

# **ALBUQUERQUE TALENT DEVELOPMENT ACADEMY**

**1800 Atrisco Rd. NW  
Albuquerque, NM 87120  
(505) 836-8646**

**2023 – 2024**

## **STUDENT/PARENT HANDBOOK**

# Welcome To Albuquerque Talent Development Academy!

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# Albuquerque Talent Development Academy

## School Calendar 2023-2024

April 3 – August 2	Official Enrollment Period (for each school year for lottery)
June 12 – July 31	Student Registration
August 1 – 2	Teachers Report/Staff Development
August 3	First Day of Semester 1 Classes
September 4	Labor Day – No Classes
September 7	Open House 5:30 pm – 7:30 pm
October 9	Indigenous Peoples' Day; No Classes
October 11	1 <sup>st</sup> State Report Due
October 12	End of 1 <sup>st</sup> Nine Weeks Grading Period
October 13	Parent/Teacher Conferences; No Classes
November 10	Veterans' Day – Campus Closed
November 20 – 24	Thanksgiving Break – No Classes
December 1	2 <sup>nd</sup> State Report Due
December 21	End of 2 <sup>nd</sup> Nine Weeks Grading Period
December 22	1 <sup>st</sup> Semester Report Cards Available
December 25 – January 5	Winter Break – No Classes
January 8	Return to School – Classes Resume
January 15	Martin Luther King, Jr. Day – No Classes
February 14	3 <sup>rd</sup> State Report Due
February 19	Presidents Day – No Classes
March 14	End of 3 <sup>rd</sup> Nine Weeks Grading Period
March 15	Parent/Teacher Conferences; No Classes
March 25 – April 5	Spring Break
April 1	Begin Official Enrollment Period (lottery statue)
May 23	Seniors' Last Day of Classes
May 27	Memorial Day – No Classes
May 31	ATDA Senior Graduation Day
June 3 – 6	Finals Week for Freshmen, Sophomores, Juniors
June 10	Last Day of School
June 11	2 <sup>nd</sup> Semester Report Cards Available

TBD – Dates for Prom, Special Events, Curriculum Nights and Sports

## **ATDA Welcomes You!**

**ATDA Principal, Lucinda Montaña-Molina, the ATDA Governing Council, and the staff of Albuquerque Talent Development Academy (ATDA) welcome you to our unique, innovative approach to a secondary education.** Based on the forward-looking design that engages students, while providing a success-oriented program, we believe that your student will find a richly rewarding preparation for higher education. We encourage you to read the following handbook with your student, so that you may both be prepared with an orientation of the ATDA expectations, and we request that you urge your student to carry this handbook with him/her during school hours, along with wearing his/her student identification card. We welcome you to our exciting individualized education program that offers regular, credit recovery, and college preparation classes. Please feel free to contact the School at any time at (505) 503-2465, and/or to arrange for a school visit.

### **MISSION & VISION STATEMENTS**

**OUR MISSION:** “ATDA engages students in a community-oriented environment that facilitates personal autonomy and academic growth through the use of Personalized Education Plans and research-based instructional methods in preparation for a dynamic and interconnected future.”

**OUR VISION:** “We strive to become a premier charter school option for college and career readiness.”

### **SCHOOL HOURS**

ATDA shall begin classes at 8:30 a.m., and on Monday-Thursdays, shall release students at 4:15 p.m. On Fridays, ATDA shall not hold regular classes, but students needing to make-up class work may arrange for a teacher to assist them. Student work make-up time and behavior detention may be held on Friday mornings, with parental drop off and pick up of students required.

Other days requiring early release include those during which mid-cycle assessments or Standards Based Assessments are administered. These shall be announced to students and parents in advance of the dates.

ATDA may close, delay, or dismiss school due to emergency situations such as inclement weather. For emergency school closure, parents and students are advised to listen to the radio stations KKOZ-AM 770, or watch local television channels 4, 7, or 13 for announcements. It is recommended that families have a childcare plan for such an event. Students who leave prior to the school-wide release hours must provide their own transportation.

## COMPULSORY SCHOOL ATTENDANCE

ATDA shall initiate the enforcement of the provisions of the Attendance for Success Act, NMSA §22-12A-1 through -14 (as amended), for students enrolled in the school. It is the law of the state of New Mexico that school age children (as defined in the Law) attend public charter, or private school, or home school, or a state institution until the school-age person is at least 18 years of age, unless the person has graduated from high school or received a general education development certificate (GED). A parent may give written, signed permission for the school-age person to leave school in case of a documented hardship by the Principal of ATDA, who serves as the school's highest administrative official.

The NMPED's truancy prevention coordinator shall be permitted access to any records and information related to students in need of early intervention or habitual truancy in any district or charter school. (6.10.8.8(F) NMAC)

### Procedures: Compulsory Attendance

**Class attendance shall be taken for every instructional day.** While regular attendance is required, SICK STUDENTS SHOULD REMAIN AT HOME.

### **Excused Absences**

Any student not exempted from compulsory school attendance may be excused for temporary absence resulting from personal illness, illness or death or immediate family member, or any other unusual cause acceptable to the Principal. The reason for an excused absence must be stated via phone or in person, or stated in writing and signed by the parent or legal guardian. Excused absence calls should be made each day the student is absent. The Principal may investigate any case in which an excused absence is requested and shall determine in his/her sole discretion whether there is a sufficient basis to excuse the absence. Court related absences will be excused only with a statement from a proper legal authority. Failure to advise the School in writing or by telephone of an excused absence within two days of the absence will result in an "unexcused absence". If a student has an unexcused absence, he/she will not be eligible to participate in any school activity on the date of the absence.

Absences will only be excused for the following reasons:

- |  |  |
|--|--|
| * Doctors' appointment                   | * Illness                                |
| * Religious commitment                   | * Death in the family                    |
| * Family emergency                       | * Diagnostic testing                     |
| * Cultural/traditional Observance        | * Court Summons                          |
| * School sponsored/sanctioned activities | * Hazardous weather conditions           |
| * School suspensions                     | * Pre-approved parent requested          |
| * Other approved purposes                | absences for educational travel or other |
| * Extenuating circumstances (described)  | approved purposes                        |

Absences due to extenuating circumstances may be excused by the Principal. The Principal may request additional documentation to substantiate an “excuse” for an absence at his/her discretion.

**PLEASE CONTACT THE SCHOOL OFFICE AT (505) 503-2465 TO NOTIFY US OF YOUR STUDENT’S ABSENCE.**

### **Excused Absences for Pregnant and 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.

### **Consecutive Absences**

A student absent five or more consecutive days for personal illness must produce medical verification upon returning to school.

### **Unexcused Absences**

Unexcused absences will be tracked for purposes of determining whether a student’s attendance complies with the **Attendance for Success Act, NMSA §22-12A-1**, et seq. An “unexcused absence” means an absence from school or classes for which the student does not have an allowable excuse as determined by the Principal. Unexcused absences of two or more classes up to fifty percent of an instructional day shall be counted as one-half day absence, and the unexcused absence of more than fifty percent of an instructional day shall be counted as one full-day absence. A student’s absence will be recorded as “unexcused” for the following reasons.

