



Mission Achievement and
Success Charter School

Student Handbook & Code of Conduct

2026–2027 SCHOOL YEAR

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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 to maintain an environment conducive 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 based on race, religion, color, national origin, ancestry, sex, gender identity, disability, or any other protected characteristic protected by state or federal law. 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, disability or any other protected characteristic rather than on other differences in individual cases or students.

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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” or “Code of Conduct” means the MAS Student Handbook & Code of Conduct.
- “PBIS” means Positive Behavioral Interventions and Supports.

I.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). Notices of the MAS Governing Board meetings are posted on the school website.

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

I.4 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;

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- 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 handbook and other applicable MAS policies.

When a discipline problem occurs, the teacher is expected to address them at the classroom level and if these strategies are unsuccessful, the teacher is expected to seek further assistance from the administrative authority. All problems are to be dealt with in a firm, fair, legal, and timely manner.

I.5 Role of Parents

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

- communicate respectfully and 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;
- 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.

I.6 Role of the Governing Board

The Board is expected to:

- review this Code, upon recommendation of the Chief Executive Officer, 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;

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- 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.

I.7 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

I.8 School Calendar and Hours

The school calendar is located on our website, <https://www.mascharterschool.com/>.

School hours are from 8:30 a.m. until 3:41 p.m. Monday through Friday. Students are to arrive no earlier than 7:30 a.m. and no later than 8:15 a.m. to have time to eat breakfast and be ready for class to start at 8:30 a.m., and students must be picked up no later than 4:00 p.m. unless they are signed up with the YMCA, our after-school program partner. The opening of the school day is very important, and we expect all students to be on time. Students who arrive after 8:30 a.m. must report to the office for admittance into class and must be signed in by a parent.

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. 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 school sponsored activities and functions including, but not limited to field trips, extracurricular activities, while riding school-provided transportation, and at bus stops.

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 an administrator. Consequences may include talking with you, talking with your parents, serving lunch detention, 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 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.

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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 may include 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

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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.

School Discipline Database

The school discipline database is a web-based, confidential information system designed to help School Leaders 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.

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.

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- 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.

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.

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 all MAS' facilities 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 or are property

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of others not lawfully in the student's possession, 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. Property of others shall be returned to their rightful owner unless it is property not permitted on MAS campuses.

Notification of Law Enforcement Authorities

If the school conducts a search of a student's person or property 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

Drugs and Illegal Substances

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 include, but are 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

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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

If a student uses, possess, carries onto campus or onto any school sponsored event, a weapon as defined in this section, he/she shall be subject to expulsion from MAS for a period of not less than one calendar year. A firearm is considered a weapon for purposes of this section. A weapon is defined as (1) any firearm that is designated 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. The School Leader may refer all violations of this prohibition to the law enforcement authorities as appropriate. Having possession of a weapon or firearm may be a criminal violation and subject to criminal sanctions.

No student shall possess, use, carry onto campus, school sponsored event, or school provided transportation, a deadly weapon as defined by NMSA 1978, §30-1-12. A deadly weapon includes weapons and firearms defined above, but also includes any weapon that is capable of causing death or great bodily harm, which includes but is not limited to daggers, switchblade knives, bowie knives, slingshots, and slungshots. If a student violates this provision, he or she may be subject to discipline up to and including expulsion from MAS for a period as determined by the Head Administrator.

All students and employees are required to immediately report to the administration any person he/she suspects of carrying, possessing or intending to use a weapon, firearm or dangerous object as described in this policy on school property, including school buses, private or school vehicles, athletic events or other school sponsored activities.

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II.5 Other Prohibited Student Conduct

Although MAS is committed to implementing the PBIS system described above, all students must be aware that the following behaviors are prohibited, and students may be subject to disciplinary action if they are found to have engaged in such conduct. Disciplinary action may include calls home, a written referral, detention (lunch detention, after-school detention, and/or Saturday detention), student contracts, mediations and restorative circles, suspensions (in-school and out-of-school), and expulsion. The following behaviors are prohibited during school, on school property, while using school-provided transportation, during school functions and/or, while a student is off campus and he/she intends for the conduct to reach and disrupt the operations of the school (*e.g. by social media*). 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 below 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;

- criminal or delinquent acts;
- use or possession of prescription and nonprescription drugs or alcohol or tobacco products, tobacco-based products, including e-cigarettes and vapes 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;
- possession of personal cell phone during school hours;
- engaging in any willful act disruptive to the normal operation of the school;
- 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;

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- 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;
- communicating to a person statement about another person you know to be false;
- failure to report for detention;
- failure to report to the main office as directed;
- acting in a disrespectful manner toward students or staff;
- creating a hazardous or offensive condition;
- fighting/battery;
- loitering;
- trespassing (being in a location on campus restricted to MAS employees);
- throwing objects and/or tipping over furniture;
- vandalism or destruction of property;
- stealing;
- hazing; bullying, cyberbullying, racialized aggression, and violence;
- selling, possessing or sharing obscene materials with other persons on school property;
- engaging in sexual activity on school property;
- committing forgery;
- arson;
- inciting others to commit actions that are in violation of school policies or the law;
- committing plagiarism;
- making verbal or physical threats to harm others or their property through any forum;
- use of racial or religious slurs;
- lying;

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- indecent exposure;
- extortion, coercion, or blackmail;
- interference with or intimidation of school personnel;
- failure to report offenses listed above; and
- violation of any other policy in this handbook.

II.6 Prohibited Discriminatory Conduct (Discrimination, Harassment, Bullying, Cyberbullying and Retaliation) Policy

Policy Statement

MAS is committed to providing every student a learning environment that is safe, inclusive, and welcoming. All students must have the opportunity to learn in a space that is free from intimidation, fear, and physical or emotional harm. This policy prohibits discrimination (and harassment, a form of discrimination) in all aspects of its educational programs based on sex, race, color, national origin, ethnicity, ancestry, disability, or any other characteristic protected by federal or state law. MAS further prohibits discrimination based on an individual's perceived or actual socioeconomic status. No individual will suffer retaliation for reporting or participating in investigations of complaints about such prohibited conduct.

MAS further supports the tenant 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. Consequently, MAS also 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 communications (cyber bullying or electronic conduct) on or while using school property; at school-sponsored functions; and on MAS to-and-from transportation or any school-sponsored transportation.

Prohibited Conduct

The following are included in the term "Prohibited Conduct" as used in this section of the handbook: discrimination, harassment, bullying, cyberbullying, harassment, racialized aggression, and violence as defined below.

Protected Classifications

MAS prohibits discrimination or harassment based on a person's sex (as defined and protected by Title IX), or actual or perceived, race and color, national origin, ethnicity,

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ancestry, religion, mental or physical disability or serious medical condition, sex, sexual orientation, gender identity, spousal affiliation, pregnancy, childbirth and related conditions, (or any other legally protected characteristic). “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.

- “Title IX” Sexual Harassment (Discrimination) as defined by federal law is conduct based on sex that satisfies one or more of the following:
- “Quid pro quo” – when a student is told by a MAS employee or contractor that the employee/contractor will provide assistance, access to school programs, a benefit or some educational opportunity if the student will provide a sexual favor in return. (*e.g., sexual favors in exchange for good grades*);
- Conduct by an employee or other student that is conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity provided by MAS; or
- “Sexual assault,” “dating violence,” “domestic violence,” or “stalking,” each as defined by federal law.

THIS DEFINITION APPLIES TO COMPLAINTS UNDER TITLE IX AND SHOULD BE REPORTED TO THE TITLE IX COORDINATOR. SEE TITLE IX SECTIONS BELOW.

Sexual Harassment

As defined by New Mexico law, unwelcome sexual advances, requests for sexual favors (same as quid pro quo above) and other verbal nonverbal or physical conduct of a sexual nature, which can include offensive remarks about a person’s sex, gender, gender identity or sexual orientation. This conduct must be so severe or pervasive that it denies a person the ability to access his/her educational opportunities provided by MAS. Complaints should be made to the Human Resources Director.

Harassment

Conduct toward a person who belongs to a protected classification that is severe (e.g., like a physical assault or verbal threat to do harm), or pervasive (conduct the offender does repeatedly). The severe or pervasive conduct must be so intense that it interferes with the student’s ability to learn, feel safe or to participate in school activities (e.g., needing to say home to avoid this person). Racialized aggression whether physically or verbally toward a fellow student or school personnel is considered severe conduct and is, therefore, strictly prohibited.

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Discrimination

Means to exclude someone from participation, deny them benefits, or treat someone differently or unfavorably than others in the same situation based on his/her belonging to a protected classification. Harassment is a form of discrimination.

Bullying

Bullying is unwanted, aggressive behavior among students that involves a real or perceived power imbalance. The power imbalance may arise because one student is older or stronger than another, may have knowledge of embarrassing information, or uses his/her social status at school to intimidate another student. Bullying may include, but is not limited to making threats, spreading rumors, or attacking someone physically or verbally. Bullying conduct generally must occur more than once.

