

# **Mission Achievement and Success**

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## Student Handbook & Code of Conduct

~Building Positive Behavioral Interventions and Supports~

## Table of Contents

### Section 1: Introduction

- I.1 Introduction
- I.2 Definitions
- I.3 School Governing Board
- I.4 School Calendar and Hours

### Section II: Student Responsibilities & Accountability

- II.1 Student Rights and Responsibilities
- II.2 Positive Behavioral Interventions and Supports
- II.3 Search and Seizure
- II.4 Prohibition
- II.5 Corporal Punishment
- II.6 Student Conduct
- II.7 Anti-Bullying, Harassment, and Discrimination
- II.8 General Disciplinary Process
- II.9 Penalties
- II.10 Discipline Procedures for Students with Disabilities
- II.11 Student Conduct During Transportation

### Section III: General School Policies

- III.1 Attendance Policy
- III.2 Admissions/Registration
- III.3 Parental Custody
- III.4 Weather Related Closings
- III.5 Tardy Policy
- III.6 Early Dismissal Policy
- III.7 Student Dress Code
- III.8 Silent Transitions
- III.9 Grade Change Policy
- III.10 Grade Point Average (GPA) for High School
- III.11 Elementary and Middle School Retention Process
- III.12 Distance Learning
- III.13 Dual Credit Policy
- III.14 Foreign Exchange and Non-Immigrant Foreign Students
- III.15 Parental Concern Policy about Students
- III.16 Grievance Policy to Address Non-Student Concerns
- III.17 Reporting Violations of the Code and Crimes

### Section IV: Building Safety & Security

- IV.1 Public Conduct on School Property and at School Functions
- IV.2 Visitor Policy
- IV.3 Fire Safety and Evacuation Procedure

### Section V: General School Information

- V.1 Student Phone Use and Electronic Devices
- V.2 Acceptable Use Policy
- V.3 Health Services
- V.4 Confidentiality of Records
- V.5 Books and School Materials and Equipment

**Section VI: Code of Conduct**

VI.1 Role of School Employees

VI.2 Role of Parents

VI.3 Role of Governing Board

VI.4 Dissemination & Review

**Section VII: Student Support Information**

VII.1 Student Support

VII.2 Section 504

VII.3 Student Find

VII.4 Educational Services for Gifted Students

VII.5 Abuse and Neglect in School

VII.6 Statement of Rights of Parents under FERPA

VII.7 Transfer of Student Records

## **Section I: Introduction**

### **I.1 Introduction**

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

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

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

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

### **I.2 Definitions**

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

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

### **1.3 School Governing Board**

MAS' Governing Board makes policy decisions concerning the school and interviews and hires the Principal/Executive Director for his/her position. The members of the Governing Board operate according to its bylaws. The board members are volunteers who oversee the operation 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 10:30 a.m. at 1718 Yale Boulevard SE, Albuquerque, New Mexico 87106 (unless otherwise indicated) and often, other meetings are convened to discuss school business. Notices of the MAS Governing Board meetings are posted on the school website.

Parents and other community members who are interested in serving on the MAS Governing Board should contact a Governing Board member. All parents are encouraged to attend MAS Board meetings as a way to keep informed about our school. Often committees are formed to carry out specific functions and parent and community participation is encouraged.

### **1.4 School Calendar and Hours**

The 2018-2019 school calendar is attached to this handbook. School hours are from 8:20 a.m. until 4:20 p.m. Monday through Friday. Students are to arrive no earlier than 7:00 a.m. and no later than 8:20 a.m. and students must be picked up no later than 6:00 p.m. The opening of the school day is very important and we expect all students to be on time. Students entering the breakfast area after 8:20 a.m. must report to the office for admittance into class and must be signed in.

## **Section II: Student Responsibilities & Accountability**

### **II.1 Student Rights and Responsibilities**

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

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

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

- respect and obey all staff members, other adults, and 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 premises clean;
- meet MAS expectations: be responsible, respectful, cooperative, hardworking, and safe in relation to all students, staff members, and other adults;
- obey school rules and regulations;
- wear the appropriate school uniform;
- be on time and in attendance each school day;
- arrive at school well-rested and ready to learn; and,
- maintain acceptable conduct during field trips, at school functions and extracurricular activities, and at bus stops located both on and off school property.

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

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

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

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

## II.2 Positive Behavioral Interventions and Supports

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

### **Specifically, PBIS:**

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

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

## **MAS' Core Values and Expectations**

MAS' core values and expectations for both staff and students include the following: passion, personal responsibility, respect, and growth mindset. The details below articulate our four 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 student know and embrace our school's values and expectations, disciplinary infractions are reduced substantially.

### **Passion**

- MAS staff are passionate about serving our students.
- MAS students discover their passion and relentlessly pursue it.
- MAS staff and students are passionate about positively impacting the lives of others.

### **Personal Responsibility**

- We take 100% responsibility for our actions and outcomes and keep our agreements.
- We show compassion for one another and demonstrate an attitude of gratitude.
- We have high expectations for ourselves and others and strive to exceed them.

### **Respect**

- We listen to others and assume the best.
- We recognize that our words have power and only speak words that uplift and affirm.
- We are open-minded and positive in our interactions with others.

### **Growth Mindset**

- We learn from our mistakes and persevere through difficulty.
- We are part of a community that constantly strives to improve ourselves and the organization.
- We are open to change and fully embrace it.

## **School Discipline Database**

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

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

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

## **II.3 Search and Seizure**

MAS recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. These searches are intended to be minimally intrusive such as emptying pockets, cubbies, backpacks, purses, removal of hats, socks, and shoes and these searches may be conducted by the Principal/Executive Director or designee. In the case of storage spaces provided to students by MAS, these spaces shall remain property of MAS and, in accordance with law, may be the subject of random searches. If students are provided places that can be secured by locks, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply at MAS' facility 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, 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 Principal/Executive Director 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 Principal/Executive Director in the presence of another staff member. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property. In no event shall a MAS student be subjected to a "strip search."

### **Seizure of Items**

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

### **Notification of Law Enforcement Authorities**

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

### **Record Keeping**

The Principal/Executive Director 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 Principal/Executive Director shall be responsible for the custody, control, and disposition of any illegal or

dangerous substance or object taken from a student.

