



The  
GREAT  
Academy

**Student  
Handbook  
2011-2012**

## TABLE OF CONTENTS

SECTION 1 - PURPOSE OF THIS HANDBOOK.....	3
SECTION 2 - WHEN THIS HANDBOOK IS IN FORCE.....	5
SECTION 3 - EXPECTATIONS.....	6
SECTION 4 - RULES OF CONDUCT.....	7
SECTION 5 - TERMINOLOGY USED IN THIS HANDBOOK.....	8
SECTION 6 - STUDENT UNIFORM POLICY.....	9
SECTION 7 - RIGHTS AND RESPONSIBILITIES.....	11
SECTION 8 – CONSEQUENCES/DISCIPLINARY CODE.....	17
SECTION 9 - TECHNOLOGY USE BY STUDENTS.....	27
SECTION 10 - DISCIPLINARY CONSIDERATIONS/SPECIAL NEEDS.....	29
SECTION 11 - TOBACCO FREE SCHOOL POLICY.....	30
SECTION 12 - DRUG POLICY.....	31
SECTION 13 - FIREWORKS.....	33
SECTION 14 - STUDENTS PETITIONED FOR FELONY.....	34
SECTION 15 - WEAPONS/FIREARMS.....	35
SECTION 16 - GANG ACTIVITIES/SECRET SOCIETIES.....	36
SECTION 17 - ANTI-BULLYING POLICY.....	38
SECTION 18 - ATTENDANCE POLICY.....	43
SECTION 19 - EDUCATIONAL RECORDS.....	48
SECTION 20 - SECTION 504 COMPLIANCE.....	49
SECTION 21 - MANDATORY RESPONSES.....	50
SECTION 22 - STATE LAWS.....	52
STUDENT SIGN OFF SHEET.....	54

## **SECTION 1 – PURPOSE OF THIS HANDBOOK**

### **1.1 Purpose of the Handbook**

The purpose of this handbook is to assist students, parents/guardians, teachers, staff and school administrators in understanding that a safe, respectful and orderly school community exists to help all students develop their full potential for learning and acquire the necessary self-discipline to enable them to become productive and responsible members of society.

### **1.2 Responsibility for Environment**

The quality of the school community, both socially and academically, depends significantly on the choices made by the student population. Upon entering a school, students assume part of the responsibility for creating a safe, stimulating academic and social environment in which everyone is free to grow and learn. Maintaining a safe school climate free of disruptions enables all participants to learn and grow.

### **1.3 Expected Student Behaviors**

Certain student behaviors and attitudes foster a desirable and healthy learning environment at the GREAT Academy. Among these are the following:

- A. Accepting people of different abilities and backgrounds (political, social, ethnic, economic and religious) and learning to communicate and work together despite these differences.
- B. Participating in both academic and non-academic activities.
- C. Sharing abilities, time and skills to further one's own goals and to help others succeed.
- D. Attending classes and activities promptly and regularly as mandated by the State of New Mexico's Compulsory Attendance Law.
- E. Adhering to school rules and making positive contributions to the academic and social climate.
- F. Being responsible and accountable for one's own actions.

In addition to compliance with regulations established by this handbook, students are expected to obey all rules and regulations adopted by the Board of Education, policies and procedures in school handbook and to obey any order given by a member of the faculty or staff relating to school activities.

A student shall be defined as any person who is enrolled in an educational program provided by or approved by the school and carried on in premises owned or controlled by the school.

### **1.4 Disruptive Behaviors**

- A. Certain student behaviors disrupt the educational process. It is the purpose of this document to provide an overview of unacceptable behavior and the consequences. This overview is not all-inclusive; acts of misconduct not specified herein shall also be subject to disciplinary action by appropriate school personnel.

- B. The Executive Director of the school has the responsibility to take disciplinary action anytime the educational process is disrupted or threatened with disruption. Nothing in the following is intended to prevent a staff member, teacher, EXECUTIVE DIRECTOR or other administrator from using his/her professional judgment with respect to a particular situation.