To constitute bullying one student must be acting aggressively toward another student and such behavior 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

Bullying may also constitute illegal discrimination/harassment if it is based on a student's or a group's being a member of a protected classification. Examples of bullying/cyberbullying include but are not limited to:

- Spreading rumors or attacking someone verbally at school;
- Repeated teasing, use of sarcasm or malicious jokes;
- Name-calling, belittling comments;
- Nonverbal behavior such as photographic gestures, or graphic written statements;
- Conduct that is physically threatening, harmful, intimidating, or humiliating;
- Posting embarrassing, mean, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles, or other communications over social media platforms.

Hazing

Includes committing an act against a student, or coercing another student into committing an act, which subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student, in order for that student to be initiated into or affiliated with an organization, gang, clique, group, or for any other

continued

purpose. Examples include but are not limited to:

- 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.
- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product, or any other food, liquid, or substance.
- Any activity that intimidates or threatens the student with ostracism, which 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.

Cyberbullying

Includes any bullying that takes place through electronic communications, which is published with the intent that it be seen by or disclosed to a specific student or group of students, and which behavior substantially interferes with the targeted student or group of students' 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, if the school's administration can reasonably foresee that there will be a material and substantial disruption of the school's operation because of the posting, if the post constitutes a true threat to harm, or it contains fighting words toward other students.

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.

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.

Physical or Cognitive Disability

Includes a physical or cognitive impairment that substantially limits one or more of a student's major life activities.

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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.

Sexual Orientation

Includes heterosexuality, homosexuality, or bisexuality, whether actual or perceived.

Strict Prohibition

MAS strictly prohibits students, MAS employees, governing members, third-party contractors, visitors, volunteers, or parents/guardian from engaging in prohibited conduct as defined in the policy. In all cases, MAS personnel will take immediate action to protect the victim of alleged abuse. Any student who is found to have harassed another while at school or during school sponsored activities will be subject to discipline in accordance with law and the Student/Parent Handbook.

Reporting Contacts

Reports of violations of this policy should be paid as soon as possible to:

Title IX Officer

Mr. Bruce E. Langston

MAS Board Chair

1718 Yale Boulevard SE

Albuquerque, NM 87106

Office: (505) 242-3118

Fax: (505) 242-3062

bruce.langston@mascharterschool.com

Director of Human Resources

Ms. Angela Salas

Director of Human Resources

1718 Yale Boulevard SE

Albuquerque, NM 87106

Office: (505) 242-3118 ext. 1127

Cell: (505) 688-8001

Fax: (505) 242-3062

angela.salas@mascharterschool.com

Racialized Aggression may also be reported to the New Mexico Public Education

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Department's Anti-Racism Anti-Oppression Hotline Call (833) 485-1335. You can also file a complaint at the PED's portal link is <http://bit.ly/ARAOPortal>. The link to the online Incident Reporting Center is <https://newmexicoped.my.site.com/ARAO/s/login/SelfRegister>. 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.

If you are unable to contact PED through the hotline or do not receive a response from the portal, report this to the Director of Human Resources as soon as possible.

Supportive Measures

For either a Title IX or complaint of prohibited conduct, the Title IX Coordinator or Director of Human Resources, shall promptly meet with the students affected (even if no formal complaint has been filed) to discuss what actions MAS can take to help restore or preserve equal access to MAS programs or activities without unreasonably burdening the person accused of discrimination, (e.g., *change class assignments, alternative educational placements, access to counseling*). If necessary, 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

Title IX 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. Allegations of sexual harassment by an employee or contractor will always be processed as a Title IX complaint. If a Title IX complaint of harassment or discrimination is made and determined by the Title IX Coordinator to meet the threshold requirements as contemplated by federal regulations, the Title IX Coordinator will initiate the procedures described below. If the complaint does not meet the threshold requirements but states a different policy violation, it will be investigated and addressed according to applicable procedures.

Reporting and Investigation of All Other Complaints of Prohibited Conduct

Upon receipt of a complaint of prohibited conduct (if not Title IX sexual harassment or discrimination), the Director of Human Resources will initiate the procedures set forth below.

Student/Parent/Other Reporting

Students and parents may, and are strongly encouraged to, file verbal or written reports of prohibited conduct to school personnel. Please use the form in the back of the student handbook or contact the Director of Human Resources. If a situation merits an immediate report, do not hesitate to contact the Director of Human Resources before preparing a

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written report. Reports may be made anonymously, and will be investigated pursuant to this policy, but no formal disciplinary measures shall be taken solely based on an anonymous report. Reports may be made in the reporter's preferred language.

Employee Requirement to Report

MAS employees who witness prohibited conduct or who receive student reports of prohibited conduct are required to promptly notify their School Leader in writing or verbally. A follow up written report of the conduct, shall be submitted to the School Leader within two school days unless immediate action is warranted; e.g., a student needs to be removed from school, which requires a report.

Assisting Student Reporting

If a student makes a verbal report to a MAS employee, the employee shall complete the Report Form or take the student to the School Leader, where a form can be completed on the student's behalf.

Time to Report

Reports can be made at any time during non-business hours, through contact information provided on the MAS website. Although there is no time limit for reporting prohibited conduct, immediate reporting is encouraged to ensure that the evidence of any wrongdoing can be preserved as soon as possible.

Investigations

The School Leader or a designee of a School Leader will accept and promptly investigate all reports of prohibited conduct.

Notice

The School Leader will notify the parents of the student alleged to have committed the act of prohibited conduct and the parents of the student targeted by the alleged act, unless the School Leader believes, in his/her professional capacity that notifying the parents would endanger the health or well-being of a student, in which case the School Leader may delay such notification, as he/she deems appropriate.

Process

The investigation shall consist of personal interviews with the student making the report, 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 reviewing other types of evidence (e.g., documents, school video) deemed relevant by the investigating administrator.

Confidentiality

MAS will make every effort to maintain confidentiality for the student, the accused, and witnesses. MAS cannot, however, assure complete confidentiality but will treat sensitive

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information as not to be shared with others except in limited circumstances. Exceptions may include, but are not limited to, the following examples: information required by law to be reported, information given to the accused student so that he/she may have a fair opportunity to provide a response of the allegations of the complaint.

Outcome of Investigation

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. The report shall include a determination of whether the allegations have been substantiated as factual and an assessment of whether they appear to be violations of MAS policy. A copy of the investigation materials and completed report will be maintained by MAS for no less than four years from the date of the completed report.

Decision

The School Leader will consider the investigation report, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred when deciding whether MAS policies have been violated and disciplinary action is warranted.

Decision

The School Leader will, to the extent permitted under the Family Educational Rights and Privacy Act (FERPA) (to protect the privacy of the accused student) will notify the parents/guardians of the accused student and the reporting student 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/guardian of any determination that accused student has committed an act violating this policy, and the consequences for the student's actions.

Appeal

Either student may appeal the decision of the School Leader to the Principal Manager. The student must notify the Principal Manager within five (5) school days that he/she does not agree with the School Leader's decision and provide a written statement explaining why he/she disagrees. The Principal Manager shall review all information obtained and the written investigation report and render a decision on the appeal within ten (10) school days of receiving the appeal. The decision of the School Manager is final.

Consequences

A finding that a student has engaged in prohibited conduct, including violations of Title IX, shall result in intervention by the School Leader or his/her designee that is intended to ensure that MAS policies are enforced. The School Leader or designee will use progressive discipline, or other approaches appropriate to the situation unless the circumstances warrant a heightened form of discipline. The level and severity of the prescribed consequence shall be determined by the School Leader. All consequences

continued

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.

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 and Training

It shall be the responsibility of the School Leader to ensure that all employees and students receive appropriate annual 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.

Title IX Policy and Grievance Procedures

Because federal law requires a distinct policy and procedure to address violations of Title IX of the Education Amendments of 1972, MAS has adopted a standalone policy to address Title IX complaints of sexual harassment and discrimination. Please see the information that describe the MAS policy and procedures to assist you in making a complaint:

- Notice of Mission Achievement and Success Charter School's Title IX Policy and Procedures Prohibiting Sex-Based Discrimination
- Title IX Nondiscrimination (basis of sex)/Sexual Harassment Policy
- Title IX Grievance Complaint Procedures
- Title IX Complaint Form
- Title IX Coordinator's contact information which is listed above

Reports to State and Federal Agencies/Additional Information

Students may file discrimination complaints through the United States Department of Education – Office for Civil Rights <https://www2.ed.gov/about/offices/list/ocr/>

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[complaintintro.html](#) or to the New Mexico Human Rights Bureau at the information listed below.

Denver Office**Office for Civil Rights****U.S. Department of Education**

Cesar E. Chavez Memorial Building

1244 Speer Boulevard, Suite 310

Denver, CO 80204-3582

(303) 844-5695 (phone)

(303) 844-4303 (fax)

OCR.denver@ed.gov (email)

New Mexico Human Rights Division

2600 Cerrillos Road

Santa Fe, NM 87505

<https://www.dws.state.nm.us/Filing-a-Charge-of-Discrimination>

1-800-566-9471

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.

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 required by NMPED.

