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# STUDENT/FAMILY HANDBOOK

*Approved by Governing Council on November 18, 2020*

Changes to section 3.5 and 3.7.3 regarding class drop policies

*NMSA's purpose is to provide the highest standards of excellence in preparing New Mexico's artistically talented students to compete in the national arena for post-secondary education and/or professional careers in the arts. NMSA offers pre-professional instruction in the performing and visual arts with rigorous academics leading to a high school diploma."*

***NMSA, a public private partnership comprised of School for the Arts – NM and the New Mexico School for the Arts, admits students of any race, color, national and ethnic origin, gender, sexual orientation, culture and religion or with any disability to all of the rights, privileges, programs and activities generally accorded or made available to its students. NMSA does not discriminate on the basis of race, color, national or ethnic origin, gender, sexual orientation, culture, disability and religion in administration of its educational policies, admission policies, financial aid programs and arts and other programs***

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# 1. GENERAL INFORMATION

## 1.1. MISSION, VISION AND GOALS

### 1.1.1 Mission

NMSA provides access to a rigorous mastery arts and academic high school education for youth with passion and aptitude in the arts, leading to post-secondary learning, careers in the arts, and lives that contribute to society.

### 1.1.2 Vision

The primary vision of the School is to provide students with the tools to pursue a career in the arts, either as a practicing artist or in the arts industry, and to successfully receive a high school diploma. The School envisions its graduates to be productive members of the artistic and creative workforce and/or to be successful college students.

### 1.1.3 Goals

- Establish a caring community of artistic learners nurtured and engaged in self-discipline, citizenship, continuous improvement, and joyful learning in and through the arts.
- Provide access to mastery arts education and rigorous academics for New Mexico's talented young artists, regardless of home location or financial capacity.
- Provide innovative and creative curricula in arts and academics based on fundamental skills that include exposure to New Mexico arts and culture.
- Prepare students for higher education and/or careers in the arts and to participate in the cultural and creative economy.
- Through partnerships, collaborations and programming, serve as a statewide arts education leader working to encourage arts education throughout the state.

At NMSA students will:

- Receive an education up to, and including, college level instruction in the arts that is aligned with the requirements of entrance into higher education institutions and professional arts programs;
- Excel academically and artistically and graduate with a strong academic and arts education;
- Develop discipline, a standard of excellence, and self-efficacy in setting and achieving personal goals;
- Continue their education at post-secondary school or enter the arts work force;
- Develop a personal appreciation for the arts that will enrich their future lives.

#### Honor Pledge

As a member of the New Mexico School for the Arts community, I understand that I have been selected to be a part of a unique and diverse population. Out of respect for this opportunity, I will be honest and diligent in my personal and professional conduct, and be respectful of the rights, property, and opinions of others. I understand that I am expected to follow school policies, since they seek to create and support a productive learning, living, and working environment. I accept my personal responsibility for meeting these expectations, continuing to evaluate them, and encouraging others to do the same. I also commit to honor and embody the Promise, Passion and Aptitude which allowed my admittance to NMSA.

## **1.2 NMSA GOVERNING COUNCIL**

The NMSA Governing Council makes policy decisions concerning the school and interviews and hires and evaluates the Head of School for his/her position. The members of the Governing Council operate according to its bylaws. The Council Members are volunteers who oversee the policies of the school, fiscal oversight and stewardship of the school and ensure that NMSA's charter's goals and missions are carried out. Regular meetings are held on the second Wednesday of the month at 3:00 p.m. unless otherwise indicated. Other meetings are convened to discuss school business. Notices of the NMSA Governing Council meetings will be posted at least seventy-two (72) hours prior to the meeting at the Administrative Office of the Charter School at 500 Montezuma, Santa Fe, New Mexico, and will be posted on the School's website at: [www.nmschoolforthearts.org](http://www.nmschoolforthearts.org) in a place and manner that is accessible to the public. Copies of the written notice shall be sent to all FCC-licensed broadcast stations and newspapers of general circulation that have made a written request for notice of meetings.

## **1.3 NMSA PARENT ASSOCIATION**

The NMSA Parent Association is very active and works in many ways to support the education our students are receiving. PA meetings are generally held the 1st Saturday of each month from 9:00 a.m. to 10:30 a.m. at the school. Minutes are available on the NMSA website. For more information regarding the NMSA Parent Association Committees, please go to <https://www.nmschoolforthearts.org/parent-portal/>.

## **1.4 STUDENTS ARE UNDER THE CONTROL/DIRECTION OF THE SCHOOL**

All students are under the control and direction of the Head of School, or designee. and the immediate control and direction of the teacher or another member of the instructional staff or bus driver to whom such responsibility may be assigned by the Head of School:

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

## **1.5 CALENDAR AND HOURS**

For a complete and current events school calendar, go to <https://www.nmschoolforthearts.org/events/>. Students are to arrive no earlier than 8:00 a.m. and no later than 9:05 a.m. The opening of the school day is very important and we expect all students to be on time. Students entering after 9:10 a.m. must report to the Front Office for admittance into class. (See Tardy Policy, 2.7.8)

HOURS: The NMSA school day begins at 9:10 a.m. for all students. The day ends at 4:55 p.m.

FRONT OFFICE HOURS: Phones will be answered between the hours of 8:30 a.m. and 5:00 p.m.

The school day ends at 4:55 p.m., and unless attending a school-related activity, all students must exit the building by 5:30 p.m.

## Daily Bell Schedules

<b>A or B Day</b>	<b>A or B day - 10:00 a.m. Start</b>	<b>6-Period Day</b>	<b>A or B day - Assembly</b>
9:10-10:34 Period 1	10:00-11:14 Period 1	9:10-9:52 Period 1A	9:10-10:25 Period 1
10:34-10:40 Passing	11:14-11:20 Passing	9:52-9:58 Passing	10:25-10:31 Passing
10:40-12:03 Period 2	11:20-12:33 Period 2	9:58-10:36 Period 1B	10:31-11:42 Period 2
12:03-12:43 Lunch	12:33-1:13 Lunch	10:36-10:42 Passing	11:42-12:22 Lunch
12:43-12:49 Passing	1:13-1:19 Passing	10:42-11:20 Period 2A	12:22-12:28 Passing
12:49-2:09 Period 3	1:19-2:29 Period 3	11:20-11:26 Passing	12:28-1:39 Period 3
2:09-2:15 Passing	2:29-2:35 Passing	11:26-12:07 Period 2B	1:39-1:45 Passing
2:15-4:55 Arts Block	2:35-4:55 Arts Block	12:07-12:47 Lunch	1:45-2:25 Assembly
		12:47-12:53 Passing	2:25-2:31 Passing
		12:53-1:31 Period 3A	2:31-4:55 Arts Block
		1:31-1:37 Passing	
		1:37-2:15 Period 3B	
		2:15-2:21 Passing	
		2:21-4:55 Arts Block	

### 1.6 VISITORS

All visitors must enter through the front door of the school located on Montezuma Street, and sign in and out in the Front Office.

### 1.7 ON-GOING COMMUNICATION

Communication is the lifeblood of a school community. At NMSA the goal is to “keep all the lines open” among parents, guardians, students, teachers and staff, thus maintaining an atmosphere that is as transparent and accessible as possible. To this end, NMSA adopted PowerSchool, which is a fully integrated, web-based, cross-platform student information system with a parent portal to facilitate increased family involvement. Other strategies to promote good communication include newsletter, emails, automated texts and phone calls in case of emergency, and the school’s website. The Front Office can assist you with inquiries.

## 2. ADMISSIONS AND ATTENDANCE

### 2.1 ADMISSION AND DISCIPLINE CHANGE

For information concerning admissions, please refer to <https://www.nmschoolforthearts.org/admission/apply/>. NMSA does not discriminate against any student based on race, color, national or ethnic origin, sex, gender identity, sexual orientation, culture, religion or disability. The school is nonsectarian in its programs, admission policies, and employment practices.

A student who wishes to change art discipline must reapply online and attend auditions/portfolio reviews with other applicants for the upcoming school year. Only rising 10<sup>th</sup> and 11<sup>th</sup> graders can change art discipline.

FAQ’s concerning re-admission:

- Students will not lose their place in the discipline of original acceptance.
- Students may complete the re-admission procedure only one time.
- Students will be ranked for acceptance with other applicants for their upcoming grade.
- Students accepted into the new discipline will start in that discipline in the fall of the next school year.

## **2.2 REGISTRATION**

Registration is completed or updated each year to ensure that all information is current for each student. Registration is completed through an online form that is made available to families a few weeks prior to the start of the school year. The system allows NMSA to verify all demographic, emergency, and medical information. Parents are also able to sign annual permission forms electronically.

In addition to completing online registration, new students will need to provide their most recent transcript.

All students, new or returning, need to provide Immunization Records or an approved Immunization Exemption each year.

State law requires that all students 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 religious reasons. Proof of an exemption must be provided in lieu of immunizations records to be allowed to enroll. A Certificate of Religious Exemption from School/Daycare Immunization Requirement Form must be filed and approved with the New Mexico Department of Health prior to the start of the school year. Students will not be allowed to begin the school year unless up-to-date Immunization Records or an approved Immunization Exemption are provided.

## **2.3 LANGUAGE USAGE SURVEY**

Under Title VI of the Civil Rights Act of 1964 and subsequent federal and state mandates, all districts in New Mexico must screen, identify, and provide services to students who are English learners. The Language Usage Survey will be administered for new students who have not taken the survey before. The survey is used to identify students in need of language assistance services. Please contact the School Counselor for more information on the English Learner program at NMSA.

## **2.4 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 receive copies of school records and information, attend conferences, and be informed about the student’s welfare, educational progress, and status.

The custodial parent(s) are responsible for:

- providing a copy of the signed and certified court order to the 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 parents 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 and/or both custodial parents;
- arrange for review of school records by the non-custodial parents;
- keep non-custodial parents apprised of major school events.

## **2.5 CHANGE OF CONTACT INFORMATION**

It is most important that parents notify the school immediately of any change in their contact information, including their physical address, telephone number(s), and email address(es). Send any changes to the Registrar at [registrar@nmschoolforthearts.org](mailto:registrar@nmschoolforthearts.org).

## **2.6 ATTENDANCE**

NMSA students are expected to arrive on time and adequately prepared for their day. Classes begin at 9:10 a.m. and end at 4:55 p.m. If your student is absent or late, please contact the school at (505) 310-4194 or by e-mail at [attendance@nmschoolforthearts.org](mailto:attendance@nmschoolforthearts.org) by 12:00 p.m. on the day of the absence in order to avoid an unexcused absence. If your student is late (all arrivals after 9:10 a.m.), then he/she will need to report to the Front Office, sign in and receive a tardy slip. (See Tardy Policy, 2.7.8).

The school day ends at 4:55 p.m., and unless attending a supervised school-related activity, all students must exit the building by 5:30 p.m. NMSA is a closed campus. Students may not receive permission to leave campus during lunch.

NOTE: School-related field trips, activities, and performances are recorded as “school activity” and not counted as an absence. Students will be given the opportunity to make up missed work without loss of credit or penalties.

NOTE: As long as the student lives with his/her parent(s)/guardian(s), the parent(s)/guardian(s) continue to be responsible for the attendance of their child, even after he/she turns 18. All absence notifications must continue to come from the parent(s)/guardian(s).

SCHEDULED ABSENCES: If you know of an absence ahead of time (college visits, auditions, etc.), please notify the office, complete the appropriate paperwork, and collect assignments.