## **II.4 Prohibitions**

The use, possession, sale, transfer, or distribution of alcohol, drugs, and illegal substances, or drug paraphernalia is strictly prohibited, except in accordance with school policies concerning medications. The terms drugs and other illegal substances shall include, but not be limited to, inhalants, marijuana, cocaine, LSD, PCP, amphetamines, heroin, steroids, look-alike drugs, and any of those substances commonly referred to as designer drugs. The term also includes prescription and non-prescription drugs.

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

### **Smoking and Possession of Tobacco Products**

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

### **Weapons, Firearms, and Dangerous Objects**

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

## **II.5 Corporal Punishment**

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

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

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

## **II.6 Student Conduct**

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

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

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

- arson;
- inciting others;
- committing plagiarism;
- making verbal or physical threats;
- use of racial or religious slurs;
- lying;
- indecent exposure;
- extortion, coercion, or blackmail; and
- interference with or intimidation of school personnel.

## **II.7 Anti-Bullying, Harassment, and Discrimination**

All members of MAS have the right to enjoy a safe and positive school environment where cooperation and positive interactions are encouraged, people are valued, and property is respected. Providing an educational environment for all students, employees, volunteers, and families, free from harassment, intimidation, or bullying supports a total learning experience that promotes personal growth, healthy interpersonal relationships, wellness, and freedom from discrimination and abuse. The safety and well-being of all students is of primary importance. MAS does not permit bullying, harassment, and discrimination and the school will be responsive in preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

### **Definitions**

- *Bullying* - Bullying is any written, verbal expression, physical act or gesture, or pattern of such that causes a student or students to feel distressed or intimidated and which substantially interferes with another student or student’s education, opportunities, or performance in school, on school grounds, in school vehicles, or at school activities or sanctioned events.
- *Harassment* - Bullying includes harassment which is knowingly pursuing a pattern of conduct that is intended to annoy, alarm, or terrorize another person. (Harassment based on race, sex, ethnicity, national origin, religion, disability, age, gender identity, or sexual orientation is addressed below under “Anti-Discrimination and Harassment Policy”).
- *Hazing* - Bullying also includes “hazing” which is defined as: committing an act against a student, or coercing a student into committing an act that creates a risk of harm to a person, in order for that student to be initiated into or affiliated with a student organization, or for any other purpose.
- *Cyber Stalking* - Cyber stalking means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person, and serving no legitimate purpose.
- *Cyber Bullying* - Cyber bullying is defined as a situation when a student is repeatedly harassed, humiliated, threatened, and intimidated, or otherwise targeted by another person through the use of digital technologies, including, but not limited to, instant and text messaging, email, blogs, social websites (e.g. Twitter, Facebook, Instagram, Snapchat), and chat rooms, affecting the school environment or a student’s access to a safe and healthy school learning environment.

### **Anti-Bullying Policy**

Actions that will be viewed as “bullying” include but are not limited to:

- repeated teasing, use of sarcasm, or malicious jokes;
- name-calling, belittling comments;
- nonverbal behavior such as gestures or graphic written statements;
- conduct that is physically threatening, harmful, intimidating, or humiliating;
- inappropriate physical contact or posturing; and
- cyber bullying and cyber stalking as defined above.

### **Reporting and Complaints**

Students and parents may file verbal or written complaints concerning suspected bullying behavior to school personnel

and administrators. See “Bullying Complaint Form” attached at the end of the Code of Conduct. Students, parents, and/or staff should use the following guidelines when reporting bullying.

- Any student who believes he/she has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.
- The report may be made to any staff member including a teacher, Dean of Student Discipline, Assistant Principal, or the Principal/Executive Director. If the complaint is made by a student to a staff member, the staff member will assist the student in reporting the complaint to the Dean of Student Discipline.
- Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required to promptly notify the Dean of Student Discipline. Reports by staff should be made in writing using a PBIS Student Referral Form. A copy of this form will be submitted to the Dean of Student Discipline.
- If a student makes a verbal report to a teacher, the teacher should complete the Bully Complaint Form on behalf of the student or take the student to the Dean of Student Discipline where a form will be completed on the student’s behalf.

### **Investigation**

The Dean of Student Discipline will accept and promptly investigate *all* reports of intimidation, harassment, or bullying. The Dean of Student Discipline will make every effort to inform the parents of the victim and the accused of any report of harassment, intimidation, bullying, or hazing prior to the investigation taking place. MAS’ administration may take immediate steps to protect the complainant, students, teachers, administrators, or other school personnel pending the completion of an investigation.

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

*Confidentiality* - The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws and to the extent possible. However, MAS cannot guarantee absolute confidentiality because it may be necessary to discuss the complaint with others who are witnesses or who may have information about the complaint.

*Outcome* - The investigation shall be completed as soon as possible. In determining whether the alleged conduct constitutes bullying, the totality of the circumstances, the nature of the conduct, the student’s history, and the context in which the alleged conduct occurred will be investigated. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) (to protect the privacy of the student alleged to have committed the bullying) the Dean of Student Discipline will notify the parent making the complaint of the outcome of the investigation. The Dean of Student Discipline shall also notify the parent of the accused student about a determination that their student has committed a verified act of bullying and the consequences for the student’s actions.

### **Consequences**

Verified acts of bullying shall result in intervention by the Dean of Student Discipline that is intended to ensure that the prohibition against bullying behavior is enforced. While conduct that rises to the level of “bullying” as defined above will generally warrant disciplinary action against the perpetrator of such bullying, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, expulsion, or other consequences to be determined) is a matter for the professional discretion of school administration. Certainly, repeated offenses will warrant increasingly severe consequences, up to and including expulsion.

If a student bullies another student, one or more of the following may occur:

- *Intervention and Individual/ Group Counseling* - He/she may be counseled about bullying and more appropriate behaviors.
- *Peer Mediation* - He/she may take part in student-to-student mediation.
- *Parent Outreach* - Parents may be notified verbally and/or in writing and, if warranted, a meeting may be scheduled.

- *Check In/Check Out* - If bullying continues, he/she may be assigned to a daily Check In/Check Out (part of PBIS) to monitor this behavior.
- *Review of Data* - Disciplinary referrals specific to bullying behaviors may be reviewed with the student from the discipline database in order to point out patterns of behavior to the student and to educate the student in making better choices.
- *Disciplinary Action* - He/she may face additional consequences, such as suspension, if the behavior is egregious or continues.
- *Referral to Outside Agency* - He/she may be referred to outside organizations to access additional support services.

*Consequences for Knowingly Making False Reports* - False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

*Retaliation* - Retaliation against an individual who either orally reports or files a written complaint regarding harassment, intimidation, bullying, or hazing, or who participates in or cooperates with an investigation is prohibited.