Publication

This “*Prohibited Discriminatory Conduct (Discrimination, Harassment, Bullying, Cyberbullying and Retaliation) 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 is the point of contact for reporting violations of this policy or as otherwise directed above. Parents and students shall be informed about this policy at least annually, through student handbooks, and the annual Meet and Greet Event.

II.7 General Disciplinary Process

PBIS encourages students to act positively, thus each student and their families are provided notice of MAS behavior expectations by giving each student and their families a copy of the Code of Conduct at enrollment and at the beginning of each new school year.

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Students and families may also access the “Student Handbook and Code of Conduct” via the school’s website. The following is a general guideline of how MAS staff approaches discipline. Staff are not required to follow each step for every instance and are permitted to use his/her judgment as to what level of discipline is appropriate based on the circumstances.

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 identify an appropriate replacement behavior and an appropriate consequence, which may include a restorative consequence. The purpose of this conversation and any consequence is to redirect the behavior, identify a more appropriate behavior, and to return the student to class as soon as possible 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 two interventions, the School Leader may speak to the student during a lengthier removal from class, impose an appropriate consequence including a restorative consequence, or suggest some type of individualized intervention to prevent further inappropriate behavior such as a check in check out. Again, the purpose of this conversation and any consequence is to redirect the behavior, identify a more appropriate behavior, and to return the student to class as soon as possible in order to avoid missing important instruction.

Level 4: Short-Term Suspension: If the conversation and interventions attempted by the School Leader or other staff members involved do 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: Long-Term Suspension/Expulsion: If the progressive discipline taken at levels one through four have not corrected the inappropriate behaviors, or if the misconduct warrants an escalated response, for example, the behavior threatens the safety of others (e.g., *inflicting serious bodily injury or bringing a weapon to school**), the School Leader may request an appropriate consequence, including but not limited to, long-term

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suspension or expulsion. If there is a recommendation for a long-term suspension (longer than ten days) or expulsion, the Governing Board will conduct a hearing 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, below.

*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.8 Penalties

Any one or more of the following penalties may be imposed by a teacher or MAS administrators authorized to do so, after giving the student basic due process as defined below, 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.

Basic Due Process

If a student is accused of violating a MAS behavior expectation, before consequences are imposed, he/she will be informed of the assertions against him/her and then if he/she denies them, the student will be told what information supports the claims(s) and be given a chance to tell his/her side of the incident. This process shall be informal and should occur as soon after the event happens. If necessary, the staff member receiving the report of misconduct shall investigate the allegations. Basic due process is typically provided prior to receiving consequences that do not result in long-term suspensions or expulsions.

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. Parents will be contacted telephone to notify them of any after school or Saturday detention prior to a student serving their 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 participating in extracurricular activities, athletics, or field trips. Anytime a student is absent for more than 50% of the school day, or scheduled for in-school suspension or out-of-school suspension they are prohibited from attending any extracurricular activity, athletic activity, or field trip for that day. This includes off-campus events if they are school sponsored. Students may participate in extracurricular activities, athletic activities, or field

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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.

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.

Short-Term Suspension (1-10 days)

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

- Basic due process is afforded the student prior to suspension.
- The school will try to contact the student’s parent of the Code of Conduct violations against the student and consequence(s) as soon as practicable. Parents will be asked to pick up their student from school immediately. If the school has not communicated with the parent by telephone, including voicemail or email, or in person by the end of the day of the infraction, the school shall, on that day, mail a written notice of the Code of Conduct violation, term of suspension and basic facts supporting the administration’s decision. The written notice shall be mailed by email or the U.S. postal service to the parents’ address(es) on file.
- 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 and released according to standard practice for that student, (e.g., *to a bus, or to walk home*).

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 for violation of MAS student behavior expectations as defined in the Code of Conduct. The following list includes, but is not limited to, infractions that may lead to an automatic consequence of a 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;

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- assault on any staff, fellow student, or other members of the school community 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;
- destruction or attempt to destruct school property, including arson; and/or
- possession of alcohol or drugs 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 Governing Board Chair serve as the impartial hearing officer.
- A student may appeal his/her long-term suspension or expulsion to the review authority, which is an ad hoc committee of the Governing Board. The review authority shall have discretion to modify or overrule the disciplinarian's decision, but may not impose a harsher punishment. The 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 is ineligible to serve as the hearing officer, the Board Chair will serve as an impartial hearing officer.
- If long-term suspension or expulsion is 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

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from the date of receipt of the notice by the parent. The hearing date may be offered before the five (5) days or extended beyond the ten (10) days by the hearing authority upon written mutual agreement by all parties. 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

continued

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

continued

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

continued

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 Governing 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 Governing 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

continued

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.9 Discipline Procedures for Students with Disabilities

Students with disabilities may be disciplined for violating MAS's Code of Conduct like any other student.

Short-term Suspensions for Students with Disabilities

Students with an Individual Education Plan (IEP) may be suspended for up to 10 days for disciplinary reasons on the same basis as a general education student. Prior to suspending a student, the School Administration shall afford the student basic due process as described the section above. No appeal is available from a short-term suspension.

Suspensions After Ten (10) Days for Students with Disabilities

If a student with an IEP is recommended for suspension of more than ten (10) days during a school year, this may constitute a change of placement. Before a student may be suspended for the 11th day (or more) a manifestation determination review must be conducted and include the parent and relevant members of the student's IEP Team. The manifestation determination review must occur within ten (10) school days of the decision to suspend for the 11th day (or more) for a violation of the Code of Conduct.

If the manifestation review concludes that the conduct giving rise to the recommended discipline is determined to be a manifestation of the student's disability, the IEP Team must either (1) conduct a Functional Behavioral Assessment unless one had already occurred prior to the behavior at issue and implement a Behavioral Intervention Plan (BIP), or (2) if a BIP exists, the Team must modify it as necessary to address the behavior that was determined to be a manifestation of the student's disability. The IEP Team must also return the student to his/her current placement unless the parent and administration agree to a change of placement. The IEP Team must consider whether the accommodations/modifications as identified in the IEP are being implemented as intended and/or need to be revised.

If the manifestation determination review concludes that the student's misconduct is not a manifestation of his/her disability, the Administration may impose discipline in the same

continued

manner as with other students, including an expulsion. However, in this instance the student with an IEP must continue to receive educational services during the long-term suspension or expulsion to continue to participate in the general education curriculum, while in another setting.

If the parents do not agree with the manifestation determination, they must receive prior written notice and have the right to exercise their procedural safeguards including requesting medication and/or an expedited due process hearing, or to file a State complaint.

Removal for Special Circumstances

Immediate removal of a student with disabilities may occur when a student brings a dangerous 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. A manifestation review determination will be held within ten (10) days of removal, however, regardless of the outcome, the student may be suspended under these special circumstances for up to forty-five (45) school days. During this removal, the student will continue to receive educational services so as to continue to participate in the general education curriculum and to progress towards the educational goals in his/her IEP. If the student's behavior is not a manifestation of his/her disability, he/she may be expelled if a general education student would be expelled under the same or similar circumstances. During the student's expulsion, he/she must continue to participate in the general education curriculum and to progress towards the educational goals in his/her IEP.

As used in this policy, "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2 ½ inches in length.

Discipline Section 504 Students

The process for discipline of students with a 504 Plan is the same as for students with an IEP with the following exception: if the behavior giving rise to the out of school discipline (suspension or expulsion) is not a manifestation of his/her disability, MAS is not required to continue to provide services so the student may continue to participate in the general education curriculum or to receive educational services as described in his/her 504 Plan, if any.

II.10 Corporal Punishment

MAS maintains a strict Code of Conduct and clear disciplinary procedures. The Code prohibits corporal punishment and includes a clear set of expectations and consequences including detentions, loss of privileges, suspensions, and expulsions. All school staff are strictly prohibited from administering corporal punishment. Corporal punishment is

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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;
- implement proper restraint or seclusion techniques; 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 of Conduct 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.11 Guidelines for Use of Social Media Related School Policies

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.

We ask that every MAS student consider the following guidance when using your smart phones or other electronic devices to access and participate in social media whether at school or on your personal time. Your "footprint" online can follow you into your future and can create negative, unintended consequences.

1. 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?"*
2. Every student should bring their best self to each and every interaction online so that your presence on social media aligns with their values.
3. 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.
4. Students should be careful with unknown or unfamiliar recipients. Be careful when including unknown recipients in your post and always avoid sending

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personal information (e.g., *your physical location, age, birthdate, etc.*).