- \* Tardy for school more than 15 minutes
- \* If pre-registered, not showing up for first day of school
- \* Leaving school for non-school sponsored trips
- \* Absences related to custodial parent changes
- \* Trips to other countries for non-school related legal problems
- \* Lack of transportation to or from school

- \* Family vacations outside of scheduled school breaks
- \* Any other absence for which the Principal deems the reason insufficient

### **Make-up Work**

Students who are absent from school are responsible for collecting missed assignments from their teacher on the first day of their return. Make-up work must be submitted in a timely manner as prescribed by the teacher when it is collected by the student. The amount of time allowed for make-up submissions shall not exceed the number of days missed. Students with excused absences who complete make-up work within the allocated time will be allowed to make up one hundred percent on the work and grades missed including “participation” grades if applicable. A student’s grade will in no way be reduced, except in the case of poor quality or late make-up work. In such case, make up work must be graded and the grade explained to the student by the teacher. Credit will be given for all work completed including whole or portions of assignments/projects.

Students missing school due to unexcused absences may be allowed to make up work only if allowed by the teacher, and the amount of credit or grades given for such work is at the teacher’s discretion.

**Notification and Cooperation** - ATDA will attempt to identify early on when there is a problem with a student’s regular attendance and to assist when feasible both the student and his/her parent/guardian to improve attendance.

Steps:

#1. After **eight unexcused absences (Tier 2, 5% of school year)**: A student will be deemed “a student in need of intervention” if he or she accumulates eight unexcused absences in a school year. ATDA shall contact the student and the student’s staff advisor at the school as an early intervention to identify the causes for the student’s absences. Students in need of early intervention will complete an ATDA Attendance Success Plan with a staff advisor and will discuss any attendance difficulties with this advisor in an attempt to resolve conflicts.

#2. After **sixteen unexcused absences (Tier 3, 10% of school year)**: A student is considered truant if they accumulate unexcused absences equal to or in excess of 10% of the days in a school year. If a student is truant, ATDA shall contact the student’s parent(s)/guardian(s) to inform them that the student is truant and to discuss possible interventions unless, after the school’s contact, the parent(s)/guardian(s) provide an acceptable explanation for the absence and the excuse complies with the school’s attendance policy. If after the initial contact the student’s absences are not deemed excused, a representative of the school shall meet with the student in need of early intervention and his/her parent(s)/guardian(s) to identify the causes for the student’s unexcused absences, identify what actions can be taken that might prevent the student’s unexcused absences, identify possible school and community resources to address the causes for the student’s unexcused absences, and establish an ATDA Attendance Improvement Plan to address the student’s unexcused absences.

#3. After **thirty-two unexcused absences (Tier 4, 20% of school year)**: If unexcused absences continue after delivery of a written notice of habitual truancy, the student shall within seven (7) days of these unexcused absences be reported to the probation services of the judicial district where the student resides. ATDA shall contact the student's parent(s)/guardian(s) with a certified letter requesting the establishment of an ATDA Attendance Contract. This contract will specify required action steps that the student must take in order to remain in good standing with the school. Students who do not comply with the ATDA Attendance Contract are subject to consequences including but not limited to loss of course credit, suspension from ATDA sports and activities, and/or assignment to a specialized education setting for course recovery.

### **CLOSED CAMPUS**

**To ensure a safe and academically sound environment, ATDA shall be a closed campus. A closed campus is one which does not allow students to arrive and leave at will. Lunch is served on campus, eliminating the need for students to leave at lunchtime. Senior students (12<sup>th</sup> grade) may opt to sign out for lunch as approved by the Principal as long as they present a valid school ID; SENIORS WHO DO NOT HAVE A SCHOOL ID ON THEM WILL NOT BE ALLOWED TO LEAVE CAMPUS!**

#### **Student Sign-In and Sign-Out**

**Students who report to school late must report to the school's administration office to sign in. They shall be issued a pass from the secretary to enter classes. All students who have off-campus permission for lunch do not need to sign in and out unless they are late when they return from lunch.**

**A student cannot sign themselves in and out of school unless they have provided the school with documentation that they are emancipated. This includes students aged 18 or older – a parent or legal guardian must give permission for a student to leave campus if the student is not emancipated.**

#### **Visitor Sign-In and Sign-Out**

**Any visitor of ATDA shall sign the Visitor Log upon entry into the school. Visitors will not be allowed on School premises unaccompanied by a staff member or unsupervised. Visitors are subject to School rules and staff direction. Visitors who disrupt or interfere with the learning environment/educational process will be required to leave the premises. All visitors must sign out in the Visitor Log when their business on ATDA campus is concluded.**



## **Early Student Release**

If a student must leave campus during the day, the parent shall pick up the student at the front desk in the business office or shall send a note requesting the release of the student. In the event of an emergency, the parent may call the administration office and request release of a student. Parents checking out their students will be required to show an ID before checking them out. Students will not be released to anyone unless he/she is listed on the student's emergency contact list.

Students/parents must sign the checkout sheet when leaving during the school day to avoid student truancy. Students who leave campus for concurrent enrollment or for work study shall obtain a pass to carry all year, but they must still sign out as described herein.

## **ENROLLMENT / LOTTERY**

New Mexico statute, Section 22-8B-4.1 NMSA (1978), requires the following enrollment procedure:

Students are enrolled on a first-come, first-served basis, unless the total number of applicants exceeds the number of places available at the School or in a particular grade. Students who have been admitted to ATDA through the appropriate admission process and remain in attendance at ATDA shall be given enrollment preference through subsequent grades. Siblings of students already admitted to or attending ATDA shall receive enrollment preference for spaces available. Children of employees of Albuquerque Talent Development Academy are also given enrollment preference per New Mexico statute.

The following steps guide the enrollment, and if necessary, the lottery process for 9-12 grade students wishing to become ATDA students:

- ATDA will accept applications for enrollment for the following school year during the period April 1-August 15 of each year. The initial enrollment deadline for ATDA shall be May 15 or the next working day thereafter of each year.
- Parents or students 18 or older shall complete an application for admission to ATDA and submit it to ATDA by the initial enrollment deadline (May 15 or the next working day thereafter, if May 15 falls on a legal holiday or weekend). The application shall only request:
  - information necessary to enable the school to identify the student,
  - the grade the student is attempting to enter, and
  - basic contact information such as a mail address or telephone number.
- Military families relocating to military installations in New Mexico pursuant to official military orders may submit their student's name for the lottery and, if selected, enroll their student in ATDA prior to actual physical presence in the state. ATDA shall accept electronic enrollment applications from military families relocating to New Mexico pursuant to official military orders, and shall provide such families requesting information with information regarding ATDA's program, materials regarding academic courses, electives, sports and other relevant

information regarding ATDA. A student's parent (1) shall provide proof of residence in the state within forty-five days after the published arrival date provided on official military documentation, and (2) may use any of the following addresses related to the family's military move: a) a temporary on-base billeting facility; b) off-base military housing; or c) a purchased or leased residence.