MAKE-UP WORK: It is the responsibility of the student to contact his/her teacher and make arrangements to make up work, including participation points missed due to an excused absence. This must be done in a timely manner. Make-up work for missed participation points might consist of but not be limited to the following: written work, extra project, extra tutoring, assigned out of school study hall, open studio, documented practice time, etc.

Note: Students will not automatically receive the opportunity for make-up points in the case of unexcused absences.

## 2.7 REMOTE ATTENDANCE

NMSA students are expected to arrive on time and adequately prepared for their day. Classes begin at 9:10 a.m. (Advisory days at 9:30 a.m.). If your student is absent or late, please contact the school at (505) 310-4194 or by e-mail at [attendance@nmschoolforthearts.org](mailto:attendance@nmschoolforthearts.org) by 12:00 p.m. on the day of the absence in order to avoid an unexcused absence.

NOTE: As long as the student lives with his/her parent(s)/guardian(s), the parent(s)/guardian(s) remain responsible for the attendance of their child, even after he/she turns 18. All absence notifications must continue to come from the parent(s)/guardian(s).

SCHEDULED ABSENCES: If you know of an absence ahead of time, contact the office at 9(505) 310-4194 or by email at [attendance@nmschoolforthearts.org](mailto:attendance@nmschoolforthearts.org) by 12:00 p.m. on the day of the absence to avoid an unexcused absence. Students should contact their teachers for assignments.

MAKE-UP WORK: It is the responsibility of the student to contact his/her teacher and make arrangements to make up work, including participation points missed due to an excused absence. This must be done in a timely manner. Make-up work for missed participation points might consist of, but not be limited to, the following: written work, extra projects, extra tutoring, assigned out of the school study hall, open studio, documented practice time, etc.

**Please Note: During remote learning all attendance markings in PowerSchool will be preceded by “R”, indicating remote learning. For example: RM, RU, RPE, RT, etc.**

### 2.7.1 Additional PowerSchool Attendance Indicators During Remote/Hybrid Learning

RTI – Technical Issues

RO – Student is meeting with other staff persons

## 2.8 COMPULSORY ATTENDANCE POLICY

NMSA 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/guardian’s obligation to ensure that their student attends school. NMSA hopes that parents will consider regular and timely attendance to be imperative to their student’s educational success.

### 2.8.1 Excused Absences

A parent/guardian must provide notice of an excused absence by phone, e-mail ([attendance@nmschoolforthearts.org](mailto:attendance@nmschoolforthearts.org)), or a signed written note describing one of the reasons listed below. The Head of School or Designee 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 circumstances dictate, the information concerning a student’s absence should be provided by 12 p.m. on the day of the absence in order to avoid an unexcused absence (\*\*RU). Absences will only be excused for the following reasons:

- Doctor’s Appointment
- Technology Issues
- Therapy Appointment
- College Travel
- Tribal Ceremonies/Religious Commitments
- Illness

- Diagnostic Testing
- Auditions
- Death of Family/Bereavement

A doctor's note from the medical provider or therapist treating the illness is required in order to mark absences as medical (\*\*RM). Whenever possible, schedule doctor's and therapy appointments outside of regular school hours.

Students will be allowed no more than 5 (five) parent-excused absences per class per semester. After five (5), all absences will be \*\*RPEO unless documentation is provided.

We understand that emergencies arise and these will be handled on an individual basis. Absences due to extenuating circumstances may be excused by the Head of School or Designee. The Head of School or Designee may request additional documentation to substantiate an "excuse" for an absence at his/her discretion.

Each student must be present to take their semester finals, juries or department conferences at the time they are scheduled at the end of each semester. Vacations should not be scheduled at those times, as they will not be approved.

### **2.8.2 Partial-Day Absences**

Attendance for both academics and arts is mandatory. Students may not be absent from the academic block alone, nor only the arts block. Exceptions will be made for documented appointments or other legitimate reasons (as decided by the Head of School or Designee's discretion) that a student must miss part of the school day. Absences for either block will be marked accordingly.

### **2.8.3 Missed Assignments Due to Excused Absences**

The student is responsible for obtaining his/her work from his/her teacher and completing it within the time frame determined by the teacher.

### **2.8.4 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 the NMSA Governing Council.

### **2.8.5 Students in Need of Early Intervention**

A student will begin to be deemed "in need of intervention" if he/she begins to demonstrate a pattern of absenteeism and/or disengagement.

### **2.8.6 Habitual Truancy**

A student is deemed "habitually truant" if he/she accumulates ten (10) or more absences in a school year, cumulative excused and unexcused.

### **2.8.7 Notification and Cooperation**

NMSA will attempt to identify students and families 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/guardian to improve attendance.

The following process will be applied accordingly:

Step #	Qualifier:	Required Actions:
#1	1 <sup>st</sup> RU or RPEO	A staff member will meet with the student to discuss attendance procedures and next steps.
#2	2 <sup>nd</sup> RU or RPEO per class	A member of the NMSA Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, assigned Working Wednesday, and next steps.
#3	3 <sup>rd</sup> RU or RPEO per class	The counselor will contact the student's parent/guardian(s) to discuss attendance expectations, supports, assigned Working Wednesday, and next steps.
#4	4 <sup>th</sup> RU or RPEO per class	An attendance meeting will be scheduled between the counselor, parent/guardian(s), principal, and student to develop a corrective action plan that clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance.
#5	6 <sup>th</sup> RU or RPEO per class	An attendance meeting will be scheduled between the counselor, parent/guardian(s), principal, and student to revisit the corrective action plan that more clearly identifies attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance. <b>Compulsory School Attendance Law interventions may be initiated. (Note: NMSA is required by law to report absences totaling 40 unexcused absences)*.</b>

**\*Compulsory School Attendance Law**

Level	Intervention
1	The parent/guardian will be notified via certified mail when a student has accumulated five (5) unexcused absences (days**) during the school year.
2	The parent/guardian will be notified via certified mail when the student has accumulated seven (7) unexcused absences (days**) during the school year.
3	The parent/guardian will be notified via certified mail when the student has accumulated ten (10) unexcused absences (days**) during the school year. A referral packet will be prepared for submittal to the Juvenile Probation office.

\*\* Four (4) equate to a day of school. Twenty (20) class absences equate to 5 days absent; twenty-eight (28) class absences equate to 7 days absent; and forty (40) class absences equate to 10 days absent.

**2.8.8 Tardy Policy**

“Tardy” is defined as a student arriving to the classroom after the class has begun and within 15 minutes of the class start. After missing the first 15 minutes, the tardy becomes an absence.

“Tardy Unexcused (\*\*RTU)” means a late arrival to class(es) for which the student does not have an allowable excuse pursuant to the Compulsory School Attendance Law or the policies and procedures of the school.



The following process will be applied accordingly:

Step #	Qualifier:	Required Actions:
#1	1 <sup>st</sup> RTU or RTO in any class	A staff member will be in contact with the student to discuss attendance expectations, supports, and next steps.
#2	3 <sup>rd</sup> RTU or RTO in any class	A member of our Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, and next steps.
#3	6 <sup>th</sup> RTU or RTO in any class	A member of our Student Support Team will be in contact with the student and family to discuss attendance expectations, supports, and next steps including, but not limited to, assigning Working Wednesday attendance.
#4	9 <sup>th</sup> RTU or RTO in any class	A follow-up attendance meeting is scheduled between the counselor, parent/guardian(s), principal, and student to revisit and revise the corrective action plan that more clearly identifies attendance expectations, supports, and next steps including although not limited to assigning Working Wednesday attendance.

## 2.9 LEAVING SCHOOL BEFORE DAY'S END

No student is permitted to leave the class before regular dismissal unless a parent/guardian has notified the school about their student leaving early. To avoid an unexcused absence, email the office at [attendance@nmschoolforthearts.org](mailto:attendance@nmschoolforthearts.org) or call (505) 310-4194.

## 2.10 PARKING, DROP OFF, PICK UP

A limited number of parking spaces are available on campus for staff and visitors. No student parking is available on campus. Paid parking in the underground Railyard lot is available through the Parking Division Office (505) 955-6581. Monthly passes are \$35 for students.

Student drop off and pick up should occur following the pattern in Addendum 6.

## 2.11 ABBREVIATED DAY

### 2.11.1 Notice

On days when weather or some unforeseen event prevents school from beginning on time, students and parents should stay tuned to the three major news television stations or their websites. NMSA will post information on:

- KOB TV Channel 4
- KOAT TV Channel 7
- KRQE TV Channel 13

NMSA will update the school web site and use an automated messaging system to notify students and families.

Students commuting by Rail Runner or other public transportation outside of Santa Fe should take the later train or bus to allow them to find out if the delay has turned into a cancellation.

Because it is impossible for NMSA staff to monitor the weather conditions for all of the surrounding areas, students who live outside of Santa Fe should follow the local school cancellation/delay procedures. Absences will be excused.

DO NOT RISK TRAVELING IN DANGEROUS CONDITIONS. SAFETY COMES FIRST.

### 2.11.2 Early Dismissal

The following emergency procedures will be followed at NMSA in the event of early dismissal due to inclement weather or other unforeseen events.

- Parents/guardians will be notified by phone, and/or
- Parents/guardians will be notified through an electronic message system that students will be dismissed early, and/or
- NMSA will update the [www.nmschoolforthearts.org](http://www.nmschoolforthearts.org) website.
- NMSA will keep students in a safe place at the school site until parents/guardians or their listed designee arrives for them or until the next bus and/or train departure time.
- Office Staff will request identification of any person they do not recognize as the parent/guardian or designee before releasing the student.

Under some emergency situations, it may not be possible to notify everyone by telephone or electronic messaging, but we will do our best.

## 3. ACADEMICS AND ARTS – DUAL CURRICULUM

### 3.1 MANDATORY PARTICIPATION IN DUAL CURRICULUM

NMSA offers a dual curriculum in the Academics and the Arts. Students must participate in both programs every year that they attend NMSA.

### 3.2 GRADUATION COURSE REQUIREMENTS

Students must complete every year as a full-time student, including their senior year. The chart below lists the courses required for graduation.

NMSA students will typically take six units, or the equivalent, per semester.

Mathematics	4.0 credits (one credit = or > Algebra II)
English	4.0 credits
Science	3.0 credits (2 w/ lab)
Social Sciences	3.5 credits
Language other than English	1.0 credit
Physical Education	1.0 credit
Health	0.5 credit
9 <sup>th</sup> Grade Academy	1.0 credit
Senior Seminar	1.0 credit
Senior Humanities or Science Elective	1.0 credit
Arts/Electives	6.0 credits
Total	26.0 credits

One (1.0) of the above credits must be Advanced Placement, Honors, Dual Credit, or Distance Learning (online). It is best to fulfill this requirement by the end of the 11th grade.

### **3.3 GPA, RANKING, AND TRANSCRIPTS**

- The cumulative Grade Point Average (GPA) is calculated on semester grades beginning with the Freshman year. The GPA is based on a 4-point system (A=4, B=3, C=2, D=1). In advanced placement (AP) and Honors classes, an additional point is granted for grades of A and B (A=5, B=4).
- **New Mexico School for the Arts does not rank its students for the purpose of college application.**
- Official transcripts can be requested from the Registrar's Office. Final transcripts are released after all outstanding balances have been paid in full.

