless student to attend SLHS. Records are important for health and school information. However, SLHS will enroll homeless students promptly with or without school records. The SLHS school liaison can assist parents of homeless students in acquiring students records from previous schools.

## **Additional Services for Homeless Students**

Homeless students may be eligible for additional services provided by SLHS such as assistance with school materials. SLHS may help with food, clothing and medical assistance by providing referral information for these services.

## **Waiver of School Fees for Homeless Students**

SLHS may waive any school fees for homeless students who cannot afford to pay. A form will be developed for parental requests for waiver of student fees.

## **Dispute Resolution**

A dispute pursuant to the McKinney-Vento Education for Homeless Children and Youth Act may be initiated directly with the designated Liaison, and the resolution process at the school level shall be as informal and accessible as possible. In the case of a complaint pursuant to the McKinney-Vento Education for Homeless Children and Youth Act, SLHS will create a provide a simply stated notice of rights and provide that notice of rights to the student,, parent or guardian, in a language the student, parent or guardian can understand, that complies with NMAC 6.10.3.9 D (c). The notice of rights shall contain:

1. Contact information for the LEA homeless liaison and the state coordinator, with a brief description of their roles;
2. A step by step description of how to make use of the dispute resolution process;
3. Notice of the right to immediately enroll in the school of choice pending resolution of the dispute and notice that immediate enrollment includes full participation in all school activities;
4. Notice of the right to obtain the assistance of advocates or attorneys;
5. Notice of the right to appeal to the NM Public Education Department (PED) if the school-level resolution is not satisfactory;





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6. The timelines for resolving school and PED-level appeals;
7. Notice of the right to provide written or oral documentation to support their position;  
AND
8. A simple form that parents, guardians or the student can complete and return to the school to initiate the process.

### **Appeal Procedure**

A parent or guardian may appeal the decisions regarding a homeless child's education to the Executive Director. SLHS will use the PED's dispute resolution process form, which requires the following information:

1. School name, address, phone and fax numbers;
2. Student's name, address, identification number, and grade;
3. Parent, guardian or complaining party's name, relationship to the student, address and phone number;
4. Whether the student lives in a shelter;
5. Name of the school the student chooses to be enrolled in pending resolution of the dispute;
6. Whether the school enrolled in is the student's school of origin;
7. Reason for the complaint;
8. Signature of the parent, guardian or complaining party; AND
9. The Executive Director's actions on the complaint.

The Executive Director will have 10 calendar days to review its initial determination and make a final decision as to the position taken. This decision must be in writing and must state all factual information upon which it is based and the legal basis in support thereof. If the final decision of the school is averse to the parent, guardian or student, the decision, along with the school's dispute resolution process form, must be forwarded by the school's homeless liaison to the PED's homeless liaison within 5 calendar days of issuing its final decision.

The filing of these documents shall satisfy the following requirements:

1. Be written;
2. Be signed by the complaining party of his or her designated representative;
3. Contain a statement that the PED or an agency or consortium of agencies has violated a requirement of a federal statute or regulation that applies to the program; AND





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4. Contain a statement of the facts on which the complaint is based and the specific requirement alleged to have been violated.

The parent, guardian or student may also initiate the appeal by providing copies of these documents to the PED's homeless liaison.





## **Siembra Leadership High School**

### **Gun Free School Policy**

**Approved by the Governing Board: December 18th, 2019**

Siembra Leadership High School (SLHS) shall comply with NMSA 30.7.2.1 which provides for the unlawful carrying of a deadly weapon on school premises, NMSA 30.7.2.2 which provides for exceptions to and penalties for carrying a deadly weapon on school premises, and NMSA 32A.2.33 Child in possession of a firearm on school premises detention and hearing and NMSA 22.5.4.7 Additional student discipline policies, weapon-free schools. SLHS will provide an educational and work environment for all students and school personnel. SLHS will not tolerate a student or a staff member bringing or carrying a deadly weapon on school premises unless it fits into one of the exceptions stated in law.

### **Definitions**

**Firearm:** any weapon that will or is designed to or may readily be converted to expel a projectile by the action of an explosion, the frame or receiver of any such weapon; or any firearm muffler or firearm silencer. “Firearm” includes any handgun, rifle or shotgun.