- Applicants shall not be required to submit copies of test scores, transcripts, immunization records, nor IEP or 504 files from the last school. These shall be obtained by ATDA for students who enroll, utilizing the established and legal process for obtaining confidential information about students AFTER the lottery, or if no lottery was necessary, after their enrollment.
- Applicants shall not be required to write an essay or letter of intent before the applicant's name is placed in the lottery.
- As of the initial enrollment deadline date, if the number of applicants for available spaces exceeds the School's enrollment capacity as determined by the School's authorized charter, all applicants shall be placed into a lottery selection process.
- The lottery shall be conducted as follows: Students whose names are drawn in the lottery after the enrollment cap is met through the lottery are placed on the School's waiting list in the order their names are drawn. Places at the School which thereafter become available shall be filled from the top of the waiting list to the bottom, until available spaces are filled.
- After the initial enrollment deadline, students may be enrolled on a first-come-first-served basis if ATDA is not at capacity and no waiting list exists.
- Parents and adult students who have been selected to attend ATDA shall be notified of the lottery results within three days of the lottery by telephone or certified letter. Admitted students have five (5) business days to complete School registration requirements or their place at the School may be given to another applicant.

### **STUDENT DENTAL EXAM VERIFICATION POLICY**

New Mexico law requires Albuquerque Talent Development Academy (ATDA) to verify student records of dental examination prior to the student's initial enrollment in ATDA. 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 ATDA enrollment process prior to ATDA 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 ATDA as part of student records; confidentiality shall be maintained and shall be only accessible to ATDA 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 care should see the school nurse for information. In addition to local resources, the New Mexico Department of Health, Office of Oral Health is available at 505-827-0837.

## **REGISTRATION**

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 ATDA, jeopardizing his/her place at our charter school where space is limited. Consequently, please provide the following completed forms when enrolling at ATDA:

- health/medical consent forms, including Dental Verification form
- current immunization records or exemption
- free and reduced lunch forms (if applicable)
- current IEP and reevaluation (if applicable)
- original birth certificate (if enrolling for the first time)
- Proof of Residency (current lease, utility bill, etc.)
- certified custody orders (if applicable)
- Off-Campus Lunch Release form (for Seniors)
- Home Language Survey

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.

Once all applicable forms are completed and returned to the school, your student's registration will be deemed completed and you will be notified if 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.

## **NONDISCRIMINATION**

ATDA does not discriminate against any student based on race, gender, culture, religious affiliation, national origin, ethnicity, physical or mental disability, or sexual orientation. The school is nonsectarian in its programs, admission policies, and employment practices. ATDA 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).

## **STUDENT PROTECTION**

ATDA shall protect the safety and welfare of all students. Outside law enforcement that are not specifically assigned to the school, shall request permission to access the school's campus from the principal prior to entering a campus unless there is an emergency. Immigration officials shall not be permitted on school campus at any time. Agencies shall be escorted while on a school campus, including law enforcement and social services. The principal/superintendent shall implement administrative procedural directive(s) to protect all students while they are on campus.

## **IMMIGRANT STUDENTS REGARDLESS OF DOCUMENTED STATUS**

Neither the Constitution of the State of New Mexico nor New Mexico State law established citizenship as a requirement for school age children to attend public school in New Mexico. The United States Supreme Court has also ruled that citizenship status cannot be used to deny public school admission to school age children.

Schools shall not:

- Deny admission to a school age child on the basis of known, or suspected, undocumented status.
- Engage in any practice to deter or discourage the right of a student to attend public school.
- Require students or parents/legal guardians to disclose or document their immigration status or make inquiries that would expose their undocumented status.
- Require Social Security numbers.

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

ATDA 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 ATDA community. Sexual and other forms of harassment will not be tolerated.

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

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

*Strictly Prohibited* - The harassment by a student of a staff member, fellow student of ATDA 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.

- *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. ATDA 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.
- *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 of harassment against a student, employee, visitor, vendor or other individual on ATDA premises shall subject the harasser to disciplinary action or other consequences. Disciplinary action may include, but may not be limited to the following: written warning, detention, written reprimand, suspension, and/or expulsion. The severity of the disciplinary action will depend on the frequency, circumstances, and severity of the offense.
- *Retaliation* - ATDA will discipline any individual who retaliates against any person who reports, testifies, assists or participates in any manner in any investigation, proceeding or hearing related to complaints of harassment or discrimination. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment.
- *Notification* - It shall be the responsibility of the Principal 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 designated person to contact to file a complaint and/or receive information related to this policy.

### **WITHDRAWAL FROM ATDA**

A parent/guardian shall accompany a student under the age of 18 in order to withdraw a student from ATDA. The following must occur:

- The parent/guardian or student who is at least 18 years of age shall sign a withdrawal form available from the Principal or designee. Specific instructions shall be written on the withdrawal form.
- All textbooks or other materials/school equipment checked out to a student must be returned in good condition. The School may charge the student/parent for damaged or lost materials for which the student was responsible.
- Grades are to be obtained from each teacher.
- All debts shall be cleared.

### **ACCURATE STUDENT INFORMATION**

The importance of accurate and up-to-date student information cannot be over-stated. Student records follow a student for many years in the form of references or requests for information from institutions of higher learning. While a student is at ATDA, it is important that school officials be able to communicate effectively with parents in writing and via telephone. For this reason, we request that CURRENT student addresses and telephone numbers, in particular, be kept up to date.

#### **Change of Contact Information**

When there is a change of address or telephone number, it is the responsibility of the parents/guardians to notify the school office with properly filled out Change of Address Form. Proper photocopy Identification shall be required. Verbal notifications cannot be accepted.

### **SCHOOL MEALS**

ATDA shall provide cafeteria services for lunch on a daily basis. Students may obtain lunch from the School's vendor, or bring their lunch from home. ATDA provides all students a free breakfast and lunch.

All food and beverage items brought to or obtained at school may only be eaten at designated times and places. Clean-up shall be the responsibility of the individuals bringing, drinking and eating food and beverage items.

## SCHOOL HEALTH

**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 are among those conditions categorized as "highly contagious".

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

➤ *Disposal.* When the medication is no longer needed, it will be returned to the parent or guardian, or destroyed. Medications requiring refrigeration will be kept in a closed and clearly identified container in the refrigerator.

**PLEASE DO NOT BRING COUGH DROPS TO SCHOOL. THESE ARE CONSIDERED MEDICATIONS AND ARE TO BE TREATED AS OUTLINED ABOVE.**

### **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.

**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.**



## 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 ATDA determines that the circumstances merit contacting 911 for emergency response. After 911 is called, ATDA 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.

## ATDA STUDENT DRESS CODE

ATDA values respect, safety, health, and the educational process.

In this regard, the following are guidelines for student dress and appearance:

- Clothing and jewelry that promote alcohol, drugs, tobacco, and/or gang participation are prohibited. This includes inappropriate, vulgar words or images on clothing.
- Clothing and jewelry that disrespect, offend, or threaten a person or persons for any reason, are prohibited.
- Any clothing, jewelry, or electronic items including non-educational technology worn that have the potential to disrupt the educational process are prohibited. This includes revealing clothing, such as bare midriffs, tank tops (must be a minimum of two-finger width for shirt straps), and spaghetti straps as well as items that distract students or attract attention, such as sunglasses (prescription eyewear only), earphones, hats, and bandanas.
- Skirts, dresses, and shorts must be as long as the student's hands' fingertips when resting down by the student's sides.
- Slacks/pants must be worn within one inch of the natural waistline.
- Spiked wrist bands are not to be worn at school.
- Clothing that is classified as sleepwear such as pajamas and slippers are prohibited.