### **3.4 EVALUATION OF STUDENT WORK**

The principles that underlie evaluative standards at NMSA are as follows:

- The evaluative process will be a part of the learning process, not an end in itself. The overriding goal of instruction at NMSA is that all students will learn what is taught and will benefit from the experience; the system of evaluation is designed to implement that goal.
- Students will be evaluated with reference to established course content and skill criteria which will be known to students in advance. Criteria for each course will be in keeping with broader learning outcomes established by each Department. These outcomes reflect Common Core State Standards.
- While individual teacher flexibility in the evaluative process itself is permitted, uniform grading standards will be applied by all instructors.
- Grading standards will be applied in a manner which is clear and informative.
- Student progress will be reviewed and evaluated regularly. It is crucial that work be graded and returned in a timely fashion so that students know where they stand and can respond to the evaluations.
- Each student will be evaluated on the basis of individual achievement relative to course criteria, not on the basis of a predetermined grade distribution.
- Evaluative instruments will be appropriate to the discipline; they will be, so far as is possible, flexible, creative, and varied.
- The evaluative process will challenge and encourage students without threatening them.
- A complete evaluative system includes timely written and personal contact between teacher, student, and parents/guardians.

## Grading Standards

Grade	GPA	Standard
A+	4.0	Distinguished achievement. Demonstrates a comprehensive understanding of subject matter, thorough daily preparation, timely submission of work, seriousness of purpose, valuable contribution to class, and a mastery of required skills.
A		
A-		
B+	3.0	Significant achievement with no serious deficiency. Demonstrates sound grasp of subject matter, constructive class participation, good class preparation, strong competence in required skills.
B		
B-		
C+	2.0	Satisfactory achievement. Demonstrates moderate grasp of subject matter, but inconsistent class preparation and participation, and mixed competence in required skills.
C		
C-		
D+	1.0	Passing. Demonstrates minimal grasp of content, unsatisfactory daily preparation, inadequate class participation, and significant deficiencies in required skills. May prevent advancement in subject area.
D		
D		
F	0.0	Failure. Demonstrates inadequate grasp of content, unsatisfactory class preparation, inability or unwillingness to master required skills. No course credit awarded.

### 3.5 SCHEDULE CHANGES AND COURSE WITHDRAWAL

- At the beginning of each semester, students may drop a course during the first 15 instructional days with nothing noted on the transcript.
- ~~If a course is dropped between the 16<sup>th</sup> and 35<sup>th</sup> instructional day of the semester, a WP (withdrawal with a passing grade) or WF (withdrawal with an F) will be entered on the transcript. A WP or WF does not impact the GPA.~~ **If a course is dropped after the first 15 instructional days of the semester and before the last 15 instructional days of the semester, a W (withdrawal grade) will be entered on the transcript. A W does not impact the GPA.**
- ~~If a course is dropped after the 35<sup>th</sup> instructional day~~ **If a course is dropped during the last 15 instructional days of the semester,** an F will be entered on the transcript and will impact the GPA.

### 3.6 REPORT CARDS AND PROGRESS REPORTS

Course grades are calculated at the end of each Quarter, with reports issued on a quarterly basis for all students. Progress Reports are issued at the end of Quarter 1 and Quarter 2. Report Cards are issued at the end of Semester 1 and Semester 2. Progress Reports are issued at the end of a quarter and provide an opportunity to raise concerns about a student's academic progress. Mid-quarter notifications are sent where the grade at this point is a D or an F. Students should use this notification as a call to work toward improving performance and not as a prediction of the quarter grade. The absence of the mid-quarter notification should not be interpreted as a level of success that will automatically continue through the remainder of the course, because the second part of a term may tend to be more demanding. As the weeks of the school year progress, students should be continually aware of their

progress, strengths, and weaknesses based on assessment feedback. The letter grade and accompanying comments are the formal way of recording the assessment of the teacher. At any time, a parent or a student may check on progress through PowerSchool where grades are frequently updated.

Incomplete quarter grades remaining on the books longer than two weeks will be converted into an “F” unless exempted by the Head of School.

### **3.7 HONORS ADMISSION POLICY**

#### **3.7.1 Requirements for students in grade 9**

- A grade of “A” in the previous semester of the subject area.
- A short letter stating why the student wishes to enroll in honors.
- Approval of current subject-area teacher.

#### **3.7.2 Requirements for students in grades 10-12**

- A grade of “A” in the previous semester of the subject area (“A” or “B” if previous semester was an honors course).
- Recommendation of previous subject-area teacher.

Any student wishing to take more than two honors courses must meet with the School Counselor, and receive written approval from the Head of School or Designee.

#### **3.7.3. NMSA Honors Add/Drop Policy**

- Students have until the 15th instructional day of the semester to switch in and out of honors courses.
- If a student does not demonstrate the ability and willingness to satisfactorily complete honors coursework during the first 15 instructional days, s/he may be dropped from honors on the 15th day at the teacher’s discretion.
- After the first 15 instructional days of the semester, a teacher will need to complete an Honors Course Add/Drop Form and submit it to the School Principal for approval.
- A student who does not earn a grade of “A” or “B” in an honors course is dropped from honors for the subsequent semester.

### **3.8 SEMESTER FINALS**

Each student must be present to take semester finals at the time they are scheduled at the end of each semester. No vacations should be scheduled at those times. Final exams may not be taken early. Semester finals weigh from 10% to 20% in the overall semester grade.

## **4. SCHOOL HEALTH**

### **4.1 ILLNESSES/CONTAGIOUS DISEASES**

For the protection of all, your student should be kept at home if he/she has any of the following symptoms: fever of 101.0 or greater, diarrhea, vomiting, or a rash. Parents/guardians should exercise every caution and keep their student home should other unusual symptoms occur. If a student becomes ill while at school, a parent will be called to pick up the student immediately.

If your student has been exposed to a contagious disease, he/she should be kept at home and the occurrence of his/her condition should be reported to the school immediately. Chicken pox, ear infections, giardia, hepatitis, measles, mumps, scarlet fever, and viral infections are among those conditions categorized as "highly contagious".

#### **4.2 MEDICATIONS POLICY**

Diagnosis, treatment of illness, or prescribing drugs and medications are never responsibilities of a school and should not be practiced by any school personnel. School personnel will only dispense Tylenol, Ibuprofen, and cough drops if permission has been given by the parent/guardian in the Medical Release Form. School personnel will dispense medications that have been prescribed by a physician only if the parent/guardian provides the front office with a Permission for Administering Medication in School form giving permission to administer and provide dosage instructions. 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/guardians must inform the Front Office staff when a student requires medications during the school day. Students observed by school personnel self administering unauthorized medications shall be reported to their parents/guardians.
- *Written Permission.* A written statement is required from the parent/guardian and physician authorizing the administration of all medications and releasing 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/guardian and physician. Forms are available from the office.
- *Labeled Containers.* Medication must be provided in pharmacy labeled containers that indicate pharmacy name and telephone number, student's name, physician, name and dosage of medication. The dispensing pharmacy must split medication into duplicate bottles if it is necessary to give medication during school hours. One bottle will be kept at home and the other at school under the care of school authorities.
- *Administration.* Front office personnel will oversee the student self administration of prescribed medication. Students will be allowed to carry and self-administer medications only with a physician's and/or parent's written permission, in cases of potential emergency. An Agreement for Medication Self Administration form must be completed by the parent/guardian and will be kept on file. (See additional requirement below).
- *Tylenol, Ibuprofen, and Cough Drops.* Tylenol or other over-the-counter medicines will be administered to students only with the parent/guardian's authorization given in the Medical Release Form as required above. Again, parents are urged to administer such medication at home when possible. Over-the-counter medicines will be administered for conditions such as mild fever, headache, muscular ache, toothache, symptoms of seasonal allergies, menstrual cramps, sore throat, and for no more than 3 consecutive days unless a medical authorization is obtained from a primary care provider. Over-the-counter medication administered will follow manufacturer's label directions for dose, indication for use, and age and weight guidelines unless medical authorization is obtained.
- *Disposal.* When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

### 4.3 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 and the school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;
- The school official or health care provider, with input from the parent/guardian 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 (3) above and a statement relieving the school and its employees and agents from liability arising from the performance 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 must 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. A Permission for Administering Medication in School form must be completed by the parent/guardian and kept on file.

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, disposing of the medication or supplies needed to administer medication.

### 4.4 MEDICAL SITUATIONS AND EMERGENCIES

- *Emergencies.* In the event of a medical emergency or an accident, we will first attempt to contact the parent/guardian or the doctor of the student, unless NMSA determines that the circumstances merit contacting 911 for emergency response. After 911 is called, NMSA will make every effort to reach the student's parent/guardian, or other emergency contact prior to treatment. *Staff Aid.* Should first aid be needed, a designated staff member or other person assigned to take care of a particular situation will administer first aid or give instructions for proper care.
- *Incidents at School/Reports Home.* Front Office visits for illness and injury will be logged. Minor accidents (e.g., bruises, scratches, bumps, cuts, scrapes, etc.) that can be taken care of by staff members will be attended to immediately. The staff member will document the accident on a Student Accident/Illness Report form. A copy will be placed in the office medical recording book.

Parents will be notified of any situation that involves trauma to the head. In the event of a serious accident, a NMPSIA "Incident Report" form will be completed by a school administrator.

- *Accidental Poisoning.* In the case of poisoning, a staff member will call Poison Control immediately and follow their instructions carefully. Parents will be notified and a NMPSIA "Incident Report" written.

#### **4.5 EXCUSE FROM PHYSICAL EDUCATION, THEATER, MUSIC, VISUAL ARTS AND DANCE CLASSES**

Please send a written request to the teacher if your student needs to be excused from Physical Education and/or Theater, Music, Visual Art or Dance classes. Written instructions are required from the student's physician if the student is to be excused for more than two days, and the instructions must include a re-entry date.

#### **4.6 USE OF SERVICE ANIMALS**

No animals are allowed in the school facility, except for service animals. A service animal, by definition, is any dog that is individually trained to do work or perform tasks for the benefit on an individual with a disability. See 28 CFR\* 35.104 (\*code for federal regulations).

A service animal is not an emotional support or companion under the Title II of the ADA. For instance, a dog that does not perform work or tasks related to the student's disability but makes the student feel better is not a service animal.

### **5. SCHOOL RULES AND CONSEQUENCES**

#### **5.1 NMSA POLICY ON DISCIPLINE**

A primary responsibility of NMSA 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. NMSA 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 NMSA 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 and expectations 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 NMSA. 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.

#### **5.2 AUTHORITY OF NMSA**

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



### **5.3 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 NMSA are as follows:

#### **5.3.1 Respect/Responsibility/Safety**

Respect:

- Following directions
- Respecting the personal space of others
- Respecting the property of the school and others
- Exhibiting respectful behavior and language

Responsibility:

- Actively participating in classes
- Being prepared for class
- Putting forth best effort
- All students are required to keep an agenda, either hardcopy or electronic, to monitor assignments, due dates, and test dates

Safety:

- Staying on school grounds in assigned areas (NMSA is a closed campus)
- Using equipment and materials appropriately. This includes textbooks
- Following direction during drills

#### **5.3.2 Pledge of Allegiance**

The School Patriot Act (passed soon After September 11, 2001) requires schools to recite the pledge daily. Those who choose not to recite it must “respect the rights of those pupils electing to participate” in the pledge. Students choosing not to recite the pledge may quietly sit or stand during this time.

#### **5.3.3 Textbooks and Other School Materials**

Students shall take proper care of all school material entrusted to them. These materials include, but are not limited to, books, computers, Chromebooks, and calculators. Lost or damaged school materials are the financial responsibility of the parents/guardians and students.

Textbooks are essential educational tools. A substantial amount of the school’s budget is devoted to purchasing them. They are the property of the school. Students are responsible for keeping textbooks issued to them in the same condition they received them in. Students are also responsible for returning textbooks to their teacher when no longer taking a class.

A \$5.00 fine will be assessed to the student’s account if a book is returned damaged (minor writing, damage to cover).

