

NEW MEXICO
Academy for the Media Arts

STUDENT/FAMILY HANDBOOK FOR 2026-2027

Approved: July 8, 2025
Effective: July 8, 2025
Last Revised: April 2026

NAME OF NMAMA
STUDENT/FAMILY HANDBOOK

I. GENERAL INFORMATION

1.1. MISSION AND VISION

1.1.01 *Mission* - The New Mexico Academy for the Media Arts (f.k.a. Media Arts Collaborative Charter School) offers secondary students a comprehensive, project-based, cross-curricular education centered in the media arts. We prepare our graduates for positions in the media industries and for the rigor of post-secondary education.

1.2. WELCOME AND STAFF INTRODUCTION.

1.2.01 *THE NMAMA STAFF WELCOMES YOU!*

Dear Parents and Students,

Welcome to the 2026-2027 school year at the New Mexico Academy of the Media Arts!

I hope you have had a restful and enjoyable summer, with plenty of opportunities to spend quality time with your loved ones.

Last year was a year filled with exciting changes, growth, and significant improvements, it was important for all of us to take time to rest, recharge, and reflect before turning our attention to the year ahead.

We have an exciting and productive school year in front of us, and I am genuinely looking forward to the work we will accomplish together. Last year, our school community achieved so much. From completing much-needed facility improvements and strengthening our special programming and administrative compliance, to making meaningful gains in math and reading, we demonstrated what is possible when we work together. We also celebrated the graduation of our remarkable Class of 2026. While we will greatly miss their presence on campus, we are incredibly proud of their accomplishments and wish them every success in the future.

As we welcome our returning and new students and families, I am excited to continue building on this momentum. Together, we will foster a learning environment where every student is challenged, supported, and inspired to achieve their fullest potential.

Warm regards,
Mr. Jones
Executive Director/Principal

1.2.02 NMAMA Staff 2026-2027

Staff Member	Position/Title	Email Address
Meagan Reyes	Humanities Teacher/ 504 and SAT Coordinator	mreyes@nmmediaarts.org
BryceWillis	Humanities Teacher	bwillis@nmmediaarts.org
Tanya Mueller	STEM Teacher/Dual Credit Representative/eSports and Super Computing Challenge Coach	tmueller@nmmediaarts.org
Anthony Conforti	Media Arts Teacher	aconforti@nmmediaarts.org
Tom Richardson	Photography Teacher/ Internship Coordinator	trichardson@nmmediaarts.org
Caleb Schuh	Media Arts Elective Teacher	cschuh@nmmediaarts.org
Celeste Dallas	IEP Specialist / Special Education Teacher	cdallas@nmmediaarts.org
Andrea Vicente	Educational Assistant	avicente@nmmediaarts.org
Courtney Clyne	Registrar/Administrative Assistant	cclyne@nmmediaarts.org
Manuelito Tafoya	Facilities Manager	mtafoya@nmmediaarts.org
Mariana Vasquez	Special Education Coordinator	mvasquez@nmmediaarts.org
Cecy Barffuson	School Social Worker	cbarffuson@nmmediaarts.org
Chris Jones	Executive Director/Principal	cjones@nmmediaarts.org

1.3 CAMPUS MAP

Please see the Campus Map in the Appendices. The Campus Map will show classrooms and classroom teacher assignments and the map for pickup and drop of locations and routes on the NMAMA campus.

1.4 NMAMA GOVERNING COUNCIL

The NMAMA Governing Council makes policy decisions concerning the school, and interviews and hires the principal for his/her position. The members of the governing council operate according to its bylaws. The council members are volunteers who oversee the operation of the school and ensure that NMAMA's charter's goals and missions are carried out. Regular meetings are held on the second Tuesday of each month at 12 pm (unless otherwise indicated) and often, other meetings are convened to discuss school business. Notices of the NMAMA Governing Council meetings will be posted on the website and displayed on storefront windows of each school building on the NMAMA campus.

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

The Governing Council members for School Year 2026-2027 are:

Member Name	**Role/Position**
Carolyn Carlson	President
Channing Concho	Vice President
Malinda Menke	Member
Kendra Toth	Member
Eddie Tafoya	Member
Taihg McCabe	Student Member (Non-Voting)
Chris Jones	Non-Voting Member

1.5 NMAMA Parent Advisory Committee

The NMAMA works to support the education our students are receiving in many ways. Contact information and planned events including meetings will be listed in a PTA calendar that will be given to each NMAMA Family. Our PTA President this year is still TBD.

1.6 STUDENTS ARE UNDER CONTROL OF NMAMA

All students are under the control and direction of the school Principal, or designee(s) 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 Principal:

➢ while they are being transported to or from school at public 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

☐ whenever students are lawfully subject to the school's control, regardless of place

A "reasonable time" shall mean fifteen (15) minutes before the school day or school-sponsored activity is scheduled or actually begins or ends, whichever period is longer.

1.7 CALENDAR AND HOURS

The following is the 2026-2027 school calendar. Students are to arrive no earlier than 8:15 am and no later than 8:45 am. The opening of the school day is very important and we expect all students to be on time. Students entering after 8:45 am must report to the office for admittance into class and must be signed in by a parent or adult.

CALENDAR/IMPORTANT DATES (See Appendices for approved school calendar):

Date(s)	Event/Holiday
8/3/2026	Staff Development Begins
8/5/2026	Staff Development Ends
8/6/2026	First Day of School
9/7/2026	Labor Day
10/8-10/9/2026	Fall Break
10/12/2026	Indigenous People's Day
11/3/2026	Election Day
11/24/2026	Parent Teacher Conferences
11/25/2026	Thanksgiving Break Begins
11/27/2026	Thanksgiving Break Ends
12/21/2026	Winter Break Begins
1/1/2027	Winter Break Ends
1/4/2027	Staff Development
1/5/2027	First Day of Semester Two
1/18/2027	Martin Luther King Jr. Day
2/15/2027	President's Day
3/22/2027	Spring Break Begins
3/25/2027	Spring Break Ends
3/26/2027	Vernal Holiday
3/29/2027	Parent Teacher Conferences
4/16/2027	April Break
4/19/2027	April Break

HOURS:

Daily Schedule		
Monday	8:45 am - 3:45 pm	A Day (Periods 1-4)
Tuesday	8:45 am - 3:45 pm	B Day (Periods 5-8)
Wednesday	8:45 am - 3:45 pm	A Day (Periods 1-4)
Thursday	8:45 am - 3:45 pm	B Day (Periods 5-8)
Friday	8:45 am - 3:45 pm	Rotating A/B Day

2 Hour Delay Schedule

Students will report to school at 10:45 am on days we have delays due to inclement weather or other causes to arrive later than normal. On such days, students will follow the above A/B day schedule and will be released at 3:45 pm.

1.8 VISITORS TO CAMPUS

Parents and other visitors are welcome onto NMAMA's campus, provided they comply with all NMAMA policies, procedures, and restrictions relating to visitors on campus. Parents and visitors must comply with staff directives and limitations regarding when they may visit a classroom. Visitors to campus during the school day must always be under staff supervision, and must treat staff and students with respect and courtesy while on campus. Parents and visitors who refuse to comply with this and other NMAMA policies and procedures shall be asked to leave campus, and refusal to leave campus when asked will result in a call to law enforcement and possible future restriction from campus access.

II. ADMISSIONS AND ATTENDANCE

2.1 ADMISSION

For information concerning enrollment or the lottery process, please refer to the Admission Section of our NMAMA website www.nmmediaarts.org.

ADMISSIONS AND LOTTERY INFORMATION

STEPS FOR THE LOTTERY PROCESS AT NMAMA

Each year, as per state regulations, admission to public charter schools is done by a lottery process. Learn more about lottery regulations.

Current NMAMA students are automatically entitled to enroll the following year without participating in the lottery. Children of employees employed by NMAMA and siblings of currently enrolled students have priority for admission, subject to space availability, but must complete the New Enrollment Packet. Remember, if a current NMAMA student withdraws before the 40th day of the school year, the student's sibling will lose preference.

The lottery does not guarantee admission, but determines preference in filling available spots. Once a grade level is filled, any remaining names are placed on a waiting list for that school year in the order in which their names were drawn in the lottery.

The Lottery Window opens in January of each year.

Lottery drawing results will be posted by the second Friday of April. Visit our website to view the list. The list will be posted once, and will not be updated. If you need information, call us at (505) 243-1957.
NMAMA does not discriminate against any student based on race, gender, gender identity, religious affiliation, national origin, ethnicity, physical or mental disability, or sexual orientation. The school is nonsectarian in its programs, admission policies, and employment practices.

2.2 REGISTRATION/ENROLLMENT

Registration is completed or updated each year to ensure that all information is current on each student. All the following information is to be completed as part of the enrollment process. Failure to provide the required information may delay or result in a student not being officially enrolled at NMAMA, jeopardizing his/her place at our charter school where space is limited. Consequently, at the time of enrollment please provide the following completed forms:

- ☐ enrollment forms
- ☐ emergency information forms
- ☐ health/medical consent forms
- ☐ immunization records
- ☐ free and reduced lunch forms (if applicable)
- ☐ copy of birth certificate
- ☐ custody orders (if applicable)
- ☐ Early Dismissal Release form
- ☐ Home Language Survey
- ☐ Student Dental Examination Verification Form

Please note that according to state law, all students must be in compliance with state immunization requirements, be in the process of receiving the immunization series, or meet exemption criteria before starting school. Exemptions are permitted for medical reasons or due to the conscientiously held beliefs of the parent/guardian. Proof of an exemption must be provided in lieu of immunizations records to be allowed to enroll. In addition, state law requires that students enrolling at NMAMA receive an annual dental exam, or a parent/legal guardian written waiver of this requirement; see Appendices for the NMAMA dental exam policy and forms.

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

2.3 HOME LANGUAGE SURVEY

Each student entering NMAMA for the first time must complete a Home Language Survey. The survey form is a part of the enrollment packet. If a student answers "yes" to any one of the three questions on the survey, the school will assess the student's English proficiency to determine eligibility for services. Please contact the school's principal for more information on the English Language Learner program at NMAMA.

2.4 PARENT CUSTODY

When parents are separated or divorced, it is recommended that the school be provided with a signed and certified court order defining custody and visitation rights. When parents have joint legal custody, each parent has the right to access and to receive copies of school/student records and information, to attend conferences, and to 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 parent requests that are consistent with the order.

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

- ☐ send duplicate correspondence to the non-custodial parent or both custodial parents;
- ☐ arrange for review of school records by the non-custodial parent;
- ☐ 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. Unlisted numbers will be held in confidence when requested.

2.6 ATTENDANCE

NMAMA students are expected to arrive on time before 8:45 am and adequately prepared for their day. If your student is absent or late, please contact the school at (505) 243-1957. If your student is late (all arrivals after 9:15 am, he/she will need to be escorted into the front office and signed in). While regular attendance is required, SICK STUDENTS SHOULD REMAIN AT HOME.

2.7 NMAMA ATTENDANCE POLICY

NMAMA is committed (and legally obligated) to enforce the New Mexico Attendance for Success Act. 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. NMAMA hopes that every parent will consider regular and timely attendance to be imperative to their student's educational success.

This policy applies to students and their parents or legal guardians.

2.7.01 DEFINITIONS

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

b. "Excused absence" is an absence due to illness, appointments with health or mental health care providers, death in the family, or religious instruction or tribal obligations. At the school's discretion, a written confirmation may be required by the office when the student returns to school. If requested, such letter should come from medical practitioner, funeral service provider, or

provider of religious education or tribal official. Special family situations may be considered appropriate for excused absence when *prior* approval is received from the Principal. The Principal's decision on the request shall be considered final.

i. Excused Absence due to Religious Instruction: A student may, subject to the approval of the Principal, be absent from school to participate in religious instruction for not more than 1 class period of the school day with the written consent of the parent/guardian, at a time that is not in conflict with the academic program of the school. School does not assume responsibility for the religious instruction for any student, nor does it permit religious instruction to be conducted on school property. School shall provide time for the student to make up the school work missed during the absence.

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

c. "Unexcused absence" is an absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy.

d. "Half Day Absence" is an absence from school for less than half the school day.

i. "Excused half day absence" is a half day absence from school for reasons identified in this Policy.

ii. "Unexcused half day absence" is a half day absence from school or from a class for which the student does not have an allowable excuse as identified in this Policy.

e. Absence equivalencies:

1. Any combination of two half-day excused absences will equate to one excused absence.

2. Any combination of two half day unexcused absences will equate to one unexcused absence.

f. "Tardy" is an arrival to school after the start of the day, but 30 minutes or less late. Late arrivals in excess of 30 minutes will be considered a "half day absent."

i. "Excused tardy" is a tardy for reasons listed in this Policy.

ii. "Unexcused tardy" is a tardy for reasons not listed in this Policy.

g. "Early Release" is a student's departure from school 30 minutes or less prior to dismissal for reasons listed in this Policy. Early releases longer than 30 minutes will be considered a "excused half day absence."

i. "Excused early release" is an early release for reasons listed in this Policy.

ii. "Unexcused early release" is an early release for reasons not listed in this Policy.

h. "Chronically Absent" is a student with an absenteeism rate of 10%, but less than 20% regardless of the reason for absence, and/or whether excused or not. Chronically absent students require Early Intervention; see below.

i. "Excessively Absent" is a student with an absenteeism of 20% or greater, regardless of the reason for the absence and/or whether excused or not. Excessively absent students require Intensive Support; see below.

j. "Voluntary Withdrawal" is the School interpreting a student's continued unexcused absences to constitute a voluntary disenrollment of the child from the school, after school's intervention attempts have been exhausted. Voluntary withdrawal is not an expulsion of a student and does not require the due process for expulsion.

2.7.02 PROCEDURES

a. Attendance Requirement. The New Mexico Attendance for Success Act requires that all persons between the ages of five and eighteen attend a public, private, or home school, or a state institution, unless that person has graduated from high school or has received a general education development certificate, or that person's parent or guardian provides written, signed permission for that person to leave school for health reasons or in case of hardship, and that permission is approved by the Principal. Students enrolled in NMAMA shall attend school for the length of time of the school year as established by the school charter and any resulting reauthorization thereof.

Students are expected to have no more than 5% absentee rate per school year, which includes both excused and unexcused absences. Students are expected to arrive on time to school each day and to remain in school until the scheduled dismissal.

b. Whole School Efforts to Ensure Student Attendance

i. Notification of an Absence by a Parent or Guardian: The parent or guardian shall notify School's attendance officer each day that his or her student will be absent from any part of the school day, except in the case of an emergency, and shall give the reason for the absence and shall provide a written parental verification upon the child's return to school.

ii. Notification of an Unexcused Absence by the School: If a student is absent from school or class without a parent or guardian's notification of absence, the School attendance officer (or the designee) will, as soon as practicable, contact the parent or legal guardian by telephone or e-mail to give notice of the student's unexcused absence and to ascertain and document the reason for absence.

iii. The School Registrar shall notify parent/guardian of a child who has reached a 5% absentee rate regardless of reason for absence and shall keep a record of notification(s).

c. Make up of Work Missed. Following an excused absence, parents or guardians shall discuss make-up work with the student's teacher. A student shall be given a reasonable time by the teacher within which to make up the work the student missed during the absence. Following an unexcused absence, make-up work is at the discretion of the teacher.

d. School Actions for Poor Attendance

i. Out-of-school suspension and expulsion will not be used as punishment for truancy or unexcused absences. However, after explicit notification to the parent/guardian that the student is excessively absent despite exhaustion of all intervention efforts described in this Policy, the school may consider further unexcused absences to constitute a voluntary withdrawal of the child from school enrollment.

ii. Students in need of individualized prevention (5-9% absent)

a. The Principal shall talk to the parent/guardian (either in writing or in person) and inform them of the student's attendance history, the impact of student absenteeism on student academic outcomes, the intervention

or services available to the family, and the consequences of further absences, which may include referral to the Children, Youth and Families Department (CYFD) for chronic absenteeism.

iii. Early Intervention for Chronically Absent Students (10 – 19% absent)

a. Parents/guardians of students found to be Chronically Absent shall meet with the Principal.

b. The school registrar shall notify parent/guardian of a child found to be chronically absent in writing, and include the date, time and location for parent/guardian to meet with Principal.

c. The purpose of the meeting will be to establish an Early Intervention Plan. This plan will include an Attendance Contract and weekly monitoring and reporting of student attendance to the parent/guardian.

d. Parents of students with any further unexcused absence after meeting with Principal to develop an Early Intervention Plan may be referred to the Children Youth and Families Department for suspected neglect.

iv. Intensive Support for Excessively Absent Students (20% or greater absent)

a. Parents/guardians of students found to be Excessively Absent shall meet with the Principal.

i. The school registrar shall notify the parent/guardian of the student found to be excessively absent in writing, and include the date, time and location for parent/guardian to meet with the Principal.

ii. The purpose of this meeting will be to establish non punitive consequences and school level supports to eliminate future absences, and to apprise the student and parent of the consequences of further absences.

iii.. Parents of students with any future absences of any type after meeting with the Principal for Intensive Support shall be reported to the probation services office of the local judicial district within 10 days after such absence. Such referrals shall include documentation of interventions provided to the family.

v. Voluntary withdrawal for 10 Consecutive Unexcused Absences: The school will consider 10 consecutive unexcused absences as a voluntary withdrawal

from enrollment at NMAMA. Voluntary withdrawal will be processed by the school only after:

a. The school has documented and exhausted intervention efforts to keep the child in school per this Policy.

b. The school has contacted the juvenile probation department.

c. The school has notified the parent/guardian in writing upon the fifth consecutive unexcused absence that accumulating ten consecutive unexcused absences will constitute a voluntary disenrollment of the child. Such notice will require a scheduled meeting between the parent and Principal.

vi. The Public Education Department's truancy prevention coordinator (or designate) or Children Youth and Families Department representative, or representative of the Probation Services Office, shall be permitted access to any records and information related to chronically absent students or excessively absent students.

vii. The School's Registrar shall provide a parent/guardian, within 5 days of parent's written request, access to attendance data of the student, including information about any intervention strategies that have been employed.