Appropriate measures to rectify violation of the above guidelines include:

- surrendering inappropriate objects, like headgear,
- a request to change the violating clothing item,
- substitution with a school-provided shirt, and
- requests to have a parent/guardian bring an appropriate clothing item.

Continuously violating the dress code or refusal to comply with guidelines shall result in the consequences described for misconduct on within this policy handbook.

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **ATDA Academic Pursuit Policy**

As a scholastic institution, ATDA exists to provide an opportunity for each unique learner to develop the knowledge and skills needed to graduate from high school and engage in future pursuits. It is the responsibility of all ATDA students to be genuine in their engagement with scholastic activities. While it is expected that students will experience varying levels of productivity, and while ATDA is committed to providing the least restrictive environments possible for students to pursue their school-related tasks, in the event that a student consistently refuses to comply with the academic or behavior expectations of the institution, ATDA reserves the right to require that a student's schedule or environment be changed. A decision to require this modification will not be made without extensive (multiple oral and written warnings, at least two attempts at restorative practice, at least two structured meetings with parents/guardians present) and documented efforts to resolve any issues that may conflict with a student's ability to pursue academics and commit to acceptable behavior.

A student will be considered to be in violation of ATDA's Academic Pursuit Policy if the following behaviors persist despite all corrective efforts of the school:

- Failure to complete classwork and assignments in any capacity
- Repeated failure to obey the instructions of ATDA staff members
- Non-attendance in scheduled classes after reporting to campus
- Repeated and uncorrected violations of ATDA standalone policies
- Continued violations of the ATDA Discipline Policy despite full intervention

Possible required adjustments include:

- Assigning the student to an alternate classroom setting in compliance with LRE
- Adjusting or shuffling scheduled classes in the best interest of the student
- Requiring the student to shift, in part or in full, to a monitored online curriculum

If a student is exclusively taking classes online, they will be considered to be in violation of the ATDA Academic Pursuit Policy if they do not achieve any academic progress in at least one assigned course over a 14-day period. These students will have their access to ATDA virtual services (Google Classroom, Acellus, etc.) suspended and will need to physically report to the ATDA campus during operational hours in order to release these holds and resume their coursework.

## **Expression and Association**

- Students shall be allowed to distribute political leaflets, newspapers and other literature on school premises at specified times and places, as long as the distribution does not disrupt the educational process or litter school property. Student publications shall be subject to prior restraint and censorship by school personnel.
- Students may form clubs or organizations for any legal purpose. These organizations must be open to all students on an equal and nondiscriminatory basis and must operate within School rules and the procedural guidelines established by the student government, acting in concert with the school Principal. Students seeking to form a club that meets on campus must consult with the School Principal for prior permission and guidance.
- Student dress and grooming shall reflect high standards of personal conduct. Each student's attire shall promote a positive, safe, and healthy atmosphere within the school and shall adhere to the ATDA dress code policy contained herein.

## **Privacy**

If law enforcement or other protective authorities seeks to question students on campus, or during a school sponsored trip, the Principal or Assistant Principal shall make reasonable attempts to contact the student's parents in order to inform them. Where reasonably possible, the School shall allow the parent/guardian to be present for law enforcement/protective authority questioning while questioning is occurring on campus or during a school sponsored trip, unless federal or state law supersede this policy.

## **SEARCH AND SEIZURE**

*Search of Property* - ATDA recognizes that the privacy of students or their belongings may not be violated by unreasonable search and seizure and directs that no student be searched without reasonable suspicion or in an unreasonable manner. These searches are intended to be minimally intrusive such as emptying pockets, cubby holes, lockers (if applicable), student vehicles parked on campus, backpacks, purses, removal of hats, socks, and shoes may be conducted by the Principal. In the case of storage spaces provided to students by ATDA, these spaces shall remain property of ATDA and, in accordance with law, may be the subject of random searches. If students are provided places that can be secured by locks, students may lock them against incursion by other students, but in no such places shall students have such an expectation of privacy as to prevent examination by a school official. School authorities are charged with the responsibility of safeguarding the safety and well-being of the students in their care. In the discharge of that responsibility, school authorities may search the person or property of a student, with or without the student's consent, whenever they reasonably suspect that the search is required to discover evidence of a violation of law or of school rules. The extent of the search will be governed by the seriousness of the alleged infraction and the student's age. This authorization to search shall also apply during any school-sponsored activity whether on or off campus.

*Search of Person* - Unless there is an immediate threat of health or safety of the student or others, parents/guardians of the student will be called prior to any search of a student's person. Search of a student's person shall be conducted by a person of the student's gender, in the presence of another staff member of the same gender, and only in exceptional circumstances – that is - when the health or safety of the student or of others is immediately threatened. Except as provided below, a request for the search of a student or a student's possessions will be directed to the Principal who shall seek the freely offered consent of the student to the inspection. Search of a student's person, will involve, at most, a "pat down" of the students outer clothing. Whenever possible, search of a student's person will be conducted by the Principal in the presence of the student's parent and a staff member other than the Principal. A search prompted by the reasonable suspicion that health and safety are immediately threatened will be conducted with as much speed and dispatch as may be required to protect persons and property. In no event shall an SCHOOL student be subjected to a "strip search."

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

*Notification of law enforcement authorities* - The Principal shall have discretion to notify the district attorney or other law enforcement officers to conduct the search when search for possession of an illegal substance or prohibited item is suspected. If the school conducts the search and it discloses illegally possessed contraband material or evidence of some other crime or delinquent act, local law enforcement will be called.

*Record Keeping* - The Principal shall promptly make a record of each search of a student' property or person and include the reasons for the search; information received that established the need for the search and the name of informant, if any; the persons present when the search was conducted; any substances or objects found; and the disposition made of them. The Principal shall be responsible for the custody, control, and disposition of any illegal or dangerous substance or object taken from a student.

## **WHAT TO DO IF YOU BELIEVE THAT YOUR RIGHTS HAVE BEEN VIOLATED**

### **Reporting the Violation**

Any report made by a student or a parent/guardian shall be addressed in accordance with the appropriate procedures as specified in IDEA, Section 504, Title VI, of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Age Discrimination Act of 1975, First Amendment, XIV Amendment, New Mexico Human Rights Act, or with the State Board Regulation 6 NMAC 1.4 and any amendments made to these regulations, which are incorporated within this policy statement.

Students who believe that their rights have been violated should report their concerns to their parents, a school administrator, or other appropriate school personnel.

## **ACCESSIBILITY FOR PARENTS/GUARDIANS**

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

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

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

## **GRIEVANCE POLICY: REGARDING A STUDENT**

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

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

Step 2. If a resolution cannot be reached at this level, then the student or parent or guardian may contact the person's supervisor (likely the Principal) and request a meeting with the Principal and the other ATDA 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 student/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. 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. Grievances related to disciplinary decisions

involving long term suspension and expulsion are subject to the appeal process described elsewhere in this Handbook.

If the matter is deemed appropriate for review by the Governing Council, the Governing Council or designated committee will schedule a meeting with the student/parent/guardian and all ATDA 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 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 ATDA.

### **GRIEVANCE POLICY: TO ADDRESS MATTERS OTHER THAN STUDENT MATTERS**

*Initial inquiry* - Inquiries or concerns from a community member, parent or student regarding a specific ATDA 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)

*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 of 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 Governing Council for disposition.