*Anti-Bullying included in Health Education Curriculum* - Health Education is the instructional program that provides the opportunity to motivate and assist all students to maintain and improve their health, prevent disease, and reduce health-related risk behaviors. It allows students to develop and demonstrate increasingly sophisticated health-related knowledge, attitudes, skills, and practices. It meets the content standards with benchmarks and performance standards as set forth in 6.30.2.19 NMAC. Bullying behavior is mentioned specifically in many areas of the Health Education performance standards, at all grade levels. All students need to be aware of bullying behavior throughout their school years. It is imperative that students are comfortable with understanding, describing, and recognizing bullying behaviors, and then in the later grades are able to analyze those behaviors and role play refusal skills. Our curriculum does recognize the importance of bully prevention skills in all grade levels.

### **Anti-Discrimination and Harassment Policy**

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

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

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

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

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

*Investigation and School Action* - In determining whether alleged conduct constitutes harassment, the totality of the circumstances, the nature of the conduct, and the context in which the alleged conduct occurred will be investigated. A substantiated charge against a student, employee, visitor, vendor, or other individual on MAS premises for harassment shall subject that individual to disciplinary action or other consequences. Disciplinary action may include, but may not be limited to the following: written warning, detention, written reprimand, suspension, and/or expulsion. The severity of the disciplinary action will depend on the frequency, circumstances, and severity of the offense.

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

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

## **II.8 General Disciplinary Process**

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

### **Due Process**

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

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

### **Levels of Discipline**

*Level 1: Any Staff Member Intervention – Minor Incident:* Minor behavioral incidents, such as speaking out in class, talking to a neighbor during instruction, or getting out of one's seat without permission, *usually* result in the staff redirecting the student. The staff may talk to the student in class or step out in the hallway while maintaining a visual of the rest of their class. **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: Dean of Student Discipline 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 Dean of Student Discipline. A deeper conversation will occur with the student to try to determine the root cause of the behavior and help the student to identify an appropriate replacement behavior. **The purpose of this conversation is to redirect the behavior, identify a more appropriate behavior, and to return the student to class as soon as possible so as to not miss important instruction.**

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

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

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

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

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

## **II.9 Penalties**

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

### **Restitution**

Restitution may be imposed for students who have damaged, lost, ruined, or destroyed student, staff, or school property. Parents will be notified by the Principal/Executive Director 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. Automatic detention is assigned and served the same day that it is assigned when students come to school out of school uniform or are late for school. Staff will always attempt to contact the parent by telephone to notify them of the detention; therefore it is imperative that phone numbers are kept updated and the parent checks phone messages. The first time a student fails to attend the designated detention session, he/she may receive two (2) days detention as a consequence for not reporting. The second time a student fails to attend the detention session; he/she may receive a Saturday detention. Students who fail to attend Saturday detention may receive a 1- day out-of-school suspension. If the student continues to not attend the assigned detention session(s), further consequences will be explored. Additionally, if

students receive lunch detention, after-school detention, or Saturday detention for being tardy, they are required to show up to detention on time; further consequences may be imposed when students are late to an assigned detention.

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

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

### **Suspension from Extracurricular Activities, Athletic Participation, or Field Trips**

Parents will be notified by the school prior to their son or daughter being prohibited from participation in extracurricular activities, athletics, or field trips. Upon request, a student or the parent will be provided an opportunity for an informal conference with the Principal/Executive Director and/or designee to discuss the conduct and penalty. Anytime a student is scheduled for in-school suspension or out-of-school suspension they are prohibited from attending an extracurricular activity, athletic activity, or field trip for any of the days that they are in in-school suspension or suspended. Students may participate in extracurricular activities, athletic activities, or field trips beginning at 7:30 a.m. the first school day following their 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.

### **In-School Suspension (ISS)**

Students, who may not otherwise be suspended from school as the result of misconduct, may be assigned in-school suspension. Due to a small school staff, ISS is rarely assigned. It involves temporary removal of a student from the classroom and placement in another area of the school building where the student will receive substantially equivalent alternative instruction. Students assigned ISS are suspended from all school sponsored extracurricular activities (e.g., sports practices and games, field trips, clubs, special programs, etc.) during their time in ISS. An informal conference to discuss the misconduct and penalty with the administrative authority may be requested by a student or their parent. ISS is not issued by the Dean of Student Discipline without consent from the Principal/Executive Director or Assistant Principal.

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

- The student will have an opportunity to explain their version of the events in an informal discussion with the administrative authority after the notice of the charges is given.
- A student who denies a charge of misconduct shall be told what act(s) he/she is accused of committing, shall be given an explanation of the evidence supporting the accusation(s), and shall then be given the opportunity to explain his or her version of the facts. The administrative authority is not required to divulge the identity of informants, although he/she should not withhold such information without good cause. He/she is required to disclose the substance of all evidence on which he/she proposes to base a decision in the matter.
- The administrative authority is not required to allow the student to secure counsel, to confront or cross-examine witnesses supporting the charge(s), or to call witnesses to verify the student's version of the incident, but none of these is prohibited if in the administrator's discretion he/she chooses to allow any or all of them

in a particular instance.

- The school shall exert reasonable efforts to inform the student's parent of the charges against the student by telephone and their possible or actual consequence as soon as practicable. If the school has not communicated with the parent by telephone, including voice message, or in person by the end of the day of the infraction, the school shall on that day, mail a written notice with the required information to the parent's address of record.

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

All short-term suspensions issued by the Dean of Student Discipline require approval by the Principal/Executive Director or Assistant Principal. If a student is issued an immediate short-term out-of school suspension, the following procedures will apply:

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

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

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

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

Long-term suspension and expulsion procedures:

- A student who has been long-term suspended or expelled is not entitled to receive any educational services from MAS during the period of the exclusion from school. However, MAS will provide the ability to make up work for credit during long-term suspension.