2.7.03. School Action for Tardy/Early Release**.**

a. The School Registrar shall notify parent/guardian of a child when the child has accumulated 5 or more of any combination of Tardies or Early Releases.

b. Chronically late/leaving early: When a child's combined total of Tardies and/or Early Releases reaches 7, the parents/guardians shall be required to meet with the Principal.

i. The School Registrar shall notify the parent/guardian of the student found to have 7 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Principal.

a. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.

b. The Principal will decide on appropriate consequences for continued Tardies or Early Releases.

c. Continued meetings will be scheduled for every 3 instances of tardies or early releases.

c. Excessively late/leaving early: When a child's combined total of Tardies and/or Early Releases reaches 10, the parents/guardians shall be required to meet with the Principal.

i. The school registrar shall notify the parent/guardian of the student found to have 10 Tardies and/or Early Releases, and include the date, time and location for parent/guardian to meet with the Principal.

ii. The purpose of this meeting will be to discuss methods of ensuring on-time arrival and/or limiting early dismissal of students.

iii. The Principal will decide on appropriate parental consequences for continued Tardies or Early Releases.

d. The Principal or designee may create and implement additional measures to address chronic or excessive late arrivals/early releases.

2.7.04 Native American Students**.**

In carrying out its duties under this rule and the school attendance law, the School shall take into consideration the sovereignty of a Native American tribe. While all children attending public schools will still be subject to being reported to the Public Education Department or other authorities per this Policy, the School shall respect tribal laws and traditions in carrying out its duties of early identification, intervention, and parental notification.

2.7.05 Interscholastic Extracurricular Activities (High Schools Only).

a. A student shall not be absent for interscholastic extracurricular activities in excess of 15 days per semester, and no class shall be missed in excess of 15 times per semester for Interscholastic Extracurricular Activities.

b. A student shall have at least a 2.3 grade point average on a 4.0 scale, or its equivalent, either cumulatively or for the grading period immediately preceding participation, to be eligible to participate in any interscholastic extracurricular activity. For purposes of this section, "grading period" is a period of time not less than six weeks. This subsection shall not apply to students receiving C or D level special education services.

c. The Secretary of the Public Education Department may issue a waiver relating to the number of absences for participation in any state or national competition that is not an interscholastic extracurricular activity.

2.8 EXCUSED ABSENCES FOR PREGNANT/PARENTING STUDENTS

Students will be permitted 10 (ten) days of excused absences upon documentation of the birth of that student's child. Documentation in the case of the mother can be a note from her

medical provider; for the mother or father, a copy of the child's birth certificate. Students missing school due to the birth of a child, shall have the same number of days that he/she was absent for the birth to make up the class assignments missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

Pregnant students may take up to four (4) days of for pregnancy related health care for herself and if she provides a health care provider note. Students missing work related to pregnancy shall have the same number of days that she was absent to make up the work missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

Parenting students (father or mother) may take up to four (4) days to care for a child. Documentation of parent status may be requested by school administration. A student missing school for care related to his/her child shall have the same number of days that he/she was absent to make up the class work missed. The time for make-up work will begin on the first day the student returns to class following the excused absence.

2.9 LEAVING NMAMA BEFORE DAY'S END

A student is not permitted to leave the school grounds before regular dismissal, without a parent/guardian checking them out, in person, through the office. Parents are to come directly to the office, sign their student out, and the student will be called from the classroom. Unless authorized by administrative staff, parents should wait for their student in the office. No one may check your student out of school unless they are listed on the registration card or you have notified us, in writing, prior to the dismissal. Parents are strongly encouraged to schedule doctor and dentist appointments after school or on days when school is not in session. See attendance policy/procedures, above. This also applies to students 18 and over who will only be released

2.10 DROP OFF AND PICK UP

BEFORE SCHOOL STUDENT DROP-OFF – 8:15 AM – 9:15 AM

(STUDENTS ARRIVING AFTER 9:15 AM MUST BE BROUGHT TO THE OFFICE AND SIGNED IN)

AM Drop-Off:

To review the **AM Drop-Off procedures** (red note sent home yesterday): You can drop your students off beginning August 5, 2025 at 8:15 AM, or escort them to their classrooms at 9:00 AM. Again, if you are escorting them to classrooms, please wait until the teacher enters the room before you leave your student. Teachers will be taking their classes in at 8:40 AM, and the gates will be locked.

Students arriving from 8:45 – 9:00 AM will need to be escorted to their classrooms. They will need to be signed in by a parent from 9:00 AM on. We will escort students arriving after 9:00 AM to their classroom.

2.11 ABBREVIATED (DUE TO WEATHER) DAY

2.11.01 *Notice* - NMAMA will follow the Albuquerque Public Schools' Inclement Weather schedule on days where weather prevents school from beginning on time or where an early release is ordered. In some cases, NMAMA will deviate from the APS schedule per the needs of our School community. Parents should stay tuned to the available news media on days of inclement weather. If weather conditions worsen during the day and NMAMA directs that schools close early, the School will notify parents by phone or other means of communication to come pick up their student(s).

2.11.02 *Early Dismissal* - The following emergency procedures will be followed at NMAMA in the event of early dismissal due to inclement weather or other unforeseen event which necessitates closing the school early:

- ☐ Parents will be notified by phone and through the local media that students will be dismissed early.
- ☐ We will keep students at a safe place at the school site until parents or their listed designee arrives for them, i.e., relative, friend, etc.
- ☐ If the parent cannot be reached, the designee will be contacted at the emergency telephone number listed on the enrollment card.
- ☐ If we are unable to contact anyone listed on the enrollment card, we will refer to the information requested on the attached Early Dismissal Release Form.
- ☐ Teachers will request identification of any person they do not recognize as the parent or designee before releasing the student.

It is important to realize that under some emergency situations, it may not be possible to notify everyone by telephone, but we will do our very best with your cooperation. Your assistance is necessary in order to have a safe and orderly dismissal.

NMAMA will make every effort to follow the Safe School Plan during emergencies. Contact the Principal to review the Safe School Plan or receive a copy.

2.12 HOMELESS CHILDREN AND YOUTH.

Children and youth who are: sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations; living in emergency transition shelter; abandoned in hospitals; have a primary nighttime residence that is a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for

human beings; living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; or migratory children who qualify as homeless because they are living in circumstances described above, have certain rights under the McKinney-Vento Homeless Assistance Act of 2001, 42 USC Section 1142(g)(1)c), and under New Mexico law. Please see the School's liaison for homeless students, Cecy Barffuson, 505-243-1957, cbarffuson@nmmediaarts.org, and the School's Homeless Student/McKinney-Vento Act policies and procedures, for more information about support, services, admission, enrollment, and other matters relating to homeless children and youth.

III. NMAMA HEALTH

3.1 ILLNESSES/CONTAGIOUS DISEASES. For the protection of all students, your student should be kept at home if he/she has any of the following symptoms: fever, diarrhea, vomiting, a rash, nasal discharge, or discharge from the eyes or ears. Parents 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, strep, and viral infections including COVID-19 are among those conditions categorized as "highly contagious".

3.2 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 dispense only medications that have been prescribed by a physician. Students may be treated with an epinephrine auto injector, as directed by standing order of the student's physician, for life-threatening episodes of allergic reaction or asthma. 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 nurse or administrator when a pupil 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.* A nurse will administer prescribed medication. In the absence of the nurse, the medication will be dispensed by an administrator. Students will be allowed to carry and self-administer medications only with a physician's and parent's written permission, in cases of potential emergency (See additional requirement below).

☐ *Doctor's Orders.* Tylenol or other over-the-counter ("OTC") medicines will be administered to students only with a written parent authorization and direction as required above. Such over-the counter medication must be provided to the School nurse or designee in the original container. After three consecutive days of OTC administration, the School will require a physician's written authorization in order for the School to further administer the OTC medication. Again, parents are urged to administer such medication at home when possible. The medication must be administered by the School nurse or designee in accordance with parent and label directions; students may not self-administer OTC medication, nor distribute OTC medication to others. Violation of this procedure will subject the student to discipline.

☐ *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.

PLEASE DO NOT SEND COUGH DROPS IN YOUR STUDENT'S POCKETS, BACKPACK, OR LUNCH BOX. THESE ARE CONSIDERED MEDICATIONS AND ARE TO BE TREATED AS OUTLINED ABOVE.

3.3 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:

1. The health care provider has instructed the student in the correct and responsible use of the medication;

2. The student has demonstrated to the health care provider and the school nurse or other school official the skill level necessary to use the medication and any device that is necessary to administer the medication as prescribed;

3. The school nurse or health care provider, within input from the parent or 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

4. 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 may provide the school with backup medication and equipment that shall be kept in a location to which the student has immediate access in the event of an asthma, anaphylaxis or diabetes emergency.

Please see the Student Diabetes Management Policy and procedure the Appendices. for important information about student diabetes management procedures at school. To the extent that anything in this Section conflicts with the Student Diabetes Management Policy and procedure, that policy shall control.

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 NEED TO ADMINISTER MEDICATIONS.

3.4 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 NMAMA determines that the circumstances merit contacting 911 for emergency response. After 911 is called, NMAMA will make every effort to reach the student's parent/guardian, or other emergency contact prior to treatment, however, this may not always be possible. For this reason it is absolutely necessary that all contact information on the "Permission for Medical Attention" be completed and kept current.

☐ *Staff Aid.* Should first aid be needed, a first aid-certified staff member or other person assigned to take care of a particular situation will administer first aid or give instructions for proper care. All staff members will follow these instructions carefully.

☐ *Incidents at School/Reports Home.* Health office visits will be charted and nurse pass slips describing the nature of health office visits will be sent home with students. Minor accidents (e.g., bruises, scratches, bumps, cuts, scrapes, etc.), which can be taken care of by staff members, will be attended to immediately. The staff member will document the accident on an "Accident Report" form. The staff member will sign the form and submit it to a school administrator for review and signature. A copy will be placed in the parent's file and in the student's file. Parents will be notified of any situation that involves trauma to the head

☐ *Accidental Poisoning.* In the case of poisoning, the staff member will call Poison Control immediately and follow their instructions carefully. Parents will be notified and an "Accident Report" written. A first aid kit is readily available and all emergency numbers are posted.

3.5 EXCUSE FROM PHYSICAL EDUCATION

Please send a request to the teacher if your student needs to be excused from physical education. Written instructions are required from the student's physician if the student is to be excused for more than two days, and must include a re-entry date.

3.6 MEDICAL CANNABIS POLICY/PROCEDURE

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

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

a. Copy of the qualified student's written certification for use of medical cannabis pursuant to the Lynn and Erin Compassionate Use Act from a certifying practitioner;
b. A copy of the student's New Mexico Department of Health (NMDOH)-issued ID card, which includes the name of the primary caregiver;
c. A signed Health Insurance Portability and Accountability Act (HIPAA) authorization, using the HIPAA authorization form posted on the NMDOH's website (http://nmhealth.org/publication/view/form/137/), which shall be retained by the School as a medical record; and
d. Written statement from the qualified student's parent or legal guardian releasing the school and school personnel from liability (see Principal for copy of required form), except in cases of willful or wanton misconduct or disregard of the qualified student's treatment plan.

3. The written certification and written treatment plan shall be valid for no more than one year from the date of issuance and shall be presented to the School at or prior to the school year for which the certification and treatment plan shall apply.
4. In case of spillage or waste of medical cannabis on School premises, cleanup and destruction of spillage or waste shall be immediate and shall be documented by a School employee witness.
5. The parent/guardian shall provide the written certification and written treatment plan, a new release from liability, and a new package or container with clearly labeled identifiers including the qualified student's name, date of birth, and dosage allotment, upon enrollment in a new public school following disenrollment, withdrawal, transfer, or graduation from another school.
6. School personnel shall not administer medical cannabis on campus or at school-related activities; only a qualified student's parent/legal guardian may administer medical cannabis, in accordance with state law and this policy.
7. Parents/guardians administering medical cannabis to their student in the school setting may only do so in accordance with the student's written treatment plan and this Policy. The School shall not store medical cannabis administered by the parent/guardian. The School Principal shall designate the School location at which parent/guardian administration of medical cannabis shall occur. Any administration of medical cannabis on school campus must take place out of view of other students and with the Principal or designee present. Parent/guardians administering medical cannabis to their student must check in and out with the Principal prior to and after each administration of medical cannabis to their student.

8. **A student shall not possess, store, or self-administer medical cannabis at a school setting or at a School-related activity.** A parent, legal guardian, and/or designated school personnel shall not administer medical cannabis at a school setting or during a school-related activity in a manner that creates disruption to the educational environment or causes other students to be exposed to medical cannabis.
9. **Administration and use of medical cannabis in a school setting is *not* authorized, and being under the influence of cannabis in a school setting is not authorized, where the student is not a qualified student pursuant to the Lynn and Erin Compassionate Use Act who requires medical cannabis as a reasonable accommodation necessary for the student to attend school, where the student's performance/behavior at school/school activities is adversely affected by such use, where it may pose a danger to other students, and/or where it disrupts or has the potential to disrupt the educational process.**
10. Student possession, use, distribution, sale or being under the influence of a cannabis product in a manner inconsistent with this Policy, inconsistent with the Medical Marijuana in Schools Act, and/or inconsistent with the Lynn and Erin Compassionate Use Act, is banned and will be considered a violation of the School's policies against distribution/possession/use of an unlawful substance on campus, and shall be disciplined accordingly.
11. The School shall not discipline a qualified student on the basis that the student requires medical cannabis as necessary for the student to attend school, or deny eligibility to attend school to a qualified student on the basis that the qualified student requires medical cannabis as a reasonable accommodation necessary for the student to attend school or an in-state school-sponsored activity.
12. The School shall annually provide appropriate training on this Medical Cannabis Policy to all school personnel.

As used in this section:

i. "certifying practitioner" means a health care practitioner who is licensed in New Mexico to diagnose a qualified patient and recommend medical cannabis as a course of treatment;

ii. "medical cannabis" means cannabis that is:

   a. Recommended for treatment of a debilitating medical condition as defined in the Lynn and Erin Compassionate Use Act, in a written certification by a certified practitioner; and

b. Dispensed by a cannabis producer that has received approval from the New Mexico Department of Health (NMDOH) to conduct sales of medical cannabis; and
c. Is in the form of a capsule, extract, or concentrate to be ingested through the mouth that:
    i. May be safely divided into measurable doses;
    ii. is not an aerosol product consumable through smoking or in particulate form as a vapor or by burning;
    iii. is not a food or a beverage product;
    iv. is not a salve, balm, or other topical product;
    v. does not require refrigerated storage; and
d. If administered by designated school personnel, is provided to the school in package or container clearly labeled with the student's name, date of birth, and dosage allotment; if administered by the parent/guardian, is brought to the school for administration by the parent/guardian in a package or container clearly labeled with the student's name, date of birth, and dosage allotment.

iii. "qualified student" means a student who demonstrates evidence to the Principal that the student is authorized as a qualified patient pursuant to the Lynn and Erin Compassionate Use Act to carry and use medical cannabis in accordance with the provisions of that Act, 6.12.10 NMAC, the Lynn and Erin Compassionate Use Act, and New Mexico department of health rules regarding the Lynn and Erin Compassionate Use Act. **Note: a qualified student is prohibited from possessing any form of cannabis in a school setting**;

iv. "school setting" means any of the following locations during a school day:
a. A school building;
b. A school bus or activity vehicle used within the state during, in transit to or in transit from a school-sponsored activity;
c. A public vehicle used within the state during, in transit to or in transit from a school-sponsored activity in the state; or
d. A public site in the state where a school-sponsored activity takes place;

v. "written certification" means a statement written by a qualified student's certifying practitioner in a qualified student's medical records or in the written treatment plan statement; certifying that the qualified student has a debilitating medical condition pursuant to the Lynn and Erin Compassionate Use Act; certifying that the certifying practitioner believes that the potential health

benefits of the medical use of cannabis would likely outweigh the health risks for the qualified student; and signed by the certifying practitioner. A written certification is not valid for more than one year from the date signed by the certifying practitioner.

vi. "written treatment plan" means a document developed by the parent/guardian in collaboration with the certifying practitioner that:

a. Includes the certifying practitioner's diagnosis and description of the qualified student's debilitating medical condition per the Lynn and Erin Compassionate Use Act;

b. Describes the plan for recommended treatment with medical cannabis, including:

i. The recommended dosage allotment;

ii. the recommended frequency of administration of medical cannabis in a school setting; and

iii. is signed by the parent/guardian and the certifying practitioner.