**Handgun:** a loaded or unloaded pistol, revolver or firearm which will or is designed to or may readily be converted to expel a projectile by the action of an explosion and the barrel length of which, not including a revolving, detachable or magazine breech, does not exceed twelve inches.

**Person:** unless otherwise defined in other areas of this policy, an individual who is less than nineteen years old.

**Regular Volunteer:** Those persons, including relatives of students who commit to serve on a regular basis at a school district, charter school, or other educational entity without compensation.

**School Personnel:** All administrators, principals, teachers, counselors, social workers, speech therapists, psychologists, nurses, librarians and other support staff who is employed by a school,





or who perform services for the school on a contract basis. At SLHS, this definition also includes persons who volunteer without compensation.

**School Premises:**

1. The buildings and grounds, including playgrounds, playing fields and parking areas and any school bus of any public elementary, secondary, junior high or high school in or on which school or school-related activities are being operated under the supervision of a local school board; OR
2. Any other public buildings or grounds, including playing fields and parking areas that are not public school property, in or on which public school-related and sanctioned activities are being performed.

**Spontaneous Volunteer:** Those persons, including relatives of students or school personnel, who volunteer for a one-time event.

**Weapon:**

1. Any firearm that is designed to, may readily be converted to or will expel a projectile by the action of an explosion; AND
2. Any destructive device that is an explosive or incendiary device, bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter-ounce, mine or similar device.

Unlawful carrying of a deadly weapon on school premises consists of carrying a deadly weapon on school premises except by:

1. A peace officer;
2. School security personnel;
3. Student, instructor or other school-authorized personnel engaged in army, navy, marine corps, or air force reserve officer training corps programs or state-authorized hunter safety training instruction;
4. A person conducting or participating in a school-approved program, class or other activity involving the carrying of a deadly weapon; OR
5. A person older than nineteen years of age on school premises in a private automobile or other private means of conveyance, for lawful protection of the person's or another's person or property.





Whoever commits unlawful carrying of a deadly weapon on school premises is guilty of a fourth-degree felony.

Unlawful possession of a handgun by a person consists of a person knowingly having a handgun in his/her possession or knowingly transporting a handgun, except when the person is:

1. In attendance at a hunter's safety course or handgun safety course;
2. Engaging in the use of a handgun for target shooting at an established range authorized by the governing body of the jurisdiction in which the range is located or in an area where the discharge of a handgun without legal justification is not prohibited by law;
3. Engaging in an organized competition involving the use of a handgun;
4. Participating in or practicing for a performance by an organization that has been granted exemption from federal income tax by the United States commissioner of internal revenue as an organization described in Section 501(c)(3) of the United States Internal Revenue Code of 1954, as amended or renumbered;
5. Legal hunting or trapping activities;
6. Travelling, with an unloaded handgun in his/her possession, to or from an activity described in 1, 2, 3, 4, or 5 of this section; OR
7. On real property under the control of the person's parent, grandparent or legal guardian and the person is being supervised by his/her parent, grandparent or legal guardian.

A person who commits unlawful possession of a handgun by a person is guilty of a misdemeanor.

If a public school administrator or employee has reasonable cause to believe that a child is in possession of or has been in possession of a firearm on school premises in violation of NMSA 30.7.2.1, the administrator or employee shall immediately report the child's actions to a law enforcement agency and the children, youth and families department (CYFD).

Upon receipt of a report pursuant to the paragraph above, the law enforcement agency may conduct an investigation to determine if there is probable cause to believe that the child possessed a firearm on school premises.

If the law enforcement agency determines there is probable cause to believe that the child possessed a firearm on school premises, the law enforcement agency may take the child into





custody and deliver the child to a detention facility licensed by the department. After the child is delivered to a detention facility, the department shall comply with the notification provisions set forth in NMSA 32A-2-10 Subsection C. The child shall be detained in the detention facility, pending a detention hearing pursuant to the provisions of NMSA 32A.2.13.