If a book is lost, stolen, or damaged beyond repair (broken binding, missing pages, excessive writing, water damage), the student will be responsible for the full replacement cost of the book. The cost can vary up to \$200.00.

Some classes have workbooks that students are allowed to write in and keep. In the event that a workbook is lost, the student is responsible for the replacement cost.

Responsibility of the Student:

- Put a cover on all hardcover books
- Put name in front cover in book upon receipt
- No writing in pen, highlighting, or permanent marking is allowed in textbooks
- Keep books in a secure place when not in use

### **5.3.4 Email Communication**

Students will be assigned a Gmail account which will be used by teachers and staff for school communication.

### **5.3.5 Free Speech**

All students have the right to express for themselves as long as it does not hurt others.

### **5.3.6 Knowing the Rules**

The school has expectations of appropriate behavior (rules) for all students, which you must know and meet. If you fail to meet expectations, you will be treated fairly. You will be allowed to tell your side of the story to your teacher, Counselor, Principal, or Head of School.

Consequences may include talking with you, talking with your parents or guardians, serving detention, or facing more severe consequences depending on your behavior.

### **5.3.7 Learning in School**

NMSA aims to 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. The entire school staff is here to help you do your best. If you have any questions or problems, ask for help. Students who disrupt others and make it hard for them to learn may be removed from the classroom and sent to the Front Office. The teacher will notify the Head of School or Designee; the Head of School or Designee will determine if additional consequences should be given.

### **5.3.8 People Who Are Different**

Everyone is different in his or her own way. We expect everyone in the NMSA community to treat all people fairly, as we would like to be treated. Bullying in any form is not tolerated at NMSA.

### **5.3.9 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. When you return to school, it is your responsibility to ask teachers about missed assignments.

### **5.3.10 Audience Etiquette**

Students are expected to display appropriate audience behavior throughout each school performance that they attend:

- Do not enter during a performance
- Turn off cell phones and electronic devices
- Do not leave during a performance

- Do not bring food or beverages
- Do not show disrespect for performers by reading, talking, or placing feet on the chair in front of you
- Applaud according to the dictates of the type of performance. For example, it is appropriate to applaud a jazz soloist immediately upon the conclusion of the solo, but it is not appropriate to do so between the movements of a sonata
- Do not scream, yell or whistle
- Assume that each performer is doing his/her best and that each one needs your understanding and support
- Do make every effort to attend performances in areas other than your own

#### **5.4 DRESSING AND GROOMING POLICY**

The NMSA dress code is designed to encourage professionalism, neatness and comfort without sacrificing individual expression, and is designed to support the instructional environment. A dress code teaches students how to dress in a variety of situations. A student's dress should reflect good personal grooming and hygiene habits, avoid unkempt appearances, and demonstrate respect for the academic setting.

Without limiting the generality of these principles, the following guidelines will be observed:

- No attire or accessories that advertise, display or promote any drug, alcohol, tobacco, sexual violence, disrespect, or bigotry towards any group are permitted.
- Tops that show more than three inches of bare midriff or sheer tops without an undershirt are not acceptable.
- Shorts should cover the bottom of the buttocks by at least 3 inches; skirts and dresses shall extend to the tip of the fingertip when arms are extended by the side.
- Shirts that are backless, shirts with low necklines, sheer or spaghetti strapped tops must also have an undershirt along with appropriate undergarments.
- Undergarments should not be visible.
- Shorts, spandex, or tights must be worn under all skirts or dresses that are above the knee to avoid the exposure of undergarments.
- Appropriate shoes, such as sneakers for PE and closed toed shoes for laboratory work, are required. Students who do not comply may be asked by faculty to not participate.
- Shoes must be worn at all times, unless otherwise instructed.
- Visual Art students must wear closed toed shoes at all times while working during the Arts Block.
- Unacceptable clothing includes: sagging/baggy pants, tube tops, spandex shorts or excessively tight tops, ripped or excessively/inappropriately tattered clothing, pants, dresses, shirts or shorts that expose underwear.

Students who do not present themselves according to the dress code will be asked by a teacher, staff, or faculty member to obtain appropriate clothing and the student may be removed from class until appropriate clothing is worn before being allowed to return. After 3 violations of the student dress code, students will be referred to the Head of School or Designee for further disciplinary action.

Note: Department Chairs may require students to wear various attire or articles of clothing during their art block as needed for participation or safety.

## **5.5 TRANSGENDER BATHROOM POLICY**

Students shall have access to the restroom that corresponds to their gender identity at school. Where available, a single staff bathroom may be used by any student who desires increased privacy, regardless of the underlying reason. The use of such a single stall bathroom shall be a matter of choice for the student, and no student shall be compelled to use such bathroom.

## **5.6 SPECIFIC PROHIBITED CONDUCTS**

The following conduct is prohibited at NMSA and will result in disciplinary actions as described in this handbook. NMSA 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.

### **5.6.1 Cheating or Plagiarism**

Means, for example, taking a test in a dishonest way, copying somebody's homework, accessing improper sources to answers on classroom assignments, tests or homework, or copying work done by somebody else and claiming it to be your own. If a teacher has evidence of academic dishonesty in arts or academics, including cheating or plagiarism, the student will be referred to the Principal. The Principal will address the first and second incidents. The third incident will be referred to the Head of School or Designee. Copies of all paperwork will be sent to the Head of School.

### **5.6.2 Misconduct**

Actions by students that are insubordinate or show disrespect for others or general misconduct that disrupts the learning situation.

### **5.6.3 Violation of Dress Code**

Instances in which students deliberately defy the NMSA dress guideline.

### **5.6.4 Public Display of Affection**

In order to maintain a respectful atmosphere on campus, students are to refrain from overt public displays of affection while on school grounds and at school events. This includes sitting on laps, groping, lengthy kissing, etc. If a student has a question as to what is appropriate, he or she may discuss it with a school administrator. NMSA staff will intervene when displays of affection are inappropriate.

### **5.6.5 Verbal Abuse or Profanity**

Verbal abuse shall be interpreted to include any profane, obscene, vulgar, racial slur or slang or unnecessarily crude utterance, gesture, or display reflecting on an individual's sex, race, color, religion, ethnic or national origin, age, sexual orientation, gender identity, social and family background, linguistic preference, or disability which has the purpose or effect of creating an intimidating, hostile or offensive educational environment. It shall not matter for disciplinary purposes whether it is directed toward a teacher, classmates, or merely done overtly.

### **5.6.6 Video and Audio Recording Without Consent**

Except for during public events, students may not create, duplicate or by any means (e.g. texting, emails or any other social media platform) make a video or audio recording of another individual while at school or during any school-sponsored activity or event without the express written consent of each individual being recorded. Consequences for violation of this policy may include loss of privilege of bringing a smartphone or other personal electronic device on campus

or to school-sponsored events. In addition, anyone violating this policy will be required to delete and remove from circulation recordings made in violation of this policy.

### **5.6.7 Theft or Pilfering**

Means taking someone else's belongings without his/her permission, no matter how small. A student involved in the act of stealing or in possession of stolen property may face criminal charges along with other disciplinary actions by NMSA up to and including suspension or expulsion. If it is school property, NMSA will press charges and student will make financial restitution.

### **5.6.8 Student Possession of Tobacco on School Grounds**

While at school or a school sponsored event, students shall be prohibited at all times from smoking (including but not limited to E or vapor cigarettes, nicotine containers, chewing tobacco, cigars, snuff, dip, hookahs, and pipes) or having tobacco in any form in their possession. Punishment shall include definite corrective action.

Possession:

1. If a student is found in possession of tobacco, (including but not limited to E or vapor cigarettes, nicotine containers, chewing tobacco, cigars, snuff, dip, hookahs, and pipes) the student must surrender the tobacco and parents will be notified.
2. Second possession offense – Possible 1 day In-School-Suspension and meeting with the School Counselor regarding effects of smoking and the opportunity to learn about smoking cessation options. Parents/guardians will be notified.
3. Third possession offense – Possible 2 days In-School-Suspension and meeting with the School Counselor regarding effect of smoking and the opportunity to learn about smoking cessation options. Parents/guardians will be notified.

Use: if a student is found using tobacco on school grounds, then the student must surrender the tobacco. Parents/guardians will be notified, students may receive a one day In-School-Suspension, student will be referred to the School Counselor for smoking cessation discussion.

### **5.6.9 Vandalism and Tampering**

Any abuse of school or private property shall be considered vandalism. The parent or guardian shall be requested to meet with the school officials to make arrangements to pay for the damage caused by the student. Criminal charges may be filed and other disciplinary actions may be taken by NMSA up to and including suspension or expulsion.

### **5.6.10 Violent Behavior**

Acts of assault, violence, intimidation, fighting, or extreme antagonism toward other persons shall immediately be reported to the Head of School or Designee. Criminal charges may also be filed along with other disciplinary actions by NMSA. See, 4.5.16, below.

Physical Aggression: Any incident of physical aggression may result in a 10 day Out-of-School-Suspension (OSS) with a recommendation to expel. Local law enforcement may be called and a citation could be issued.

### **5.6.11 Gang-Related Activities**

Means for example; wearing clothing, displaying paraphernalia, or altering one's appearance, the display of gang signs, symbols, monikers or signals, that signifies or exhibits an individual's

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

#### **5.6.12 Threats**

Serious threats made by a student against the life of another student, teacher, or other school personnel shall immediately be reported to the Head of School or Designee. The Head of School or Designee may at his/her discretion under the circumstances inform the person to whom the threat was directed of the situation. Appropriate authorities may be called.

#### **5.6.13 False Accusations**

Accusations or charges made by a student, teacher, administrator, or other school personnel against a teacher, another student, administrator, or other school personnel shall be reported to the Head of School or Designee, who shall conduct a complete investigation of the accusations or charges made. Any student, teacher, administrator, or other school personnel found to have intentionally made false accusations or charges that jeopardize the professional reputation, employment, or professional certification of a teacher, administrator, other school personnel, or student shall be subject to disciplinary action for a serious breach of conduct.

#### **5.6.14 Failure to Report Serious Offenses**

Students who are aware of serious offenses must report that information to a teacher, Head of School or Designee, at their earliest opportunity. Failure to report serious offenses may be cause for disciplinary action. Serious offenses include, but are not limited to: bullying (including cyber-bullying), possession of weapons, possession of firearms, or possession of drugs.

#### **5.6.15 Bullying and/or Harassment**

If, upon investigation by the School Counselor, in consultation with the Head of School or Designee, a student has been found to have committed an act(s) of bullying and/or harassment, including cyber-bullying, the student may be referred to the Head of School or Designee and suspended or recommended for expulsion. Criminal charges may also be filed if warranted.

Students who are victims of bullying or harassment should report the incident to the School Counselor and complete a Bullying Complaint Form. The School Counselor, after meeting with the student submitting a Bullying Complaint Form, will consult with the Head of School or Designee to determine whether a disciplinary investigation and/or consequences, up to and including suspension or expulsion, are warranted.

See Section 5.20, Bullying Prohibition Policy, for definitions, report, investigation and consequences of bullying.

#### **5.6.16 Cyber Bullying Policy**

Cyber bullying is defined as a situation in which 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. Snapchat, Facebook), and chat rooms, therefore, affecting the student's learning environment.

Law enforcement may be contacted if a threat of physical aggression is identified.