## **SECTION 2 – WHEN THIS STUDENT HANDBOOK IS IN FORCE**

### **2.1 Policies in Force**

The provisions of the Student Behavior Handbook are in force:

- A. During regular school hours.
- B. During transportation of students.
- C. During times and places where school administrators and/or staff have jurisdiction including, but not limited to, school sponsored events and activities such as dances, field trips, athletic functions and other school related activities.
- D. During times and places that affect the school order.
- E. During visits to another school.

### **2.2 Off-Campus Conduct**

A student may be disciplined for off-campus conduct if school authorities can show that the student's actions

- A. Began on campus.
- B. Have a direct and immediate effect either on school discipline or on the general safety and welfare of students and staff or;
- C. Interferes with the educational process.

## SECTION 3 - EXPECTATIONS

### **Choose a Learning Attitude:**

- There is always something we can learn and we appreciate GREATness in search of a new opportunity to learn.
- Everyone makes mistakes! We can all learn from our mistakes and the mistakes of others.
- Someone is learning from watching YOU right now.

### **Choose Trustworthiness:**

- Do the right thing especially if you think no one is watching.
- Be strong inside, where it really counts.
- Be worthy of other's trust so they can depend on you.

### **Choose to be Respectful:**

- We all have the right to learn.
- We have the right to be treated with dignity.
- Use self-control to respect the rights of your teacher to teach and of your classmates to learn.
- Respect yourself and your fellow human beings.
- Respect the learning community and the tools utilized for learning.

### **Choose to be Responsible:**

- Be prepared. Be "PRESENT." Just Do It!
- Do the things you are responsible to do.
- Take care of your "stuff."
- Take ownership of your behaviors and learning.

### **Choose to be Fair:**

- Make fair decisions. Think fair. Be fair.
- Listen to others and try to understand how they are feeling.
- Treat people as equals.

### **Choose to be Caring:**

- Be kind, generous, and show compassion for others.
- Live by the Golden Rule. . .treating others the way you want to be treated.
- Think before you act – RESPOND not REACT.

### **Choose to be a good Citizen:**

- Become GREAT by serving others.
- Do your share to make our school the best it can be and respect the expectations.
- Protect our environment.
- Respect your role as a global citizen.
- Show pride in our learning community.

### **Believe & Dream:**

- Keep going when the going get's tough.
- Believe in yourself and dream about the possibilities.
- Believe you CAN be a GREAT person! (T.R.R.F.C.C.)

## **SECTION 4 – RULES OF CONDUCT**

A primary responsibility of the New Mexico public schools and their professional staff is to instill in students an appreciation of our representative form of government, the rights and responsibilities of the individual and the legal processes whereby necessary changes are affected.

The school is a community and the rules and regulations of a school are the laws of that community. All persons enjoying the rights of citizenship are subject to the laws of their community. Each right carries with it a corresponding responsibility.

The right to attend public school is not absolute. It is conditioned on each student's acceptance of the obligation to abide by the lawful rules as established by the schools and community.

Teachers are required by law to maintain a safe, suitable environment for learning in their classrooms and to assist in maintaining school order and discipline. Administrators are responsible for maintaining and facilitating the educational program by ensuring an orderly and safe environment in the public schools. In discharging their duties, all school employees have the right to be free from intimidation or abuse and to have their lawful requests and instructions followed by students and supported by parents/guardians. Verbal or physical assault on a school employee or aggressive behavior toward a school employee will not be tolerated and will be dealt with legally and/or through the GREAT Academy Due Process Hearing Procedures.

## SECTION 5 – TERMINOLOGY USED IN THIS HANDBOOK

- A. **Administrative Authority** – the Executive Director or his/her designee.
- B. **Co-Curricular Activities** – activities that are required as part of the curriculum
- C. **Extra-Curricular Activities** – activities that are not required as part of the curriculum, but are sanctioned and sponsored by the school and that take place outside of school, outside of town or after regular school hours.
- D. **Hearing Officer** – an independent, third party designated to hear evidence and determine the merits of a case at a Hearing.
- E. **Parent/Guardian** – includes a natural parent, legal guardian or person having lawful decision-making power for the student.
- F. **School Personnel** – all members of the staff, faculty and administration employed by the GREAT Academy.