*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 or grievances regarding complaints about a staff member’s performance (except the principal), staffing decisions, and matters particularly within the expertise of the educational staff and administration. The following procedure shall be followed for a Governing Council Review:

1. The community member may submit his/her grievance in writing to the 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 complaint 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 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. 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 Governing Council hearing the issue. The 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.

It is the intent of ATDA, its staff, and Governing Council that all complaints be brought to resolution in a positive, non-discriminatory, and appropriate manner that does not violate the rights of the person bringing the complaint or any other student or staff member who might have his/her rights jeopardized by the actions of the person complaining.

## **CLASSROOM RULES**

ATDA is committed to providing healing methodologies and practices at the recommendation of New Mexico PED and the ATDA Equity Council. Through our Advisory periods, a focus on positive and restorative language, and the creation of supportive structures and safe spaces for students, we hope to make students accountable for any violations of the ATDA Discipline Policy while also allowing students the opportunity to provide fair restitution that is mutually agreed upon whenever possible. Individual teachers maintain the right to set additional rules and consequences within their classrooms that will be reviewed with students by the teacher at the start of each semester.

## **ATDA DISCIPLINE POLICY**

ATDA expects that each student shall be able to enjoy a safe and healthy school environment. In keeping with this belief, the School has adopted two sets of procedures, one for violation of administrative policies and one for violation of classroom policies, which both support a well-disciplined and orderly school environment. The School expects that parents shall be actively involved in supporting the School's efforts to address the consequences of misbehavior. Suspension as disciplinary consequences shall be used sparingly, and only after other alternatives have been considered. Education is a right guaranteed to the student, but it is not an absolute right. The school is a community, and the rules and regulations of a school are the laws of that community. The right to a public education may be denied, temporarily or permanently, in response to behaviors which threaten the safety and security of the school population, are illegal, disrupt the educational process, or have the potential to disrupt the educational process. A student's right to an education may not be denied without due process. Every reasonable effort shall be made in favor of the student's education in disciplinary actions.

### **Violation of Administrative Policies**

It is the mission of ATDA administration to provide an environment for all students that is free of general disruptive conduct. General disruptive conduct shall be defined as the willful conduct which materially and in fact disrupts or interferes with the operation of the public school and the orderly conduct of any public school activity including individual classes. It may be conduct which leads an administrative authority reasonably to forecast that such an interruption or interference is likely to occur unless preventive action is taken. The following are examples of infractions, but are illustrative only. This list is not all-inclusive. Other acts of misconduct not specified herein are also subject to discretionary action by appropriate school personnel.

### **The following behaviors are not permitted on ATDA Campus:**

- The use of insulting or threatening language
- Racialized Aggression, defined as hostility/aggression towards, or denigration/invalidation of, a different racial group or member(s) thereof



- Loud or otherwise flagrant displays that constitute a disruption to the educational processes of the school, including excessive displays of affection or horseplay
- Theft
- Vandalism and/or “Tagging”
- Fighting or other physical altercations
- Possession of Obscene Materials, such as pornography or images of violence
- Possession of Drug Paraphernalia
- Criminal behavior, such as the possession of controlled substances or weapons
- Violation of schoolwide policies, such as dress code and technology policies

The consequences of violating administrative policies can vary based upon both pervasiveness (how often a student has violated the policy) as well as degree (the severity of the violating act). The chart below is meant to represent a typical administrative response to violations of administrative policies, but is not necessarily the exact actions that will be taken in every circumstance. **ATDA administration reserves the right to adjust discipline to fit the severity and frequency of the conduct.**

1 <sup>st</sup> Behavior	Student will conference with an administrator in the office about the policy violation. The student will confirm their understanding of expected behavior and will then return to class.
2 <sup>nd</sup> Behavior	Student will conference with an administrator in the office about the policy violation. A parent/guardian contact will take place and the meeting will be documented in Synergy. Administration may refer the student to additional services, such as counseling or social work. Structures, such as data monitoring and/or classroom modifications such as seating changes, will be put in place at the meeting to record student behavior and to report on the success or failure of these structures moving forward.
3 <sup>rd</sup> Behavior	ATDA will request a meeting with parents/guardians to address repeated violations of ATDA policy. At the meeting, the violations and possible resolutions will be discussed. Modification structures will be reviewed and adjusted as needed.
4 <sup>th</sup> Behavior	Student will be temporarily removed from the classroom setting proportionate to the severity of the violation (for example, they may be requested to work in the office for a time, or an alternate classroom). If the violation is severe enough, the student may be suspended from school. Parents/guardians will be notified.

A student who continually violates ATDA administrative policies may also be in violation of ATDA's Academic Pursuit policy and may be required to change their schedule or to attend classes in an alternative setting.

**ATDA will immediately suspend any student who engages in criminal behavior on campus. Law enforcement will be contacted. Any student suspended from campus for criminal behavior will not be admitted back onto campus until a meeting is conducted between the student, the student's parent(s)/guardian(s), ATDA administration, and**

**appropriate officials.** Criminal behavior includes, but is not limited to, arson, assault and battery, bomb threats, false alarm, possession of a controlled substance, extortion, possession of a weapon, sexual harassment, robbery, destruction of property, and gang-related activity.

## **Violation of Classroom Policies**

All teachers at ATDA may establish classroom practices based upon the expectations of their particular subjects and teaching environments. These practices may vary from class to class and may include (but are not limited to) practices involving the use of personal technology, such as Chromebooks, practices pertaining to a failure to complete work or the plagiarizing of work, practices involving speaking and motion inside of a class, and/or practices relating to the use of resources. Classroom practices are frequently reviewed by ATDA administration and may not infringe unfairly on students' right to a free and appropriate public education or any personal rights that are protected by law. ATDA teachers will use restorative models when a student does not follow classroom practices and will resolve conflicts internally. In the event a conflict cannot be settled, teachers may refer noncompliance with classroom practices to ATDA administration for mediation.

In a restorative model, students and teachers meet when there is a conflict with a goal of sharing experiences and viewpoints. There is an emphasis on the "harm" that has been caused, and a consensus is reached concerning how this "harm" can be repaired. This method shifts thinking away from an emphasis on the rule being broken and a potential punitive response to one of addressing the sources of conflict directly and reestablishing the relationships and community of the school.

The following framework shall be used by all ATDA staff when enforcing consequences for violations of classroom policies. Instances of behavior do not carry forward or influence future consequences once resolved through a restorative practice; however, a student who has chronic difficulty meeting classroom expectations may be in violation of ATDA's Academic Pursuit policy and may be required to change their schedule or to attend classes in an alternative setting:

1 <sup>st</sup> Behavior	Student will be corrected and reminded of the classroom policy they are currently in violation of.
2 <sup>nd</sup> Behavior	ATDA staff will conduct a restorative meeting with the student to address the behavior. This meeting is only a minute or two in duration, and while it requires the student to reflect on their behavior and its reasons, it does not require the student to engage in a restorative action. The staff member will document this meeting in Synergy and will contact parents/guardian.
3 <sup>rd</sup> Behavior	ATDA staff will conduct a restorative meeting outside of the context of the classroom to address the behavior. This meeting should be approximately 5-10 minutes in duration. The student in violation of the classroom policy will be required to conduct a restorative action that it mutually agreed upon by the student and the staff member (possible restorative actions are listed below). The staff member will

	document this meeting in Synergy and must contact parents/guardians to inform them about the meeting and its outcome.
4 <sup>th</sup> Behavior (or refusal to engage in a restorative action)	ATDA staff will schedule a meeting with the student in violation as well as at least one parent/guardian. A resolution to classroom issues will be mutually agreed upon between the student and the staff member conducting the meeting. At least one ATDA administrator or qualified support staff (counselor, social worker, etc.) will attend.