- The Principal/Executive Director shall serve as the initial hearing authority/disciplinarian once a long-term suspension or expulsion is recommended.
- An adhoc committee of the Board shall serve as the review authority. The review authority shall have discretion to modify or overrule the disciplinarian's decision, but may not impose a harsher punishment. A review authority shall be bound by a hearing authority's factual determinations.
- No person shall act as a hearing authority, disciplinarian, or review authority in a case where he/she was directly involved in or witnessed the incident(s) in question, or if he/she has prejudged disputed facts, or is biased for or against any person who will actively participate in the proceedings. In cases where the Principal/Executive Director was directly involved or witnessed the incident in question, the Board Chair will serve as an impartial hearing officer.
- If long-term suspension or expulsion is being recommended, parents will be notified of the long-term suspension and expulsion recommendation through a written notice which will be addressed to the student, through his or her parent, and shall be served upon the parent personally or by mail. In addition to formally mailing notification, whenever possible, parents will also be informed via telephone or in person.
- A hearing on the long-term suspension/expulsion recommendation shall be scheduled no sooner than five (5), and no later than ten (10) school days from the date of receipt of the notice by the parent. The hearing date may be extended by the hearing authority upon good cause shown. The written notice of the recommendation must contain all of the following information, parts of which may be covered by appropriate reference to copies of any policies or regulations furnished with the notice:
  - the school rule(s) alleged to have been violated, a concise statement of the alleged act(s) of the student on which the charge(s) are based, and a statement of the possible penalty;
  - the date, time, and place of the hearing, and a statement that both the student and parent are entitled and urged to be present;
  - a clear statement that the hearing will take place as scheduled unless the hearing authority grants a delay or the student and parent agree to waive the hearing and comply voluntarily with the proposed disciplinary action or with a negotiated penalty, and a clear and conspicuous warning that a failure to appear will not delay the hearing and may lead to the imposition of the proposed penalty by default;
  - a statement that the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in a written notice filed at least seventy-two (72) hours before the hearing with the contact person;
  - a description of the procedures governing the hearing;
  - the name, business address, and telephone number of a contact person through whom the student, parent, or designated representative may request an extension of the hearing or seek further information, including access to any documentary evidence or exhibits which the school proposes to introduce at the hearing; and
  - any other information, materials, or instructions deemed appropriate by the administrative authority who prepares the notice.
- Student's status pending hearing. Where a student has been suspended temporarily and a formal hearing on long-term suspension or expulsion will not occur until after the temporary suspension has expired, the student shall be returned to school at the end of the temporary suspension unless the student and parent have knowingly and voluntarily waived the student's right to return to school pending the outcome of the formal proceedings.
- Waiver of hearing; voluntary compliance or negotiated penalty. A student and his or her parent may elect to waive the formal hearing and review procedures and comply voluntarily with the proposed penalty, or may waive the hearing and review and negotiate a mutually acceptable penalty with the designated disciplinarian. Such a waiver and compliance agreement shall be made voluntarily, with knowledge of the rights being relinquished, and shall be evidenced by a written document signed by the student, the parent, and the appropriate school official.
- Procedure for hearing and decision. The formal hearing is not a trial. It is an administrative hearing designed to ensure a calm, orderly determination by an impartial hearing authority of the facts of a case of alleged serious misconduct. Technical rules of evidence and procedure do not apply. The following rules govern the conduct of the hearing and the ultimate decision:
  - The school shall have the burden of proof of misconduct.
  - The student and his or her parent shall have the following rights:

- the right to be represented by legal counsel or other designated representative, however, the school is not required to provide representation;
- the right to present evidence, subject to reasonable requirements of substantiation at the discretion of the hearing authority and subject to exclusion of evidence deemed irrelevant or redundant;
- the right to confront and cross-examine adverse witnesses, subject to reasonable limitation by the hearing authority;
- the right to have a decision based solely on the evidence presented at the hearing and the applicable legal rules, including the governing rules of student conduct.
- The hearing authority shall determine whether the alleged act(s) of misconduct have been proved by a preponderance of the evidence presented at a hearing at which the student or a designated representative has appeared.
- If no one has appeared on the student's behalf within a reasonable time after the announced time for the hearing, the hearing authority shall determine whether the student, through the parent, received notice of the hearing. If so, the hearing authority shall review the school's evidence to determine whether it is sufficient to support the charges(s) of misconduct.
- A hearing authority who is also a disciplinarian shall impose an appropriate sanction if he/she finds that the allegations of misconduct have been proven. A hearing authority who is not a disciplinarian shall report its findings, together with any recommended sanction, to the disciplinarian promptly after the hearing.
- Arrangements to make a tape recording or keep minutes of the proceedings shall be made by the administrative authority that scheduled the hearing and prepared the written notice. A verbatim written transcript is not required, but any minutes or other written record shall fairly reflect the substance of the evidence presented.
- The hearing authority may announce a decision on the question of whether the allegation(s) of misconduct have been proven at the close of the hearing. A hearing authority who is also a disciplinarian may also impose a penalty at the close of the hearing.
- In any event, the hearing authority shall prepare and mail or deliver to the student, through the parent, a written decision within five (5) working days after the hearing. The decision shall include a concise summary of the evidence upon which the hearing authority based its factual determinations. A hearing authority who is also a disciplinarian shall include in the report a statement of the penalty, if any, to be imposed, and shall state reasons for the chosen penalty. A hearing authority who is not a disciplinarian shall forward a copy of his or her written decision to the disciplinarian forthwith. The disciplinarian shall prepare a written decision, including reasons for choosing any penalty imposed, and mail or deliver it to the student, through the parent, within five (5) working days of receipt of the hearing authority's report.
- A disciplinarian who is not a hearing authority may observe, but not participate in the proceedings at a formal hearing. If the disciplinarian has done so and if the hearing authority announces a decision at the close of the hearing, the disciplinarian may also announce his or her decision at that time.
- The disciplinarian's decision shall take effect immediately upon initial notification to the parent, either at the close of the hearing, or upon receipt of the written decision. If initial notification is by mail, the parent shall be presumed to have received the notice on the fifth calendar day after the date of mailing, unless a receipt for certified mail, if used, indicates a different date of receipt.
- *Effect of Decision* - If the hearing authority decides that no allegation(s) of misconduct have been proven, or if the disciplinarian declines to impose a penalty despite a finding that an act or acts of misconduct have been proven, the matter shall be closed. If the disciplinarian imposes any sanction on the student, the decision shall take effect immediately upon notification to the parent and shall continue in force during any subsequent review.
- *Right of Review* - A student aggrieved by a disciplinarian's decision after a formal hearing shall have the right to have the decision reviewed by the Board if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one school semester, or a denial or restriction of student privileges for one semester or longer. The Board may, but is not obligated to, grant a right of review for less severe penalties. A student request for review must be submitted to the review authority within ten (10) school days after the student is informed of the disciplinarian's decision.