NMSA is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. NMSA encourages the promotion of positive interpersonal relations between members of the school community. Aggressive behavior toward a student, whether by other students, staff, or third parties using social networking technologies is strictly prohibited and will not be tolerated. NMSA will not tolerate any gestures, comments, threats, or actions that cause or threaten to cause bodily harm or personal degradation using these social networking technologies. This policy applies to all activities at NMSA, including activities on school property or while en route to or from school sponsored activities and during any school-sponsored, school-approved or school-related activity or function, such as field trips or athletic events where students are under the school's control, where an employee is engaged in school business, or if occurring off school property if the activity disrupts the school environment or another student's access to a safe and healthy school environment.

#### **5.6.17 Possession of Dangerous or Disruptive Items**

Any item in the possession of or being used by a student which disrupts the class, distracts his/her attention from the class, defaces school property, or in any way endangers the safety of himself/herself or others shall be taken by the teacher and held until proper disposition of the item(s) can be made. Teachers are not to destroy such items. Students who refuse to cooperate shall be reported to Head of School or Designee for further action. Possession or use of a dangerous or disruptive item while on school property or in attendance at a school function may be grounds for suspension and/or expulsion and referral to proper law enforcement agencies. Please refer to our Cell Phone Policy (5.7) regarding disruptive items.

#### **5.6.18 Weapons**

NMSA prohibits students from possessing, storing, making, carrying, concealing in a backpack or on their persons, or using a weapon or other devices designed to inflict serious bodily harm in any setting that is under the control and supervision of NMSA. This includes school activities, property leased, owned, or contracted for by NMSA, a school-sponsored event, and/or while in school sponsored transportation. The term "weapon" includes a firearm, parts of a weapon, destructive device, knife/cutting instrument, and other weapon as defined herein and including toys or facsimiles.

- *A firearm* is any device which will, is designed to, or may readily be converted to expel a projectile by the action of an explosive; the frame or receiver of any such weapon; any firearm muffler or firearm silencer; any destructive device; or any machine gun. Weapon includes firearms of any kind (operable or inoperable, loaded or unloaded, commercial or homemade); including but not limited to hand, zip, pistol, rifle, shot gun, starter gun, flare gun, or tear gas gun.
- *A destructive device* is any bomb, grenade, mine rocket, missile, pipe bomb, or similar device containing some type of explosive that is designed to explode, including fireworks and firecrackers, and is capable of causing bodily harm or property damage.
- *Knife/Cutting Instrument* includes, but is not limited to dagger, dirk, stiletto, shank, knife, razor, box cutter, or Exact-o knife that is outside of the student's art box or studio.
- *Other weapons* means the possession or intention of using any instrument or object to inflict harm on another person, or to intimidate any person, including, but not limited to chains (even if not being used for the purpose for which it was normally intended and capable of harming an individual), pipe (any length or metal not being used for the purpose it was normally intended), pointed instruments (including pencils, pens), nunchuks, brass knuckles, Chinese stars, billy-clubs, bludgeons, slingshots, portable

devices or weapons directing electrical current (stun guns), impulse, wave, beam or chemicals, BB pellets, CO2 firing devices, or dart guns, bows, explosives, propellants, or flash pots. Any other dangerous or deadly weapon.

Students must immediately report knowledge of weapons and threats of violence by students and staff to a teacher, the Head of School, or his/her Designee. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school. The Head of School or Designee shall immediately report to the appropriate law enforcement agency if a dangerous weapon is found or is suspected to be in the possession of a school employee or a visitor.

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

#### **5.6.19 Possession, Sale and/or Use of Alcoholic Beverages, Narcotics, Illegal Drugs, Electronic Cigarettes or Vapor Devices, Nicotine Containers and/or Prohibited Substances**

NMSA prohibits students from using, being under the influence of, possessing, distributing or trafficking tobacco, alcohol and/or illegal drugs on school property, at school, or at school-sponsored activities. Students, while on school property or attending a school-sponsored activity, who use, are under the influence of, possess, distribute, or sell tobacco, alcohol, and/or other drugs or related paraphernalia shall be subject to intervention, discipline, suspension, expulsion and/or other appropriate alternatives.

#### **5.6.20 Odor of Alcohol and Illegal Substances**

Students may not be at school or at a school-sponsored event if they have the odor of alcohol or illegal substances on their person or possessions. If a student has the odor of alcohol or illegal substances on his or her person or possessions, but is determined not to be in possession of or under the influence of alcohol or illegal substances, the student will be sent home to change clothes or take the necessary action to eliminate the odor of alcohol or illegal substances. In order to ensure the student's safety, the student's parent/guardian will be called, and the student will only be released to a parent/guardian or designee. Once the student no longer has the odor of alcohol or illegal substances on his or her person or possessions, he or she may return to school.

#### **5.6.21 Extortion**

Is the act of a person who blackmails or otherwise threatens another student for the payment of money of any sum or other consideration.

#### **5.6.22 Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances**

Means making threats, placing, discharging, or throwing a destructive explosive item or noxious substance, or makes a terroristic threat while in or on NMSA property, or on school-sponsored transportation, or during school-sponsored activities.

#### **5.6.23 Arson**

Means setting fire to property while at school or while involved in a school activity either as a prank or deliberately to do damage to the property.



#### **5.6.24 Inciting Others or Disruptions**

The act of encouraging or helping a student to cause a riot, disrupt school activities, or to be absent or otherwise violate school rules, or to disrupt or interfere with the lawful administration or functions of the school activities.

#### **5.6.25 Assault or Battery on School District Personnel**

Causing bodily harm to or threatening to cause bodily harm to a school official or a teacher. Consequences for such behavior are at the discretion of the Head of School or Designee.

### **5.7 CELL PHONES**

#### **5.7.1 Daily Cell Phone Use**

A student may only use his/her phone before and after school hours, between classes, and during the student's lunch period. The cell must be turned off or on silent mode during the school day. The cell phone may only be used in class with explicit permission from the teacher to use it for instructional purposes. The cell phone may be used in the administration office with permission to call a parent, guardian or designated person for an emergency or other appropriate reason. Misuse of the cell phone rules will result in confiscation of the phone.

- First Offense: Cell phone is surrendered to the Front Office until the end of the school day.
- Second Offense: Parent(s)/guardian(s) are notified and the cell phone is surrendered to the Front Office for two days during school hours. The student may pick up the phone at the end of the first day but **MUST** return it to the office at the beginning of the second day.
- Third Offense: Parent(s)/guardian(s) are notified and the cell phone is surrendered to the Front Office. The cell phone must be picked up by the parent(s)/guardian(s).
- Further infractions of the cell phone policy will result in the student's loss of cell phone use at school for the remainder of the semester.

#### **5.7.2 Cell Phones During Testing**

Students may not be in possession of cell phones during testing. Before testing, teachers will collect and secure any cell phones that have been brought to class. At the end of testing, cell phones will be returned to students. A student found to be in possession of a cell phone during the administration of a test may have the test invalidated.

### **5.8 SEARCH AND SEIZURE**

#### **5.8.1 Search of Property**

NMSA 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, conducted by the Head of School or Designee, are intended to be minimally intrusive such as emptying pockets, cubby holes, lockers (if applicable), backpacks, purses, removal of hats, socks, and shoes. In the case of storage spaces provided to students by NMSA, these spaces shall remain the property of NMSA and, in accordance with the 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 NMSA's facility, during any school-sponsored activity whether on or off campus.

#### **5.8.2 Search of Person**

Unless there is an immediate threat of health or safety of the student or others, parents/guardians of the student will be called prior to any search of a student's 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 of the same gender, 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 Head of School 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 students outer clothing. Whenever possible, search of a student's person will be conducted by the Head of School or Designee in the presence of the student's parent and another administrator. 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 an NMSA student be subjected to a "strip search."

#### **5.8.3 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/guardian or returned to the student when and if the Head of School or Designee deems appropriate.

#### **5.8.4 Notification of law enforcement authorities**

The Head of School or Designee shall have discretion to notify the local student's court attorney, district attorney or other law enforcement officers to conduct the search when search for possession of an illegal substance or item is suspected. 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 will be called.

#### **5.8.5 Record Keeping**

The Head of School or Designee 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 and the name of informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Head of School shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

## **5.9 VIOLENT OR AGGRESSIVE BEHAVIOR**

### **5.9.1 Defined**

Violent or aggressive behavior is defined as inappropriate conduct that is repeated enough, or serious enough, to negatively impact a student's educational, physical, or emotional well-being. This type of behavior is a form of intimidation and harassment, although it need not be based on any of the legally protected characteristics, such as race, color, national or ethnic origin, sex, gender identity, sexual orientation, culture, religion or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyber bullying, intimidating, menacing, coercing, name-calling, taunting, making threats, and hazing.

### **5.9.2 Duty to Report**

Any student who believes he/she has been or is the victim of aggressive behavior should immediately report his/her concerns to a teacher or counselor who will be responsible for notifying the Head of School or Designee. Complaints against the Principal shall be filed with the Head of School. Complaints against the Head of School should be filed with the Governing Council Chair. Every student is encouraged, and every staff member is required, to report any situation that they believe to be aggressive behavior directed toward a student. Reports may be made to those identified above.

## **5.10 CLASSROOM RULES**

Individual classrooms have additional rules and consequences that will be reviewed with students by the classroom teacher.

## **5.11 CONSEQUENCES**

Students have certain rights, but also have the responsibility to respect the rights and property of others. If a student fails to do this, disciplinary action will follow. Disciplinary consequences may be imposed by the Head of School or Designee, in addition to consequences developed by the classroom teacher, for violations of school rules. The Head of School or Designee has the right to impose discipline using the regulation that supports this policy in accordance with the circumstances presented. Some of the potential consequences include:

- Head of School or Designee referral. Students who choose to disobey rules may be sent to meet with the Head of School or Designee to discuss the behavior. Parent(s)/guardian(s) will be notified by phone or email.
- Parent meeting. When deemed necessary by the Head of School or Designee, or when a student receives his/her 3rd Incident Report, parent(s) or guardian(s) will be contacted by the Head of School or Designee so that arrangements may be made for the student to meet with the Head of School or Designee, classroom teacher, his/her parents/guardians and any other appropriate staff to discuss the referrals and develop a plan/contract.
- Student Assistance Team (SAT). Additional referrals will result in a meeting with the SAT to discuss other possible interventions such as a behavior management program, additional participation in the "Social Skills" program, a mentorship, screenings or evaluations, or other disciplinary action deemed appropriate by administration.

## **5.12 DUE PROCESS/REFERRALS**

### **5.12.1 Due Process**

In disciplinary cases, each student is entitled to due process. This means students:

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

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

### **5.12.2 Referrals**

All discipline referrals submitted to the Head of School or Designee will begin with a conference with the student. In the case of suspensions/expulsions, parents will be notified of consequences by a personal phone call accompanied by a written letter. If attempts to notify parents by telephone are unsuccessful, parents will be notified by written letter only. Parent involvement is an important part of disciplinary action at all levels.

## **5.13 IN-SCHOOL SUSPENSION**

A student may be assigned in-school suspension (ISS) as a consequence when it has been determined by the Head of School or Designee that the student violated a school policy.

During In-School Suspension, the student comes to school but does not attend classes. Instead, the student works on assignments under the supervision of administrative staff in the front offices.

The following policies and procedures apply to ISS:

- The student must check in at the front office by 9:10 a.m. and will be dismissed at 4:55 p.m.
- Outside of the time between 9:10-4:55, the student may not be on campus or participate in school-sponsored activities during the duration of ISS.
- Teachers will be asked to provide work that the student will miss during ISS. However, it is the responsibility of the student to get missed assignments from teachers.
- The student will have access to a Chromebook that may only be used to complete assignments (and may not be used for accessing social media or other personal uses).
- If the student brings a cell phone to school, the phone must be given to administrative staff for safekeeping during ISS (the student may opt to leave their cell phone at home or in another secure place).
- If the Head of School or Designee determines that the student is continuing to violate school rules during ISS, the in-school suspension may be converted into an out-of-school suspension.