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

IV. NMAMA RULES AND CONSEQUENCES

4.1 NMAMA POLICY ON DISCIPLINE. A primary responsibility of NMAMA 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. NMAMA 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 NMAMA rules, which carry corresponding obligations. The right to attend public school is not absolute. It is conditioned on each student's acceptance of the obligation to abide by the lawful rules of the school community until and unless the rules are changed through lawful processes. Teachers, administrators and other school employees also have rights and duties. Teachers are required by law to maintain a suitable environment for teaching in their classes and to assist in maintaining school order and discipline. The administration is responsible for maintaining and facilitating the educational program by ensuring an orderly, safe environment at NMAMA. In discharging their duties, all school employees have the right to be free from intimidation or abuse by all community members, including students, parents and visitors, and to have their lawful requests and instructions followed.

Students may be disciplined for committing any act that endangers the health or safety of students, school personnel, or others for whose safety the School is responsible, or for conduct

that reasonably appears to threaten such dangers if not stopped, regardless of whether an established rule of conduct has been violated; for violating valid rules of student conduct contained in this Handbook, or other rules established by the Governing Council or the Principal, when the student knew or should have known of the rule in question or that the conduct was prohibited; or for committing acts prohibited by 6.11.2 NMACC, when the student knew or should have known that the conduct was prohibited.

4.2 NO DISCRIMINATION BASED ON RACE, CULTURE, RELIGION, HAIRSTYLE. NMAMA shall not discriminate against a student, discipline a student, or impose disparate treatment of a student, because of a student's race, religion or culture or because of a student's use of protective hairstyles or cultural or religious headdresses, as defined in New Mexico statute, NMSA 1978 §22-8B-4(U).

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

4.4 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 NMAMA are as follows:

4.4.01 *Have Respect* - At school everyone works to make sure that you are safe and well and that your day will be pleasant. You must do your part by:

- ☐ Following directions
- ☐ Respect others' personal space
- ☐ Respect other people's and our school's property
- ☐ Exhibit respectful behavior and language
- ☐ Practice safety at all times
- ☐ Use of school equipment and materials appropriately
- ☐ Stay on school grounds in assigned areas
- ☐ Put forth your best effort
- ☐ Be thoughtful and attentive when listening

4.4.02 *Free Speech* - All students have the right to express themselves as long as it does not hurt or negatively impact others or disrupt the learning environment. When pledging the flag, you should stand with everyone else unless your parents say you should not because of religious beliefs. If there is a school program, party, or play which your parents will not allow you to attend because of religious beliefs, let your teacher know in advance.

4.4.03 *Knowing the Rules* -The school has rules for all students, which you must know and follow. If you break a rule, you will be treated fairly. You will be allowed to tell your side of the story to your teacher or someone in the office. Punishment may include

talking with you, talking with your parents or guardians, or your staying after school or more severe consequences depending on your behavior.

4.4.04 *Getting Together* - During their free time, students may get together on school grounds or buildings if permission has been given and if it will not disturb others.

4.4.05 *Learning in School* - Schools will help you grow into a productive and successful adult. To do this, you must take part in all of your classes and other activities to the best of your ability. All school workers are there to help you do your best. If you have any questions or problems, ask for help. Students who bother others and make it hard for them to learn may be removed from the classroom.

4.4.06 *People Who Are Different* - Everyone is different in his or her own way. We should treat all people fairly, as we would like to be treated.

4.4.07 *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, be sure to have a note from your parent or guardian, explaining why you were absent and to ask your teachers about missed assignments.

4.5 DRESS CODE

Freedom of expression, good judgment, respect for others and safety are the foundations of NMAMA's approach towards student dress. Clothing and accessories must be safe and non-distracting or disruptive to the educational program. Without limiting the generality of these principles, the following guidelines will be observed:

- ☐ Attire or accessories which advertise, display or promote any drug, alcohol, tobacco, sexual activity, violence, disrespect, racialized aggression or include gore, blood, foul language, weapons, or bigotry towards any group are not acceptable.
- ☐ Unacceptable clothing includes: sagging/bagging pants, midriff length tops / tops that reveal bare stomach and/or back, shorts/skirts shorter than knee length, bare skin or underwear showing around the waist-line area. Sheer (see through style) tops or bottoms are prohibited.
- ☐ Unacceptable shoes: Flip flop shoes or other footwear not appropriate for the school setting and school activities are not permitted. Shoes must be closed-toed.
- ☐ Shoes for PE Days: Sneakers or gym shoes are required for Physical Education. Classroom teachers can provide information concerning the days your students will have PE. Students wearing inappropriate shoes may be prohibited from participating in recess or PE.

Students may be removed from class and be required to obtain appropriate dress before being allowed to return. Repeated violations of the student dress guidelines may result in additional consequences at the sole discretion of the Principal or designee.

NMAMA shall not discriminate against a student, discipline a student, or impose disparate treatment of a student because of a student's race, religion or culture or because of a student's use of protective hairstyles or cultural or religious headdresses, as defined in New Mexico statute, NMSA 1978 §22-8B-4(U).

4.6 TOBACCO, ALCOHOL AND DRUG FREE NMAMAS

NMAMA prohibits the use, possession and distribution of commercial tobacco products, electronic tobacco delivery devices, e-cigarettes and nicotine liquid containers, alcoholic beverages, mood-altering substances and illicit drugs on school property and at off-campus school-sponsored events by students, school personnel, and visitors. Definitions shall be in accordance with 6.12.4.7 NMAC. NMAMA further prohibits the promotion of tobacco products, electronic delivery devices, alcoholic beverages, mood-altering substances or illicit drugs on school property or at school-sponsored events, including but not limited to the promotion of such products via gear, technology accessories, bags, clothing, any personal articles, signs, structures, vehicles, flyers, or any other materials. Discipline for violation of this Section shall be in accordance with 6.12.4 NMAC and as provided in this Handbook. No school employee who in good faith reports any known or suspected use, possession or distribution of alcoholic beverages, mood-altering substances or illicit drugs shall be held liable for any civil damages as a result of such report or efforts to enforce this policy.

It is not a violation of this Policy for a person to possess or provide tobacco or lighters to any other person as part of an indigenous practice or a lawfully-recognized religious, spiritual or cultural ceremony or practice; however, except in certain limited circumstances, such religious, spiritual or cultural ceremonies/practices are not appropriate in the public school setting. It shall not be a violation of this policy to use tobacco or a lighter as part of an educational experience related to indigenous tobacco practices that has been specifically approved by the Principal. To avoid misunderstandings, if you require the possession of tobacco or a lighter on campus pursuant to these limited exceptions, you must make arrangements in advance with the Principal, and receive prior approval.

4.7 SPECIFIC PROHIBITED CONDUCT

The following conduct is prohibited at NMAMA and whenever students are subject to school control, and will result in disciplinary actions as described in this policy. NMAMA gives notice that not all inappropriate student behavior can be identified and consequently there may other circumstances that result in a student being disciplined for his or her conduct.

4.7.01 *Cheating or plagiarism* – means, for example, to take a test in a dishonest way, copying somebody's homework, or by improper access to answers on classroom assignments, tests or homework, copying work done by somebody else and claiming it to be your own.

4.7.02 *Misconduct* - Actions by students which are insubordinate or show disrespect for others or general misconduct which disrupts the learning situation

4.7.03 *Violation of Dress Code* - Instances in which students deliberately defy the NMAMA dress guideline.

4.7.04 *Public Display of Affection* - mutually consensual sexual contact including, but not limited to kissing, holding hands, intentional touching of the other person's genitals, groin, inner thigh, buttocks, or breasts, or clothing covering these areas.

4.7.05 *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 gender, race, color, religion, ethnic or national origin, age, sexual orientation, 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 the teacher, classmates, or merely done overtly.

4.7.06 *Theft or Pilfering* – 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 NMAMA.

4.7.07 *Student Possession or Use or Distribution of Tobacco/E-cigarettes/Vapes*- While at school or a school sponsored event, students shall be prohibited at all times from possession or use or distribution of cigarettes, vapes, e-cigs, electronic delivery devices or tobacco in any form; see Section 4.6 above. Lawful possession or use of a tobacco-cessation product approved by the U.S. FDA is not prohibited; however, such products may not be distributed/shared at school or at school-related events. Violations of this prohibition shall result in progressive and supportive disciplinary action beginning with options to promote positive student outcomes such as tobacco education or referral to counseling, parent conferences, and school or community service. Referrals to resources to help students overcome nicotine addictions shall be provided when developmentally appropriate. Parents/guardians shall be notified of all violations and actions taken by the School pursuant to this prohibition.

4.7.08 *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 along with other disciplinary actions by NMAMA.

4.7.09 *Violent Behavior* - Acts of assault, violence, intimidation, fighting, or extreme antagonism toward other persons shall immediately be reported to the Principal or his/her designee. Criminal charges may also be filed along with other disciplinary actions by NMAMA.

4.7.10 *Gang Related Activities* – Means for example; wearing clothing, displaying paraphernalia, and 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.

4.7.11 *Threats* - Serious threats made by a student against the life of another student, teacher or other school personnel shall immediately be reported to the Principal or his/her designee. The Principal 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.

4.7.12 *False Accusations* - Accusations or charges made by a student against a teacher, administrator or other school personnel shall be reported to the Principal or designee, who shall conduct a complete investigation of the accusations or charges made by the student. Any student found to have intentionally made false accusations or charges that jeopardize the professional reputation, employment, or professional certification of a teacher, administrator or other school district personnel, shall be subject to disciplinary action for a serious breach of conduct.

4.7.13 *Failure to Report Serious Offenses* – Students who are aware of serious offenses, which include but are not limited to, the possession of weapons, firearms, and drugs, must report that information to a teacher or Principal at their earliest opportunity. Failure to report serious offenses may be cause for disciplinary action.

4.7.14 *Bullying and/or Harassment* – If, upon investigation, a student has been found to have committed an act(s) of bullying and/or harassment, the student may be suspended or recommended for expulsion. Criminal charges may also be filed if warranted.

4.7.15 *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 the Principal 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.

4.7.16 *Racialized Aggression* – racialized aggression (defined broadly as hostility/aggression toward, or denigration/invalidation of, a different racial group or member(s) thereof) involving any student or school personnel, is strictly prohibited.

4.7.17 *Weapons* - NMAMA 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 NMAMA. This includes school activities, property leased, owned, or contracted for by NMAMA, a school-sponsored event, and/or while in school sponsored transportation.

The term "weapon" includes a firearm, destructive device, knife/cutting instrument and other weapon as defined herein.

☐ *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 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.

☐ *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), nunchakus, 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, or propellants. Any other dangerous or deadly weapon.

Students must immediately report knowledge of weapons and threats of violence by students and staff to the Principal. Failure to report such knowledge may subject the student to immediate suspension and potential expulsion from school. The Principal 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 Principal upon request of the building principal 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.

4.7.18 *Possession, Sale and/or Use of Alcoholic Beverages, Mood-altering Substances, Illicit Drugs, and/or Other Prohibited Substances.* NMAMA prohibits students from using, possessing, distributing or trafficking alcoholic beverages, mood-altering substances and/or illicit drugs or other prohibited substances on school property, at school, or at

off-campus school-sponsored events. Students, while on school property or attending a school-sponsored activity/event, who use, possess, distribute, or sell alcohol, mood-altering substances and/or other illicit drugs or related paraphernalia shall be subject to interventions, reporting, referrals, discipline, suspension, expulsion and/or other appropriate alternatives in accordance with School student discipline policies/procedures.

4.7.19 *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.

4.7.20 *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 NMAMA property, or on school-sponsored transportation, or during school-sponsored activities.

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

4.7.22 *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 who disrupts or interferes with the lawful administration or functions of the school activities.

4.7.23 *Assault or Battery on School Personnel* – Causing bodily harm to or threatening to cause bodily to a school official or staff member.

4.7.24 *Criminal or Delinquent Acts* – as defined by New Mexico or federal law.

4.7.25 *Refusal to Identify Self* –refusing to identify oneself, and, if deemed necessary, provide valid identification, upon request of School personnel on School property or during a school-related activity.

4.7.26 *Refusal to Cooperate with School Personnel.*

487 ELECTRONIC DEVICES

Students are not permitted to bring MP3 players, IPods, radios, electronic games, compact disks, pagers, game devices or other electronic devices (see Cell Phone Policy below) to school during the school day. Teachers and administrators will take appropriate actions if a student is observed using a prohibited electronic device during the school day, or if such devices disrupt the instructional setting. Disciplinary actions may include: immediate confiscation, a parent conference, in-school suspension or suspension, and loss of privileges.

4.9 CELL PHONES

If a family deems it necessary for a student to bring a cell phone to school, the following rule applies. The phone must be in the "off" position and not be displayed for use during instruction time, unless specifically allowed by the student's teacher as part of instruction. Abuse of the cell phone rules will result in confiscation and the Principal will call the parents to meet with the Principal for the purpose of discussing this policy and in order to retrieve the cell

phone. NMAMA is not responsible for the loss and/or theft of any of the student cell phones brought to campus.

4.10 CYBER BULLYING

Cyber bullying defined as a situation when a student is repeatedly harassed, humiliated, threatened, and intimidated, or otherwise targeted by another person through the use of digital technologies, including but not limited to, instant and text messaging, email, blogs, social websites (e.g. Facebook, Twitter, Instagram and the like), and chat rooms, therefore, affecting the student's learning environment.

NMAMA is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. NMAMA 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. NMAMA will not tolerate any gestures, comments, threats, or actions, which cause or threaten to cause bodily harm or personal degradation using these social networking technologies. This policy applies to all activities at NMAMA, including activities on school property or while in 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. See Bullying/Cyberbullying/Harassment/Hazing/Violence Prevention Policy, Appendix ___.

4.11 SEARCH AND SEIZURE

4.11.01 *Search Generally* – School property assigned to a student, and a student's person or property while under the authority of a public school, are subject to search, and items found are subject to seizure, in accordance with the following:

4.11.02 *Who May Search.* Certified school personnel, school security personnel and school bus drivers are authorized to conduct searches when a search is permissible as set forth herein. An authorized person conducting a search may request the assistance of one or more people, who upon consent become authorized to search for the purpose of that search only.

4.11.03 *When A Search is Permissible.* An authorized person may conduct a search when the authorized person has a reasonable suspicion that a crime or other breach of school rules is occurring or has occurred. An administrative authority may direct or conduct a search under the same conditions and also when the administrative authority has reasonable cause to believe that a search is necessary to help maintain school discipline.

4.11.04 *Conduct of Search.*

a. School property, including lockers and school buses, may be searched with or without students present. When students are not present for locker

searches, another authorized person shall serve as a witness whenever possible. Locks furnished by students should not be destroyed unless a student refuses to open one, or circumstances otherwise render such action necessary in the judgment of the Principal.

b. Student vehicles when on campus or otherwise under school control and students' personal effects, which are not within their immediate physical possession, may be searched in accordance with the requirements for locker searches, above.

c. Physical searches of a student's person may be conducted only by an authorized person of the same sex as the student and, except when circumstances render it impossible, may be conducted only in the presence of another authorized person of the same sex. The extent of the search must be reasonably related to the infraction, and the search shall not be excessively intrusive in light of the students age and sex, and the nature of the infraction.

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

4.11.06 *Notification of Law Enforcement.* The Principal may notify the local children's court attorney, district attorney, or other law enforcement officers when a search discloses illegally possessed contraband material or evidence of some other crime or delinquent act.

4.12 VIOLENT OR AGGRESSIVE BEHAVIOR.

4.12.01 *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 sex, race, color, national origin, marital status, or disability. It would include, but not be limited to, such behaviors as stalking, bullying/cyber bullying, intimidating, menacing, coercion, name-calling, taunting, making threats, and hazing.

4.12.02 *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 Principal. Complaints against the Principal should be filed with the counselor, Human Resource Director, or the Governing Council President. 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. See Bullying/Cyberbullying/Harassment/Hazing/Violence Prevention Policy, Appendices. Violence by a student against a staff member shall be reported as required by law.

4.13 CLASSROOM RULES

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

4.14 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 Principal, in addition to consequences developed by the classroom teacher, for violations of school rules. The Principal has the right to impose discipline in his/her reasonable discretion, in accordance with the circumstances presented. Some of the potential consequences include:

- ☐ Principal referral. Students who choose to disobey rules will be sent to meet with the Principal to discuss the behavior. An incident report will be sent to the parent/guardian. The parents are to sign and return the copy of the slip with the student on the day after it was received. Depending upon the infraction, an additional consequence may be applied at the Principal's discretion.
- ☐ Parent meeting. When deemed necessary by the Principal, or when a student receives his/her 3rd referral, parents will be contacted by the Principal so that arrangements may be made for the student to meet with the Principal, Classroom Teacher, his/her Parents/Guardians and any other appropriate staff to discuss the referrals and develop a plan/contract.
- ☐ Student Assistance Team. Additional referrals will result in a referral to the Student Assistant Team to discuss other possible interventions such as a behavior management program, participation in a "Social Skills" program, a mentorship, screenings or evaluations, or other disciplinary action deemed appropriate by administration.