Siembra Leadership High School will expel any student in which it has been determined has knowingly brought a weapon to school for a period of not less than one year. The Siembra Leadership High School Governing Board or Executive Director may modify the expulsion requirement on a case-by-case basis.

A student with a disability in which it has been determined to have knowingly brought a weapon to school will be placed in an alternative education setting for not more than forty-five (45) days. If a parent or guardian of the student requests a due process hearing, then the student shall remain in the alternative educational setting during the pendency of any proceeding unless the parent or guardian and the Siembra Leadership High School agree otherwise.





**Siembra Leadership High School**  
**Bullying Prevention Policy**  
**Approved by the Governing Board : December 18th, 2019**

Siembra Leadership High School (SLHS) shall comply with NMAC 6.12.7 which provides for the implementation of the Safe Schools for All Students Act. SLHS has chosen to include staff, volunteers and families in this policy. SLHS will provide a work and educational environment for school personnel and students free from harassment, intimidation and/or bullying. SLHS will support a total working and learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. SLHS will not tolerate harassment, intimidation, bullying, or dangerous and disrespectful behavior.

**Definitions**

**Bullying:** Any severe, pervasive, or persistent act or conduct that targets a student or a school personnel, whether physically, electronically, or verbally, and that:

1. May be based on 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 an association with a person, or group with any person, with one or more of the actual or perceived distinguishing characteristics; AND
2. Can be reasonably predicted to:
  - a. Place a student or a school personnel in reasonable fear of physical harm to person or property;
  - b. Cause a substantial detrimental effect on a person's physical or mental health;
  - c. Substantially interfere with a student's or a school personnel's attendance or a student's academic performance or participation in extracurricular activities; OR
  - d. Substantially interfere with a student's ability to participate in or benefit from the services, activities, or privileges provided by a school or school-affiliated entity.

**Cyberbullying:** Any bullying that takes place through electronic communication.

**Electronic communication:** A communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager, or video or audio recording device.





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

Harassment:

1. Harassment: A pattern of conduct that is intended to annoy, seriously alarm, or terrorize another person or group of people.
2. Disability Harassment: Intimidation or abusive behavior toward a person based on disability that creates a hostile environment. If a student, this hostile environment could be created by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the school.
  - a. Harassment and Disability Harassment include but are not limited to:
    - i. Verbal acts, teasing, use of sarcasm, jokes;
    - ii. Name-calling, belittling;
    - iii. Nonverbal behavior such as graphic or written statements;
    - iv. Conduct that is physically threatening, harmful, or humiliating;
    - v. Inappropriate physical restraint by adults.
3. Racial Harassment: physical or verbal conduct relating to an individual's race when the conduct:
  - a. Has the purpose or effect of creating an intimidating, hostile, or offensive work or academic environment;
  - b. Has the purpose or effect of substantially or unreasonably interfering with an individual's work or academic performance;
  - c. Otherwise adversely affects an individual's work or academic opportunities.
4. Sexual Harassment: Any unwelcome sexual advances, requests for sexual favors, or other inappropriate verbal, written, or physical conduct of a sexual nature. Sexual harassment may take place under any of the following circumstances:
  - a. When submission to such conduct is made, explicitly or implicitly, a term or condition of obtaining a work position or a student's education;
  - b. Submission to or rejection of that conduct or communication by an individual is used to factor in decisions affecting that individual's work position or a student's education;





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- c. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's work or student's education, or creating an intimidating, hostile or offensive work or educational environment.

Hazing: committing an act against a person, or coercing a person into committing an act, that creates a risk of harm to a person, in order for that person to be initiated into or affiliated with an organization, or for any other purpose. Hazing includes, but is not limited to:

1. Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body;
2. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subjects the person to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the person;
3. 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 person;
4. Any activity that intimidates or threatens the person with ostracism, that subjects the person to extreme mental stress, embarrassment, shame or humiliation, that adversely affects the mental health or dignity of the person or discourages the person from remaining in the school;
5. Any activity that causes or requires the person to perform a task that involves a violation of state or federal law, or school policies.

Physical or cognitive disability: A physical or cognitive impairment that substantially limits one or more of a person's major life activities.