Examples of restorative actions can include, but are not limited to: Working lunches with staff supervision, campus clean-up or community service, written or physical restitution, use of behavior/conduct contracts, referrals to various school personnel, assignment to entities for services, in-school reflections, makeup work periods, participation in a social skills program or behavior management program, data monitoring and reflection, and/or specialized meetings/circle groups.

### **Conflict Resolution**

Conflict resolution through informal mediation shall be a positive, proactive means available to all students at ATDA. Conflict resolution services must be requested by students, staff, or parents and may be supported by the School in appropriate circumstances and as reasonable, in the discretion of the School Principal.

### **DETENTIONS, SUSPENSION, AND EXPULSION**

ATDA, along with the cooperation of the student and his/her parent/guardian, seeks to avoid having to impose any stronger measures of discipline than the consequences listed in this handbook. However, when prior efforts to correct behavior have continually been unsuccessful, or if the situation warrants, ATDA may choose to impose detentions, suspensions and/or pursue expulsion.

### **ATDA STUDENT DUE PROCESS / REFERRALS**

*Due Process* - In disciplinary cases involving detentions, suspension, or expulsion, 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.

*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.

### **SHORT TERM SUSPENSIONS**

A short-term suspension is a mandatory absence from school for a period of 10 days or less. If the Principal decides that the alleged misconduct warrants a consequence of a suspension for 10 days or less, the Principal shall give the student an informal due process hearing, usually in the form of a meeting with the Principal or his/her designee, and shall examine all the pertinent facts to determine whether or not a violation did occur. The student shall be afforded due process rights including the opportunity to present to the principal/designee his or her defense or position concerning the alleged violation. After the conclusion of the investigation, the Principal or designee, upon the basis of all facts and information learned, shall determine if the student committed a conduct violation. If the student is found to have committed a violation, a consequence or suspension may be imposed for a period of time not to exceed 10 days. If a suspension is imposed, the Principal imposing the suspension shall keep a record of the aforesaid proceedings. A parent may request that the Principal conduct an administrative review of the discipline data and decision to suspend if the decision is made by the designee of the Principal. Homework can be provided at the request of the parent. There is no level of appeal higher than the Principal for a suspension of 10 days or less.

Immediate removal of a student may be done when a student brings a weapon to school or a school function; or knowingly possesses or uses illegal drugs or has sold or solicited the sale of a controlled substance while at school or a school function.

### **LONG TERM SUSPENSION/EXPULSION**

A long term suspension is a mandatory absence from school for a period exceeding 10 days 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 by the administration 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.

### **PROCEDURES FOR LONG TERM SUSPENSION/EXPULSION**

The long-term suspension process shall be in accord with 6.11.2 of the New Mexico Administrative Code (NMAC). The ability to make up work for credit during long - term suspension is at the discretion of the hearing officer or the Governing Board and will only be allowed in exceptional circumstances.

*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. Notice will be given by certified mail return receipt or by

personal delivery addressed to the student and his/her parents/guardians. The notice shall contain:

- The time, date and place of the hearing
- The name of the hearing officer
- A description of the alleged misconduct, the standard of student conduct allegedly violated and the proposed discipline
- A copy of 6.11.2 NMAC, "Students Rights and Responsibilities,"
- A clear statement that the hearing will take place as scheduled unless the hearing officer grants a delay or the student and parent 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 notice must be given to the Principal at least 72 (seventy-two) hours before the hearing if the student or his parent(s) will have an attorney present.
- Contact information for person from who the parent may request a delay or additional information and.
- A description of the hearing proceedings

*Hearing Officer* – Suspension and Expulsion hearings will be conducted by an independent and impartial hearing officer appointed by ATDA.

*Time of Hearing* – The hearing shall not be any sooner than five (5) nor later than 10 (ten) school days from the date the notice was received. The hearing officer shall have the discretion to extend the time for hearing, however, if the delay extends beyond the 10 (ten) school days, the student shall be returned to school pending the outcome of the hearing.

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

### **LONG-TERM SUSPENSION/EXPULSION APPEAL**

A student aggrieved by the hearing officer's decision has the right to have the decision reviewed if the penalty imposed was at least as severe as a long-term 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.

*Conduct of review* - The Governing Council shall have discretion to modify the hearing officer's decision by including imposing any lesser sanction deemed appropriate. The Governing Council shall be bound by the hearing authority's factual determinations unless the student persuades the Governing Council that a finding of

fact was arbitrary, capricious or unsupported by substantial evidence or that new evidence which has come to light since the hearing and which could not with reasonable diligence have been discovered in time for the hearing would manifestly change the factual determination. Upon any such finding, the Governing Council shall have discretion to receive new evidence, reconsider evidence introduced at the hearing or conduct a new hearing. In the absence of any such finding, the review shall be limited to an inquiry into the appropriateness of the penalty imposed.

*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.

*Timing of review* - Except in extraordinary circumstances, a review shall be concluded no later than fifteen (15) working days after a student's written request for review is received by the appropriate administrative authority.

*Decision* - 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 authority and the student, through the parent, within ten (10) working days after the review is concluded.

*Effect of decision* - The Governing Council's decision shall be the final administrative action to which a student is entitled.

*NMPED Compliance* – The process followed by SCHOOL 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.

## **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, SCHOOL is required by state law and regulations (6.11.2 NMAC) to meet the individual educational needs of students with disabilities as described by their IEP.

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

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

*Program Prescriptions* - A student with 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.

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

## **BULLYING PROHIBITION POLICY**

ATDA 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. ATDA does not permit and it is the school's goal of preventing and responding to acts of bullying, intimidation, violence, and other similar disruptive behavior.

Bullying behavior by any student in the Albuquerque Talent Development Academy is strictly prohibited, and such conduct shall result in disciplinary action, including suspension and/or expulsion from school. "Bullying" means any repeated and pervasive written, verbal or electronic expression, physical act or gesture, or a pattern thereof, that is intended to cause distress upon one or more students in the school, on school grounds, in school vehicles, at a designated bus stop, or at school activities or sanctioned events. Bullying includes, but is not limited to, hazing, harassment, intimidation or menacing acts of a student which may, but need not be, based on the student's race, color, sex, ethnicity, national origin, religion, disability, age or sexual orientation that a reasonable person under the circumstances should know will have the effect of:

- Placing a student in reasonable fear of physical harm or damage to the student's property;
- Physically harming a student or damaging a student's property; or
- Insulting or demeaning any student or group of students in such a way as to disrupt or interfere with the school's educational mission or the education of any student.

Students and parents may report verbal or written complaints concerning suspected bullying behavior to ALL school personnel. Any report of suspected bullying behavior shall be promptly investigated by the person receiving the report or an administrator. If acts of bullying are verified, prompt disciplinary action shall be taken against the perpetrator, up to and including suspension and/or expulsion.