A progressive discipline continuum shall be used in most instances, at the discretion of the Principal, which provides consequences that range from a warning to suspension or expulsion.

4.15 DETENTIONS, SUSPENSION, AND EXPULSION

NMAMA, along with the cooperation of the student and his/her parent/guardian, seeks to avoid having to impose any stronger measures of discipline than contemplated in Section 4.14 above. However, when prior efforts to correct behavior or if the situation warrants, NMAMA may choose to impose detentions, suspension and/or pursue expulsion.

4.16 DUE PROCESS/REFERRALS

4.16.01 *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 explained to them the factual basis for the accusations.
- ☐ 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.

4.16.02 *Referrals* - All discipline referrals submitted to the Principal/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 referral form. If attempts to notify parents by telephone are unsuccessful, parents will be notified by written referral form only. Parent involvement is an important part of the discipline at all levels.

A student suspended from school shall be delivered directly by a school official to the student's parents/legal guardians or an adult designated by the parent/legal guardian, or kept on school grounds until the usual end of the school day.

4.17 DETENTION

Detention may be imposed in connection with in-school suspension, but is distinct from in-school suspension in that detention does not entail removing the student from any of the student's regular classes. NMAMA may impose reasonable periods of detention during the day or outside normal school hours as a disciplinary measure.

4.18 IN-NMAMA SUSPENSION

In-school suspension means requiring a student to spend time in a designated area in the school or in an environment where the student is allowed to continue with their academic learning. In-school suspension may be imposed with or without further restriction of student privileges. Any student placed in in-school suspension which exceeds 10 school days must be provided with an instructional program that meets state and local educational requirements. Student privileges, however, may be restricted for longer than 10 school days.

In-school suspensions of any length shall be accomplished according to the procedures for a short-term suspension as set forth in 6.11.2.12.D NMAC. Students in in-school suspension shall not be denied an opportunity to eat lunch or reasonable opportunities to use the restroom.

4.19 IMMEDIATE REMOVALS

Students whose presence poses a continuing danger to persons or property or on ongoing threat of interfering with the educational process may be immediately removed from school, subject to the following:

4.19.01 A rudimentary hearing, as required for short-term suspensions, shall follow as soon as possible;

4.19.02 Students shall be reinstated after no more than one school day, unless within that time a short-term suspension is also imposed after the required rudimentary hearing. In such circumstances, a single hearing will support both the immediate removal and a short-term suspension imposed in connection with the same incident(s); and

4.19.03 The school shall exert reasonable efforts to inform the student's parent of the charges against the student and the action taken as soon as practicable. If the school has not communicated with the parent by telephone or in person by the end of the school day following the immediate removal, the school shall on that day mail a written notice with the required information to the parent's address of record.

4.20 SHORT TERM SUSPENSIONS

A short-term suspension is a mandatory absence from school for a period of 10 school days or less. If the Principal decides that the alleged misconduct warrants a consequence of a suspension for 10 school days or less, the Principal shall give the student an informal/rudimentary 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 set forth in 6.11.2.12.D NMAC, including the opportunity to present to the principal/designee his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Principal 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 school days. If a suspension is imposed, the principal imposing the suspension shall keep a record of the aforesaid proceedings. A parent may request an administrative review of the discipline data and decision to suspend. Homework can be provided at the request of the parent. Credit for assignments completed while a student is in short-term suspension is at the discretion of the instructor and/or Principal. There is no level of appeal higher than the Principal for a suspension of 10 school days or less.

4.21 LONG TERM SUSPENSION

A long term suspension is a mandatory absence from school for a period exceeding 10 school days, whether consecutive or cumulative, and up to the balance of the school year. If the principal/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

principal/designee with misconduct which may result in long-term suspension or expulsion, the parent(s) or guardian of the student shall be informed within a reasonable time period by telephone or letter of the charges against the student.

4.22 PROCEDURES FOR LONG TERM SUSPENSION/EXPULSION

The long-term suspension process shall be in accordance with 6.11.2 of the New Mexico Administrative Code. The ability to make up work for credit during long - term suspension will only be allowed in exceptional circumstances.

4.22.01 *Notice* - If the Principal believes that a long-term suspension may be warranted as a result of alleged misconduct of a student, the Principal will notify the parent(s) in writing of the grounds for the proposed suspension and the date, time and location of the suspension hearing, which shall be scheduled no sooner than five nor later than 10 school days from the date of receipt of the notice. Notice will be given by certified mail return receipt or by personal delivery addressed to the student, through his/her parents/guardians. The notice shall contain:

- ☐ The school rule(s) alleged to have been violated, a concise statement of the act(s) of the student on which the charge(s) are based, and a statement of the possible penalty;
- ☐ The time, date and place of the hearing, and a statement that both the student and parents are entitled and urged to be present;
- ☐ The name of the hearing officer;
- ☐ 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 agrees 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.
- ☐ A statement that the student has the right to be represented at the hearing by legal counsel, a parent or some other representative designated in written notice filed at least 72 hours before the hearing with the contact person designated in the notice;
- ☐ Contact information (name, business address, phone number) for person from who the parent may request a delay or additional information, including access to any documentary evidence or exhibits which the school proposed to introduce at the hearing;
- ☐ A description of the hearing proceedings; and
- ☐ Any other information, materials or instructions deemed appropriate by the administrative authority who prepares the notice.

4.22.02 *Hearing Officer* – Long-Term Suspension and Expulsion hearings will be conducted by an independent hearing officer. No person shall act as hearing officer or review authority in a case where the person was directly involved in or witnessed the

incident(s) in question, or if the person has prejudged disputed facts or is biased for or against any person who will actively participate in the proceedings.

4.22.03 *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, it the delay extends beyond the 10 (ten) school days, the student shall be returned to school pending the outcome of the hearing, unless the student/parents have waived the right to a hearing and agreed to comply with the proposed penalty or have waived the hearing and have negotiated a mutually acceptable penalty with the Principal, or the student/parents have knowingly and voluntarily waived the student's right to return to school pending the outcome of the formal proceedings.

4.22.04 *Hearing Procedure* -- The formal hearing is not a trial; it is an administrative hearing designed to ensure a calm and orderly determination by an impartial hearing officer of the facts of a case of alleged serious misconduct. Technical rules of evidence and procedure do not apply. The following rules govern the conduct of the hearing and the ultimate decision:

1. The school shall have the burden of proof of misconduct.

2. The student and student's parent(s) shall have the following rights:

a. the right to be represented by legal counsel or other designated representative, however, the school is not required to provide representation;

b. the right to present evidence, subject to reasonable requirements of substantiation at the discretion of the hearing officer and subject to exclusion of evidence deemed irrelevant or redundant;

c. the right to confront and cross-examine adverse witnesses, subject to reasonable limitation by the hearing officer;

d. the right to have a decision based solely on the evidence presented at the hearing and the applicable legal rules, including the governing rules of student conduct.

3. The hearing officer shall determine whether the alleged acts of misconduct have been proved by a preponderance of the evidence presented at a hearing at which the student or a designated representative have appeared.

4. If no one has appeared on the student's behalf within a reasonable time after the announced time for the hearing, the hearing officer shall determine whether the student, through the parent(s), received notice of the hearing. If so, the hearing officer shall review the schools' evidence to determine whether it is sufficient to support the charge(s) of misconduct.

5. The hearing officer shall report the findings, together with any recommended sanction, to the Principal promptly after the hearing.

6. Arrangements to make a recording or keep minutes of the proceedings shall be made by the school. A verbatim written transcript is not required, but any minutes or other written record shall fairly reflect the substance of the evidence presented.

7. The Principal may observe but not participate in the proceedings at a formal hearing. If the Principal is present at the formal hearing and if the hearing officer announces a recommended decision at the close of the hearing, the Principal may also announce the Principal's decision at that time.

4.22.05 *Decision* – The Hearing Officer may announce findings of fact and a recommended decision at the close of the hearing. The hearing officer shall also prepare a written recommendation, including written findings of fact and concise reasons for the recommendation and the penalty to be imposed, if any, and mail or deliver it to the Principal and the student, through the parent, within five (5) working days after the review is concluded. The Principal shall adopt the Hearing Officer's factual recommendation(s), but may reject any consequence(s) recommended by the Hearing officer. The Principal shall prepare the final written decision, including reasons for choosing any penalty imposed, and shall mail or deliver it to the student, through the parents, within five working days of receipt of the hearing officer's report.

The Principal's decision shall take effect immediately upon initial notification to the parent(s), either at the close of the hearing or upon receipt of the Principal's written decision. If initial notification is by mail, the parent(s) shall be presumed to have received the notice on the fifty calendar day after the date of mailing unless a receipt for certified mail, if used, indicates a different date of receipt.

If the hearing officer decides that no allegations of misconduct have been proved, or if the Principal declines to impose a penalty despite a finding that an act or acts of misconduct have been proved, the matter shall be closed. If the Principal imposes any sanction on the student, the decision shall take effect immediately upon notification to the parent and shall continue in force during any subsequent review.

4.23 LONG-TERM SUSPENSION/EXPULSION APPEAL

A student aggrieved by the Principal's decision after a formal hearing has the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term suspension or expulsion, an in-school suspension exceeding one school semester or a denial or

restriction of student privileges for one semester or longer. The appeal shall be to the Governing Council or its designee. The Governing Council may grant a right of review for less severe penalties. A student request for review must be submitted to the Governing Council President within ten (10) school days after the student is informed of the hearing officer's decision.

4.23.01 *Conduct of review* - The Governing Council shall have discretion to modify or overrule the Director's decision, but may not impose harsher consequences. If review is conducted by the Governing Council, the proceedings shall be conducted in accordance with the Open Meetings Act.

4.23.02 *Form of review* - The Governing Council shall have discretion to conduct a review on the written record of the hearing and decision in the case, to limit new submissions by the aggrieved student and school authorities to written materials, or to grant a conference or hearing at which the student and his or her representative, and school authorities, may present their respective views in person. Where a conference or hearing is granted, the record-keeping requirements of 6.11.2.12.G.4.I.vi NMAC apply.

4.23.03 *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 Governing Council.

4.23.04 *Decision* - The Governing Council may announce a decision at the close of any conference or hearing held on review. In any event, the Governing Council shall prepare a written decision, including concise reasons, and mail or deliver it to the Principal, the hearing officer and the student, through the parent, within ten (10) working days after the review is concluded.

4.23.05 *Effect of decision* - The Governing Council's decision shall be the final administrative action to which a student is entitled. A student who has been validly expelled or long-term suspended is not entitled to receive any educational services from the school during the period of the exclusion. NMAMA may provide alternative arrangements, including remote learning or correspondence courses at the expense of the student or parent pursuant to NMPED requirements, if NMAMA deems such arrangements appropriate.

4.23.06 *NMPED Compliance* – The student discipline process followed by NMAMA 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.

4.24 CLASSROOM CONTROL/CORPORAL PUNISHMENT

A teacher or other member of the certified staff shall assume such authority for the control of students who are assigned to him/her by the Principal 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, which may include peer review or other forms of positive reinforcement should be used to bring about appropriate student classroom behavior.

4.25 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, NMAMA is required by state law and regulations (6.11.2 NMAC) to meet the individual educational needs of students with disabilities as described by their IEP, to the extent that current educational expertise permits. School personnel may consider any unique circumstances on a case-by-case basis when determining whether a change of placement, consistent with the other requirements of 6.11.2.11 NMAC, is appropriate for a student with a disability who violates a code of conduct as provided in 34 CFR 300.530.

4.25.01 *LONG-TERM SUSPENSIONS OR EXPULSIONS; DISCIPLINARY CHANGE OF PLACEMENT-* Long-term discipline of students with disabilities shall be governed by the procedures set forth in Section 6.11.2.11 NMAC, when the conduct may result in long-term suspension or expulsion, or any other disciplinary change of the student's current educational placement as specified in 34 CFR 300.530 through 300.536, and NMPED rules and standards.

4.25.02 *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 I, Paragraph (3) of 6.11.2.10 NMAC.

4.25.03 *Program Prescriptions* - A student with a disability's 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.

4.25.04 *Immediate Removal* - Immediate removal of a student with disabilities may be done in accordance with the procedures of Subsection C of 6.11.2.12 NMAC, when a student brings a weapon to school or a school function; or knowingly possesses or uses illegal drugs or has sold or solicited the sale of a controlled substance while at school or a school function.

4.26 BULLYING, CYBERBULLYING, HARASSMENT, HAZING AND VIOLENCE PROHIBITION.

NMAMA 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. NMAMA does not permit and it is the school's goal of preventing and responding to acts of bullying, intimidation, harassment, violence, and other similar disruptive behavior, in accordance with applicable laws. See Bullying, Cyberbullying, Harassment, Hazing and Violence Prohibition Policy, Appendices.

4.27 SEXUAL HARASSMENT/ANTI-DISCRIMINATION POLICY

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

4.27.01 *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.

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

4.27.03 *Strictly Prohibited* - The harassment by a student of a staff member, fellow student of NMAMA 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 law and the Student/Parent Handbook.

4.27.04 *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 Principal. NMAMA 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.

4.27.05 *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 NMAMA 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.

4.27.06 *Retaliation* - NMAMA 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.

4.27.07 *Notification* - It shall be the responsibility of the Principal 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.

In appropriate cases involving severe and pervasive sexual harassment, the School's Title IX policies and procedures relating to sexual harassment may be deemed to apply to the situation.

4.28 WEAPONS

State and federal law requires public school to expel students for one year for carrying guns or items designated by law as firearms or weapons onto campus, with very limited exceptions. To avoid misunderstanding or unintended consequences, do not bring toy weapons or "look alikes" to school. NMAMA will report any such violation to the student's parents AND the appropriate legal authorities.

4.29 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 NMAMA 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 Principal or be assessed to pay all costs to restore or replace such damaged property as determined by the true value established by the Principal.

4.30 VIOLATION OF STUDENT RIGHTS Students believing their rights have been violated should report their concerns to their parents/guardian or the Principal. If the concern

is not resolved by the Principal, a report should be made to the Governing Council using the Parent Concern Policy About Student below.

4.31 RESTRAINT AND SECLUSION

NMAMA shall follow requirements for the use of restraint and seclusion techniques in accordance with Section 22-5-4.12 NMSA 1978 and 6.11.2.10.E NMAC.

4.31.01 NMAMA shall establish and review annually policies and procedures for the use of restraint and seclusion techniques. Such policies and procedures shall require and describe appropriate training for school personnel and shall include requirements in relation to the use of restraint and seclusion techniques.

a) A school may permit the use of restraint or seclusion techniques on a student pursuant to the requirements in Section 22-5-4.12 NMSA 1978, and only if the student's behavior presents an imminent danger of serious physical harm to the student or others, and only if less restrictive interventions appear insufficient to mitigate the imminent danger of serious physical harm.

b) Less restrictive interventions, including positive behavioral intervention supports or other comparable behavior management techniques, shall be implemented prior to the use of restraint and seclusion techniques.

c) If a restraint or seclusion technique is used on a student, trained and authorized school employees shall maintain continuous visual observation and monitoring of the student while the restraint or seclusion technique is in use..

d) Restraint or seclusion techniques shall be used only by school employees who are trained in de-escalation strategies, positive behavioral intervention supports, and the safe and effective use of restraint and seclusion techniques, unless an emergency does not allow sufficient time to summon those trained school employees.

e) The restraint or seclusion techniques shall not impede the student's ability to breathe or speak, shall be in proportion to a student's age and physical condition, and shall end when the student's behavior no longer presents an imminent danger of serious physical harm to the student or others.

f) A school employee shall provide the student's parent with written or oral notice on the same day the incident occurred, unless circumstances prevent same-day notification. If notice is not provided on the same day of the incident, notice shall be given within 24 hours after the incident.

g) Within a reasonable time following the incident, no longer than two school days, a school employee shall provide the student's parent with written documentation that includes information about any persons, locations, or activities that may have triggered the behavior, if known, and specific information about the behavior and its precursors, the type of restraint or seclusion technique used, and the duration of its use.

4.31.02. NMAMA shall develop and implement an annual training for designated school personnel regarding positive behavioral intervention supports or comparable behavior management techniques and the use of restraint and seclusion techniques. In the event that new designated school personnel are employed within the school after the provision of the annual training, the principal of the school, or a person authorized to act officially in a matter involving school discipline or the maintenance of order within the school, shall ensure that a training is provided to new designated school personnel within 60 days of employment.

4.31.03 NMAMA shall update school safety plans with regard to restraint/seclusion and make reports to the NMPED in accordance with state law.

4.31.04 If a student has been restrained or secluded two or more times within 30 calendar days, NMAMA shall review strategies used to address the student's behavior and determine whether the student needs a functional behavior assessment or referral to a SAT or BIP team, or, if a student has an IEP, a referral to the student's IEP team. The student's IEP, BIP, or SAT team shall meet within two weeks of each subsequent use of restraint or seclusion to provide recommendations for avoiding future incidents requiring the use of restraint or seclusion; the review shall include whether school personnel involved in the incidents were trained in the use of de-escalation strategies, positive behavioral intervention supports, or restraint and seclusion techniques. Additionally, the review shall consider whether the individual who restrained or secluded a student needs additional training.

4.31.05 NMAMA shall conduct an annual review and analysis of all incidents in which restraint or seclusion techniques were used, including the number of incidents, the type of incident, personnel involved, the need for additional training, and student demographics.