5. Respect the privacy of others. Get permission before including a person's name in your posts, particularly if you know an individual does not want their name revealed. Be kind and honor that wish, and if you don't know if they want to be included in your post...ask. Always think twice before disclosing confidential details about a person. If you do speak about another, make sure that what you say is factual. 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. You do have the right to your opinions, but always consider the impact of expressing that opinion about the other person or group of persons in a social media post. Think – “how would I feel if someone said this about me or a group I belong to?” If you have concerns about the impact of your post ask your parent or a friend whether the post is a good idea. Remember your post can be re-posted to unintended recipients.
6. Honor yourself, and do not disclose private matters. Be smart about protecting yourself and your privacy. Consider carefully what you post and be cautious about disclosing personal details. Ask yourself, “Is this the right space to disclose things from about myself?” Remember that posting certain matters online can be illegal, with significant consequences to you and/or the recipient.
7. Get permission to post images of others. Everyone's privacy should be respected, and you violate that privacy by posting their images on the internet without their prior permission. Not only can posting another's image cause great distress, but this information can also be used by AI platforms and others in ways you did not intend.
8. If you use copyrighted material in your online postings, be sure that you have proper permission to use that material. Copyrighted materials are protected by law and violating a copyright can have significant consequences. Do not assume that because you found the image or text online that it is not protected by copyright.

Social Media Policies

Students may be disciplined for any of the following:

- Sending defamatory (knowingly false) posts about MAS, its employees, students, or governing members that results in substantial disruption to the school's operations or that has the result of impairing that individual's right to

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receive the benefit of his/her employment or education as a consequence of the defamatory post.

- Posting obscene images (whether authentic or AI generated) of a MAS employee, student or governing member that has the result of impairing that individual's right to receive the benefit of his/her employment or education as a consequence of the obscene posting. Note, such postings may result in personal liability for the person posting or reposting and may violate the law.
- Students may not use the "Mission Achievement and Success Charter School" or "MAS" name or acronym in any form or use its logo, trademark, service mark, tradename, or any mark that could be confused as belonging to the School to create, manage, or co-manage a social media account, without written permission from the School's Head Administrator.

II.12 Physical Restraint and Seclusion Policy and Procedures

Purpose

The purpose of this policy is to minimize and, whenever possible, eliminate the need for physical restraint and seclusion while preserving the authority of school personnel to respond to genuine emergencies involving imminent serious physical harm. MAS Charter School is committed to maintaining a safe learning environment through proactive behavioral supports, positive behavior interventions, and de-escalation strategies. Physical restraint and seclusion are emergency safety procedures only and are not intended to be used as routine behavioral interventions or disciplinary practices.

Policy

MAS Charter School is committed to preventing the need for physical restraint or seclusion through proactive behavioral supports, positive behavior intervention strategies, and evidence-based de-escalation techniques. Physical restraint and seclusion are not behavioral interventions or disciplinary practices and are not part of MAS's routine approach to student behavior management. While New Mexico law permits schools to use restraint or seclusion in limited emergency circumstances, MAS expects such situations to be extremely rare and will make every reasonable effort to resolve behavioral crises through less restrictive interventions before considering restraint or seclusion. MAS may permit the use of restraint or seclusion only when authorized by applicable law and only when a student's behavior presents an imminent danger of serious physical harm to the student or another person and less restrictive interventions have proven ineffective or are not feasible under the circumstances. Any use shall be limited to the minimum force, duration, and scope reasonably necessary to protect individuals from imminent serious physical harm. Nothing in this policy shall be construed as creating an expectation that restraint or seclusion will be used as part of routine

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student discipline or behavioral management.

Restraint or seclusion shall never be used:

- As punishment;
- As a form of discipline;
- For staff convenience;
- Because a student refuses to comply with instructions;
- Solely to prevent property damage unless the behavior also presents an imminent danger of serious physical harm; or
- As a substitute for appropriate staffing, behavioral supports, supervision, or implementation of a student's Behavior Intervention Plan (BIP).

Definitions

Mechanical Restraint – The use of any device or material attached or adjacent to a 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. Mechanical restraint does not include mechanical supports or protective devices.

Physical Escort – The temporary touching or holding of a student's hand, wrist, arm, shoulder, or back for the purpose of guiding or directing the student to a safe location. A physical escort is not considered physical restraint.

Physical Restraint – The use of physical force, without the use of a mechanical device, to restrict a student's freedom of movement. Physical restraint does not include a physical escort.

Restraint – Either mechanical restraint or physical restraint.

Seclusion – The involuntary confinement of a student alone in a room from which the student cannot leave. Seclusion does not include voluntary time-out, a calming area voluntarily used by a student, or behavioral management strategies incorporated into a student's Individualized Education Program (IEP), Behavior Intervention Plan (BIP), or other approved educational program.

Conditions for Use of Restraint or Seclusion

MAS may permit the use of restraint or seclusion only when all of the following conditions are met:

- The student's behavior presents an imminent danger of serious physical harm to the student or others; and
- Less restrictive interventions appear insufficient to mitigate the imminent danger of serious physical harm.

Less restrictive interventions include, but are not limited to:

- Verbal de-escalation;

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- Positive behavior intervention supports;
- Redirection;
- Environmental modifications;
- Conflict resolution strategies; and
- Other comparable behavior management techniques reasonably available to the employee at the time of the incident.

If restraint or seclusion is used:

- A school employee shall maintain continuous visual observation of the student throughout the duration of the restraint or seclusion.
- The restraint or seclusion shall end immediately once the student's behavior no longer presents an imminent danger of serious physical harm.
- Nothing in this policy shall prohibit a school employee from taking reasonable action necessary to immediately protect a student or another individual from imminent serious physical harm when immediate intervention is required.
- No restraint or seclusion technique may impede the student's ability to breathe or speak.
- The type and duration of restraint or seclusion shall take into consideration the student's age, size, disability, medical condition, and physical condition to the extent known.
- MAS shall consider appropriate supports and strategies to safely reintegrate the student into the educational environment following any restraint or seclusion incident

Parent/Guardian Notification

The designated school employee shall provide the parent or guardian of any student who has been restrained or secluded with oral or written notice on the same day as the incident whenever reasonably possible. If same-day notification cannot be made due to extenuating circumstances, notification shall occur within twenty-four (24) hours of the incident.

The designated school employee shall also provide the parent or guardian with a written report describing:

- The student's behavior that resulted in the restraint or seclusion;
- Any known events, persons, locations, or activities that may have contributed to the incident, to the extent permitted by confidentiality laws;
- The less restrictive interventions attempted, if any;

continued

- The type of restraint or seclusion used;
- The duration of the restraint or seclusion; and
- Any injuries to the student or others, if applicable.

These notification requirements apply even when law enforcement is contacted instead of the use of restraint or seclusion.

Training Requirements

MAS does not maintain a routine practice of using physical restraint or seclusion and does not expect school personnel to regularly implement these emergency safety procedures. Should MAS determine that designated personnel are necessary to implement restraint or seclusion techniques, or should the school determine that such training is appropriate based upon operational or student safety needs, MAS will ensure that designated personnel receive training consistent with all applicable New Mexico statutes, regulations, and guidance. MAS's primary emphasis shall remain prevention, de-escalation, positive behavioral intervention supports, and other strategies designed to eliminate or significantly reduce the need for restraint or seclusion.

Review Procedures If a student has been restrained or secluded two (2) or more times within thirty (30) calendar days, MAS shall review the strategies used to address the student's behavior and determine whether additional interventions are appropriate, including:

- A Functional Behavioral Assessment (FBA);
- Referral to the Student Assistance Team (SAT); or
- If applicable, referral to the student's Individualized Education Program (IEP) Team.

Following each subsequent restraint or seclusion occurring within the same thirty-day period, the student's SAT or IEP Team shall meet within two (2) weeks to review the incident and develop recommendations to reduce the likelihood of future restraint or seclusion. The review shall also determine whether personnel involved in the incident had appropriate training in de-escalation strategies, positive behavioral intervention supports, and restraint and seclusion procedures, if applicable.

Annually, MAS shall conduct a review of all restraint and seclusion incidents to identify trends, including:

- Number and types of incidents;
- Personnel involved;
- Student demographics;
- Contributing factors; and
- Whether additional staff training or procedural changes are warranted.

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Reporting to the New Mexico Public Education Department (NMPED) MAS shall report the following information to the New Mexico Public Education Department through the department's reporting system in accordance with timelines established by NMPED:

- All instances in which restraint or seclusion is used;
- All instances in which law enforcement is summoned instead of using restraint or seclusion;
- The names of the students and school personnel involved;
- The type of restraint used, if applicable; and
- Whether law enforcement was called in lieu of employing restraint or seclusion.

School Safety Plan

In accordance with Section 22-5-4.12 NMSA 1978 and 6.11.2 NMAC, MAS has incorporated procedures governing the emergency use of restraint and seclusion into its School Safety Plan.

The School Safety Plan shall:

- Emphasize prevention, de-escalation, and positive behavioral supports as the primary means of addressing unsafe behavior;
- Identify the limited emergency circumstances in which restraint or seclusion may be permitted;
- Identify the circumstances under which law enforcement will be contacted instead of the use of restraint or seclusion; and
- Include procedures for documentation, reporting, parent notification, and post-incident review.

The School Safety Plan team shall include at least:

- One administrator;
- One general education teacher;
- One special education teacher; and
- One individual trained in restraint and seclusion techniques, if applicable.

The team may also include a counselor, social worker, nurse, school resource officer, or member of the school's security staff. MAS shall review this policy and its related procedures on a triennial basis prior to submission of the School Safety Plan and shall submit the School Safety Plan to the New Mexico Public Education Department every three (3) years, as required by law.