## **SECTION 6 – STUDENT UNIFORM POLICY**

### **6.1 Student Uniforms**

**All attire will be pressed, clean and in good repair at all times.**

- **SHIRTS** – The GREAT Academy standard issue shirt will be worn at all times. Shirts must be tucked into pants.
- **PANTS** – Black dress slacks must be worn with a black belt at the waist and belts must be through the loops of the pants. The slacks can be with or without pleats. Absolutely **NO** cargo pants, jeans, sweat suit pants, or pajamas. **NO** shorts.
- **SKIRTS** – Skirts must be black and the shirt must be able to be tucked. Skirts must be knee level or longer. Absolutely **NO** mini-skirts.
- **SWEATERS** – Sweaters must be black and cardigan style and may be worn inside the building. **NO** pullovers, hoodies, sweatshirts, logos, pictures or messages.
- **SHOES** – Shoes must be black and of a dressy nature. Shoes must fit securely on the foot. Shoes with open toes or backless shoes (including flip flops, sandals, mules and slides) will not be allowed. Shoes may slip on or be laced. **NO** heels more than 2” high for girls. **NO** heelies or rollers.
- **JEWELRY** – Girls may wear studs or hoop earrings no larger than a quarter in diameter. Male students will not be allowed to wear earrings or gauges of any kind. **NO** facial piercings will be allowed. Watches in black, silver or gold tones may be worn.
- **HAIR** – Hair may not be worn in spiked or unnatural styles or colors. Hair styles must exude the professionalism that the uniform policy seeks to impart.

### **NO OVERSIZED CLOTHING WILL BE ALLOWED.**

**No colored wrist bands, neck beads, bead bands, bandanas or doo rags are allowed. The Executive Director has a right to stop any patten, for example groups wearing identical chains, bracelets, etc. or anything that may be mistaken for gang affiliation.**

**NO COATS, JACKETS, HOODED SWEATSHIRTS, CAPS OR HATS ARE TO BE WORN DURING SCHOOL.**

### **6.2 Enforcement**

The school will strive to achieve full compliance through the use of positive reinforcement measures, and will resort to disciplinary action only when positive measures and supports fail to assure compliance. Students will be required to wear the school uniform at internship and service learning sites unless an alternate uniform is required (scrubs, smocks, etc.).

No student will be considered non-compliant with the uniform policy in the following instances:

- When the student’s parent or guardian has secured an exemption from the school policy for religious considerations. A student may wear religious attire.
- When a student is participating in an activity that may require specialized clothing, appropriate attire is required.

### **Not In Compliance**

- **FIRST OCCURRENCE** – Student will be given a spare standard issue shirt or the Parent/Guardian will bring appropriate pants to school and the student will receive detention/demerit.
- **SECOND OCCURRENCE** – Parent or Guardian will bring in appropriate clothing to school and student will receive 3 hours of detention/demerit.
- **THIRD OCCURRENCE** – Parent or Guardian will bring in appropriate clothing to school and student will receive 1 full day of Friday school. Parent or Guardian will be required to meet with the Executive Director or designee to sign a behavior contract.
- **FOURTH OCCURRENCE** – This is considered defiance and the Code of Conduct will be applied.

### **6.3 Rationale**

The school uniform policy promotes school culture, safety, improves discipline and enhances the learning environment. The GREAT Academy is a business school model and strives to teach students that there is a time and a place for everything. For students, school is business and should be treated with an appropriate degree of professionalism, which is exuded through the school uniform. The potential benefits of school uniforms include, but are not limited to the following:

- Decreasing violence and theft – even life-threatening situations – among students over designer clothing or expensive sneakers
- Helping to prevent anyone with gang affiliation from wearing colors and insignia at school
- Instilling students with discipline
- Helping parents and students resist peer pressure
- Helping students concentrate on their school work; and
- Helping school officials recognize intruders who come into the school

**SCHOOL SHIRTS WILL BE DISTRIBUTED TO STUDENTS. SLACKS/SKIRTS MAY BE PURCHASED AT ANY DEPARTMENT STORE.**

## SECTION 7 – RIGHTS AND RESPONSIBILITIES

### 7.1 Student Rights

All students have the right to a safe, caring and drug-free school setting that is orderly, educationally efficient and free from disruption during normal teaching/learning functions.