4.31.06 If the school summons law enforcement instead of using a restraint or seclusion technique on a student, the school shall comply with the reporting, documentation, and review procedures established herein and in 6.11.2.10 NMAC and Section 22-5.-4.12 NMSA.

4.31.07 Restraint or seclusion techniques used in compliance with 6.11.2.10.E NMAC shall not be deemed to be corporal punishment.

4.32 REFERRAL TO AND ACTION BY LAW ENFORCEMENT AND JUDICIAL AUTHORITIES

Nothing in these rules of conduct prohibits NMAMA from reporting a crime committed by a student to appropriate authorities or prevents state law enforcement and judicial authorities from exercising their responsibilities with regard to the application of federal and state law to crimes or violations of law committed by a student. If NMAMA reports a crime or violation committed by a student with a disability, NMAMA shall ensure that copies of the special education and disciplinary records of the student are transmitted, for consideration by the appropriate authorities, to whom the school reports the crime. Such records may be transmitted by the school only to the extent that the transmission is permitted by FERPA.

4.33 DISCIPLINE OF STUDENTS EXPERIENCING HOMELESSNESS

Removing students experiencing homelessness from school shall be used only as a last resort, pursuant to the requirements in 42 U.S.C. 11431 et seq., the McKinney-Vento Homelessness Assistance Act.

4.33.01 NMAMA shall:

a) through professional development activities, create an awareness among educators and administrators of the types of behaviors that students experiencing homelessness may exhibit due to homelessness and provide strategies and supports to address the behaviors through the student assistance team process in accordance with Subsection D of 6.29.1.9 NMAC;
b) take into account the issues related to a student's homelessness by talking with the student and applicable staff and families prior to taking disciplinary action;
c) with school behavior response teams or other applicable personnel to assign appropriate discipline related to the behavior;
d) implement discipline alternatives to out of school suspensions or expulsions or classroom removals, if possible; and
e) connect students with mental health services as needed.

4.33.02 NMAMA shall review school discipline records and data of students experiencing homelessness in order to identify any patterns in disciplinary actions that indicate an unfair bias against the students. The collection and review of such records shall be in compliance

with the Family Educational Rights and Privacy Act, as well as any other applicable federal or state laws or rules governing the privacy of such documents.

V. GENERAL NMAMA INFORMATION

5.1 GRADING

Report cards are standards-based. See the NMAMA Governing Council's Grade Change Policy for information regarding requests for a grade change.

5.2 REPORT CARDS

Report cards are given out during parent teacher conferences when applicable or provided as hard copies to students. Families may request additional copies of report cards by contacting the NMAMA Registrar.

5.3 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. NMAMA must have on file an individual permission form for off-campus trips before a student will be allowed to participate in a field trip. 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 may result in disciplinary action.

5.4 NMAMA MEALS

Free breakfast and lunch is provided to all NMAMA students. Students with dietary restrictions should contact the School so a health plan can be developed. Students are welcome to bring with them their own meals for consumption during designated breakfast and lunch periods.

5.5 LOST AND FOUND

All lost items are to be turned into the Lost and Found located in the office. 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 monthly and definitely at winter and spring breaks.

5.6 PERSONAL PROPERTY

If your student brings an item of personal property to school and loses it, he/she may check in the Lost and Found. The school is not responsible for lost, damaged or stolen personal property. Many personal items are not permitted at school and students should leave personal

items at home, as they can be disruptive and may be broken, lost or stolen. Students should not bring electronic games/devices to school. They will be taken from the student and kept in the office until the student's parent/guardian comes to the school to retrieve them. It will be up to the parent/guardian to contact the school about the confiscated property. The Principal may grant special permission for students to bring devices for purposes of participation in eSports.

5.7 PARENT GRIEVANCE POLICY : REGARDING **STUDENTS**

NMAMA 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 or dispute. Therefore, the following policy is provided for resolving situations that are **not otherwise covered by formal dispute resolution processes** (for example, this grievance process is not applicable to . student suspensions, special education matters or discrimination/harassment complaints, which are covered by other processes). Additionally, the Governing Council will NOT review administrative decisions regarding the following: student discipline less than a long term suspension or expulsion, student placements (in special education or regular education classes), complaints about a staff member's treatment of a student (except the Principal), matters particularly within the expertise of the educational staff and administration.

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 contact the person's supervisor (likely the Principal) and request a meeting with the supervisor and the other NMAMA employee with whom there is a disagreement. (If it is the principal with whom there is a disagreement, then move to Step 3.)

Step 3. If a resolution cannot be reached at Level 2, or the issue is with the Principal, then the parent/guardian should submit a written complaint to the Governing Council President requesting a meeting with the Governing Council or its designated committee in closed session. Note - matters concerning a student or employee dispute will not be addressed in an open meeting, unless specifically requested by the parent in writing.

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

5.8 GRIEVANCE POLICY: TO ADDRESS MATTERS OTHER THAN MATTERS COVERED BY 5.7 ABOVE

5.8.01 *Initial inquiry* - Inquiries or concerns from a community member, parent or student regarding a specific NMAMA staff member, policy or program (NOT A STUDENT) should first be directed to the staff member involved or responsible for such policy or program. If a community member, parent or student (hereinafter "community member") is not sure who is the responsible staff member, or, if the community member has an inquiry or concern of a broad nature, the community member should contact the administrator for clarification on the steps to follow. (Note: Grievances by School employees follow a separate Employee Grievance Policy/Process: see Employee Handbook)

5.8.02 *Initial Grievance Process*- If the community member feels the issue has not been satisfactorily handled at the individual staff member level, the issue may be referred to the Principal. After a meeting between the community member and the Principal, the Principal will prepare a written summary of attempt to resolve the community member's concern that the matter is not resolved. A copy will be promptly provided to the community member. If the community member feels the issue has not been satisfactorily resolved at the administrative level the community member may take the issue to the NMAMA Governing Council for disposition.

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

1. The community member may submit his/her grievance in writing to the NMAMA Governing Council within five days of receiving the Principal'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 Governing Council at the school. A copy of the Principal's statement should be enclosed.
3. If the community member does not submit a written grievance within five days from the date the written summary prepared by the administrator is delivered to the community member, the grievance will be deemed "resolved."
4. The grievance submitted to the Governing Council 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 who submitted the complaint.
5. The Governing Council will decide at the first meeting immediately following receipt of the written grievance whether it will hear the matter, and if it agrees to hear the matter, it will schedule a time for the meeting, which shall not

be unreasonably delayed. Depending on the substance of the complaint, the Governing Council will also decide whether the grievance shall be heard as an informal meeting of the concerned parties, an informal hearing with each party being allowed to present his/her side of the story or any other procedure the Governing Council deems appropriate.

6. NMAMA Governing Council members who are interested parties or who may have an actual or apparent conflict of interest shall disclose such conflict and be excused from the grievance meeting if the Governing Council deems the excusal necessary to provide the complaining community member a fair consideration of the grievance.

7. Any meeting or hearing concerning a matter that relates to personnel issues, that is confidential, or that implicates an individual's privacy rights will be held in a closed meeting in accordance with the Open Meetings Act, unless written permission by the affected individual is obtained prior to the meeting.

8. A decision will be established by a majority vote of the members of the NMAMA Governing Council hearing the issue. The NMAMA Governing Council may designate a committee of the Governing Council to meet with or conduct the hearing. Any final action required to be taken by the Governing Council will be made after the committee's recommendation is presented to the full Governing Council.

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

5.9 FIRE DRILLS

Fire drills are held at school as required by law. Drills may occur at any time of the day. Students are requested to move quickly, as directed by the teacher, to the designated exit-area. Upon completion of the drill, an all-clear signal will be sounded, at which time all persons will return to their classrooms.

5.10 BOOKS, NMAMA EQUIPMENT AND OTHER NMAMA MATERIALS

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

5.11 ACCESSIBILITY FOR PARENTS/GUARDIANS To ensure equal access to school meetings, conferences, events etc. in accordance with the Americans with Disabilities Act (ADA), NMAMA will provide appropriate auxiliary aids and services to parent/guardians who request them in advance of the meeting/conference/event. These auxiliary aids and services for a parent/guardian may include but are not limited to the following:

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

These accommodations are available upon request for school-related meetings, Governing Council meetings, school plays, teacher conferences, etc. Please notify the NMAMA administration office as early as possible prior to the meeting/conference/event, if you require any of these services.

VI. STUDENT SUPPORT INFORMATION

6.1 STUDENT SUPPORT

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

Struggling students are identified through classroom, school-wide and state-wide screening/testing processes as well as other means, such as teacher observation or parent 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. In many cases, the SAT is able to assist students who need interventions in order to succeed, but who are not necessarily disabled and therefore do not qualify for special education services or Section 504 accommodations. In other words, the SAT is a "support group" for the regular education teachers and students in need. If you have concerns about your student's progress, please let the classroom teacher know. If the classroom teachers have concerns, they will bring them to your attention and determine if a SAT meeting is warranted.

6.2 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. Individuals who have been determined to be students with disabilities under Section 504 may or may not be disabled under special

education (IDEA). Section 504 services could apply to any school age student who, (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 who have concerns or questions regarding Section 504 services for their student should contact the student's teacher or the Principal.

6.3 STUDENT FIND

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

6.4 EDUCATIONAL SERVICES FOR GIFTED STUDENTS

NMAMA offers services to students who qualify as gifted through the Special Education program. For information on referral/screening procedures, eligibility requirements and program options, contact the Principal or special education teacher. Teachers and parents can refer students to the RTI Team for consideration and evaluation. For additional information, see the Principal.

6.5 ABUSE AND NEGLECT

If any member of the NMAMA staff suspects child/student abuse or neglect, appropriate authorities will be notified. The call and report will be made as soon as any sign of abuse/neglect is noticed. Any member of the staff can make the call and does not have to wait for approval. Calls may remain anonymous. Signs of suspected abuse or neglect will be documented and sent to the Principal and appropriate state authorities.

6.6 STATEMENT OF RIGHTS OF PARENTS/GUARDIANS UNDER FERPA

The Family Educational Rights and Privacy Act (FERPA) affords parents/legal guardians, and students 18 and over, certain rights with respect to the student's education records:

The NMAMA provides the following notice regarding those rights:

6.6.01 *Inspection* - You may inspect and review your student's education records within 45 days of the day the NMAMA receives a written request for access. You should submit to the Principal or designee a written request that identifies the record(s) you wish to inspect. The Principal will make arrangements for access and notify you of the time and place where the records may be inspected.

6.6.02 *Amendment* - You may request the amendment of your student's education records if you believe they are inaccurate or misleading. To amend the record, you should write to the Principal and clearly identify the part of the record you want changed, and

specify why it is inaccurate or misleading. If NMAMA decides not to amend the record as requested by you, NMAMA will notify you of the decision and advise of your right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to you when notified of the right to a hearing.

6.6.03 *Disclosure/Consent* – A parent/legal guardian, or a student over the age of 18, has the right to consent to disclosures of personally identifiable information contained in the student's education records. Note that FERPA authorizes disclosure without the parent's consent to school officials with legitimate educational interests. A "school official" is a person employed by NMAMA 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 NMAMA has contracted to perform a special task (such as an attorney, auditor, medical consultant, ancillary staff or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

6.6.04 *Directory Information – Right to Opt Out.* NMAMA classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. **Any parent/guardian or eligible student who objects to the release of any or all of this directory information without their consent must notify, in writing, the Principal 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 of permitting your student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook, Appendix ___.

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

6.7 TRANSFER OF STUDENT RECORDS

When a student withdraws to enroll in another school and records are officially requested by the new school, the following records (if applicable) are 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; relevant legal documents and documentation of suspensions and expulsions.

6.8 GRADUATION REQUIREMENTS

NMAMA utilizes the NMPED-approved minimum graduation requirements. Please see the NMPED link for graduation requirements:
https://web.ped.nm.gov/bureaus/college-and-career-readiness-bureau/graduation/

VII. TECHNOLOGY USE POLICY

7.1 NMAMA TECHNOLOGY USE POLICY

At NMAMA our 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. NMAMA 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.

7.2 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. They 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 building.

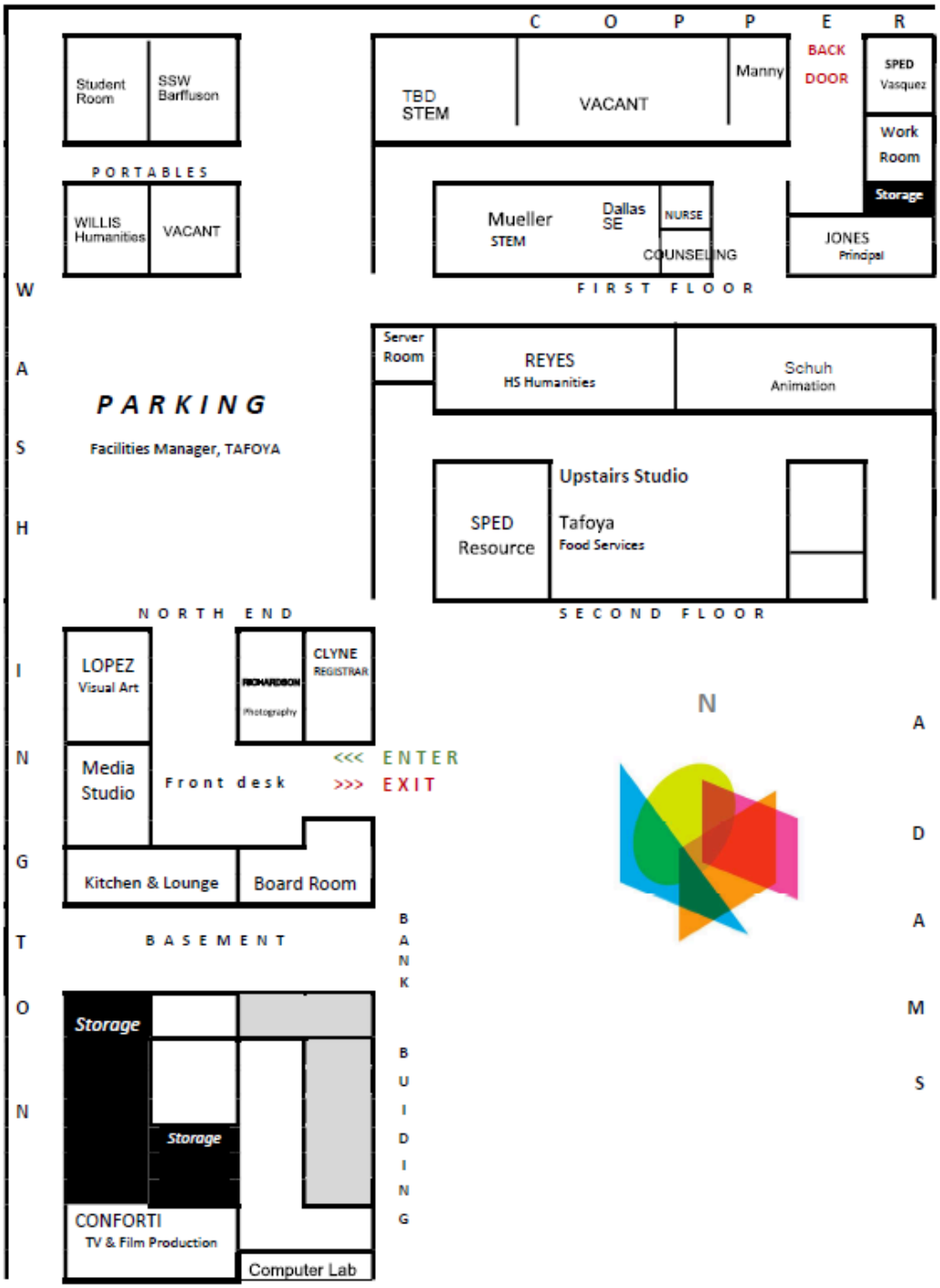
Attached to this Student/Family Information Book is the " NMAMA Technology Acceptable Use Agreement Form" that you and your student will be required to sign before your student will be permitted to use NMAMA technology and related equipment, Appendix ___.

Violation of the computer use policy may result in a student losing his/her privileges, and/or student disciplinary action.

7.3 NO EXPECTATION OF PRIVACY

School equipment and 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 NMAMA policy and applicable laws and regulations.

Appendix A
CAMPUS MAP



Appendix B

PARENT/NMAMA COOPERATIVE AGREEMENT

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

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

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

I/We understand that exceptional attendance is crucial to the educational process, and the students should adhere to the NMAMA's attendance policies and procedures.

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

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

I/We understand and agree that we shall be financially responsible for any loss, destruction, or damage to NMAMA property by our student.

I/We have reviewed the information and policies contained in this handbook with our student and both our student and I/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.

I/We understand further that failure to return this acknowledgment form does not excuse any individual from complying with the Student/Family Handbook or NMAMA policies, rules and guidelines. We are aware that the NMAMA 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 School website.

I/We have received and reviewed the NMAMA Student/Family Handbook. I/We understand the policies set forth in the handbook, understand that we should direct any questions about the handbook policies/procedures to the Principal or designee for clarification, and agree to abide by NMAMA's policies and procedures and to ensure that our student follows the rules of the school.