Progressive discipline: Disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a person's specific misbehavior while retaining a student in class or in school, or restorative school practices to repair the harm done to relationships and other person's from the person's misbehavior, and may include:

1. Meeting with the person and, if the person is a student, the student's parents;
2. Reflective activities, such as, if a student, requiring the student to write an essay about their misbehavior;
3. Counseling;
4. Anger management;





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5. Health counseling or intervention;
6. Mental health counseling or intervention;
7. Participation in skill-building and conflict resolution activities;
8. Community service; and
9. If a student, in-school detention or in-school suspension that is for a constructive purpose and may take place during lunchtime, recess, after school, or during weekends.

**Regular volunteer:** Those persons, including relatives of students who commit to serve on a regular basis at a school district, charter school, or other educational entity without compensation.

**School Personnel:** All administrators, principals, teachers, counselors, social workers, speech therapists, psychologists, nurses, librarians and other support staff who is employed by a school, or who perform services for the school on a contractual basis. At SLHS, this definition also includes persons who volunteer without compensation.

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

**Spontaneous Volunteer:** Those persons, including relatives of students or school personnel, who volunteer for a one-time event.

### **Application of this policy**

This policy applies to all school personnel, students, regular volunteers, spontaneous volunteers, and visitors (including family members) while on school property. This policy also applies to school personnel, students, regular volunteers and spontaneous volunteers at school-sponsored activities away from school property and on any school-sponsored transportation vehicle. Additionally, this policy applies to school personnel, students, regular volunteers and spontaneous volunteers during non-school hours.

### **Policy enforcement and consequences of violating this policy**

Consequences and policy enforcement will be determined by SLHS Student Support Director.

### **Reporting violators of this policy**





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Any school personnel who in good faith reports any known or suspected bullying shall not be held liable for any civil damages as a result of such report or efforts to enforce this policy. Additionally, retaliation against persons who report or witness incidents of bullying is prohibited.

**Communication of this policy**

SLHS will include the Bullying Prevention Policy in The Student Handbook, The Staff Handbook, The Volunteer Handbook and any other school developed publications that are deemed appropriate to include the policy.

**Establishment of Positive Youth Development practices and psychologically safe schoolwide culture.**

SLHS will establish a bullying prevention program.

1. Following the adoption of this policy, SLHS shall:
  - a. Establish an annual bullying prevention program for students and will be aligned with New Mexico's health education content standards. The program will contain benchmarks and performance standards;
  - b. Provide annual training beginning with the 2020-2021 school year and each school year thereafter. This bullying prevention program will be given to all school personnel and regular volunteers who have significant contact with students;
  - c. Incorporate information on the bullying prevention policy into new employee training.
2. SLHS shall develop a plan for the way in which the policy is to be publicized, including:
  - a. Making the bullying prevention policy developmentally, culturally and linguistically appropriate variants of the policy, available on the school's website;
  - b. Identifying a point of contact for bullying-related concerns;
  - c. Informing parents and students about the policy at least annually through student handbooks and other resources.

**Reporting requirements**





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1. Beginning with the 2020-2021 school year, SLHS shall annually submit the following to the (Public Education) department, in a method prescribed by the (Public Education) department, and in a timeframe determined by the (Public Education) department:
  - a. A status report on the implementation of the provisions of this rule;
  - b. Data elements on the implementation of this rule, including:
    - i. The aggregate number of bullying incidents of students within the school;
    - ii. The aggregate number of harassment incidents of students at the school;
    - iii. The corresponding responsive action or disposition taken by the school, by type of action, for each bullying incident of a student and for each harassment incident of a student.
2. The school shall include, in its reporting, when known, a tabulation of the number of bullying incidents of students and the number of harassment incidents of students associated with each of the following actual or perceived distinguishing characteristic:
  - a. Race;
  - b. Color;
  - c. National Origin;
  - d. Ancestry;
  - e. Sex;
  - f. Sexual orientation;
  - g. Gender identity;
  - h. Spousal affiliation;
  - i. Physical or cognitive disability; OR
  - j. An association with a person, or group with any person, with one or more of the actual or perceived distinguishing characteristics.