- *Conduct of Review* - A review authority shall have discretion to modify the disciplinarian's decision, including imposing any lesser sanction deemed appropriate. A review authority shall be bound by the hearing authority's factual determinations unless the student persuades the review authority that a finding of fact was arbitrary, capricious, or unsupported by substantial evidence or that new evidence which has come to light since the hearing and which could not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the review authority shall have discretion to receive new evidence, reconsider evidence introduced at the hearing, or conduct a de novo hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.
- *Form of Review* - A review authority shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved student and school authorities to written materials, or to grant a conference or hearing at which the student and his or her representative, and school authorities, may present their respective views in person. Where a conference or hearing is granted, the record-keeping requirements above apply.
- *Timing of Review* - Except in extraordinary circumstances, a review shall be concluded no later than fifteen (15) working days after a student's written request for review is received by the appropriate administrative authority.
- *Decision* - A review authority may announce a decision at the close of any conference or hearing held on review. In any event, the review authority shall prepare a written decision, including concise reasons, and mail or deliver it to the disciplinarian, the hearing authority, and the student, through the parent within ten (10) working days after the review is concluded.
- *Effect of Decision* - A review authority's decision shall be the final administrative action to which a student is entitled.

### **Discipline Files**

At the discretion of the Principal/Executive Director, 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.10 Discipline Procedures for Students with Disabilities**

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

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

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

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

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

## **II.11 Student Conduct During Transportation**

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

All students are expected to:

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

## **Section III: General School Policies**

### **III.1 Attendance Policy**

Parents and students have an obligation to make sure the student attends school on a regular and consistent basis. The school will make every effort to assist families if attendance is an issue, in accordance with the New Mexico Compulsory Attendance Act and related regulations. However, when a student has been absent for ten (10) consecutive days without notice or excuse, the school is required to disenroll the student from MAS; the student will not be able to regain admission without following the lottery admission procedures.

MAS is committed (and legally obligated) to enforce the New Mexico Compulsory School Attendance Law. The following attendance requirements are consistent with a student's obligation to attend and a parent's obligation to ensure that their student attends school. MAS hopes that every parent will consider regular and timely attendance to be imperative to their student's educational success.

#### **Excused Absences**

A parent must provide notice of an excused absence by phone or a signed written note describing one of the reasons listed below. The Principal/Executive Director shall in his/her sole discretion determine whether there is a sufficient basis to excuse the absence. Whenever possible, notification of a student's absence should be given prior to missing school. However, when the circumstances dictate, the information concerning a student's absence should be provided as soon after the missed school day as possible. Failure to advise the school's Attendance Secretary in writing or by a telephone the same day of the student absence will result in an "unexcused absence." Absences will only be excused for the following reasons:

- \* Doctor's appointment
- \* Religious commitment
- \* Family emergency
- \* Tribal traditions/laws
- \* Illness
- \* Death in the family
- \* Diagnostic testing
- \* Extenuating circumstances

Absences due to family emergencies and extenuating circumstances may be excused by the Principal/Executive Director. The Principal/Executive Director may request additional documentation to substantiate an "excuse" for any absence at his/her discretion. Please contact the school office at 505-242-3118 extension 110 to notify us of your student's absence.

#### **Pregnant and Parenting Teens**

At least ten (10) days of excused absences will be allowed to a student who provides documentation of the birth of their child and the student will be allowed a time period to make up missed work that equals the number of days missed. Additional excused absences beyond the above referenced ten (10) days will be allowed for any pregnant or parenting student when deemed medically necessary by the student's physician. Medical documentation will be required. In these instances, the student will be allowed a time period to make up missed work that equals the number of days missed.

#### **Make Up Assignments**

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.

#### **Unexcused Absences**

Unexcused absences will be tracked for purposes of determining whether a student's attendance complies with the Compulsory School Attendance Law, NMSA 1978 §22-12-1, et seq. 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 non-excused reasons;
- absences related to custodial parent changes;

- trips to other 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 Principal/Executive Director deems the reason insufficient.

### **Students in Need of Intervention**

A student will be deemed “a student in need of intervention” if he or she accumulates three (3) excused absences or five (5) or more excused or unexcused absences within a school year.

*Habitual truant* - A student is “habitually truant” if he/she accumulates ten (10) or more unexcused absences in a school year.

*Notification and Cooperation* - MAS will attempt to identify early on when there is a problem with a student’s regular attendance and to assist, when feasible, both the student and his/her parent to improve attendance. The following steps will be taken to notify the parent of absences in an attempt to improve student attendance:

*Daily Phone Calls* – The parent will receive a call from the school every day that a student is not in attendance or reports to school tardy, unless the parent has called us in advance to report the absence/tardiness.

*After Three (3) Unexcused Absences* – If a student is in need of early intervention, MAS shall contact the student’s parent to inform them that the student has unexcused absences from school and to discuss possible interventions, unless after the school’s contact, the parent provides an acceptable explanation for the absence and the excuse complies with the school’s attendance policy. If, after the initial contact, the student’s absences are not deemed excused, a representative of the school shall meet with the student in need of early intervention and his/her parent to identify the causes for the student’s unexcused absences, identify what actions can be taken that might prevent the student’s unexcused absences, identify possible school and community resources to address the causes for the student’s unexcused absences, and establish a corrective action plan to address the student’s unexcused absences. While it is preferred to have these meetings in person, telephone meetings are acceptable.

*After Five (5) Unexcused or Excused Absences* – If the student continues to have absences following the meeting for three unexcused absences, a second meeting will be set. At that meeting, a representative of the school shall meet with the student in need of early intervention and his/her parent to identify the causes for the student’s absences, identify what actions can be taken that might prevent the student’s unexcused absences, identify possible school and community resources to address the causes for the student’s absences, and establish a corrective action plan to address the student’s unexcused absences. While it is preferred to have these meetings in person, telephone meetings are acceptable.

*After Seven (7) Unexcused or Excused Absences* – If the student continues to have unexcused absences following the second meeting, the next meeting will be set up with an expectation that this will be a face to face meeting and the student in need of early intervention and his/her parent will be expected to attend. At this meeting, a representative will attempt to work with the parent to develop more intensive intervention strategies that focus on keeping the student in an educational setting.