II.13 Student Conduct During Transportation

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All students are expected to maintain proper conduct consistent with this Code of Conduct while on the school bus or other modes of school sponsored transportation. Misconduct that occurs during transportation may be subject to penalties contained the General Discipline Process and Penalties section of this handbook. 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.

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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, if absence does not apply to excused participation in interscholastic or school sponsored 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 15% 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 of 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, for a student to be excused, a parent must provide a valid reason (listed below) with written evidenced documentation and report the absence by 8:30 a.m. to the Attendance Secretary at via phone at (505) 242-3118 extension 1143 for both campuses via email at yaleattendance@mascharterschool.com or oldcoorsattendance@mascharterschool.com based on your child’s enrolled campus. Whenever possible, notification of a student’s absence should be given prior to missing school. However, when the circumstances dictate, the information supporting a student’s excused absence should be provided by no later than three school days after the absence. Failure to report a student’s absence to the school’s Attendance Secretary in writing or verbally the same day of the student absence will result in an “unexcused absence” until appropriate documentation is received. Excused absences may include the following:

- Doctor’s appointment
- Therapy

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

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 schoolwork 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 schoolwork 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 designed 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 (4) 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

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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

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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. The parent or guardian shall notify school's designated attendance personnel 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. If a student is absent from school or class without a parent or guardian's notification of absence, the school's attendance 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 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. 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.

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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

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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; and.
 - 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.

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- 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 Voluntary Placement 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.

continued

- 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 School's Code of Conduct that includes this Attendance Policy and the School will keep a current version on its website.

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.

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.

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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. The following children have priority in MAS lotteries: 1) students who have been admitted and attended MAS the previous school year will be automatically enrolled subject to providing the required letter of intent and registration requirements described below; 2) children of current employees by MAS; and 3) siblings of currently enrolled students. All other students will be admitted by lottery for each grade when there are more students than available spaces. If students are not admitted, their names will be placed on a waitlist and as seats become available as described below. Students on the wait list at the time of the April lottery, will have to reapply. Waitlists will be terminated at the end of the academic year in which they were created. MAS allows students of military families to apply through the lottery process, and it accepts electronic applications. Any student of a military family that does not reside in New Mexico at the time the student is admitted, shall provide proof of residence in the state within forty-five (45) days of the military orders stationing the parent in New Mexico. MAS does not discriminate against any student based on race, sex, religious affiliation, national origin, ethnicity, physical or mental disability, gender, gender identity, or sexual orientation or any other protected classification per state and federal law. The school is nonsectarian in its programs, admission policies, and employment practices.

MAS' annual lottery is held on the last Friday in February each year. Families admitted through the lottery will have ten (10) school days from the date of the telephone call notifying them of acceptance to complete registration paperwork or arrange to do so. Failure to register your child within the ten (10) school 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 ten (10) school days from the date of the telephone call notifying them of acceptance to complete registration paperwork or arrange to do so. Failure to register your child within the ten (10) school 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

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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 no later than the first Friday in February. Notification will be provided of the letters of intent going home through email communication and our automated telephone communication system. Families will have two (2) 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 (2) 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.

Please note that according to state law, all students must comply 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 from the New Mexico Public Health Department 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.

Homeless Children and Youth (McKinney-Vento Program)

MAS offers services and support to children, youth and their families who are experiencing homelessness through the Title I McKinney-Vento Program. Homeless children and youth are defined as "individuals who lack a fixed, regular, and adequate nighttime residence." The MAS McKinney-Vento program offers services to students including enrollment assistance, school supplies, and referrals to clothing banks, after-school programs, parental support programs, school breakfast, lunch, and snack programs, and referrals for community services. The McKinney-Vento Act requires schools to register homeless children even if they lack normally required documents, such as proof of residence; and school districts are required to provide transportation to homeless students' school-of-origin when reasonable and feasible.

Please call 505-242-3118 and ask to speak to MAS's Social Worker who serves as MAS's McKinney-Vento (MV) liaison. Our MV liaison can provide information on how MAS can assist students who are experiencing homelessness.

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Foster Care Students/Students involved in Juvenile Justice System

MAS's school Social Worker serves as our foster care/students involved in juvenile justice point of contact and will assist students when transferring into MAS (after qualifying for admission through the lottery process) or out of MAS. The point of contact will help students:

- With the enrollment/transfer process;
- Communicate with the last school attended by the student to obtain academic and other educational records;
- Transfer credits earned from last school attended;
- Work with educational staff of the juvenile justice placement or educational decision maker to assist transition of the student and thereby minimizing disruption in the student's education. and
- Ensure timely transfer of a MAS student's records to his/her new school, if he/she transfers to a new school or educational program.

The point of contact will:

- Ensure such students are given equal opportunity to participate in MAS sports programs, or other extracurricular activities or other programs for which the student qualifies;
- Ensure timely access to high school counselors to improve college and career readiness;
- Ensure special education and gifted services are provided, if the student qualifies;
- Facilitate communication among MAS, CYFD, the student, his/her educational decision maker (if one has been appointed) to ensure responsibilities concerning the student are met; and
- Ensure that staff and teachers have access to training and resources to provide meaningful assistance to the student.

III.3 Disenrollment

A student who has been admitted to MAS and whose enrollment is later determined to be invalid, shall be disenrolled after notice and the opportunity to rebut the reason for disenrollment pursuant to procedures defined in 6.10.4. NMAC. Notice of MAS's intent to disenroll a student shall be given no less than ten (10) days before the notice of disenrollment is to be mailed. The notice shall include the requirements of the rule. An invalid enrollment refers to a student who is enrolled, but it is later determined that the student due to age, residence (another state), immunization, long-term suspension or

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expulsion from another district or charter school, or some other reason as determined by law, is not eligible to attend

III.4 Students over 18 Convicted as Sex Offenders

Students who have been convicted of a sex offense when eighteen years old or older as defined in NMSA §29-11A-3(I), must disclose in writing his/her status as a sex offender to a School Leader when he/she registers at MAS.

III.5 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. They are both “custodial parents.” If a court order specifically prohibits one parent from accessing or making decisions about a student’s education, this is typically included in the court order.

The both parents are responsible for:

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

The school is responsible to:

- maintain a copy of the relevant sections of the court order;
- inform appropriate school personnel of the provisions or restrictions in the court order applicable to the school; and
- abide by the provisions related to education, and the non-custodial parent requests about their student(s)’ education 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 both parents;
- arrange for review of school records by either parent;
- keep both parents apprised of major school events.

III.6 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

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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.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. 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 and one (1) MAS sweatshirt are provided for each family at the beginning of the school year. Families are responsible for the purchase of uniform pants.

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 during the school day. 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.

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No student who is enrolled, or eligible for enrollment, in a federally recognized Indian nation, tribe or pueblo from wearing tribal regalia or objects of cultural significance along with or attached to a cap or gown or wearing tribally significant footwear or other items of apparel under a gown at graduation ceremonies or public school events.

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

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- 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

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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

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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

continued

(WGPA) computations.

III.11 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 the MAS Annual FERPA Notice to Parents and Students at the end of this handbook.

While MAS does not operate a school-based health clinic, our employees frequently handle sensitive student information. It is our policy to ensure that the Health Insurance Portability and Accountability Act (HIPPA) is complied with, if and when appropriate. Most confidential student information is protected by the Family Educational Rights and Privacy Act (FERPA) as described in the previous paragraph, (e.g. *vaccination records*).

III.12 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(s) 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 member(s) of the leadership team 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. 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

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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.

At the end of 8th grade a student who is not academically proficient shall be retained in the 8th grade for no more than one year to become academically proficient. A special academic improvement shall be developed to identify the academic deficiencies and how to remediate them by the end of the year. If the student assistance team determines that retention of the student in the 8th grade will not assist the student to become academically proficient, the team shall design a high school graduation plan to meet the student's needs for entry into the work force or a post-secondary educational institution.

III.13 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 issues as contemplated in the. See 6.12.2.10 NMAC.

III.14 Psychotropic Drugs

No student will be denied services or access to programs because the student's parent/guardian refuses to place a student on psychotropic medication. A psychotropic medication means a drug that is prescribed and is used for the treatment of mental disorders.

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III.15 Dental Examinations

New Mexico law requires that MAS obtain satisfactory evidence that a student has received a dental examination prior to enrolling, if MAS is the first school the student is attending in New Mexico. Parents/guardians may sign a waiver acknowledging the risks associated with children not receiving a dental examination and he/she has chosen not to have the student examined. A dental examination means an assessment by a licensed dental health care provider that includes the review and documentation of the child's oral condition, and recognition and documentation of related health issues. The cost of a dental examination is the parent's/guardian's responsibility.

III.16 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.

III.17 Student Backpacks and Personal Bags Policy

Students are provided all materials necessary to participate in the general curriculum at MAS, which eliminates the need for them to carry backpacks, book bags, satchels, briefcases or other similar items used to carry schoolbooks and supplies (together "large totes"). The purpose of this policy is to reduce unnecessary items being carried throughout the building, minimize classroom and hallway distractions, and to support student and school safety.