### 7.2 Educational Opportunity

- A. Every student has the right to an education relevant to his/her needs and abilities as well as the responsibility not to deny this right to any other student.
- B. It is the express policy and purpose of the GREAT Academy to provide educational and employment opportunities without regard to race, color, gender, ethnicity, national origin, familial status, gender identity, religion, age, mental or physical disability, veteran status or any other protected status, in conformity with the laws of the United States and the State of New Mexico.
- C. Students are protected in the exercise of their constitutional rights of free speech, press and assembly. The exercise of such rights, however, must be conducted in a manner that does not disrupt the educational process.

### 7.3 Privacy

- A. **Arrest:** In the event a law enforcement agency deems it necessary to arrest a student during school hours, it is the responsibility of the administration to see that the incident is conducted in the privacy of an administrator's office. The administrator must document the time, date and name of the student to be taken into custody, the name of the officer, including rank and badge number and the agency of the arresting officer who appears at the administrator's office. The administrator will then contact the nearest office of the arresting agency and verify with a supervisory officer the arresting officer's identity, the fact that a warrant has been issued and the necessity for an arrest at school. The administrator shall obtain a copy of the arrest warrant if available and document the contact with the supervisory officer and the justification for the arrest. Finally, the administrator shall document the phone number, time and date of attempts made and/or the contact of parents/guardians to advise them that an arrest warrant is being served at school. If the parent/guardian cannot be reached, the superintendent will be notified that the child will be released to the arresting official identified above. All of this must occur before the administrator escorts the student from class and/or releases the student.
- B. **Probation Officers:** If a violation occurs during a student's probation, the student will be released to the probation officer after the above-stated procedure has been followed.
- C. **Investigation of child abuse and neglect:** A law enforcement officer and/or a New Mexico Children, Youth and Families Department representative may come to or be called to a school to investigate (1) suspected child abuse; (2) a belief that a child is suffering from illness or injury; (3) a report of child abandonment; (4) a report of a runaway; or (5) a report that the child is endangered by his/her

surroundings. Before any individual interviews a student, the procedure described in 5.4.A regarding positive identification of the officer or social worker shall be followed with the exception of notice to the parent/guardian. Should the officer or social worker determine that the child should be placed in protective custody, the officer or social worker will notify the parent/guardian. A copy of the agency's paperwork, officer or social worker identification and court documents shall be provided to the school administrator as soon as available.

- D. Questioning a Student: If law enforcement authorities have the need to question a student on school premises, an administrator shall attempt to contact the parents/guardians. The student will be advised of his/her legal rights in the presence of the administrator. Every attempt will be made to contact the parents/guardians and they shall be permitted to be present during questioning. In the event the parents/guardians cannot be contacted or they refuse to allow questioning, questioning shall not be allowed at school. Only a law enforcement officer can serve a subpoena or summons on any school premises.
- E. Desks, cubbies and other school facilities may be searched with or without students present. When students are not present for searches, another authorized person shall serve as a witness whenever possible.
- F. Search of a person or vehicle: Searches of a student's person or vehicle parked on school property may be conducted if school personnel have a reasonable suspicion that a crime or breach of disciplinary code is being committed by the student. The GREAT Academy may employ a certified agency to search for controlled substances in the school through the use of trained dogs. If a trained dog indicates that a student or his/her possessions have an odor of a controlled substance, school authorities shall conduct a discreet search of the student and his/her possessions. A student will be referred immediately to a law enforcement authority should a controlled substance be found. A reasonable effort will be made to contact parents/guardians.
- G. Only an administrator will conduct physical searches of a student's person and searches may only be conducted in the presence of another authorized person of the same gender as the individual being searched. The only exception will be when circumstances render it impossible to have another authorized person present, as when on a school bus.

#### **7.4 Due Process Hearing Procedures**

The GREAT Academy Board of Directors will review, make changes to and ultimately adopt the procedures such as the following for creating a Hearing Officer to serve as a neutral third party to hear both sides of a severe disciplinary action.