*After Ten (10) Unexcused or Excused Absences* – If the student continues to have unexcused absences following the meeting for seven (7) absences, the next meeting will be set up with an expectation that this will be a face to face meeting and the student in need of early intervention and his/her parent will be expected to attend and this meeting will be held with the Principal/Executive Director. At this meeting, the Principal/Executive Director will attempt to work with the parent to develop more intensive intervention strategies that focus on keeping the student in an educational setting. It will also be made clear that if there are continued unexcused absences after this meeting, the family will be reported to CYFD for educational neglect and the student will be reported to the probation services of the judicial district where the student resides.

MAS monitors attendance for both excused and unexcused absences. While excused absences suggest legitimate reasons for the absence and effective communication between home and school, we still monitor all absences and expect meetings to occur regardless of whether or not the absences are excused or unexcused. **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.**

### **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. This policy applies regardless of whether or not the absences are excused or unexcused. Attendance is imperative to be successful in school and 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](http://www.mascharterschool.com). MAS does not discriminate against any student based on race, gender, religious affiliation, national origin, ethnicity, physical or mental disability, gender identity, or sexual orientation. The school is nonsectarian in its programs, admission policies, and employment practices.

For the 2018-2019 school year, MAS has 60 seats for grades K-5 and 11-12 and 120 seats for grades 6-10 at our 1718 Yale Boulevard location and 60 seats for grades K-1 at our 1255 Old Coors Road location.

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

Returning MAS families do not have to reapply through the lottery. However, families do need to complete a letter of intent indicating their intent to return to MAS for the following school year. Letters of intent will be provided to families at a date to be determined each school year between the months of February and March. Notification will be provided of the letters of intent going home through email communication and our automated telephone communication system. Families will have two weeks from the date of notice each year to return their letter of intent. Failure to submit the letter of intent within the two week window will result in a forfeiture of your seat for the following school year.

Additionally, returning families of MAS students are required to complete new registration paperwork each school year for each child that attends MAS. Returning student registration paperwork will be sent home with each student by May 1<sup>st</sup> of each school year. **All returning families will have until the second Friday in May, each school year, to complete and return all registration paperwork for the upcoming school year.** Failure to do so will result in forfeiture of your seat for the upcoming school year. The following is a list of forms due at the time of re-enrollment. This list is subject to change.

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

The final step in the registration process is uniform shirt fittings during the summer. There is one week, usually toward the end of June, where all students (new and returning) need to come in for uniform sizing. If students cannot make it for extenuating circumstances, sizing can be done over the phone. Families that do not bring their student in for sizing, call in

for sizing, or call in to make alternative arrangements will be presumed to be no longer interested in attending MAS. A formal written notice will be sent to parents as a last opportunity for them to come in for sizing or call in to make arrangements. If this is not done within the time period outlined in the letter, the registration process will be considered incomplete and the student will be dropped from enrollment and placed on the decline list. Students that are placed on the decline list will have to reapply for admission to MAS Charter School and follow the lottery process.

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

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

### **III.3 Parent Custody**

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

The custodial parent is responsible for:

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

The school is responsible to:

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

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

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

### **III.4 Weather Related Closings**

In the event of poor weather conditions, such as heavy snow, please listen to your local television or radio stations for relevant information regarding school cancellations. For the most part, school closings for inclement weather will follow the Albuquerque Public School (APS) closings. However, there may be times that it is determined by school administration that MAS needs to be closed and this is not aligned with APS closings. All staff, students, and parents will always be notified by telephone and email through our automated messaging system of ALL school cancellations and delays, so again, it is imperative that proper contact information is maintained with MAS Charter School. All updates to contact information should be reported to a main office staff member.

Please note that generally speaking MAS does NOT follow school delays exercised by APS. This is because of the transportation issue school delays create for our charter parents who are responsible for transporting their children to school. With that said, we will work with students, parents, and staff if they need to be delayed due to inclement weather, but for the most part, the school will not delay opening due to weather conditions.

### **III.5 Tardy Policy**

If students are late after the tardy bell, they must sign in at the main office. If your child is going to be late for school and you know, call the school to notify us in advance. Secondary students receive an automatic lunch detention for being tardy to school on any given day. If students receive detention for being tardy, they are required to show up to detention on time; further consequences can be imposed when students are late to assigned detention. Timely arrival to school is imperative to student success.

### **III.6 Early Dismissal Policy**

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

### **III.7 Student Dress Code**

In order to promote an appropriate and productive educational environment, to promote a more effective climate for learning, to foster school unity and pride, and to allow students to focus solely on learning and not on attire, the school has a dress policy for students that applies during all school days and to all school-sponsored events. There is a NO UNIFORM, NO CLASS policy at MAS. Students out of uniform will be required to contact their parents to bring an appropriate change of clothes and the student will not be allowed in class until they are wearing the full school uniform. If your child is out of uniform, he/she will also receive an automatic detention for thirty (30) minutes, during lunch, that same school day. Parents will be notified of this detention when notified that they need to bring an appropriate change of clothes. It is very important to establish the team culture at MAS. In order to do so, it is expected that students show up on a daily basis in uniform to show that they are part of the MAS team. Three (3) uniform shirts are provided for each family at the beginning of the school year as well as one sweatshirt. Families are responsible for the purchase of uniform pants. Financial assistance is available for parents of students who cannot afford uniform pants or for whom the school uniform poses an undue hardship. Please contact the main office staff if this applies.

#### **Girls**

*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, AND NO DESIGNS ON THE PANTS.

*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) short-sleeve uniform shirts are provided for each family at the beginning of the school year. If desired, additional uniform shirts can be purchased from our uniform vendor.

#### **Boys**

*Bottoms* – Acceptable bottoms include black pants or shorts. NO JEAN OR DENIM MATERIAL, NO JERSEY/GYM SHORTS, NO SWEATPANTS, and NO DESIGNS ON THE PANTS.

*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) short-sleeve uniform shirts are provided for each family at the beginning of the school year. If desired, additional uniform shirts can be purchased from our uniform vendor.

Students may NOT wear anything other than their school uniform. Unaccepted accessories include, but are not limited to, suspenders, ties, hats, bandanas, large necklaces/chains, or other jewelry that may be distracting. Additionally, students may not wear a sweatshirt, jacket, sweater, or anything like this over their school uniform. Students are also NOT allowed to wear other shirts under their school uniform EXCEPT for short-sleeve t-shirts, NO long sleeve shirts are allowed under the MAS uniform.

### 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 in Grades K-8 are expected to be silent. Grades 9-12 do not have to maintain silent transitions during transitions between class periods.