For this reason and to support a safe, orderly, and distraction-free learning environment, as a general rule students will not be permitted to keep large totes with them during the school day.

Large Totes (athletic bags, backpacks, overnight bags, other bags larger than personal pouches and lunch containers described below).

The following exceptions to the general rule applying to large totes are for students who need to carry:

- Athletic equipment, uniforms and related items.
- Supplies required for dual-credit courses taken at MAS.
- Items related to extracurricular activities.
- Items necessary for student employment situations.
- Items related to transportation arrangements.
- Other personal circumstances.

If a student brings a large tote to school, it will be collected by a MAS staff member upon

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arrival and placed in a location designated by MAS. The large tote will remain there for the full day and returned to the student at dismissal or when a student leaves campus to participate in the activity or other obligation. Generally, students will not have access to their bags during the school day.

Personal Pouches

Students may carry one small personal pouch, measuring approximately 9 x 6 x 3 inches or smaller for personal necessities. Examples of items that may be stored in the personal pouches are:

- Menstrual or other personal hygiene products.
- Medically necessary personal items when permitted under applicable MAS policies.
- Other small personal necessities approved by school administration.

Lunch Containers

Students who bring their lunch to school may carry their lunch in a lunch box or bag of approximately 11 x 9 x 6 inches.

Lunch containers and personal pouches may remain with the student during the school day. Food and beverages may be consumed only during authorized times and places for meals and snacks.

Deciding whether a personal pouch or lunch container is too large, not used for the purposes described above, or its use could otherwise negatively impact the school environment, is within the sole discretion of the MAS administration. A student may be required to store the container in question for the remainder of the school day.

Nothing in this policy limits MAS's authority under Section II.3, Search and Seizure of the *Student Handbook and Code of Conduct*. Student bags and other belongings remain subject to the search and seizure provisions of that policy when the applicable standard for a search is met.

III.18 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.

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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.19 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 as a regular part of our school 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.20 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 to determine eligibility for CNM dual credit courses. Students in grades 9–12 will continue to 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.

III.21 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 MAS employee (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 CEO 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 CEO, 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

continued

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.22 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 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 CEO), 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 MAS’ leadership statement concerning the good faith effort to resolve the dispute.
- The letter must be in writing, signed by the community member, and

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delivered to the Governing Board at the school. A copy of MAS' leadership 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

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

III.23 Reporting Violations of this Code of Conduct 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 of conduct. 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 violations that constitute a crime and substantially affect the order or security of the school as soon as practical.

III.24 Student Wireless Communication and Electronic Devices — Use and Possession at School

A “Wireless Communication Device” means an electronic device that is handheld or hands-free that can send or receive voice, text or data messages. These devices include, but are not limited to cell/smart phones, smart watches, iPad, laptop computer, gaming devices, CD players 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.

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

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fourth period teacher will return the electronic device at the end of fourth period.

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.

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, or other messages need to be delivered. The messages will be delivered to the student's classroom.

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.

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.

III.25 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 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

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not limited to email communication, is subject to disciplinary action if it impacts school property, the school environment, or school business. All communications with MAS staff must be courteous, professional and respectful. Unacceptable language, including excessively long and burdensome emails from parents to teachers may result in MAS terminating this avenue of communications between parents and MAS staff.

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;
- 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.

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School network spaces are analogous to student desks 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.

III.26 Field Trips

Occasionally, MAS students are given the opportunity to take field trips to supplement an educational program. Each year parents/guardians/eligible students are asked to sign a “Permission to Participate in Off-campus activities/Authorization for Medical Services” (“Field Trip Form”). The form, if completed and signed, authorizes the student to participate in student field trips without completing additional documentation. For each field trip parents/guardians/students will be informed of the location and details of the activity as well as potential risks associated with participation. Notice will be by the MAS phone system and by email. If the parent does not want his/her student to participate, it is his/her responsibility to provide written notice to the School Leader by no later than 24 hours prior to the planned trip. Students who do not attend the field trip must attend school and will be provided assignments as his/her teachers deem appropriate. Please notify the school of all changes.

III.27 Monitoring and Surveillance

MAS has installed security cameras (all should be visible and not hidden) around both campuses for the protection of our employees, students and visitors. Monitoring and surveillance cameras will not be located where personal privacy is expected, *e.g., locker rooms, restrooms, private offices (e.g. counselor’s offices)*. The MAS community will be notified in advance if an expansion of the current surveillance system is contemplated. Information contained by video surveillance shall be kept confidential and access provided on a need-to-know basis. See MAS Security Camera Policy.

III.28 Teacher Qualifications Notice

Parents may obtain information regarding their student’s teachers’, instructional support provider, and school leaders professional qualifications. Information that MAS will make available upon request includes:

- professional qualifications of their student’s teachers, instructional support providers, and administrators
- whether the teacher holds qualifications for grade level and subjects taught
- whether teacher is teaching under a waiver
- the teacher’s degree major and any other license or graduate degree held by the teacher
- qualifications of educational support providers

continued

MAS will provide parent's notice if their student continues to be taught by a substitute teacher or a teacher not holding the required license and/or endorsements after four weeks.

III.29 Free Speech/Religious Expression

Students generally have a right to express their opinions through speech, writing or symbolic acts as long as the student expression does not substantially disrupt school or the learning environment, does not invade the rights of others (*e.g., constitutes bullying or harassment*) or it is not lewd, vulgar or promotes illegal activities at school or school sponsored events (*e.g., taking drugs*). The First Amendment also protects ones right to assemble; however, MAS may restrict the time, place and manner of these assemblies so that they do not interfere with school operations or other students opportunity to learn. If you wish to create a student gathering (*e.g., to express opinions about an issue such as environmental harm to animals*), please contact your teacher or the School Leader to obtain permission.

Students also have the right to practice their faith at school. Students may pray individually or in groups at school as long as it is not disruptive (*e.g. students may say grace at lunch*). Teachers or MAS staff should not ask you to participate in prayers or other religious activities. Students may wear religious attire as long as it meets general dress code safety standards. Please contact your teacher or School Leader if you have questions about your First Amendment rights.

III.30 Student Athletics and Sports Program

MAS is a member of the Albuquerque Charter School League (ACSL) and offers sports programs to students in grades 5 through 12. ACSL is a nonscholastic youth athletic activity organization that provides an interscholastic sports program that provides athletic competition for local charter schools in the Albuquerque area. MAS, through ACSL, offers basketball, flag football, soccer, volleyball, and track & field. MAS does not discriminate against students or staff based on gender or any other protected classification. Complaints of discrimination should be addressed through the processes outline in this handbook or the MAS employee handbook as well as by addressing them with ACSL officials.

Every student who participates in the program must health and accident insurance coverage. Contact the MAS athletic director to find out whether such insurance policies may be obtained through the school. A student must complete a physical and complete a medical history form for participation.

If you have questions or are interested in participating in our athletics and sports program, please see our website at <https://www.mascharterschool.com/student-life/mas-athletics> or contact athletics@mascharterschool.com.

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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 of conduct, 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, disability or any other protected classification according to state or federal law;
- 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 and with supervision of a school employee;
- 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;

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- 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 section of the code of conduct shall be subject to penalties contained within. 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 removal by law enforcement. The School Leader or his/her designee is responsible for enforcing the conduct required by this section 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 our campuses 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 policy and these requirements apply to visitors who seek to enter our campus; no location on our campus is exempt from the following requirements:

- Anyone who is not a regular staff member, MAS contractor, or student at the school will be considered a visitor.
- All visitors to the school must sign the visitor's log at MAS' front desk.
- All visitors must always have a visitor's pass so staff members know that they have checked in at the front desk.
- Visitors are only permitted to enter the campus or 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

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any reasonable orders of school officials.

- Visitors who are school volunteers must also abide by the school's Volunteer Policy.
- Visitors must be always escorted while in the building.

Police officers may access non-public areas of our campuses if they have prior permission of a School Leader, a judicial warrant authorizing entry, or a genuine public safety emergency (e.g., *active shooter, fire, etc.*) Other law enforcement (e.g., *federal agents*), may only enter non-public areas (there are none at MAS) of our campuses after obtaining the School Leader's permission or with a valid court order (signed by a judge, not an administrative officer).

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 safety 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.

IV.4 Student Parking Permits

All students in grades 9–12 who wish to drive a personal vehicle to school must obtain approval through the school's student driver registration process. Students who plan to drive at the beginning of the school year must complete the required driver registration during annual student registration. Students who decide to drive after annual registration must request and complete a Student Driver Application before driving to campus.

As part of the approval process, students must provide:

- A valid driver's license;
- Proof of current automobile insurance; and
- Current vehicle registration.

Students approved to drive to school are expected to comply with the MAS Code of Conduct, the Student Driving Rules provided with the Student Driver Application, and all applicable traffic laws while operating a vehicle on school property.

V.1 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.