_____ _____ Parent/Guardian

(Print) Parent/Guardian (Signature) Date

_____ _____

Student's Name (Print) Student (Signature) Date

Students are to return this signed Parent/School Cooperative Agreement to their homeroom teacher by September ____. New and transfer students registering after the start of the school year must return this acknowledgement page within one week after receipt.

Appendix C

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 NMAMA, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your student's education records. However, NMAMA may disclose appropriately designated "directory information" without written consent, unless you have advised the school to the contrary in accordance with school procedures. The primary purpose of directory information is to allow NMAMA to include this type of information from your student's education records in certain school publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two 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 NMAMA to disclose directory information from your student's education records without your prior written consent, you must notify the School in writing by September 15. NMAMA has designated the following information as directory information:

- Student's name/Parents' name
- Participation in officially recognized activities
- Address
- Telephone listing
- Electronic mail address
- Photograph
- Honors, and awards received
- Date and place of birth
- Grade level

By signing this document I, _____, parent/guardian of _____, a student at _____, acknowledge that I have read and understand the FERPA policy stated above. I am requesting that NMAMA *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: _____

Appendix D

BULLYING, CYBERBULLYING, HARASSMENT, HAZING AND VIOLENCE PREVENTION POLICY

POLICY STATEMENT. NMAMA believes that providing an educational environment for all, free from harassment, intimidation, violence, hazing or bullying of any kind, supports a total learning experience that promotes personal growth, healthy interpersonal relationships and wellness. The safety and wellbeing of all students in the NMAMA learning environment is of primary importance. NMAMA prohibits bullying, cyberbullying, harassment, hazing and violence, and it is the school's goal to prevent and respond to all such acts, in accordance with applicable laws, including the New Mexico Safe Schools for All Students Act, NMSA 1978, §§22-35-1, et seq. This Policy and prohibition applies on NMAMA property, including electronic communication on or using School property; at NMAMA-sponsored functions; and on NMAMA's to-and-from transportation or any NMAMA-sponsored transportation.

A. *DEFINITIONS.*

- ***Bullying***. Bullying includes any severe, pervasive or persistent act or conduct that targets a student or group, whether physically, electronically or verbally, and that (1) may be based on a student/group's actual or perceived race, religion, color, national origin, ancestry, sex, sexual orientation, gender identity, spousal affiliation, physical or cognitive disability or any other distinguishing characteristic, or on an association with any person, with one or more of the actual or perceived distinguishing characteristics; and/or (2) can be reasonably predicted to: (a) place a student in reasonable fear of physical harm to the student's person or property; (b) cause a substantial detrimental effect on a student's physical or mental health; (c) substantially interfere with a student's academic performance or attendance; (d) substantially interfere with a student's ability to participate in or benefit from the services, activities or privileges provided by the School; or (e) create a hostile environment on the school campus that is so severe or pervasive as to substantially interfere with student educational benefits, opportunities or performance.
- ***Harassment***. Bullying includes harassment, which is knowingly pursuing a pattern of conduct that is intended to annoy, seriously alarm or terrorize another person or group.
- ***Hazing***. Includes committing an act against a student, or coercing another student into committing an act, that creates a risk of harm to that student, in order for that student to be initiated into or affiliated with an organization, gang, clique, group or for any other purpose.
- ***Cyberbullying.*** Includes any bullying that takes place through electronic communications, that is published with the intent that it be seen by or disclosed to a student/group, and that substantially interferes with the student/group's ability to participate in or benefit from the services, activities or privileges provided by NMAMA.
- ***Electronic Communication.*** Includes a communication transmitted by means of an electronic device, including a telephone, cellular phone, computer, electronic tablet, pager or video/audio recording, and any other forms of electronic resources/mobile devices.

- ***Gender Identity.*** Includes a student's self-perception, or perception by another, of the student's identity as a male or female based upon the student's appearance, behavior or physical characteristics that are in accord with or opposed to the student's physical anatomy, chromosomal sex or sex at birth.
- ***Physical or Cognitive Disability.*** Includes a physical or cognitive impairment that substantially limits one or more of a student's major life activities.
- ***Progressive Discipline.*** Includes disciplinary action other than suspension or expulsion from school that is designed to correct and address the basic causes of a student's specific misbehavior while retaining the student in class or in school, or restorative school practices to repair the harm done to relationships and other students from the student's misbehavior, and may include (but is not limited to):
  - Meeting with the student and student's parents/guardians;
  - Reflective activities, such as requiring the student to write an essay about the student's misbehavior;
  - Counseling;
  - Anger management;
  - Health counseling or intervention;
  - Participation in skill-building and resolution activities, such as social-emotional cognitive skills building, resolution circles and restorative conferencing;
  - Community service; and
  - In-school detention or suspension, which may take place during lunchtime, after school or during weekends.
- ***Sexual Orientation.*** Includes heterosexuality, homosexuality or bisexuality, whether actual or perceived.
- ***Regular Volunteers.*** Means those persons, including relatives of students, who commit to serve at school on a regular basis.

B. E*XAMPLES of PROHIBITED CONDUCT.* Actions, including actions using electronic communication, that will be viewed as prohibited conduct include, but are not limited to:

o ***Bullying, Cyberbullying and Harassment***.

- Spreading rumors, attacking someone physically or verbally, and excluding someone from a group on purpose.
- Repeated teasing, use of sarcasm or malicious jokes.
- Name-calling, belittling comments.
- Nonverbal behavior such as gestures, or graphic written statements.
- Conduct that is physically threatening, harmful, intimidating or humiliating.
- Inappropriate physical restraint.
- Posting mean, embarrassing, threatening, intimidating or humiliating pictures, videos, websites, comments, fake profiles or other communications over social media platforms, such as Facebook, Twitter, Instagram, Linkedin, Pinterest (not an exhaustive list).

2. ***Hazing***.

- Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
- Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subject the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.
- Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or school policies.

C. *REPORTING AND COMPLAINTS.* Students and parents may, and are strongly encouraged to, file verbal or written reports concerning suspected Bullying/Harassment/Cyberbullying/Hazing/Violence to school personnel or to the Principal. See, "Bullying/Harassment/Cyberbullying/Hazing/Violence Report Form" in Appendices, available online or in the NMAMA administrative offices. Students, parents and/or staff should use the following guidelines when reporting Bullying/Harassment/Cyberbullying/Hazing/Violence:

- ***Who and What?*** Any student who believes he/she has been the victim of conduct prohibited by this policy by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute Bullying/Harassment/Cyberbullying/Hazing/Violence toward a student, should immediately report the alleged acts, either orally or using the Report Form. Reports may be made in the reporter's preferred language. Reports may be made anonymously, and will be investigated pursuant to this Policy, but no formal disciplinary measures shall be taken solely on the basis of an anonymous report.

2. ***Report to Whom?*** The report may be made to any staff member, including a teacher, or directly to the Principal.

3. ***Prompt Notice & Form***. Teachers, Regular Volunteers, and school staff who witness Bullying/Harassment/Cyberbullying/Hazing/Violence or who receive student reports of Bullying/Harassment/Cyberbullying/Hazing/Violence are required to promptly notify the Principal. Reports should be made in writing using the Report Form, and submitted to the Principal.

4. ***Assisting Student Reporting.*** If a student makes a verbal report to a teacher/Regular Volunteer/staff member, the teacher/Regular Volunteer/staff member shall

complete the Report Form or take the student to the Principal, where a form will be completed on the student's behalf.

5. ***Staff Obligation to Report***. A school employee who has information about or a reasonable suspicion of conduct that may constitute Bullying/Harassment/Cyberbullying/Hazing/Violence toward a student shall report the matter immediately or as soon as practical to Principal, but in no event later than two calendar days after the employee witnesses or receives a report of bullying.

D. *INVESTIGATION.* The Principal or an administrator designated by the Principal will accept and promptly investigate *all* reports of Bullying/Harassment/Cyberbullying/Hazing/Violence. The administrator will notify the parents of the student(s) alleged to have committed the act of Bullying/Harassment/Cyberbullying/Hazing/Violence and the parents of the student(s) targeted by the alleged act, unless the administrator believes, in his/her professional capacity, that notifying the parents would endanger the health or well-being of a student, in which case the administrator may delay such notification, as he/she deems appropriate. The Principal may take immediate steps to protect the reporter, the alleged victim, other students, school faculty and staff, or other individuals on school grounds pending the completion of an investigation.

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

2. ***Confidentiality.*** The right to confidentiality, of the reporter, the victim and the accused, shall be preserved consistent with applicable laws and to the extent possible. However, NMAMA cannot guarantee absolute confidentiality, because it may be necessary to discuss the report with others who are witnesses or who may have information about the report.

3. ***Outcome.*** The investigation shall be completed as soon as possible. The Principal (or designated administrator) shall make a written report concerning the results of his/her investigation. In determining whether the alleged conduct violates this Policy, the totality of the circumstances, the nature of the conduct, the student's history, and the context in which the alleged conduct occurred will be investigated. The report shall include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this Policy. A copy of the investigation materials and completed report will be maintained by the Principal for no less than four years from the date of the completed report. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA)(to protect the privacy of the accused student) the Principal will notify the parents/guardians of the accused student and the victim of the outcome of the investigation, but shall not provide a copy of the written report. The Principal or designee shall notify the parent or guardian about a determination that their student has committed an act violating this Policy, and the consequences for the student's actions.

E. *CONSEQUENCES.* Verified Bullying/Harassment/Cyberbullying/Hazing/Violence conduct shall result in intervention by the Principal or his/her designee that is intended to ensure that this Policy is enforced. The Principal will use Progressive Discipline approaches appropriate to the situation to address Bullying/Harassment/Cyberbullying/Violence, and/or may impose other disciplinary consequences. The level and severity of the prescribed

consequence shall be determined by the Principal. All consequences shall be designed to (a) appropriately correct the bullying behavior; (b) prevent another occurrence of bullying or retaliation; (c) protect the target of the bullying; (d) be flexible so that, in application, the consequences can be unique to the individual incident and varied in method and severity based on the nature of the incident, the developmental age of the student who is bullying, and any history of problem behavior from the student who is bullying; and (e) for cyberbullying incidents, use the least restrictive means necessary to address the interference with the student's ability to participate in or benefit from the services, activities or privileges provided by the school, to the greatest extent possible. Certainly, repeated offenses will warrant increasingly severe consequences, up to and including suspension/expulsion.

F. *CONSEQUENCES FOR KNOWINGLY MAKING FALSE REPORTS.* False allegations against another student, member of the faculty or staff, or others, pursuant to this Policy shall be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

G. *RETALIATION.* Retaliation against an individual who witnesses, orally reports or files a written complaint regarding Bullying/Harassment/Cyberbullying/Hazing/Violence, or who acts as a witness, participates in or cooperates with an investigation of such, is prohibited.

H. *APPEAL.* A student accused or bullying/harassment/cyberbullying/hazing/violence, or a student who is the target, who is not satisfied with the outcome of the Principal's/administrator's investigation may appeal the investigation report's conclusions to the NMAMA Governing Council in the manner described in the NMAMA Grievance Policy (See Appendices).

I. *ANTI-BULLYING INCLUDED IN HEALTH EDUCATION CURRICULUM*. Anti-bullying education shall be included in the School's health education curriculum, in accordance with health education content standards with benchmarks and performance standards as set forth in NMPED regulation 6.30.2.19 NMAC.

J. *DISSEMINATION OF POLICY.* Parents and Staff will be reminded at the beginning of each school year about this policy as well as their responsibilities regarding preventing and reporting Bullying/Harassment/Cyberbullying/Hazing/Violence. A copy of the policy will be disseminated annually and be posted on the School's website. This Policy will be included in the Student Handbook.

K. *TRAINING.* All School employees, and regular volunteers with significant contact with students, shall complete annual training on bullying, harassment, hazing, violence and cyberbullying prevention. New employee training shall incorporate training on this Policy and procedures.

L. *STUDENT SAFETY SUPPORT PLAN.* The NMAMA shall develop a student safety support plan for students who are targets of conduct prohibited by this policy that addresses safety measures the School will take to protect targeted students against further acts of bullying/cyberbullying/harassment/hazing/violence.

M. *ANNUAL REPORTING.* The School shall report aggregate incidents of bullying/harassment/cyberbullying/violence as required under applicable federal or state laws, along with the School's responses to these incidents, and shall report this information annually to the NMPED in the form and content required by NMPED.

N. *PUBLICATION.* This Policy shall be made available on the following public website:

I. www.mediaarts.org

The School's Principal shall be the point of contact for any bullying-related concerns, or other concerns relating to this Policy. Parents and students shall be informed about this Policy at least annually, through student handbooks and parent orientation.

Appendix E

NMAMA

Bullying/Cyberbullying/Harassment/Hazing/Violence Report Form

STUDENT INFORMATION			
Name			ID#
Grade	Phone Number		Home Address
COMPLAINT FILED AGAINST			
Name			Grade (or position if not a student)
Name			Grade (or position if not a student)
INCIDENT			
Date			Time
Location			
Is this the first time this has happened? YES NO			
Is this the first time you are reporting this? YES NO			
DESCRIPTION- PROVIDE AS MUCH DETAIL AS POSSIBLE			
WITNESSES (IF APPLICABLE)			
Name		Grade/position	Phone number
Name		Grade/position	Phone number
Name		Grade/position	Phone number
REPORT INFORMATION			
Today's Date			
Did anyone help you fill out this form? YES NO If yes, who?			
OFFICE INFORMATION			
Who received this complaint form?			
Position			
Date Received			

Appendix F

NMAMA
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 NMAMA 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 NMAMA is not subject to privacy protections.

The 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 NMAMA 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 NMAMA to provide access to such services to further the educational goals and objectives of NMAMA 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 through 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 NMAMA is for technology resources to be used as a valuable educational tool.

USER RESPONSIBILITIES: As the user of technology resources provided by NMAMA, 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 nonschool 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 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 NMAMA's equipment. ◊ I will not send or distribute unethical, illegal, immoral, inappropriate or unacceptable information of any type through electronic mail or telecommunications.

◊ 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 NMAMA's equipment or on the Internet.	◊ I will follow the rules listed herein or lose my computer privileges and face other consequences. ◊ I understand that I have no expectation of privacy in connection with my use of school computers.

USE OF TECHNOLOGY RESOURCES AT NMAMA IS A PRIVILEGE, NOT A RIGHT

STUDENT ACKNOWLEDGEMENT

I, _____, have reviewed the information in the NMAMA 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, and possible other disciplinary action.

Student Signature _____ Date_____ Grade_____

PARENT OR GUARDIAN

As the parent or guardian of _____(Student), I have reviewed the NMAMA 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 NMAMA. 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 NMAMA 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 names (please print)_____

Parent or Guardian _____ Date_____ School Year_____
Signature

APPENDIX G

STUDENT DENTAL EXAM VERIFICATION POLICY

New Mexico law requires NMAMA to verify student records of dental examination prior to the student's initial enrollment in NMAMA. Parents/guardians of students (or, if over 18, the student) are required to provide an executed Student Dental Examination Verification Form as part of the NMAMA's enrollment process (see below) prior to initially enrolling the student. Parents/guardians/students over 18 may request a waiver from this verification process by checking the correct box on the Form.

This Form shall be collected and stored by the school as part of student records; confidentiality shall be maintained and shall be only accessible to NMAMA individuals on a need-to-know basis, consistent with the privacy protections of FERPA. End-of-year student data regarding student dental examination shall be reported to NMPED consistent with NMPED requirements. Parents/guardians/students over 18 who wish to receive information about local resources regarding access to oral health case should see _____ for information. In addition to local resources, the New Mexico Department of Health, Office of Oral Health is available at 505-827-0837.
Ref: 6.12.13 NMAC

Student Dental Examination Verification Form

Upon initial enrollment in a district or charter school, New Mexico Administrative Code (NMAC) 6.12.13 requires schools to verify student records of dental examination. This rule also allows for an informed opt-out process based on parent or guardian understanding of the risks associated with not having a dental examination.

NMAMA is dedicated to promoting the health of our students. We recognize oral health care is essential for general wellbeing and can have a significant impact on overall health. According to the Centers for Disease Control and Prevention (CDC), tooth decay is one of the most common chronic diseases of childhood in the United States. Left untreated, it can cause pain and infections that may lead to problems with everyday activities like eating, talking, playing, and learning. Routine oral health care such as dental visits, daily oral hygiene, healthy eating and consuming of water can help prevent tooth decay and other oral health conditions.

Student Name: _____
Student ID: _____
Please check the applicable response below:

☐ I confirm that my child has received a dental examination within the past calendar year.

☐ My child has not received a dental examination within the past year. I understand the risks associated with my child not receiving a dental examination, and I request a waiver allowing my child to be enrolled. If checked, this signed document may serve as the Student Dental Examination Waiver as defined by NMAC 6.12.13.

Parent/Guardian Signature: _____ Date: _____

Are you interested in learning more about oral health resources for your child? Please contact [INSERT NMAMA/COMMUNITY CONTACT if available], or the New Mexico Department of Health, Office of Oral Health at 505-827-0837.