## *Definitions-*

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

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

- Repeated teasing, use of sarcasm or malicious jokes
- Name-calling, belittling comments
- Nonverbal behavior such as gestures, or graphic written statements
- Conduct that is physically threatening, harmful, intimidating or humiliating
- Inappropriate physical restraint
- Cyber bullying and Cyber stalking as defined above

*Reporting and Complaints -* Students and parents may file verbal or written complaints concerning suspected bullying behavior to school personnel and administrators. See, “Bullying Complaint Form” attached at the end of the Student & Family Information Book. Students, parents and/or staff should use the following guidelines when reporting bullying:

- Any student who believes he/she has been the victim of harassment, intimidation, bullying, or hazing by a student or school personnel, or any person with knowledge or belief of such conduct that may constitute harassment, intimidation, bullying, or hazing toward a student should immediately report the alleged acts.



➤ The report may be made to any staff member including a teacher or the Principal. If the complaint is made by a student, to a staff member he or she will assist the student in reporting to the Principal.

➤ Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required to promptly notify the Principal. Reports should be made in writing using the Bullying Complaint Form. A copy of this form will be submitted to the Principal.

If a student makes a verbal report to a teacher, the teacher should complete the form or take the student to the Principal where a form will be completed on the student's behalf.

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

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

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

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

*Consequences* - Verified acts of bullying shall result in intervention by the Principal or his/her designee that is intended to ensure that the prohibition against bullying behavior is enforced. While conduct that rises to the level of "bullying" as defined above will generally warrant disciplinary action against the perpetrator of such

bullying, whether and to what extent to impose disciplinary action (detention, in and out-of-school suspension, expulsion, or other consequences to be determined) is a matter for the professional discretion of the Principal. Certainly, repeated offense will warrant increasingly severe consequences, up to and including expulsion.

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

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

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

## **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 and social media, and chat rooms, therefore, affecting the student's learning environment.

ATDA is committed to providing a safe, positive, productive, and nurturing educational environment for all of its students. ATDA 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. ATDA 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 ATDA, 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.

# ALBUQUERQUE TALENT DEVELOPMENT ACADEMY

## BULLYING COMPLAINT 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		

## **VANDALISM AND THEFT OF SCHOOL PROPERTY / LOSS OF PROPERTY**

ATDA shall seek redress for vandalized or stolen school property in the amount of the damage from any individual or the parents/guardian of any minor who commits any act of vandalism on School real or personal property. Vandalism includes negligent, willful, or unlawful or taking of any school-owned real or personal property. The parents/guardians having custody or control of a minor who commits an act of vandalism may be held liable for the act and may also be held liable for damages.

ATDA may hold a student and/or his parent/guardian responsible for any lost or damaged instructional material or equipment that was in the student's possession. Before a student is held responsible, there shall be evidence in writing (such as a checkout card) that the student was given responsibility for the material.

ATDA may withhold the grades, diploma, or transcripts of the student responsible for damage or loss of any instructional material or equipment until the parent/legal guardian, or student has paid for the damage or loss. When a parent/legal guardian is determined to be indigent according to guidelines established by the New Mexico Public Education Department, the school shall work with the parent/legal guardian, or student to develop an alternative program in lieu of payment.

## **GUN FREE SCHOOLS**

Weapons are strictly prohibited on ATDA property or at School functions. The Principal and Governing Council recognize the danger associated with a weapon on campus or school property. Possession of a firearm on school property shall result in a minimum of one calendar year, 365 days expulsion from the school. Possession of a firearm is the act or condition of having in or taking into one's control or holding at one's disposal. It is the duty of the administration to assure that due process is extended on a case-by-case basis.

Law enforcement officers and properly-licensed security personnel are excluded from the provisions of this policy.

## **GRADUATION REQUIREMENTS**

Graduation requirements are directed by the New Mexico Public Education Department and state statute. Along with one required unit of an on-line and/or dual credit course, high school academic programs of studies for each course will satisfy New Mexico Content Standards and Benchmarks in the following courses of study:

## Graduation Requirements

Courses	Requirements	Courses	Requirements
English	4	NM History	.5
Math	4 ( 1 equal to or > than algebra II)	Physical Education	1
Science	3 (2 with lab )	Career cluster or workplace readiness or Language other than English	1
Social Science	3 including US History and Geography, World History and Geography and Government and Economics	Electives	7.5 W/.5 Health

Totals: 24 Units 2/1 dual credit or distance learning. For NM Diploma of Excellence, must meet threshold for high school exit on primary demonstration of competency

Courses for advancement credit may be taken through concurrent enrollment through another accredited secondary school. All students must have prior approval from the ATDA principal or designee to receive credit for any courses/units taken outside of ATDA. Senior students taking night classes, correspondence classes, or concurrent enrollment classes must have their final grades into their respective secondary schools one week prior to graduation.

Concurrent enrollment is a program afforded to seniors and second semester juniors through UNM/CNM. Concurrent students must be enrolled in a minimum of three (3) courses at ATDA. Concurrent students shall be limited to two (2) courses per semester in college. As determined by ATDA, post-secondary credits earned through concurrent enrollment may be applied as secondary credits toward graduation. A three (3) or four (4) college credit class shall equal one (1) secondary school credit.

Dual credit shall be awarded upon presentation of evidence of satisfactory completion of course requirements. College course fees are paid by parents/guardians. PSAT, SAT, ACT college entrance fees are paid half by parents and matched by ATDA, if documentation is brought to the Principal or designee.

Correspondence courses for fulfilling graduation requirements can only be taken following the student's freshman year. All correspondence courses must have prior approval from the Principal. This applies to elective or required course work. Correspondence courses must be taken through an accredited correspondence school and coordinated with ATDA.

Upon completion of all graduation requirements, the student will be permitted to go through the next scheduled graduation ceremony.

In order to receive a diploma from ATDA, the student must be enrolled for at least one (1) semester, including the most recent summer school session prior to graduation, unless approved by the Principal or designee.

## GRADING AND HOMEWORK

### Grading

Students earn letter grades for work completed in their classes. The following scale is used to determine letter grades.

Letter Grade	Numerical Value
A	90-100
B	80-89
C	70-79
D	60-69
F	59 and below
P	passing
NG	No Grade
I	Incomplete

ATDA grades may be a composite of in-class and on-line grades, as appropriate. Students working on-line may be subject to waiting for completion of on-line modules for final grades. ATDA provides mid-nine week, nine week, semester and final report cards.

### Homework

Homework is assigned at the discretion of the teachers, but students shall always be given teacher direction, modeling, and assistance within the classroom, prior to the teacher assigning homework. Most assignments will be classroom based and shall be started as guided and independent practice or reinforcement of the skills being taught. Teachers shall be available for each subject being taught in the technology labs and shall meet with students by appointment to individually assist students as needed.