If a student requires the administration of prescribed or non-prescription medication while in school, the school nurse must have on file a current Authorization to Dispense Medication form filled out by the student's physician. Authorizations must be renewed each school year or more frequently as determined by the circumstances and may be revoked by the school nurse or School Leader for failing to comply with the requirements established in this policy. 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. All employees must report a student who is observed self-administering unauthorized medications to school administration.

Written Permission — A written statement authorizing the administration of all medications that includes the student's name, diagnosis, name of medication, dose, time to be given and that is signed by a parent and the health care provider must be provided to the school nurse prior to administration of any medication. 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, health care provider'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 medications. Students will be allowed to carry and self-administer prescription medications only if the requirements as stated under "Self-Administration of Certain Drugs" below have been met.

Doctor's Orders — 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 at the end of the school year if not claimed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator located in the nurse's office.

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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

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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.

V.2. 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
 - iv. <https://web.ped.nm.gov/bureaus/safe-and-healthy-schools/medical-cannabis-in-schools/>
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:

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- 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

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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. "medical cannabis" means cannabis that is:
 - a. Recommended for treatment of a debilitating medical condition as

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- 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.
- iii. "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;
- iv. "school setting" means any of the following locations during a school day:
 - a. A school building;
 - b. A school bus or activity vehicle used within the state during, in transit to or in transit from a school-sponsored activity;
 - c. A public vehicle used within the state during, in transit to or in transit from a school-sponsored activity in the state; or
 - d. A public site in the state where a school-sponsored activity takes place;
- v. "written certification" means a statement written by a qualified student's certifying practitioner in a qualified student's medical records or in the

continued

written treatment plan statement; certifying that the qualified student has a debilitating medical condition pursuant to the Lynn and Erin Compassionate Use Act; certifying that the certifying practitioner believes that the potential health benefits of the medical use of cannabis would likely outweigh the health risks for the qualified student; and signed by the certifying practitioner. A written certification is not valid for more than one year from the date signed by the certifying practitioner.

- vi. “written treatment plan” means a document developed by the parent/guardian in collaboration with the certifying practitioner that:
 - a. Includes the certifying practitioner’s diagnosis and description of the qualified student’s debilitating medical condition per the Lynn and Erin Compassionate Use Act;
 - b. Describes the plan for recommended treatment with medical cannabis, including:
 - i. The recommended dosage allotment;
 - ii. the recommended frequency of administration of medical cannabis in a school setting; and
 - iii. is signed by the parent/guardian and the certifying practitioner.

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

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

V.3 Multi-Layered System of Supports (MLSS)

Mission Achievement and Success (MAS) utilizes a Multi-Layered System of Supports (MLSS) to provide early intervention and support for students experiencing academic, behavioral, or social-emotional challenges. Through MLSS, the school identifies student needs using a variety of data sources, including classroom performance, universal screening, teacher observations, and parent input. Interventions are implemented, monitored, and adjusted based on each student’s response to support.

When additional problem-solving is needed, concerns may be referred to the Student Assistance Team (SAT). The SAT collaborates with school staff and families to review student needs, recommend targeted interventions, and monitor progress. The SAT may also determine whether additional evaluation should be considered when appropriate. Many students benefit from SAT supports without requiring special education services or accommodations under Section 504. Parents are encouraged to share concerns with

continued

their child's teacher at any time so that supports can be discussed and implemented as early as possible.

V.4 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 MAS' Special Education Coordinator at specialeducation@mascharterschool.com.

V.5 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 because 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.

V.6 Educational Service for Gifted Students in School

MAS provides gifted education services for eligible students in accordance with New Mexico law. Questions regarding gifted referrals, eligibility, or services should be directed to the School Leader or the Special Education Coordinator at specialeducation@mascharterschool.com.

V.7 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. Calls may remain anonymous. Signs of suspected abuse or neglect will be documented and sent to the School Leader and appropriate state authority.

continued

V.8 Annual Notice of Rights for The Family Educational Rights and Privacy Act (FERPA) and Protection of Pupil Rights Amendment (PPRA)

Please see the Annual Notice of Rights under The Family Educational Rights and Privacy Act (FERPA) and the Annual Notice of Rights under Protection of Pupil Rights Amendment (PPRA) located at the end of this handbook.

V.9 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) may 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 or assessments for property damage or loss.

VI.1 Parent and Family Engagement Policy

Introduction

Mission Achievement and Success (MAS) Charter School is committed to fostering meaningful partnerships with parents and families to support student success. This Parent and Family Engagement Policy is designed to meet the requirements of Title I, Part A of the Elementary and Secondary Education Act and applicable New Mexico Public Education Department requirements by ensuring that parents and families have meaningful opportunities to participate in their children's education.

Purpose

The purpose of this policy is to outline MAS Charter School's commitment to engaging parents and families in meaningful ways, supporting their involvement in the education of their children, and building strong partnerships that enhance student learning and school improvement.

Policy Components

1. Development and Annual Review

- This Parent and Family Engagement Policy will be developed, reviewed, and revised annually in partnership with parents and families.
- The annual review will occur during the school's Meet & Greet event prior to the start of each school year.
- Parents will have opportunities to provide input during the Meet & Greet event, parent-teacher conferences, surveys, and other school meetings throughout the year.
- Parents may also submit feedback, comments, or concerns at any time by emailing info@mascharterschool.com. This email account is monitored regularly, and timely responses will be provided.
- MAS will hold an annual Title I meeting at a convenient time to inform families about the school's participation in Title I, Title I requirements, and parents' rights and opportunities to be involved. This meeting may be conducted as part of the annual Meet & Greet event.

2. Accessibility

- This policy and related communications will be provided in an understandable and uniform format and, to the extent practicable, in a language families can understand.
- Translation, interpretation, and alternative formats will be provided upon request.

continued

- The policy will be available on the school website, included in the student handbook, distributed during the Meet & Greet event, and available in hard copy upon request.

3. Communication

MAS Charter School will provide timely information regarding:

- School programs and Title I services;
- Curriculum and academic standards;
- State and local assessments;
- Student achievement expectations and progress;
- Opportunities for parent involvement; and
- Ways families can work with teachers to support learning at home.

Communication may include email, phone calls, newsletters, text messages, the school website, and other methods as appropriate. Information will be provided in English, Spanish, and other languages as needed.

4. Opportunities for Parent and Family Involvement

MAS Charter School encourages meaningful parent participation through:

- Annual Title I meetings;
- Open houses and Meet & Greet events;
- Parent-teacher conferences;
- Parent workshops and informational sessions;
- Surveys and opportunities for feedback;
- Committees, advisory groups, and focus groups when appropriate.

Parents and families will be provided organized, ongoing, and timely opportunities to participate in the planning, review, and improvement of:

- The Title I program;
- The Parent and Family Engagement Policy;
- The School-Parent Compact; and
- The school's Title I Schoolwide Program, as applicable.

Parents may request meetings to provide suggestions and participate, as appropriate, in decisions relating to the education of their children. MAS will respond to parent suggestions and concerns in a timely manner.

continued

5. School-Parent Compact

MAS Charter School will jointly develop and annually review a School-Parent Compact with parents and families.

The compact will outline the shared responsibilities of the school, parents, and students for improving student academic achievement and describe how all parties will work together to help students succeed.

6. Building Capacity for Parent and Family Engagement

MAS Charter School will:

- Provide resources and training to help parents support learning at home;
- Offer workshops related to academic standards, assessments, and student success;
- Offer flexible meeting times and virtual participation opportunities when appropriate;
- Provide translation and interpretation services as needed;
- Educate teachers, administrators, and staff on the value of family engagement and effective strategies for partnering with parents as equal partners in their children's education; and
- Encourage partnerships with community organizations and local businesses to expand opportunities and resources for families.

7. Annual Evaluation

The effectiveness of this Parent and Family Engagement Policy will be evaluated annually with meaningful parent and family input.

The evaluation will:

- Assess the effectiveness of the school's parent and family engagement activities;
- Identify barriers that may limit parent participation;
- Identify the needs of parents and families;
- Seek input from families representing the diversity of the school community; and
- Use the results to improve parent engagement activities and revise this policy as needed.

8. Inclusion of All Families

MAS Charter School is committed to providing meaningful opportunities for participation to all families, including those who are economically disadvantaged, have

continued

disabilities, have limited English proficiency, have limited literacy, are migratory, or otherwise face barriers to participation.

Every reasonable effort will be made to ensure all families have equitable access to school programs, meetings, and information.

9. Adoption and Dissemination

This Parent and Family Engagement Policy has been developed in partnership with parents and families and approved by the MAS Charter School Governing Board.

The policy will be reviewed annually with parents and families and reapproved annually by the Governing Board as part of the annual review and adoption of the Student Handbook or whenever revisions are necessary.

10. Availability

This policy is available:

- On the MAS Charter School website;
- In the Student Handbook;
- In hard copy upon request;
- During the annual Meet & Greet event; and
- During parent-teacher conferences.

Parents and families are encouraged to provide feedback at any time by contacting info@mascharterschool.com

VI.2 Annual Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA)

ANNUAL NOTICE OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

This statement is intended to constitute the required annual notice to students and families about their rights afforded by the Family Educational Rights and Privacy Act.