Appendix H

STUDENT DIABETES MANAGEMENT POLICY

A. **Definitions**. As used in this Policy:
   1. "diabetes" means a metabolic disorder of type one or type two diabetes metllitus; complications related to diabetes mellitus; or prediabetes;
   2. "diabetes care personnel" means a School employee who volunteers to be trained and is trained in accordance with the Student Diabetes Management Act, NMSA 1978, §§22-34-1 et seq. and NMPED rule; the employee need not be a health care practitioner;
   3. "diabetes medical management plan" means a document that the student's personal health care practitioner and parent/guardian develops that sets out the health services that the student needs at school and that is signed by the student's health care practitioner and the parent/guardian;
   4. "health care practitioner" means a person licensed to provide health care in the ordinary course of business;
   5. "school employee" means a person employed by the School, a person employed by the department of health or a local health department or by the public education department who is assigned to a school, or a contractor designated to provide diabetes management services at the School.

B. **Diabetes Care Personnel Training.**
   1. School shall ensure that annual diabetes training programs are provided for all School nurses and diabetes care personnel (minimum of two school employees).
   2. Training shall be in accordance with NMPED rule 6.12.11 NMAC, as amended, for the training of school employees for the care of students with diabetes.
   3. At minimum, the training shall address:
      a. Identification and treatment of hypo- and hyperglycemia;
      b. Understanding the appropriate actions to take when blood glucose levels are outside of the target ranges indicated by a student's diabetes medical management plan;
      c. Understanding the interpretation of health care practitioner instructions regarding diabetes medication drug dosage, frequency and manner of administration;
      d. Performance of finger stick blood glucose testing, scanning of continuous glucose monitors, and ketone testing and recording of results;
      e. The administration of glucagon and insulin and the recording of results;
      f. Understanding how to administer glucagon and insulin through the insulin delivery system;
      g. Recognizing diabetes-related complications that require emergency assistance; and
      h. Understanding recommended schedules and food intake for meals and snacks, the effect of physical activity upon blood glucose levels and actions to be implemented in the case of schedule disruption.

4. The training shall be provided by the contracted school nurse, or by a health care practitioner with expertise in diabetes.

5. The training shall be provided to a minimum of two School employees willing to act as diabetes care personnel; the employees acting as diabetes care personnel need not be health care practitioners. If the School employs a school nurse, the PT contracted School nurse must receive the training.

6. If at any time fewer than two School employees are available to be trained as diabetes care personnel, the Principal/Head Administrator shall distribute to all School staff a written notice stating that the School is seeking volunteers to serve as diabetes care personnel.
   The notice shall inform the staff that:
   a. The School is required to provide diabetes care to one or more students with diabetes and is seeking personnel willing to be trained to provide that care;
   b. The tasks to be performed by diabetes care personnel;
   c. That participation is voluntary and the School will not take action against any staff member who does not volunteer to be designated;
   d. That training will be provided to employees who volunteer to provide care; and
   e. The contact information of the person whom staff should contact in order to volunteer to be diabetes care personnel.

7. The annual training shall take place as soon as possible after the beginning of a new School year, and no later than four weeks from the first day of school for students. Employees volunteering to replace trained individuals no longer acting as diabetes care personnel shall be trained within four weeks.

8. The Principal/Head Administrator shall confirm that the training has occurred in an annual report to the Governing Council.

C. **Training for School employees with primary responsibility for supervision of a student with diabetes.**
   1. All School employees who have primary responsibility for supervising a student with diabetes during some portion of the school day, including bus/school activity drivers responsible for the transportation of a student with diabetes, shall be trained annually on:
      a. Recognition of hypoglycemia;
      b. Recognition of hyperglycemia; and
      c. Actions to take in response to diabetes related emergency situations.

   2. This training shall be provided by the school nurse, or a health care practitioner with expertise in diabetes.

   3. New employees with primary responsibility for supervising a student with diabetes hired after the annual training shall be trained within 4 weeks of hire.

   4. The Principal/Head Administrator shall confirm that the training has occurred in an annual report to the Governing Council.

D. **Parent/Guardian Responsibilities.**

1. Upon enrollment at the School or at annual registration, the parent/guardian of each student with diabetes who seeks diabetes care while at school shall submit to the school a diabetes medical management plan.

2. Upon submission of the diabetes medical management plan, the School shall review the diabetes medical management plan with the parent/guardian, and shall implement the plan.

3. The School shall not require or compel parents/guardians to provide diabetes care for a student with diabetes at school or school-related activities.

4. Upon the written request of a parent/guardian of a student with diabetes and authorization by the student's diabetes medical management plan, and upon demonstrated proficiency, a student with diabetes shall be permitted to perform blood glucose checks, administer insulin through the insulin delivery system that the student uses, treat hypoglycemia and hyperglycemia and other wise attend to the care and management of the student's diabetes in the classroom, in any area of the school or school grounds, and at any school-related activity.

    a. The student shall be permitted to possess on the student's person at all times all necessary supplies and equipment to perform these monitoring/treatment functions; however, the student shall be responsible for keeping supplies/equipment safe, and shall not make it available to other students.

    b. If the student or parent/guardian requests, the student shall have access to a private area for performing diabetes care tasks.

5. The parent/guardian of a student with diabetes may volunteer to assume the official responsibility of diabetes care for their student, should the parent/guardian be attending a school-sponsored activity, trip, extended offsite excursion, or extracurricular activity in which the student with diabetes is participating. The parent/guardian must prearrange with the Administrative Assistant to assume these responsibilities, if desired.

E. **School Implementation of Diabetes Medical Management Plans.**

1. The School shall ensure that all students with diabetes receive appropriate and needed diabetes care at school, as specified in the student's diabetes medical management plan.

2. In accordance with the request of a parent/guardian of a student with diabetes, and in accordance with the student's diabetes medical management plan, the school nurse or, in the absence of a school nurse, diabetes care personnel, shall perform diabetes care functions that shall include, at a minimum:
    a. Checking and recording the student's blood glucose levels or ketone levels and assisting the student with checking and recording those levels;
    b. Responding to blood glucose levels that are outside of the student's target range;
    c. Administering glucagon and other emergency treatments as prescribed;

d. Administering insulin or assisting a student in administering insulin;
e. Providing oral diabetes medications as prescribed; and
f. Following instructions regarding meals, snacks and physical activity.

3. The school nurse, or at least one diabetes care personnel, shall be available at the School to provide care to each student with diabetes in accordance with subsections E.1 and E.2 above, during regular school hours and during all school-sponsored activities, trips, extended offsite excursions and extracurricular activities in which a student with diabetes is a participant, and on buses/activity vehicles where the bus/activity driver has not been trained in diabetes care and the student with diabetes is a passenger.

4. The School Nurse and/or diabetes care personnel shall safely store medical supplies and diabetes medication in the manner appropriate for the supplies/medication. The supplies/medication shall be stored in the NMAMA Nurse's Office.

F. **Right to Attend.**
The School shall not restrict a student who has diabetes from attending the School on the basis that the student has diabetes, that the School does not have a full-time school nurse, or that the School does not have trained diabetes care personnel.

G. **Governing Council Reporting.**
The Governing Council shall provide a report to the New Mexico Public Education Department annually by October 15, as follows:
1. Stating how many students with diabetes are attending the School; and
2. Providing documentation regarding the School's compliance with the provisions of the Student Diabetes Management Act.; and
3. In accordance with the requirements of 6.12.11.13(B) NMAC.

H. **Administrative Complaint.**
Students with diabetes and their parents/guardians may bring an administrative complaint against the School before the NMPED for any School failure to meet its training obligations pursuant to the Student Diabetes Management Act, or for School's failure to permit self-management of diabetes pursuant to Subsection D.4 of this Policy. See 6.12.11.13 NMAC for the NMPED complaint procedure.

Appendix I

Grade Change Policy

Teachers must diligently maintain records that justify the final course grade awarded a student. Assuming due diligence on the part of the teacher, and that no mistake or clerical error has been made in the tabulation of grades, every student is ultimately responsible for the grade that he/she is awarded.

1. Changes to a test grade or a class assignment grade: Once issued by the teacher, changes to a test grade or a class assignment may occur only where there has been a clear mistake, clerical error or misidentification of the student by the teacher. The teacher who issued the test or assignment grade may change or direct the changing of the grade due to a clear mistake, clerical error, or misidentification. Requests for grade changes on tests or class assignments shall be handled between the student and the teacher, with the teacher being the final determinant of the decision. The teacher shall document the justification for the test grade or class assignment grade change. Nothing in this policy is intended to apply to grade changes for statewide tests used to determine adequate yearly progress or graduation from high school. If there is a need to change a grade or result on such state-mandated testing due to a clearly clerical mistake as where a student has been misidentified, the Director shall promptly notify the assessment and accountability division of the Public Education Department for guidance.

2. Changes to course grades: Changes to course grades may be made by a teacher where there has been a clear mistake, clerical error in the tabulation, misidentification of the student or other extenuating circumstance as determined by the Director. Such course grade changes must be brought to the attention of, and approved by, the Director, upon authorization and proper documentation by the teacher.

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

1. The student/parent must complete and submit to the Director a signed, written "Grade Change Request" form stating reasons for the course grade change request, within **five days** of receipt of the course grade.
2. Upon request, the student/parent will be permitted to review any available records and documents belonging to the student related to the determination of how the grade was awarded.
3. The Director will consult with the teacher to determine if there has been any clear mistake or clerical error, or if there has been any misidentification of the student.
4. In further consultation with the teacher, the Director will determine if a change in final course grade is merited for any other justifiable reason, such as extenuating circumstances articulated and demonstrated by the student/parent, additional graded work submitted by the student, additional or make-up testing, or other meaningful criteria that can be verified.
5. The teacher who issued the course grade shall provide to the Director his/her reasons to support or oppose the requested grade change and shall not be pressured into or retaliated against for making a certain recommendation.

6. As part of fact-finding, the Director will meet with the student/parent and the teacher, together or separately, to determine the validity of the student's/parent's request.
7. A written, signed response which includes the Director's findings and decision will be provided to the student/parent within five days of the meeting. The response shall include whether the request is denied or allowed and the grade entered if allowed. If a grade change is allowed, the Director's response shall articulate the reasons and basis for the grade change.
8. The Director will be the final determinant of the decision.
9. If the Director decides that a grade change is merited, in addition to the student or parent, the Director shall comply with any NMPED notification requirements.
10. If the Director decides that a course grade change is merited for a particular student, the grade change must be equally available and applied to all students who are similarly situated.
11. The "Grade Change Request" form and a copy of the Director's decision shall be placed in the student's permanent cumulative record file. The student/parent may request of the Director that the documents be removed and destroyed upon the student transferring or graduating from the school. The Director has full discretion in complying with the student's/parent's request.

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

[Name of School] shall strictly adhere to FERPA in administering this Grade Change Policy. Under no circumstances will the identity of the student involved in the grade change request be made known publicly, and confidentiality involving the request and the identity of the student will be maintained among those personnel involved in addressing and processing the grade change request. Additionally, the identity of any other students whose grades may be used for comparison purposes shall not be disclosed publicly, or to the student/parent making the grade change request. Adherence to FERPA requirements and regulations regarding student records and information shall be required of all school personnel.

This Grade Change Policy in no way limits or eliminates the rights afforded to parents under federal regulations 34 CFR Sections 300.618 through 300.621 under the Individuals with Disabilities Education Act, and 34 CFR Sections 99.20 throuh 99.22 under FERPA, both as they relate to amendment of a student's educational records.

Appendix J

NEW MEXICO ACADEMY FOR THE MEDIA ARTS
MCKINNEY VENTO ACT – NOTICE OF DISPUTE RESOLUTION PROCESS

Date Approved/Revised: August 5, 2025
Effective Date: August 5, 2025

Notice. The McKinney-Vento Act and New Mexico Public Education Department (NMPED) rule, [1] provide that NEW MEXICO ACADEMY FOR THE MEDIA ARTS ("School") must give notice of a homeless student's right to file a complaint to raise an enrollment, educational placement or compliance issue, or to file an appeal to NMPED when a disagreement arises between the School and the homeless student. The School shall post this notice and related complaint forms[2] where homeless families and unaccompanied youths receive services, and on the School's website.

Disputes over enrollment and compliance issues. If a dispute arises over enrollment, educational placement or other compliance matters, the School will take the following steps to avoid unnecessary disruption to the student's education.

1. If a dispute over enrollment or educational placement issues arise, the homeless student shall be immediately enrolled at NEW MEXICO ACADEMY FOR THE MEDIA ARTS and be provided adequate and appropriate transportation services pending resolution of the dispute and any appeal.
2. For all disputes, the parent or guardian of the homeless student, or the student if unaccompanied (unaccompanied student), shall be provided with a written explanation of the School's adverse decision regarding enrollment or other matters related to homelessness services, and notice of the right to commence an Informal Dispute Resolution Process or Formal Dispute Resolution Process pursuant to this policy, and to appeal the School's decision to the New Mexico Public Education Department (NMPED).
3. If the parent/guardian/unaccompanied student are English learners, use a native language other than English, or need additional supports because of a disability, translators, interpreters, or other support services will be made available without charge in the appropriate language to ensure they understand the written decision and the process for dispute resolution and appeal. The School's Liaison is the person to contact for such assistance.
4. If a parent/guardian/unaccompanied submits a complaint to initiate a dispute resolution process, the School's Liaison for homeless families (Liaison) shall confirm receipt by using the most reliable contact method within three (3) business days.

Dispute Resolution Processes

[1] 42 USC §11432(g)(1)(c), 6.10.3.8 NMAC
[2] NMPED's Students Experiencing Homelessness or Unaccompanied Youth Dispute Resolution Form; [School's]McKinney-Vento Dispute Resolution Form

The following dispute resolution processes are available to parents/guardians/unaccompanied youths wishing to dispute matters pursuant to the School's McKinney-Vento policy.

A. Informal Dispute Resolution Process. The Informal Dispute Resolution Process (Informal Process) is optional. The parent/guardian/unaccompanied youth may proceed directly to the Formal Dispute Resolution Process described below.

    1. After a determination is made by the School that negatively impacts the student's educational placement or rights under the McKinney-Vento Act, the parent/guardian/unaccompanied youth may contact the Liaison to request a meeting with the School's Head Administrator to discuss a possible resolution.
    2. The Liaison may request that the parent/guardian/unaccompanied youth complete the McKinney-Vento Dispute Resolution Form (M-V Complaint Form) to help clarify the areas of disagreement between the two sides, but completing the form is not a prerequisite use the Informal Process.
    3. A meeting will be schedule within ten (10) business days with the School's Head Administrator. The Liaison shall attend to help facilitate a resolution. Neither party shall be allowed to have outside representation during the Informal Process.
    4. If a resolution is reached during the Informal Process meeting, the Head Administrator will create a written statement describing the resolution and each attendee shall sign the statement, or indicate by electronic mail, if the meeting is held virtually that each consent to the statement.
    5. The Head Administrator, Liaison and the parent/guardian or unaccompanied youth will sign the written agreement. The written agreement will be prepared for signature at the meeting, or within three (3) school days of the meeting and then circulate to the parent/guardian or unaccompanied youth by email or in person.
    6. If the Informal Process is unsuccessful, the parent/guardian or unaccompanied youth may submit a written complaint and ask to use the Formal Dispute Resolution process. If the Formal Dispute Resolution Process is not pursued by the parent/guardian or unaccompanied youth, the Liaison will follow the process described below under "Notice to NMPED of Adverse Decision and Appeals."

B. Formal Dispute Resolution Process.
    1. The parent/guardian/unaccompanied youth must first complete the M-V Complaint Form and return it to the Liaison. The Liaison shall be available to the family and/or unaccompanied student to answer questions about completing the M-V Complaint Form.
    2. The Liaison will deliver the M-V Complaint Form and any documentation to the Head Administrator within one (1) day of its receipt.
    3. Parents/guardians/unaccompanied youth and the School are permitted to have an advocate or a legal representative and may submit documents, witness statements, and oral testimony to support their positions during the Formal Dispute Resolution meeting.
    4. The parents/guardians/unaccompanied student will provide written notice of having a representative appear at the Formal Dispute Resolution meeting to the Head Administrator by no later than five (5) business days prior to the meeting.
    5. Upon receipt of a completed M-V Complaint Form, Head Administrator shall make reasonable attempts to schedule a meeting with the parent/guardian/unaccompanied student, and representative, if any, to discuss and

resolve the complaint, within ten (10) business days. The Head Administrator shall notify the parents/guardians or unaccompanied student and any representative at least three (3) business days prior to the meeting.

6. During the meeting, the parent/guardian/unaccompanied youth and representative, if any, shall be given an opportunity to present evidence to support the homeless student's position. The School shall present its position and evidence after the family, unaccompanied youth or representative. Each side shall provide copies of documents they intend to submit to support their position to the other by email or hand deliver by no later than twenty-four (24) hours in advance of the meeting.
7. If a resolution is reached during the Formal Dispute Resolution meeting, the parties will jointly create a written statement describing the resolution and each attendee shall sign the statement, or indicate by electronic mail, if the meeting is held virtually that each consent to the statement.
8. If a resolution is not reached during the Formal Dispute Resolution meeting, the Head Administrator shall provide a written decision to parent/guardian/unaccompanied youth and representative, if any, within ten (10) business days following the meeting. The written decision shall include:
    - All factual information relied upon for the written decision;
    - The legal basis that supports the decision;
    - A description of any options the Head Administrator considered and reasons why they were rejected; and
    - A description of other factors relevant to the Head Administrator's decision, including the facts, witnesses and evidence relied and their sources.
9. The written decision will include notice to the parent/guardian or unaccompanied youth of the right to appeal the School's decision to the NMPED, including timelines to ensure any relevant deadlines are not missed.
10. All decisions and notices shall be drafted using language and formatting appropriate for low literacy, limited vision readers and individuals with disabilities.
11. The School shall provide electronic written notice to the parent/guardian/ unaccompanied youth who have email and shall follow up with the notice in person or by mail.