## 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 Principal. Such course grade changes must be brought to the attention of, and approved by, the Principal, 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 Principal 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 Principal will consult with the teacher to determine if there has been any clear mistake or clerical error, or if there has been any misidentification of the student.
4. In further consultation with the teacher, the Principal will determine if a change in final course grade is merited for any other justifiable reason, such as extenuating circumstances articulated and demonstrated by the student/parent, additional graded work submitted by the student, additional or make-up testing, or other meaningful criteria that can be verified.
5. The teacher who issued the course grade shall provide to the Principal his/her reasons to support or oppose the requested grade change and shall not be pressured into or retaliated against for making a certain recommendation.
6. As part of fact-finding, the Principal will meet with the student/parent and the teacher, together or separately, to determine the validity of the student's/parent's request.
7. A written, signed response which includes the Principal'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 Principal's response shall articulate the reasons and basis for the grade change.
8. The Principal will be the final determinant of the decision.
9. If the Principal decides that a grade change is merited, in addition to the student or parent, the Principal shall comply with any NMPED notification requirements.
10. If the Principal 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 Principal's decision shall be placed in the student's permanent cumulative record file. The



student/parent may request of the Principal that the documents be removed and destroyed upon the student transferring or graduating from the school. The Principal 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.

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

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

## **ASSESSMENTS**

ATDA shall assess all students as per requirements set forth in the New Mexico Assessment and Accountability Act. Assessments provide data necessary to help guide instruction and learning, to help determine student placement or needs within classrooms, to meet graduation requirements, and to provide the NMPED, parents, students, and schools Annual Yearly Progress information regarding students in New Mexico, the district, and the school.

The following assessments shall be administered during the school year:

- NWEA Mid-Cycle Assessments measure academic levels to follow student progress 3 times each school year.
- Nine Week and Semester in-class examinations to measure progress.
- In-class assessments based on teacher and/or program design to measure the learning of specific curricular information.
- SAT, NM-ASR, and PSAT exams administered per the NMPED testing schedule.
- NAPT-ACCESS testing for students with English as a Second Language service needs.
- Screening and diagnostic tests for students referred to or currently identified as students with disabilities or giftedness.
- Other assessments as required.

## **SCHOOL FEES FOR SPECIFIC PROGRAMS**

ATDA's educational programs and related materials are provided to students free of charge. Exceptions include fees for such optional extracurricular programs and activities such as sports/athletics, guitar lessons, martial arts lessons, field trips, dances and indoor sports games. Fees shall be charged to replace lost agenda/planners, for graduation cap and gown, and for school yearbooks. Teachers sponsoring such optional activities/programs shall make fee information available to students and parents in advance of the program's inception.

## **STUDENT IDENTIFICATION CARDS**

ATDA students are issued an ID card, which is required to be worn in front of their chest while on campus and at all school functions. Replacement cards shall be obtained from the front office for a fee.

## **ATDA PARENT INVOLVEMENT & COMPACT POLICY FOR TITLE I**

ATDA shall serve students qualifying through Title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.). Part of serving qualified students includes involving parents in meetings and other activities that are documented through use of minutes and sign-in sheets.

Annually, the Principal shall review the Title I Parent Involvement Policy and the Parent/Student Compact with parents and staff, and shall utilize information garnered from the meetings and sessions to help students succeed in school. The Principal shall share the most current policy with the Governing Council for their approval. Copies of the policy shall be made available to parents upon request.

## **ATDA HEALTH EDUCATION OPT-OUT POLICY**

Parents have the ability to request that their child be exempted from the parts of the required health education curriculum that address the sexuality performance standards. Students should not be exempted from the entire class, only the lessons addressing the sexuality performance standards. The following procedure must be followed in order to request an exemption from the parts of the health education curriculum that address the sexuality performance standards. This procedure should be looked upon as a partnership between the parents and the school, designed to best meet the needs of each student and family. Test dates are considered regular school days, and unless otherwise specified by the school's Administration, no student may be allowed leave early nor be absent without proper authorization,

- A. The parent must contact the teacher and request a meeting, prior to the anticipated date(s) that the material is to be taught.

- B. The parent and teachers (and administrator if deemed necessary) should review the entire curriculum and come to an agreement to identify specifically from what areas of the sexuality performance standards to exempt the student.
- C. The teacher should supply the parents with the state standards that are met by the requested exempt lessons and agree upon an alternative assignment(s) that will meet these standards. The parent will be responsible for teaching the alternative assignment to his/her student.
- D. A written agreement should be drawn up that includes the following:
  - 1. Specific dates the student will be out of class
  - 2. Where and to whom the student is to report on these days
  - 3. The assignment that has been agreed upon by both teacher and Parent(s)
  - 4. The standards that are being met
  - 5. How the student will be evaluated for his assignment
  - 6. Principal's approval

The teacher should make available any resources (lesson plans, books, and videos) that are ordinarily used in the class or are available as alternative materials. However, the parent may use alternative materials that meet the state standards.

## **STUDENT SUPPORT**

State and federal law 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 ATDA, 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.

## **SECTION 504**

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

## **STUDENT FIND**

ATDA 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. ATDA personnel, a private or public agency or institution, or a parent may initiate a referral for a replacement evaluation by contacting the Principal or by contacting one of the ATDA special education teachers.

## **EDUCATIONAL SERVICES FOR GIFTED STUDENTS**

ATDA 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.

## **ABUSE AND NEGLECT**

If any member of the ATDA staff suspects student abuse or neglect, appropriate authorities will be notified. The call and report will be made as soon as any sign of abuse is noticed. Any member of the staff can make the call 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 authority.

## STATEMENT OF RIGHTS PARENTS/GUARDIANS UNDER FERPA

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

The School provides the following notice regarding those rights:

6.6.01 *Inspection* - You may inspect and review the student's education records within 45 days of the day that ATDA receives a written request for access. Parents of students should submit to the Principal or designee a written request that identifies the record(s) they wish to inspect. The Principal will make arrangements for access and notify the parent or eligible student 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, the parent should write to the Principal and clearly identify the part of the record the parents want changed, and specify why it is inaccurate or misleading. If ATDA decides not to amend the record as requested by the parent or eligible student, ATDA will notify the parent of the decision and advise of the parent's right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent when notified of the right to a hearing.

6.6.03 *Disclosure/Consent* – A parent or 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 ATDA 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 who ATDA has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate education interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

6.6.04 *Directory Information – Right to Opt Out.* ATDA classifies the following as Directory Information: student's name, parent's name, address, telephone listing, electronic mail address, date and place of birth, participation in officially recognized activities, awards received, student's photograph, and the most recent previous school attended by the student. School officials may release this information to any person without the consent of the parents or the student. **Any parent or eligible student who objects to the release of any or all of this information without his consent must notify, in writing, the principal of the school where the records are kept by no later than September 15 each year.** The objection must state what information the parent or student does not want to be classified as directory information. If no objection is received by September 15 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 Information Book, you acknowledge that you have received your annual notice of FERPA rights as required by federal law.** If you chose to opt out for permitting your

student's directory information from being released, please sign the attached "Exclude the Release of Directory Information" form attached to this handbook.

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

## **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. ATDA may withhold release of a student's records if the parent has an outstanding balance for unpaid fees.

## SCHOOL TECHNOLOGY USE POLICY

At ATDA 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. ATDA 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.

### 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.

Note that these rules apply to student-supplied technology (such as personal laptop computers and cell phones) as well as school-supplied technology.

The "ATDA Technology Acceptable Use Agreement Form" needs to be signed as a required document before your student will be permitted to use ATDA technology and related equipment.

Violation of the computer use policy may result in a student losing his/her privileges.

### NO EXPECTATION OF PRIVACY

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