## **5.14 SHORT-TERM OUT-OF-SCHOOL SUSPENSION**

A short-term out-of-school suspension is a mandatory absence from school for a period of 10 days or less. If the Head of School or Designee decides that the alleged misconduct warrants a consequence of a suspension for 10 days or less, the Head of School or Designee shall give the student an informal due process hearing and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights including the opportunity to present to the Head

of School or Designee, his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Head of School or Designee, upon the basis of all facts and information learned, shall determine if the student committed a conduct violation. If the student is found to have committed a violation, a consequence or suspension may be imposed for a period of time not to exceed 10 days. If a suspension is imposed, the Head of School or Designee, imposing the suspension shall keep a record of the aforesaid proceedings. Homework can be provided at the request of the parent. A parent may request an administrative review of the discipline data and decision to suspend by contacting the Head of School within 24 hours. There is no level of appeal higher than the Head of School for a suspension of 10 days or less. Students cannot participate in school activities, including art classes and performances, during their out-of-school suspension. The student cannot be on the school premises, at the NMSA dorms, or at NMSA-sponsored events.

### **5.15 LONG-TERM OUT-OF-SCHOOL SUSPENSION AND EXPULSION**

A long-term out-of-school suspension is a mandatory absence from school for a period exceeding 10 days and up to the balance of the school year. If the Head of School or Designee decides that the alleged misconduct is sufficiently serious so that the consequence should be a suspension in excess of 10 days or expulsion, the accused student shall be afforded his or her due process rights. There shall be an investigation to determine if there is sufficient probable cause to charge the student with an act of misconduct, which may result in a suspension in excess of 10 days or an expulsion. When a student is charged by the Head of School or Designee with misconduct which may result in long-term out-of-school suspension or expulsion, an attempt will be made to contact the parent(s) or guardian(s) by telephone. If the parent(s) or guardian(s) cannot be reached immediately, they shall be informed of the alleged misconduct against the student by email and by a US Postal Service letter.

### **5.16 PROCEDURES FOR LONG-TERM OUT-OF-SCHOOL SUSPENSION AND EXPULSION**

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

#### **5.16.1 Notice**

After following due process as noted above, if the Head of School or Designee believes that a long-term out-of-school suspension may be warranted as a result of alleged misconduct of a student, the Head of School or Designee will notify the parent(s)/guardian(s) in writing of the grounds for the proposed suspension and the date, time and location of the suspension hearing. Notice will be given by certified mail return receipt or by personal delivery addressed to the student and his/her parent(s)/guardian(s). The notice shall contain:

- The time, date and place of the hearing;
  - The name of the Hearing Officer;
  - A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline;
  - A copy of 6.11.2 NMAC, "Students Rights and Responsibilities";
  - A clear statement that the hearing will take place as scheduled unless the Hearing Officer grants a delay or the student and parent(s)/guardian(s) 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.
- Note: Expulsion hearings may not be waived;

- Notice (in writing) must be given to the Head of School at least 72 (seventy-two) hours before the hearing if the student or his parent(s)/guardian(s) will have an attorney present.
- Contact information for the person from whom the parent may request a delay is the Head of School. A request for additional information should be addressed to the Principal.
- A description of the hearing proceedings.

#### **5.16.2 Hearing Officer**

Suspension and Expulsion hearings will be conducted by the Head of School or by an administrator contracted by NMSA to serve as the Hearing Officer.

#### **5.16.3 Time of Hearing**

The hearing shall not be any sooner than five (5) nor later than 10 (ten) school days from the date the notice was received. The Hearing Officer shall have the discretion to extend the time for hearing. However, if the delay extends beyond the 10 (ten) school days, the student shall be returned to school pending the outcome of the hearing unless behavior is deemed dangerous to staff or others.

#### **5.16.4 Decision**

The Hearing Officer may announce a decision at the close of the hearing. The Hearing Officer shall also prepare a written decision, including concise reasons for the decision and the penalty to be imposed, if any, and mail or deliver it to the Head of School and the student, through the parent(s)/guardian(s), within five (5) working days after the review is concluded.

### **5.17 LONG-TERM OUT-OF-SCHOOL SUSPENSION AND EXPULSION APPEAL**

A student aggrieved by the Hearing Officer's decision has the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term out-of-school 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 appeal shall be to the Head of School. The Head of School may grant a right of review for less severe penalties. A student request for review must be submitted to the Head of School within ten (10) school days after the student is informed of the Hearing Officer's decision.

#### **5.17.1 Conduct of Review**

The Head of School shall have discretion to modify the Hearing Officer's decision by imposing any lesser sanction deemed appropriate. The Head of School shall be bound by the hearing authority's factual determinations unless the student persuades the Head of School 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 Head of School shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a new hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

#### **5.17.2 Form of Review**

The Head of School shall have discretion to conduct a review on the written record of the hearing and decision in the case. They also reserve the rights 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.

#### **5.17.3 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.

#### **5.17.4 Decision**

The Head of School may announce a decision at the close of any conference or hearing held on review. In any event, the Head of School shall prepare a written decision, including concise reasons, and mail or deliver it to the hearing authority and the student, through the parent(s)/guardian(s), within ten (10) working days after the review is concluded.

#### **5.17.5 Effect of decision**

The Head of School's decision shall be the final administrative action to which a student is entitled.

#### **5.17.6 NMPED Compliance**

The process followed by NMSA shall conform to 6.11.2 NMAC and to the extent any provision of this section conflicts with the NMPED regulation, the regulation shall govern.

### **5.18 CLASSROOM CONTROL/CORPORAL PUNISHMENT**

A teacher or other member of the certificated staff shall assume such authority for the control of students who are assigned to him/her by the Head of School or Designee and shall keep good order in the classroom. To that end, each classroom teacher may establish classroom rules that each student must follow. The use of corporal punishment is prohibited. Alternative disciplinary procedures, or other forms of positive reinforcement, should be used to bring about appropriate student classroom behavior.

### **5.19 DISCIPLINE OF 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, NMSA 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 individual education plan (IEP) or Section 504 plan.

#### **5.19.1 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, including manifestation determination as described in Subsection C.

#### **5.19.2 Temporary Suspension of Students with Disabilities**

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.

#### **5.19.3 Program Prescriptions**

A student with disabilities who has 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 a student with a disability's IEP, except that an IEP Committee may not prohibit the initiation of proceedings for long-term suspension or expulsion which are conducted in accordance with this regulation.

#### **5.19.4 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, is under the influence, or uses illegal drugs or has sold or solicited the sale of a controlled substance while at school or a school function.

### **5.20 BULLYING PROHIBITION POLICY**

NMSA believes that 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. NMSA does not permit acts of bullying, intimidation, violence, and other similar disruptive behavior.

#### **5.20.1 Definitions**

- **Bullying.** Bullying is any written, verbal expression, physical act or gesture or pattern of such that causes a student(s) to feel distressed or intimidated and which substantially interferes with another 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 that is knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person. (Harassment based on race, color, national or ethnic origin, sex, gender identity, sexual orientation, culture, religion or disability 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** 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.
- **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 media (e.g. Snapchat, Facebook), and chat rooms, therefore, affecting the student's learning environment and emotional well-being.

#### **5.20.2 Examples**

Actions that will be considered as "bullying" include but are not limited to:

- Repeated teasing, use of sarcasm or malicious jokes.



- Name-calling, belittling comments.
- Non-verbal behavior such as gestures, or graphic written statements.
- Conduct that is physically threatening, harmful, intimidating or humiliating.
- Inappropriate physical restraint.
- Cyber bullying and cyber stalking as defined above.

### **5.20.3 Reporting and Complaints**

Students and parents are urged to file a verbal or written complaint concerning suspected bullying behavior to school personnel and administrators. A written complaint can be reported using the Bullying Complaint Form (Addendum 2). 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, counselor, the Head of School or Designee. If the complaint is made by a student to a staff member, he or she will assist the student in reporting to the Head of School or Designee.
- Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required by law to promptly notify the Head of School or Designee. Reports should be made in writing using the Bullying Complaint Form (Addendum 2). A copy of this form will be submitted to the School Counselor.
- If a student makes a verbal report to a teacher, the teacher should complete the form or take the student to the School Counselor or in his/her absence, to the Head of School or Designee, where a form will be completed on the student's behalf without delay on the same day.
- If, upon investigation by the School Counselor, in consultation with the Head of School or Designee, a student has been found to have committed an act(s) of bullying and/or harassment, including cyber-bullying, the student may be referred to the Head of School or Designee and suspended or recommended for expulsion. Criminal charges may also be filed if warranted.

### **5.20.4 Investigation**

The Head of School or Designee will promptly investigate all reports of intimidation, harassment or bullying. The administrator will make every effort to inform the parents/guardians of the victim and the accused of any report of harassment, intimidation, bullying, or hazing prior to the investigation taking place. NMSA administration may take immediate steps to protect the complainant, students, teachers, administrators, or other school personnel pending the completion of an investigation.

### **5.20.5 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.

### **5.20.6 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, NMSA cannot guaranty absolute confidentiality, because it may be necessary to discuss the complaint with others who are witnesses or who may have information about the complaint.

### **5.20.7 Outcome**

The investigation shall be completed as soon as possible. The Head of School or Designee shall make a written report concerning the bullying. 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 school policy. A copy of the completed report will be maintained by the Head of School or Designee. 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 Head of School will notify the parent or guardian of the student making the complaint that the investigation is finished. The Head of School or Designee shall notify the parents or guardians of the student found to be bullying about a determination that their student has committed a verified act of bullying and the consequences for the student's actions.

### **5.20.8 Consequences**

First Offense: Warning

1. Verbal warning will be given to student if it is determined to be an act of bullying.
2. Notes will be added to the bullying complaint form by staff and will serve as documentation of the steps taken to respond to the complaint.
3. Communication will be made with parents/guardians informing them of the incident/warning and the consequences of continued problems.

Second Offense: A second incident of bullying, even if unrelated to the first, may result in a 5 day in school suspension (ISS) for both the academic and the art portions of the school day.

Third Offense: A third incident of bullying, even if unrelated to the first two, may result in a 10 day out of school suspension (OSS) for both the academic and art portions of the school day with a recommendation to expel.

At the discretion of the Head of School or Designee, and depending on the severity of the bullying incident, the "warning" step may be bypassed.

### **5.20.9 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.

### **5.20.10 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.

### **5.20.11 Anti-Bullying included in Health Education Curriculum**

“Health Education” is the instructional program that provides the opportunity to motivate and assist all students in maintaining and improving their health, preventing disease, and reducing 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, in all grade levels. All students need to be aware of bullying behavior beginning in Kindergarten and continuing throughout their school years. It is imperative that students can understand, describe, and recognize bullying behaviors, and then in the later grades can analyze those behaviors and role play refusal skills.

### **5.20.12 Bullying Prevention Program**

A Bullying Prevention Program will be implemented by the Counselor throughout the year and will include training for all students and staff.

## **5.21 ANTI-DISCRIMINATION AND HARASSMENT POLICY**

NMSA recognizes that a student has the right to learn in an environment untainted by sexual or other forms of harassment or discrimination. Offensive conduct that 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 goals of the NMSA community. Sexual and other forms of harassment will not be tolerated.

### **5.21.1 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.

### **5.21.2 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.

### **5.21.3 Strictly Prohibited**

The harassment by a student of a staff member, fellow student of NMSA, 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 the Student/Parent Handbook.