### 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 grade 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 Principal/Executive Director 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 Principal/Executive Director, 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 Principal/Executive Director a signed, written "Grade Change Request" letter stating reasons for the course grade change request, within **five (5) days** of receipt of the course grade.
2. Upon request, the student/parent will be permitted to review any available records and documents belonging to the student related to the determination of how the grade was awarded.
3. The Principal/Executive Director will consult with the teacher to determine if there has been any clear mistake or clerical error, or if there has been any misidentification of the student.
4. In further consultation with the teacher, the Principal/Executive Director will determine if a change in final course grade is merited for any other justifiable reason, such as extenuating circumstances articulated and demonstrated by the student/parent, additional graded work submitted by the student, additional or make-up testing, or other meaningful criteria that can be verified.
5. The teacher who issued the course grade shall provide to the Principal/Executive Director his/her reasons to support or oppose the requested grade change and shall not be pressured into, or retaliated against for making a certain recommendation.
6. As part of fact-finding, the Principal/Executive Director 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 Principal/Executive Director'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 Principal/Executive Director's response shall articulate the reasons and basis for the grade change.
8. The Principal/Executive Director will be the final determinant of the decision.
9. If the Principal/Executive Director decides that a grade change is merited, in addition to the student or parent, the Principal/Executive Director shall comply with any NMPED notification requirements.
10. If the Principal/Executive Director decides that a course grade change is merited for a particular student, the grade change must be equally available and applied to all students who are similarly situated.
11. The Grade Change Request letter and a copy of the Principal/Executive Director's decision shall be placed in the student's permanent cumulative record file. The student/parent may request of the Principal/Executive Director

that the documents be removed and destroyed upon the student transferring or graduating from the school. The Principal/Executive Director has full discretion in complying with the student's/parent's request.

Due to the urgent nature of determining whether a grade change is merited, the timelines established herein shall be considered maximums.

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, advanced placement 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 Principal/Executive Director and the Assistant Principal. If you have questions about whether or not a course is weighted, please clarify with the Principal/Executive Director or Assistant Principal.

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 for that course for full credit courses and .0172 for ½ 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.

<b>STANDARDS BASED GRADE</b>	<b>LETTER GRADE EQUIVALENT</b>
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 Principal/Executive Director and Assistant Principal or designee into appropriate MAS credits as determined by the Principal/Executive Director and Assistant Principal or designee and shall be included in the GPA and weighted grade point average (WGPA) computations.

**III.11 Elementary and Middle School Retention Process**

Teachers recognizing students with significant educational progress deficiencies shall notify the Principal/Executive Director no later than the end of the second grading period if retention is anticipated. The teacher shall work closely with the Principal/Executive Director, instructional coach, and the support personnel to develop a special support program. The parent shall be notified no later than the end of the second grading period of the possibility of 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 the student is currently in compensatory programs such as English-as-a-Second-Language (ESL) and Title I programs, the appropriate program coordinator or designee shall be included in the decision conference.

If there is a consideration to retain a student, a conference consisting of the Principal/Executive Director or designee, teacher, instructional coach, 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 records, and all significant points of view should be aired by all interested parties.

A parent or guardian who refuses to allow his/her child to be retained shall sign a waiver indicating that the child's promotion is against the specific advice and recommendation of the certified school instructor and the Principal/Executive Director. If a student is retained, a Retention of Student form will be completed by the Principal/Executive Director. The original will be placed in the student's cumulative folder.

While there is a policy in place for retention of students, MAS does not advocate for retention of students and instead is very proactive in providing necessary intervention.

**III.12 Distance Learning**

While MAS strives to provide a high quality education for all students that uses and develops 21<sup>st</sup> century teaching and learning skills, MAS will not use distance learning in our program. Distance learning is a process used to provide instruction for credit when the student and primary instructor are not necessarily physically present at the same time and/or place.

### **III.13 Dual Credit Policy**

MAS will offer dual credit courses for eligible high school students. All 9<sup>th</sup> grade students will be assessed before the end of their 9<sup>th</sup> grade school year on the Accuplacer to determine eligibility for CNM dual credit courses. Students in grades 10-12 will be assessed at least two times a year to determine eligibility for dual credit courses. All associated costs for dual credit courses and textbooks for these classes will be paid for by MAS Charter School.

### **III.14 Foreign Exchange and Non-Immigrant Foreign Students**

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

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

#### **Criteria for Acceptance and Placement of Foreign Exchange Students**

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

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

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

#### **Process and Time Lines**

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

### **III.15 Parental Concern Policy about Students**

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

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

*Step 2* - If a resolution cannot be reached at this level, then the parent may contact the person’s supervisor and request a meeting with the supervisor and the other MAS employee with whom there is a disagreement. (If it is the Principal/Executive Director 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 Principal/Executive Director, then the parent should submit a written complaint to the Governing Board President requesting a meeting with the Governing Board or its designated committee in closed session. Matters concerning a student or employee dispute will not be addressed in an open meeting.

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

### **III.16 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 Principal/Executive Director 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 Principal/Executive Director. After a meeting between the community member and the Principal/Executive Director or designee, the Principal/Executive Director or designee will prepare a written summary of the attempt to resolve the community member’s concern of the matter not resolved. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at the administrative level, the community member may take the issue to the MAS Governing Board for disposition.

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

- The community member may submit his/her grievance in writing to the MAS Governing Board within five (5) days of receiving the Principal/Executive Director’s statement concerning the good faith effort to resolve the dispute.
- The letter must be in writing, signed by the community member, and delivered to the Governing Board at the school. A copy of the Principal/Executive Director’s statement should be enclosed.
- If the community member does not submit a written grievance within five (5) days from the date the written summary prepared by the administrator is delivered to the community member, the complaint will be deemed “resolved.”
- The grievance submitted to the Governing Board should include specific reasons why the community member is not satisfied with the administrator’s decision, any specific school policy that the member believes has been violated, and any other relevant information and documentation that supports the grievance. The written grievance must be dated and signed by the person submitting the complaint.
- The Governing Board will decide at the first meeting immediately following receipt of the written grievance whether it will hear the matter, and if it agrees to hear the matter, it will schedule a time for the meeting, which shall not be unreasonably delayed. Depending on the substance of the complaint, the Governing Board will also decide whether the grievance shall be heard as an informal meeting of the concerned parties, an informal hearing with each party being allowed to present his/her side of the story, or any other procedure the Governing Board deems appropriate.