Notice to NMPED of Adverse Decision and Appeals. A homeless student has the right to appeal an adverse decision to the NMPED pursuant to 6.10.3.9 NMAC. In the case of a decision adverse to the homeless student, the Liaison shall forward the Head Administrator's written decision to the NMPED along with NMPED's required form **(**https://webnew.ped.state.nm.us/bureaus/student-success-wellness/mckinney-vento/**)** within five (5) calendar days of the issuance of the Head Administrator's written decision. Parents/guardians/ unaccompanied youth may also initiate the appeal by providing NMPED's required complaint form (at link above and on School's website) and related information to the NMPED's Homeless Liaison.

School McKinney Vento Liaison Information.

Cecy Barffuson, cbarffuson@nmmediaarts.org, 505-243-1957

NMPED McKinney Vento Coordinator.

Cecy Barffuson, cbarffuson@nmmediaarts.org, 505-243-1957

The NMPED Coordinator of Education for Homeless Children and Youths works with New Mexico school districts, charter schools, schools and other partners in order to provide educational stability to students experiencing homeless by removing barriers such as enrollment in school, transportation, access to school meals, appropriate education and extracurricular activities.

Appendix K

NEW MEXICO ACADEMY FOR THE MEDIA ARTS
McKinney-Vento Dispute Resolution Form

(***This form should be used for the dispute resolution process for students experiencing homelessness or unaccompanied youth in regard to eligibility, school selection, enrollment or transportation.***)

Date: _____

Please complete all information and deliver by hand, email or mail to:
Chris Jones,
Executive Director,
4401 Central Ave.
NE, Albuquerque,
NM 87108,
cjones@nmmediaarts.org

I. Information Regarding the Person(s) Requesting Dispute Resolution:

a. Person(s) Name(s):

_____

b. Relationship to Student:
___I am an unaccompanied youth
___Parent
___Advocate or Legal Representative
Other: _____

c. Address (or available contact information):

_____

_____

d. Phone number(s):
Best contact number: _____ Email: _____

II. Student Information

a. Student's Full Name:

_____

b. Student's Date of Birth:

_____

c. Student's Address (or available contact information):

_____

_____

d. School Student Currently Attends:

_____

III. Representative Information (optional)

a. Is another person helping you to resolve this dispute?

Attorney_____ Other Representative _____

b. If you have a representative, please identify:

Name:_____ Title:

Address:

Phone number(s):
Work: _____

Cell: _____

IV. Details Concerning the Dispute:

a. Please check one or describe in the space provided:

_____ Eligibility
_____ School Selection
_____ Enrollment in school of origin
_____ Transportation
_____ Other (describe below)

b. Please describe your disagreement with the School. (Who? What? Where? Why?) ***Attach any documents that support your position if you have any.***

Describe the attempts that have been made by the District/Charter School to resolve the dispute. Attach documentation including meeting minutes, emails, phone calls, etc., if any.

V. Proposed Resolution

What is the resolution you are seeking?

VI. Signature and Date:

Signature of Unaccompanied Student, Parent, Guardian or Representative Date

Appendix L

NEW MEXICO ACADEMY FOR THE MEDIA ARTS

TITLE IX NONDISCRIMINATION (BASIS OF SEX)/SEXUAL HARASSMENT POLICY
AUGUST 5, 2025

I. Purpose. The purpose of this policy is to articulate [School's] commitment to eliminating discrimination based on sex, including sexual harassment which is a type of discrimination, in any education program or activity offered by NEW MEXICO ACADEMY FOR THE MEDIA ARTS. The School does not discriminate on the basis of sex in education programs or activities that it operates, or employment of individuals as prohibited by Title IX of the Education Amendments of 1972. Any person with questions about this Policy should contact the Title IX Coordinator or designee whose information shall be prominently listed on the School's website www.nmmediaarts.org.

II. Reason for Policy. The United States Department of Education adopted formal rules related to sexual harassment as prohibited by Title IX of the Education Amendments of 1972 (May 2020). These regulations require additional procedures and policies related to programs using federal funds. The new law focuses on procedures for reporting, investigating and finding illegal sexual harassment as the term is defined by the rule. The School's governing body has always prohibited discrimination based on sex and sexual harassment in educational programs and activities implemented by it. This policy is intended to comply with the mandates of 34 CFR 106 and other provisions of Title IX, as amended and interpreted by the USDOE.

III. General Statement of Policy. The School is committed to maintaining a safe school environment free from harassment and discrimination. The School prohibits discrimination based on sex and sexual harassment of students by other students, employees or other persons, at school or school sponsored or school related activities. No student will be excluded from participation in or denied the benefit of any educational program or activity operated by the School as a consequence of sexual discrimination or sexual harassment or retaliation for making complaints of sexual discrimination or sexual harassment as defined by Title IX.

IV. Definitions.

A. *Discrimination based on sex.* Means conduct that excludes a person from participation in, denying the person the benefit of, or subjecting a person to unequal treatment under any academic, extracurricular, occupational training or other education program or activity provided by the School based on sex, e.g. disproportionate funding for athletic programs.

B. *Sexual Harassment.* A form of sexual discrimination recently defined by the U.S. Department of Education as conduct based on sex that satisfies one or more of the following:

1. An employee who conditions the provision of assistance, benefit, or service offered by a School program or activity or unwelcome sexual conduct "*quid pro quo"* (e.g. sexual favors in exchange for good grades);
2. Unwelcome conduct that a reasonable person would consider so severe, pervasive and objectively offensive that it denies a person the ability to access her or his educational program or activity; or
3. "Sexual assault," "dating violence," "domestic violence," or "stalking," each as defined by federal law.

C. *School Program or Activity.* These terms include locations, events, or circumstances over which the School exercises substantial control over the individuals implicated in a complaint of sexual discrimination, harassment or retaliation. Title IX applies to all School's programs or activities whether such programs/activities are held on or off campus, but not outside the United States. Offending conduct covered by these Procedures can occur by e-mail, over the internet, or other technologies, such as social media, if the School has the requisite authority to control the students' conduct on these technologies.

V. Title IX Coordinator. The School's governing body hereby authorizes the School's Head Administrator, or a position determined by the Head Administrator as the School's Title IX Coordinator. The Head Administrator shall also designate an alternate Title IX Coordinator in the event a complaint is against the Title IX Coordinator or the designated Title IX Coordinator is unavailable to accept a complaint. The Title IX Coordinator should be contacted about inquiries regarding individual's rights and protections afforded under Title IX. The Title IX Coordinator's contact information along with this Policy shall be prominently published on the School's website, in each student and employee handbook, employment applications, notices of employment opportunities and such other School publications as appropriate. The Title IX Coordinator will be responsible for coordinating the School's efforts to comply with Title IX requirements and shall receive complaints of discrimination based on sex or sexual harassment, or retaliation.

VI. Grievance Policy Procedures. The School's administration will publish notice of and adopt grievance procedures that ensure a prompt and equitable resolution of student and employee complaints alleging any action that would be a violation of Title IX provisions. Grievance procedures shall comply with the requirements of the U.S. Department of Education's Final Rule on Sexual Harassment. 34 CFR Part 106. The grievance procedures shall include how to report or file a complaint of sex discrimination, how to report or file a formal complaint of sexual harassment, describe the investigation process, and how the School will respond to the complaint among other requirements. Parents and guardians as well as the Title IX Coordinator may file a formal complaint of sexual harassment, even if the student does not wish to file the complaint. Grievances and formal complaint processes will include reasonable prompt time frames for the process and any appeals. Procedures shall be consistent and comply with laws applicable to confidentiality, including FERPA.

VII. Reporting. The School's procedures shall provide that any person may report sexual harassment or discrimination. The report may be made in person, by mail, telephone or email, using the Title IX Coordinator's contact information or by any other means that would result in the Title IX Coordinator receiving the complaint either verbally or in writing.

VIII. School's Response Obligations. The School's procedures shall include prompt processing of complaints. In cases of sexual harassment complaints, the School will offer supportive measures to the alleged victim, even if no complaint is filed. All complaints will be investigated and if the alleged conduct does not constitute a violation under Title IX, the School must dismiss the complaint for purposes of Title IX, but it may still address the violation under other violations of the School's code of acceptable conduct. The School will provide remedies where a violation has been established, but not impose disciplinary sanctions without following the grievance procedures. The School requires Title IX Coordinators, investigators and persons who facilitate the requirements of this Policy to be free from conflicts of interest or bias against the complainant or respondent.

IX. Employee Obligation to Report. Any school employee who learns of actions that may constitute discrimination based on sex or sexual harassment must report that information to the Title IX Coordinator. Employees have an independent legal duty to report child abuse and/or child neglect to the responsible legal authorities.

X. Notification of Policy. The School will take affirmative steps to ensure that notices required under Title IX and this policy are posted timely, routinely updated, effectively located to ensure that students, parents, employees and others affected by this policy are given adequate notice of their rights hereunder. The policy shall be published once in a local newspaper within ninety (90) days of

adoption, other publications by the School, employment applications, recruitment materials, enrollment policies, and in written communications to every student and employee of the School through the handbooks and relevant policy updates.

XI. Training. The Head Administrator shall ensure that training is provided for all staff and students regarding rights afforded and obligations imposed pursuant to Title IX and its implementing regulations. This shall include training on the definition of sexual harassment as defined by Title IX regulations. Appropriate staff shall be trained in the investigation practices, grievance procedures, hearings and appeals processes, informal resolution processes and how to avoid conflicts of interest and bias. If training materials are developed by the School, they shall be maintained on the School's website.

XII. Retaliation Prohibited. The School prohibits retaliation against any person who files a complaint, testifies or cooperates in a School conducted complaint proceeding.

XIII. Periodic Evaluations. The School shall conduct evaluations of all its programs and activities no less frequently than every two (2) years, to ensure that this Policy is successfully implemented. The Head Administrator may recommend modifications to policies and procedures governing School programs and activities to ensure equal opportunities are available to all students regardless of sex.

Date adopted: August 5, 2025
Effective date: August 5, 2025

Appendix M

NEW MEXICO ACADEMY FOR THE MEDIA ARTS
TITLE IX COMPLAINT FORM

Please complete this information and attach additional pages of information, if necessary. If you need assistance to complete this Complaint Form, you may contact the Title IX Coordinator.

STUDENT or EMPLOYEE NAME:

MAILING ADDRESS:

PHONE NUMBER: EMAIL ADDRESS:

NAME OF PERSON(S) RESPONSIBLE FOR CONDUCT YOU BELIEVE WAS SEXUAL HARASSMENT OR DISCRIMINATION BASED ON SEX:

To the best of your recollection provide the following information about the incident(s):

DATE(S):

TIME(S):

PLACE(S)(this can include technology, e.g. email, social media):

DETAILED DESCRIPTION OF CONDUCT:

NAMES AND CONTACT INFORMATION OF WITNESSES:

PLEASE ATTACH COPIES OF ANY DOCUMENTS, EMAILS, TEXT MESSAGES OR IMAGES TO SUPPORT YOUR COMPLAINT:

OTHER INFORMATION:

To the best of my knowledge and recollection the information above is true and correct. I understand that reporting false information about the person I have alleged committed the improper conduct, may have serious negative consequences for me and for the other person.

Signed by: _____ Date: _____

Appendix N

SPECIFIC PROHIBITED CONDUCT

NMAMA Discipline Point System - Aligned with NMAMA Student/Family Handbook

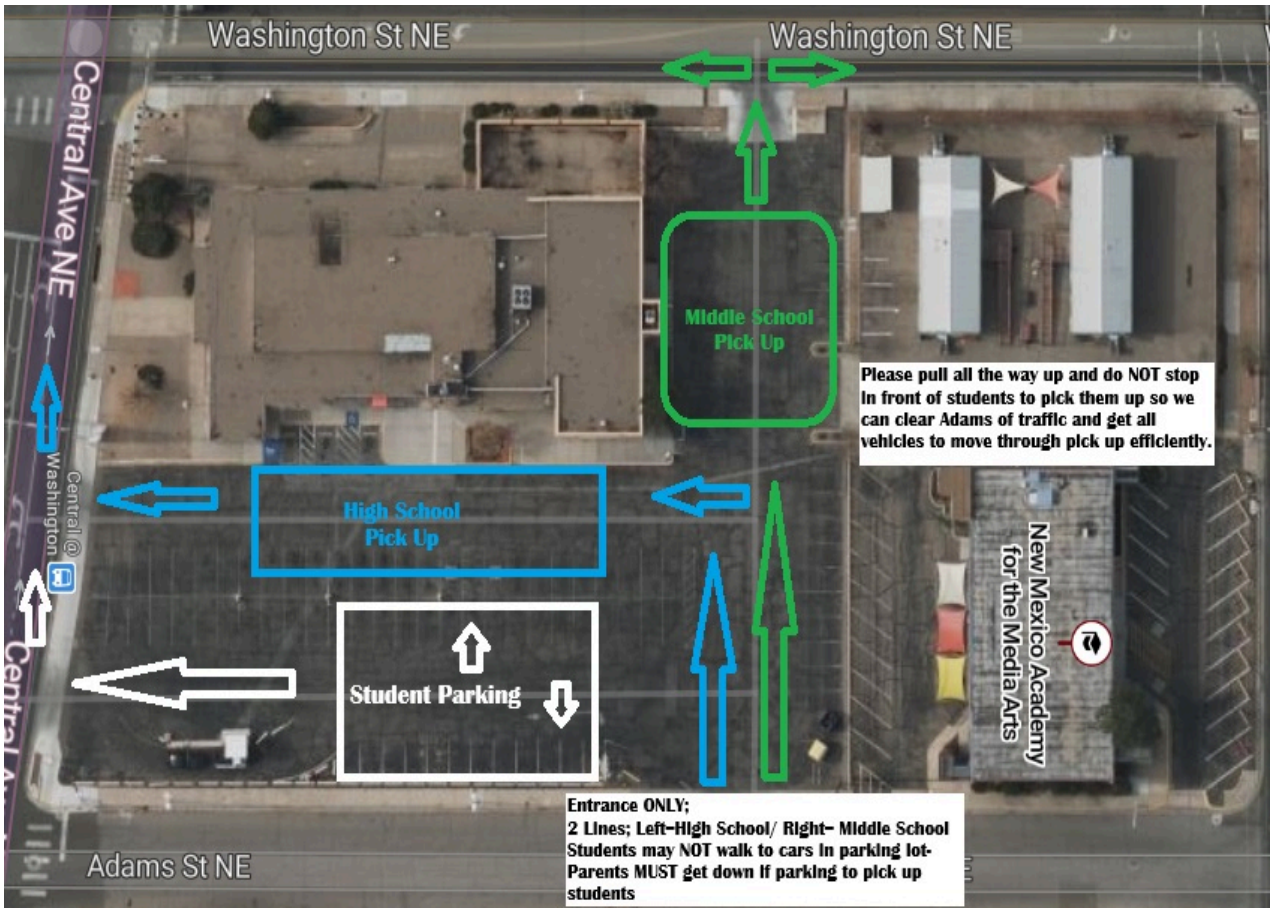
Infraction	Points Assigned	Notes
Cheating or plagiarism	2	
Misconduct	2	
Violation of Dress Code	1	
Public Display of Affection	1	
Verbal Abuse or Profanity	2	
Theft or Pilfering	5	
Student Possession or Use or Distribution of Tobacco/ E-cigarettes/ Vapes	5	
Vandalism and Tampering	5	
Violent Behavior	5	
Gang Related Activities	3	
Threats	3	
False Accusations	3	
Failure to Report Serious Offenses	1	
Bullying and/or Harassment	3	
Possession of Dangerous or Disruptive Items	5	
Racialized Aggression	5	

Weapons	10	
Possession, Sale and/or Use of Alcoholic Beverages, Mood-altering Substances, Illicit Drugs, and/or Other Prohibited Substances.	5	
Extortion	5	
Bomb Threats or Terroristic Threats and Throwing Explosives or Noxious Substances	10	
Arson	10	
Inciting Others or Disruptions	5	
Assault or Battery on School Personnel	10	
Criminal or Delinquent Acts	5	
Refusal to Identify Self	3	
Refusal to Cooperate with School Personnel.	3	
Cell phone/ device violation	2	
Ditching/ Out of Assigned Area	3	
Assault	5	

- Parent Meeting: 3 points - subsequent points will lead to additional mandatory parent meetings
- Suspension: 5 points - subsequent points will lead to additional suspensions per administrative discretion
- Expulsion: 10 points - behavioral hearing is mandatory
- *Suspensions and expulsions may be substituted by restorative practices per administrative discretion and guardian/student acceptance and full participation.

Appendix O

Pick Up Procedure



Appendix P

Wellness Policy

To view the NMAMA Wellness Policy, please click HERE.