### **5.21.4 Policy for 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

Head of School or Designee. NMSA will respect the privacy of the complainant, the individual(s) against whom the complaint is filed, and the witnesses as much as possible, consistent with the obligation to investigate, to take appropriate disciplinary action, and to conform to any discovery or disclosure obligations.

#### **5.21.5 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 NMSA 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.

#### **5.21.6 Retaliation**

NMSA 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.

#### **5.21.7 Notification**

It shall be the responsibility of the Head of School 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.

### **5.22 WEAPONS**

State and federal law requires public schools to expel students for one year for carrying guns, knives, or any items that may be used as weapons or any part of a weapon including but not limited to clips and ammunition. In order to avoid misunderstandings or unintended consequences, students may not bring toy weapons or “look-alikes” to school. NMSA will report any such violation to the student’s parent(s)/guardian(s) AND the appropriate legal authorities.

### **5.23 DAMAGE BY STUDENTS**

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

### **5.24 VIOLATION OF STUDENT RIGHTS**

Students believing their rights have been violated should report their concerns to their parent(s)/guardian(s) and to the Principal. If the concern is not resolved by the Principal, a report should be made to the Head of School.

## 6. GENERAL SCHOOL INFORMATION

### 6.1 FIELD TRIPS

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

While on school trips students must follow school rules and guidelines. Students shall at all times follow instructions and directives of teachers, sponsors, or chaperones in charge of the field trip. Misbehavior will result in disciplinary action.

NMSA students participate in **Walking Field Trips**. Students will walk to and from Santa Fe downtown destinations, accompanied and supervised by NMSA staff and approved volunteers. A Walking Field Trip Form is included in the registration forms and must be signed by parent(s) or guardian(s) before students can participate in this activity. Parents may or may not be notified in advance of the location of upcoming walking field trips.

### 6.2 LUNCH

Students need healthy meals to learn. NMSA offers healthy meals every school day. Your student may qualify for free meals or reduced price meals. Applications for Free or Reduced Lunches can be obtained from the Business Office and are posted on the school website.

### 6.3 LOST AND FOUND

Lost items are to be turned into the Lost and Found shelves in the orange hall. Students are encouraged to check for all lost items there. Due to the lack of storage space, clothing items in the Lost and Found may be donated to local charities as often as every Friday and definitely at winter break, spring break, and end of year. Items of higher value (electronics, glasses, jewelry, etc.) should be turned in to the Front Office.

### 6.4 PERSONAL PROPERTY

The school is not responsible for lost or stolen items. Lockers and locks are provided to students at no cost. We encourage students to secure valuables at all times.

### 6.5 PARENTAL CONCERN POLICY

NMSA encourages parents/guardians 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 resolutions process** (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 or guardian may request a meeting with the Head of School or Designee and the other NMSA employee with whom there is a disagreement. There is no level higher than the Head of School.

The Head of School or Designee will schedule a meeting with the parent/guardian and all NMSA employees concerned as soon as practical after the complaint is received. When reaching a decision, the

Head of School will take into consideration the best interest of the student and the mission, goals and policies of NMSA.

## **6.6 GRIEVANCE POLICY TO ADDRESS NON-STUDENT CONCERNS**

### **6.6.1 Initial inquiry**

Inquiries or concerns from a school community member, parent, guardian, or student regarding a specific NMSA 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, guardian, 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 Head of School or Designee for clarification on the steps to follow.

### **6.6.2 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 employee’s supervisor. After a meeting between the community member and the supervisor, the supervisor will prepare a written summary of attempt of resolve the community member’s concern. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at this level the community member may take the issue to the Head of School or Designee.

### **6.6.3 Head of School Review**

The following procedure shall be followed:

1. The community member may submit his/her grievance in writing to the Head of School within five (5) days of receiving the supervisor’s statement concerning the good faith effort to resolve the dispute.
2. The letter must be in writing, signed by the community member and delivered to the Head of School at the school. A copy of the administrator’s statement should be enclosed.
3. 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.”
4. The grievance submitted to the Head of School 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.
5. After a meeting with the Head of School, the administrator, and the individual staff member, the Head of School will make a decision regarding the action that will be taken to resolve this problem. The decision of the Head of School is final.

## **6.7 EMERGENCY DRILLS**

Emergency drills, including fire drill, evacuation, shelter-in-place and lockdown are held at school as required by law. Drills may occur at any time of the day. Students must follow instructions for the drill being conducted. Upon completion of the drill, an all-clear signal will be sounded and activities will proceed as normal.

## **6.8 ACCESSIBILITY FOR PARENTS/GUARDIANS**

To ensure equal access in accordance with the Americans with Disabilities Act (ADA) NMSA will provide appropriate auxiliary aids and services. These auxiliary aids and services for a parent/guardian may include but are not limited to the following:

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

These accommodations are available upon request for graduation, Governing Council meetings, school plays, teacher conferences, etc. Please notify the NMSA administration office if you require any of these services.

## **7. STUDENT SUPPORT INFORMATION**

### **7.1 STUDENT SUPPORT**

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 concern. Struggling students are brought before the Student Assistance Team (SAT) that will address problems, design and recommend interventions that will help to alleviate or resolve the situation prior to referral for a multidisciplinary evaluation.

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.

### **7.2 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 students with disabilities 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. Section 504 services could apply to any school age student who (1) has had a physical or mental impairment which substantially limits a major life activity, or (2) 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/guardians who have concerns or questions regarding 504 services should contact the student's teacher or the School Counselor.

### **7.3 ABUSE AND NEGLECT**

If any member of the NMSA staff suspects child abuse or neglect, appropriate authorities must be notified. The call and report will be made as soon as any sign of abuse is noticed by the staff member who suspects or knows of the alleged abuse or neglect. Any member of the staff can make the call and does not have to wait for approval by the administration. Calls may remain anonymous. Signs of suspected abuse or neglect will be documented and sent to the Head of School or Designee and appropriate state authority.

## **7.4 STATEMENT OF RIGHTS PARENTS/GUARDIANS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and those with custodial rights certain rights with respect to the student's education records: NMSA provides the following notice regarding those rights:

### **7.4.1 Inspection**

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

### **7.4.2 Amendment**

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

### **7.4.3 Disclosure/Consent**

A parent/guardian 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//guardian's consent to school officials with legitimate educational interests. A "school official" is a person employed by NMSA as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the Governing Council; a person or company with whom NMSA has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent/guardian 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.

### **7.4.4 Directory Information**

Right to Opt Out. NMSA classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date of birth, grade level, arts discipline, 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/guardian or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the Head of School of the school where the records are kept by no later than September 15 each year. The objection must state what information the parent/guardian or student does not want to be classified as directory information. If no objection is received by September 15 of each year, information designated above will be classified as Directory Information until the beginning of the next school year. By signing that you received this policy in connection with the Student/Family Handbook, you acknowledge that you have received your annual notice of FERPA rights as required by federal law. If you chose to



opt out for permitting your student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook. (Addendum 1)

#### **7.4.5 Complaint**

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

### **7.5 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 can 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 (if applicable); listing of disclosure and transfer of student records. NMSA will withhold release of a student's records if the parent has an outstanding balance for unpaid fees.

### **7.6 NMSA SCHOOL COUNSELING CONFIDENTIALITY GUIDELINES**

Your confidentiality as a student is important to us. In the NMSA school counseling office, what is said here, stays here, with the following exceptions, as required by law and/or ethical standards:

1. **Harm to self or others:** this includes anything that puts your health or safety, or someone else's health and safety, at risk. It could include things like suicide attempt or plan, cutting or other self-injury, eating disorders, addictions, fighting or other physical violence, illegal behaviors, threats etc...
2. **Abuse or neglect:** if you talk with the counselor about abuse (physical, emotional, verbal, sexual or other abuse), whether to yourself or to another minor, we are required by law to report it to the New Mexico Children, Youth and Families Department, and possibly to the police. If you tell us about an abuse case that's already been addressed by CYFD or the police, we still may need to make a call to double check.
3. **Court or other legal proceedings:** by law, if we are subpoenaed (required by law to attend a hearing or other court proceeding), we cannot guarantee that your information will be kept confidential. We will always do our best to reveal as little as possible in a legal setting, but we must cooperate with the police, CYFD, and the courts. We will let you know in advance, if there is ever a need to reveal information, and work with you to handle the situation in a way that respects you, your feelings and your needs.

**PLEASE NOTE: EACH NMSA STAFF MEMBER IS A MANDATORY REPORTER as is every adult in the state of New Mexico. They must report number 1 and 2 above, and are not bound by confidentiality.**

Reference: NM Stat § 32A-4-3 Duty to report child abuse and child neglect; responsibility to investigate child abuse or neglect; penalty.8. TECHNOLOGY USE POLICY

### **8.1 NMSA TECHNOLOGY USE POLICY**

At NMSA, students have access to many valuable instructional technology tools as well as Internet access. Our goal is to teach students to utilize these electronic resources to enhance our school's

instructional goals. NMSA has taken precautions to ensure that students are using the Internet and other electronic resources for appropriate educational means. Student use of the Internet and multimedia resources will be supervised by an adult at all times. However, we cannot guarantee that students will refrain from locating inappropriate sources.

## **8.2 GENERAL RULES FOR STUDENT USE**

- Student use of instructional media must be in support of grade appropriate school instruction.
- Students will use respect and show proper care and handling of all equipment. Any student found to be intentionally damaging any software or hardware will be cited for school property abuse and the student's parent or guardian will be financially responsible for any damages.
- Students are expected to respect and not attempt to by-pass security in place on computers. Changing or attempting to change a computer's settings is a violation of acceptable use of our equipment.
- Students will observe software copyright laws. No students will bring software from home to copy on school workstations, nor will students copy school software for personal use.
- When using the Internet, students' actions will be closely supervised. Students will be held responsible for information viewed, received, and sent.
- Students are expected to respect the work and ownership rights of students, staff, and people outside the school community as well as within.

### **VIOLATION OF THE COMPUTER USE POLICY MAY RESULT IN A STUDENT LOSING HIS/HER PRIVILEGES.**

Students sign the "New Mexico School for the Arts Technology Acceptable Use Agreement Form" (Addendum 3) while completing the online registration process.

## **8.3 NO EXPECTATION OF PRIVACY**

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

## **Addendums**

Addendum 1 - Exclude the Release of Directory Information

Addendum 2 - Bullying Complaint Form

Addendum 3 - Technology Acceptable Use Agreement Form

Addendum 4 - NMSA Receipt for Student/Family Handbook

Addendum 5 – NMSA's On-Time Homework Policy

Addendum 6 – Parking Lot/Student Drop-Off/Pick-Up Map

## Addendum 1

### **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 NMSA, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. However, NMSA may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow NMSA 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; and
- Graduation programs.

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

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

- |   |                              |
|---|------------------------------|
| • Student's name/Parents' name                      | • Photograph                 |
| • Address   | • Honors and awards received |
| • Telephone listing                                 | • Date of Birth              |
| • Email address                                     | • Grade Level                |
| • Participation in officially recognized activities | • Arts Discipline            |

**By signing this document I, \_\_\_\_\_, parent/guardian of \_\_\_\_\_, a student at New Mexico School for the Arts, acknowledge that I have read and understand the FERPA policy stated above. I am requesting that NMSA does NOT disclose directory information about my student such as name, address, telephone number, email address, date, place of birth, honors and awards, and dates of attendance.**

I understand that this directive shall remain in effect until I withdraw or modify it in writing.