Parents and students eighteen years of age or older have certain rights concerning educational records and personally identifiable information under FERPA. This notice is intended to provide an overview of those rights. If you have any questions, please contact a School Leader.

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

continued

be inspected. FERPA does not require the school to provide copies of student records, however, MAS will attempt to accommodate reasonable requests to provide copies without charge. No original record may be removed from the school. Access shall be during regular school hours.

Education Records – MAS maintains the following education records:

- Admissions data, personal and family data, including affidavit of birth certificate;
- Attendance records and documents related to attendance;
- State assessment and achievement records, *e.g., grades and teacher progress reports or evaluations*;
- All documentation related to a student's IEP or participation in other special programs;
- Health related records including immunization records;
- Certain behavior and disciplinary reports;
- Correspondence with parents, guardians, or others representing the student, concerning a student's academic or behavioral concerns that leads to formal actions related to the student (routine correspondences with parents are not maintained as educational records).

The term “education records” does not include:

- Records that are created or received by the school after an individual is no longer a student in attendance, and that are not directly related to the individual's attendance as a student.
- Records made by school personnel that are kept in the sole possession of the maker, are used only as a personal memory aid, and are not accessible or revealed to anyone other than a temporary substitute for the maker of the record.
- Records maintained by a law enforcement unit of the school that were created by that law enforcement unit for the purpose of law enforcement.
- Records on a student who is eighteen years of age or older, or who is attending an institution of postsecondary education, that are:
 - Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;
 - Made, maintained, or used only in connection with treatment of the student; and

continued

- Disclosed only to individuals providing the treatment. For the purpose of this definition, “treatment” does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.
- Grades on peer-graded papers before they are collected and recorded by a teacher.

If an education record includes information on more than one student, the parent or eligible student may inspect and review or be informed of only the specific information about the student seeking disclosure of records.

Amendment — You may request an amendment of an education record if you believe it is 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 does not agree to amend the record, it will notify the parent or eligible student of the decision. Such notice will include information about the 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 disclosure of personally identifiable information contained in the student’s education records. Personally identifiable information includes, but is not limited to:

- Student’s name
- Name of student’s parent, guardian and family members;
- Address of student or student’s family;
- Student’s ID number, social security number or biometric identification information as defined by federal law
- Other identifiers such as date of birth, place of birth and mother’s maiden name;
- Information that alone or in combination is liked or linkable to a specific student that would allow a reasonable person in the MAS community, who does not have personal knowledge of the relevant circumstances, to identify the student with reasonable certainty; or
- Information request by a person who MAS reasonably believes knows the identity of the student to whom the education record relates.

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

continued

the Governing Board; a person or company with whom MAS has contracted to perform a special task (such as an attorney, auditor, medical consultant, caseworker of child welfare agency 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. MAS may release educational records upon request to officials of a school to which a student is transferring.

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, 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 in writing by completing the form below. Please indicate on the form what information you do not want disclosed as directory information.

MAS will comply with a request by a military recruiter or an institution of higher education for student's names, addresses, and telephone listings, unless a parent or the eligible student has notified MAS that he/she does not wish for that information to be released without prior written constant.

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 the Student Privacy Policy Office, U.S. Department of Education. The phone number for that office is 1-855-249-3072 and the link to file a complaint is at <https://studentprivacy.ed.gov/file-a-complaint>.

continued

VI.3 Option to Opt Out of Release of Directory Information Form**OPTION TO OPT OUT OF RELEASE OF
DIRECTORY INFORMATION FORM**

I, _____

(☐ *parent/guardian* or ☐ *eligible student*) understand that I may choose not to release the information listed below that is considered directory information by MAS and in accordance with FERPA. I further understand that I must make this determination each school year that my student is or that I am enrolled at MAS. I must notify the school in writing if I subsequently want to change my decision.

I do not wish to have the information as selected below released by MAS without my prior written permission.

Please check all categories of information that you want to opt out of for directory information:

- ☐ Student's Name
- ☐ Parent's Name
- ☐ Address
- ☐ Telephone Listing
- ☐ Electronic Mail Address
- ☐ Participation in Officially Recognized Activities
- ☐ Awards Received
- ☐ Student's Photograph
- ☐ Most Recent Previous School Attendance

Parent/Guardian Name: _____

Eligible Student Name: _____

Parent/Guardian Signature: _____ Date: _____

continued

VI.4 Annual Notice of Rights Under Protection of Pupil Rights Amendment (PPRA)

ANNUAL NOTICE OF RIGHTS UNDER PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA) 20 USC 1232h

This Notice is intended to provide parents and guardians or an eligible student notice of their rights according to the Protection of Pupil Rights Amendment to FERPA. If you have questions concerning this Notice or its content, please contact your student's School Leader. Note: MAS does not voluntarily participate in surveys or other collection of information for use for marketing purpose. This Notice is provided as required by federal law.

Definitions

Personal information means individually identifiable information, including a student's or parent's/guardian's first and last name; home or physical address, including street name and the name of the city or town; telephone number; or social security number.

For purposes of this policy, protected information, as addressed by PPRA, includes:

1. Political affiliations or beliefs of the student or student's parent/guardian.
2. Mental or psychological problems of the student or student's family.
3. Sex behavior or attitudes.
4. Illegal, anti-social, self-incriminating or demeaning behavior.
5. Critical appraisals of other individuals with whom respondents have close family relationships.
6. Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers.
7. Religious practices, affiliations, or beliefs of the student or student's parent/guardian.
8. Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program.

Authority — Surveys conducted by outside agencies, organizations and individuals shall be approved by the Governing Council, based on the Chief Executive Officer's recommendation, prior to administration to students.

Guidelines. All surveys and instruments used to collect information from students shall relate to the MAS's educational objectives.

U.S. Department of Education Funded Surveys — No student shall be required, as part of

continued

any program funded in whole or in part by the U.S. Department of Education, to submit to a survey, analysis or evaluation that reveals protected information without written parental consent for students under eighteen (18) years of age or written consent of emancipated students or those over eighteen (18) years of age. All instructional materials, including teachers' manuals, films, tapes or other supplementary material, that will be used in connection with any survey, analysis or evaluation as part of any program funded in whole or in part by the U.S. Department of Education, shall be made available for inspection by the parent(s)/guardian(s) of the student.

Surveys Funded By Other Sources — Parents/Guardians shall be informed of the nature and scope of individual surveys and their relationship to the educational program of their child and the parent's/guardian's right to inspect, upon request, a survey created by a third party prior to administration or distribution to a student. Such requests shall be in writing and submitted to the Chief Executive Officer. Parents/Guardians shall be informed of their right to have their child excluded from any research studies or surveys conducted by entities other than a school entity without prior written consent.

Collection Of Information For Marketing, Sales Or Other Distribution Purposes — MAS shall notify parents/guardians of any activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing, selling, or otherwise providing the information to others for that purpose.

The parent/guardian has the right to inspect the instrument used in collection of personal information for the purpose of marketing or selling that information and opt the student out of participating in any activity that results in the collection, disclosure or use of personal information for purposes of marketing or selling that information.

This provision does not apply to the collection, disclosure or use of personal information collected from students for the exclusive purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: recruiters, books clubs, curriculum and instructional materials used by schools, sale by students of products or services to raise funds for school-related or education-related activities, or student recognition programs.

Privacy — MAS shall implement procedures to protect student identity and privacy when a survey containing one or more of the items listed under protected information is administered or distributed to a student and in the event of the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.

Student And Parent/Guardian Rights — Under federal law, the rights provided to parents/guardians under this policy transfer to the student when the student turns eighteen (18) years old or is an emancipated minor.

Delegation of Responsibility — The Chief Executive Officer or designee shall notify

continued

parents/guardians and students of:

1. This policy.
2. The specific or approximate dates during the school year when activities described above, if any, are scheduled, or expected to be scheduled.
3. How to opt their child out of participation in activities as provided in this policy.
4. How to request access to any survey or other material described in this policy.

This notification shall be given at least annually, at the beginning of each school year, and within a reasonable time after any substantive changes regarding the contents of this policy.

The Chief Executive Officer or designee shall establish administrative regulations for protecting student identity and privacy in the administration of protected information surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes.

VI.5 MAS Complaint Form for Reporting Prohibited Conduct

See form on following page.

continued

MAS COMPLAINT FORM FOR REPORTING PROHIBITED CONDUCT



MISSION
ACHIEVEMENT
AND SUCCESS

(As Defined in Section II in the Student Handbook and Code of Conduct).

STUDENT INFORMATION

Name: _____ Grade: _____

Address: _____ Phone: _____

COMPLAINT FILED AGAINST:

Name: _____ Grade: _____

Position if not a student: _____

Name: _____ Grade: _____

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)

Witness #1 (name): _____ Grade/Position: _____ Phone: _____

Witness #2 (name): _____ Grade/Position: _____ Phone: _____

Witness #3 (name): _____ Grade/Position: _____ Phone: _____

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: _____