- MAS Governing Board members who are interested parties or who may have an actual or apparent conflict of interest shall disclose such conflict and be excused from the grievance meeting if the Governing Board deems the excusal necessary to provide the complaining community member a fair consideration of the grievance.
- Any meeting or hearing concerning a matter that relates to personnel issues, that is confidential, or that implicates an individual's privacy rights will be held in a closed meeting in accordance with the Open Meetings Act.
- A decision will be established by a majority vote of the members of the MAS Governing Board hearing the issue. The MAS Governing Board may designate a committee of the Governing Board to meet with or conduct the hearing. Any final action required to be taken by the Governing Board will be made after the committee's recommendation is presented to the full Governing Board.

If additional information or investigations are necessary after the initial meeting or hearing, the meeting or hearing may resume as soon as is practical after further information has been gathered or an investigation has been conducted. The Governing Board will issue a final written decision regarding the grievance. The decision of the Governing Board is final.

### **III.17 Reporting Violations of the Code and Crimes**

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

All teachers must immediately report and refer a violent student to the Dean of Student Discipline for a violation of the Code. A disciplinary referral is to be prepared as soon as possible by the referring staff member. The Dean of Student Discipline, 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 Dean of Student Discipline, in consultation with the Principal/Executive Director, should notify the appropriate law enforcement agency of those Code violations that constitute a crime and substantially affect the order or security of the school as soon as practical.

## **Section IV: Building Safety & Security**

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

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

No person, either alone or with others, shall:

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

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

### **IV.2 Visitor Policy**

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

- Anyone who is not a regular staff member, MAS contractor, or student of the school will be considered a visitor.
- All visitors to the school must sign the visitor's log at MAS' front desk.
- All visitors should have a visitor's pass at all times so staff members know that they have checked in at the front desk.
- Visitors are only permitted to visit a class with the permission of the Principal/Executive Director 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 Principal/Executive Director or designee.
- Any unauthorized person on school property will be reported to the Principal/Executive Director. Unauthorized persons may be asked to leave. The police may be called if an individual does not comply with a request to leave.
- All visitors are expected to abide by the rules for public conduct on school property contained in this Code, including the requirement to comply with any reasonable orders of school officials.
- Visitors are only allowed to use the staff bathrooms, not the student bathrooms.
- Visitors who are school volunteers must also abide by the school's Volunteer Policy.
- Visitors must be escorted at all times while in the building.

### **IV.3 Fire Safety and Evacuation Procedures**

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

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

## **Section V: General School Information**

### **V.1 Student Phone Use & Electronic Devices**

Students may only use the main office phone during the school day for emergencies. If students have cell phones for purposes of contacting their parents, these cell phones must remain out of sight and in the 'off' mode at all times during instructional classes. Cell phones and other electronic devices are allowed to be used during the before/after-school program and at lunch. If students are seen using their cell phones during instructional time, including at passing period and while outside the classroom during an instructional period, staff members are instructed to take the cell phone, secure it in a safe location, and return it at the end of the class period or at the end of the school day at the discretion of the staff member. If this continues to be a problem, parents will be contacted in regard to the disruption that the use of the cell phone creates. At no time is MAS responsible for the loss or damage of a student's cell phone.

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

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

Electronic devices, include, but are not limited to:

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

### **V.2 Acceptable Use Policy**

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

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

#### **Unacceptable Use**

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

- accessing websites during class, other than those identified by the teacher as appropriate for class;
- disclosing, using, or disseminating personal identification information about self or others;
- accessing, sending, or forwarding materials or communication that are defamatory, pornographic, obscene, sexually explicit, threatening, harassing, or illegal;
- using the internet service or school computers/equipment for any illegal activities such as gaining unauthorized access to other systems/hacking, arranging for the sale or purchase of drugs or alcohol, participating in criminal gang activity, threatening others, transferring obscene material, or attempting to do any of the above;
- using school equipment/internet service to receive or send information relating to dangerous instruments such as bombs or other explosive devices, automatic weapons, other firearms, or other weaponry;
- vandalizing school computers by causing physical damage, reconfiguring the computer system, attempting to disrupt the computer system, or destroying data by spreading computer viruses or by any other means;
- plagiarizing materials obtained from the internet; any material obtained from the internet and included in one's

own work must be cited and credited by name or by electronic address or path on the internet; information obtained through email or news sources must also be credited to sources;

- using school equipment/internet service for commercial purposes;
- downloading or installing any commercial software, shareware, freeware, or similar types of material onto network drives or disks without prior permission;
- overriding the internet filtering software; and/or
- violating software licensing agreements.

School network spaces are analogous to student desks or cubbies and may be inspected when network maintenance becomes necessary, if students are suspected of abusing access rights, and to ensure compliance with MAS policies and applicable laws and regulations.

### **V.3 Health Services**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### **V.4 Confidentiality of Records**

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

#### **V.5 Books and School Materials and Equipment**

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

## **Section VI: Code of Conduct**

### **VI.1 Role of School Employees**

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

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

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

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

### **VI.2 Role of Parents**

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

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

### **VI.3 Role of the Governing Board**

The Board is expected to:

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

### **VI.4 Dissemination**

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

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

## **VII Student Support Information**

### **VII.1 Student Support**

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

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

### **VII.2 Section 504**

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

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

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

### **VII.3 Student Find**

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

### **VII.4 Educational Service for Gifted Students in School**

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

### **VII.5 Abuse and Neglect in School**

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

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

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

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

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

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

*Directory Information – Right to Opt Out* - MAS classifies the following as directory information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. Any parent or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the Principal/Executive by no later than September 15<sup>th</sup> each year. The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received by September 15<sup>th</sup> of each year, information designated above will be classified as directory information until the beginning of the next school year. ***By receiving this policy in connection with the MAS Student Handbook and Code of Conduct, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.*** If you chose to opt out for permitting your student's directory information from being released, please notify the school in writing by September 15, 2018. Your letter should be addressed to the Principal/Executive Director.

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

## **VII.7 Transfer of Student Records**

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

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Parent (Print)

\_\_\_\_\_  
Parent (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent (Print)

\_\_\_\_\_  
Parent (Signature)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student (Print)

\_\_\_\_\_  
Student (Signature)

\_\_\_\_\_  
Date

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

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

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

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two (2) federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three (3) directory information categories: names, addresses, and telephone listings unless parents have advised the LEA that they do not want their student's information disclosed without their prior written consent.

If you do not want MAS to disclose directory information from your student's education records without your prior written consent, you must notify the school in writing by September 15, 2018. MAS has designated the following information as directory information:

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

MAS Bullying Complaint Form

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