Printed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**Addendum 2**

**New Mexico School for the Arts – Bullying Complaint Form**

**New Mexico School for the Arts Bullying Complaint Form**

All reports of bullying begin with a counselor investigation along with a narrative report from the student(s). If it is determined that bullying has occurred, the counselor will turn over reports to Administration to be followed up with consequences as outlined in the NMSA Student/Family Handbook. If the situation does not meet criteria for bullying, actions such as mediation, parent meetings, and counseling may result. See the NMSA Student/Family Handbook (section 5.20) for complete descriptions of the Bullying Prohibition Policy.

**Student Name:** \_\_\_\_\_ **Grade:** \_\_\_\_\_

**Arts Department:** \_\_\_\_\_

**Date of Incident:** \_\_\_\_\_ **Time (estimate okay):** \_\_\_\_\_ **Location:** \_\_\_\_\_

**Is this the first time this has happened? Yes No**

**Is this the first time you are reporting this? Yes No**

**Name of Witness(es) if applicable:** \_\_\_\_\_

**Please describe in as much detail as possible what happened:**

*Attach a sheet if necessary.*

**To be filled out by Staff Member:**

Decision: Counseling or Disciplinary

Outcome:

Supports offered: Mediation Parent meeting Counseling Other: \_\_\_\_\_

Staff member completing form: \_\_\_\_\_ Date: \_\_\_\_\_

Next steps:

**NMSA will consider the following when investigating a report of bullying:**

**Is it rude, is it mean, or is it bullying?**

**RUDE:** Inadvertently saying or doing something that hurts someone else.

**MEAN:** Purposefully saying or doing something to hurt someone, usually based on angry feelings.

**BULLYING:** Intentionally aggressive behavior, repeated over time, that involves an imbalance of power. Bullying includes purpose, pattern, and power.

**QUESTIONS TO CONSIDER:**

- 1. Was the behavior carried out on purpose?**
- 2. Was the behavior intended to cause harm? (harm may be physical, verbal, relational, social, emotional, hate speech or aggression, and/or via electronic communication)**
- 3. Have there been patterned and pervasive acts of the behavior?**
- 4. Does the behavior include electronic communications that can be viewed an unlimited number of times by an unlimited number of people?**
- 5. Does an imbalance of power exist and/or is the target of the behavior unable to stop the behavior from continuing?**

**THE DEFINITION OF BULLYING COULD INCLUDE:**

- \*Acts of intentional aggressive behavior**
- \*Repeated over time**
- \*Involves an imbalance of power**
- \*Relational and/or social aggression**
- \*Cyberbullying**
- \*Physical bullying**
- \*Verbal bullying**
- \*Impact is considered over intent**

## Addendum 3

### NEW MEXICO SCHOOL FOR THE ARTS

#### TECHNOLOGY ACCEPTABLE USE AGREEMENT FORM

Computers and technology are used to support learning and enhance educational instruction. Computer networks and telecommunications allow people to access information from other computers in different locations. It is a general policy that all computers and other technology equipment used at NMSA are to be used in a responsible, efficient, ethical, and legal manner. Failure to adhere to this policy and the guidelines established below shall result in the revocation of access privileges and/or disciplinary actions involving local, county, state, or federal agencies. A student's use of a computer at NMSA is not subject to privacy protections.

Internet, a network of networks, allows users to interact with millions of other people using computers that are also connected to the Internet. It is the belief of NMSA that the educational benefits to students and teachers through access to various online services and the Internet far exceed any potential disadvantages. The majority of sites accessed can provide a wealth of educational opportunities. It is the intent of NMSA to provide access to such services to further the educational goals and objectives of NMSA and is in full compliance with the Children's Internet Protection Act. However, parents should be aware that students using telecommunications have the potential to access unacceptable sources if they disobey or disregard school rules and guidelines. Even though the vast majority of Internet sites provide useful information, some sites may contain information that is offensive, defamatory, sexually oriented, or inaccurate. The intent of NMSA is for technology resources to be used as a valuable educational tool.

**USER RESPONSIBILITIES:** As the user of technology resources provided by NMSA, each student must review, understand, and accept the following rules. Failure to obey the following statements will result in loss of computer privileges and/or disciplinary actions.

- I understand that all computer use must be for educational purposes as directed by my teacher.
- I will not download or play any non-educational games on a school computer.
- I will not use any instant messaging or chat programs.
- I will not download or play music or videos from the Internet, unless directed by my teacher.
- I will not use any non-school email address while at school.
- I will respect personal privacy for myself and others.
- I will not give out any personal information about anyone else (home address, telephone number, etc.)
- I will get permission from my teacher before giving out any personal information about myself.
- I will not give my password(s) to any other users.
- I will only use my computer account and won't use anyone else's login ID and/or password.
- I will not copy, change, read or use files that belong to another user.
- I understand that software and ideas are protected by copyright laws.
- I will not copy information received from any source and say that it is my work.
- I will list all sources of information that I use in my projects and work.
- I will not make copies of any software found on NMSA's equipment or on the Internet.
- I will not copy any personal software onto any computer at school. I understand that educational technology is available for the use of all students.
- I will not deface, damage or destroy the equipment.

- I will not waste or take supplies such as paper, printer supplies or diskettes provided by the school.
- I will follow the school's computer use rules.
- I will follow the rules of network etiquette, which include use of appropriate language and polite responses.
- I understand that abusive language (including name calling and swearing) and bullying is prohibited.
- I understand that I must follow state and federal rules when using technology.
- I will not try to bypass the security measures of any computer equipment.
- I will not knowingly create or introduce any virus to NMSA's equipment.
- I will not send or distribute unethical, illegal, immoral, inappropriate or unacceptable information of any type through electronic mail or telecommunications.
- I will follow the rules listed above or lose my computer privileges and face other consequences.
- I understand that I have should have not expectation of privacy in connection with my use of school computers.

**USE OF TECHNOLOGY RESOURCES AT NMSA IS A PRIVILEGE, NOT A RIGHT**

**STUDENT ACKNOWLEDGEMENT**

I, \_\_\_\_\_ (student), have reviewed the information in the NMSA Technology Acceptable Use Agreement Form with my parent(s) or guardian and my teacher. I understand the rules that I am to follow. I also understand that failure to follow these rules will result in the loss of my computer access and technology privileges at school.

Student Signature \_\_\_\_\_ Date \_\_\_\_\_ Grade \_\_\_\_\_

**PARENT OR GUARDIAN ACKNOWLEDGEMENT**

As the parent or guardian of \_\_\_\_\_ (Student), I have reviewed the NMSA Technology Acceptable Use Agreement Form with my student and understand the terms, rules and guidelines as stated in the document. I also understand that information distributed through the Internet and other online services cannot be entirely controlled by NMSA. I therefore realize that during the course of educational studies and/or communication projects there is potential for the student to encounter controversial or offensive material. I give NMSA permission to grant technology access to my student. I understand that my student may maintain access as long as the procedures and guidelines described above are followed. I also understand that failure to abide by these rules may result in the revocation of my student's computer access and/or disciplinary action.

Parent or Guardian name (please print) \_\_\_\_\_

Parent or Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

**Addendum 4**

**NEW MEXICO SCHOOL FOR THE ARTS  
RECEIPT FOR STUDENT/FAMILY HANDBOOK**

We, the parent(s) or guardian(s) of \_\_\_\_\_ (Student), understand that New Mexico School for the Arts (NMSA) Student/Family Handbook contains important information. We acknowledge that we have received a copy of the NMSA Student/Family Handbook and that this handbook contains information and policies that we should be familiar with while our student attends NMSA.

We have reviewed the information and policies contained in this handbook with our student and both our student and we understand that all students will be held accountable for their behavior and that failure to abide by the guidelines for all student behavior can result in the discipline outlined in this handbook.

We understand further that failure to return this acknowledgment form does not excuse any individual from complying with NMSA Student/Family Handbook or NMSA policies, rules and guidelines. We are aware that NMSA reserves the right at any time to amend or to add to the policies and rules contained or referred to in this handbook. We are also aware that any changes or updates to this handbook will be posted on the NMSA website.

Directions for return of this form:

- 1.) Student and Parent/Guardian review handbook together prior to registration day by accessing the [www.nmschoolforthearts.org](http://www.nmschoolforthearts.org). Hard copies are available upon request.
- 2.) Student and Parent/Guardian sign handbook acknowledgement during registration process.

New and transferring students registering after the start of the school year must return this acknowledgement page within one week after receipt.

DATE: \_\_\_\_\_

PRINT NAME OF STUDENT \_\_\_\_\_

GRADE \_\_\_\_\_

SIGNATURE OF STUDENT \_\_\_\_\_

PRINT NAME OF PARENT/LEGAL GUARDIAN \_\_\_\_\_

SIGNATURE OF PARENT/LEGAL GUARDIAN \_\_\_\_\_



## Addendum 5

### NMSA On-Time Homework Policy – Revised August 2018

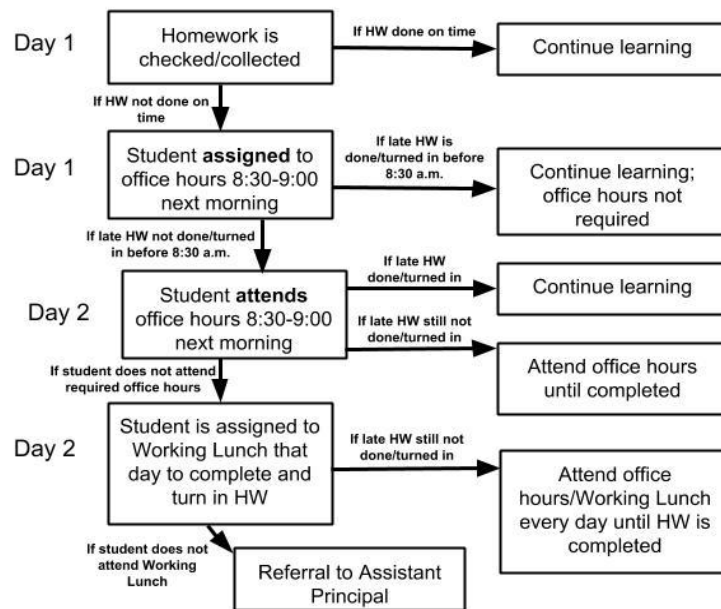
*NMSA is committed to ensuring the academic success of each of our students through a strong support system. This On-Time Homework Policy is part of that support system.*

**Definition:** Homework is any work done outside of class time, whether for practice or for assessment.

**Expectation:** Homework is completed on time, every time. Essential learning is missed when homework is not completed on time.

#### If you don't have your homework completed on time:

1. You have until 8:30 the following morning to complete the assignment and turn it into the teacher.
2. If you do not complete it by 8:30 the following morning, you are required to attend that teacher's office hours from 8:30-9:00 to complete your homework the day after the assignment was due. If you need help, the teacher is there to support you.
3. If you do not finish the assignment during those 30 minutes, you are required to attend office hours the following day (until the work is completed).
4. If you fail to attend required office hours after not completing homework on time, the teacher will sign you up for Working Lunch that day. Working Lunch lasts the full lunch period. Ms. Oberteuffer will be there to support you in completing your missed assignment(s), so come prepared with the materials you will need, including your lunch. You are expected to show up within 5 minutes of the lunch bell. Remember: Working Lunch is just that -- a time to work, with support, while you eat lunch.



#### Notes

- “On-time” means completed by the time a teacher collects or checks it. For students with extensions due to arts or excused absences, “on-time” means by the extended due date.
- Students with a zero period class or who commute should complete and turn in late homework before 8:30 a.m. in order to avoid a Working Lunch for missing required office hours.

Addendum 6

PARKING LOT STUDENT DROP-OFF/PICK-UP MAP