A student who has been validly expelled or suspended from the GREAT Academy is not entitled to receive any educational services from the GREAT Academy during the period of exclusion from school. Expelled or suspended students are also restricted from coming onto all school grounds. The GREAT Academy Board of Directors may provide alternative arrangements if they deem such arrangements necessary.

When the administration is seeking long-term suspension or expulsion of a student, the following procedure will be followed.

- A. A written notice shall be addressed to the student, through his/her parents/guardians and shall be served upon the parents/guardians personally or by mail.
- B. The written notice will contain the following information:
  1. The charges against the student.
  2. The date, time and place of the Hearing and a statement that the student and parent/guardian are entitled and urged to be present.
  3. A statement that the Hearing will take place as scheduled, unless the Hearing Officer or EXECUTIVE DIRECTOR grants a delay or the student and parent/guardian agree to waive the Hearing and comply voluntarily with the decision of the Hearing Officer. Failure to appear will not delay the Hearing and may lead to the imposition of the proposed consequence by default.
  4. A statement that the student has the right to be represented at the Hearing by legal counsel. This notice of representation must be filed by a parent/guardian or some other representative designated, in writing, with the EXECUTIVE DIRECTOR at least 72 hours before the Hearing; and
  5. A description of the procedures governing the Hearing.
- C. The Hearing shall be scheduled no sooner than five school days nor later than ten school days from the date of receipt of the notice by parents/guardians.
- D. The Hearing Officer or EXECUTIVE DIRECTOR may grant or deny a request to delay the Hearing.

#### **7.5 Procedure for Hearing and Decision**

- A. The formal Hearing is not a trial; it is an Administrative Hearing designed to ensure a calm, orderly presentation of the facts of a case of alleged student misconduct by the administration and by the parent/guardian and student. The impartial Hearing Officer then determines the sanction or punishment, if warranted.

- B. Technical rules of evidence and procedure do not apply.
- C. The Hearing will be electronically recorded and/or written minutes will be taken.
- D. The school's administration shall have the burden of proof of misconduct.
- E. The Hearing Officer shall open the Hearing with a statement indicating the purpose of the Hearing, the charges and a description of his/her plans for conducting the Hearing.
- F. The school's administration will then present his/her case, including any witnesses or evidence.
- G. The student, parent/guardian and/or counsel will then present their case, including any witnesses or evidence.
- H. Character and/or material witnesses may be brought before the Hearing Officer for testimony. As this is a closed hearing, these individuals shall wait in a waiting area until such a time as the Hearing Officer calls them for their testimony.
- I. The Hearing Officer will then either reach and announce an immediate decision or deliberate and prepare a written decision within five days of the Hearing. The Hearing Officer will also determine the sanction or punishment, if warranted. The Hearing Officer's decision and sanction, if warranted, shall be mailed to the parent/guardian via certified mail.
- J. The Hearing Officer's decisions may be appealed to the Board of Directors; instructions for the appeal shall be provided to the student and parent/guardian at the Hearing.

## **7.6 Disenrollment**

- A. When a student is found to have an invalid enrollment, the student shall be disenrolled from school. Invalid enrollment refers to an enrolled student or a conditionally enrolled student who has not met the requirements of law for enrollment in school, either as to age, residence or immunization.
- B. The administrator shall give a Preliminary Notice of Contemplated Action of Disenrollment to the student, through his parent/guardian, stating the reasons for this action. The preliminary notice shall be in writing and mailed to the student not later than ten school days before the Notice of Disenrollment is to be mailed.
- C. The Preliminary Notice of Contemplated Action of Disenrollment shall state that (1) the student has a right to respond, either in writing or in person, to the administrator before the date of the contemplated action of disenrollment and (2) the student may attempt to resolve the matter informally by presenting adequate evidence to the administrator to refute the alleged reasons for the contemplated action of disenrollment.
- D. If the student has not presented satisfactory evidence to remedy the invalid enrollment and has been afforded notice as required above, the administrator shall give written notice to the student, through his parent/guardian, that the student will be dis-enrolled. The Notice of Disenrollment shall be mailed ten school days

after the mailing of the Preliminary Notice of Contemplated Action of Disenrollment.

- E. The student may, at any time within the ten school days after the date of mailing of the Notice of Disenrollment, present the administrator with an oral or written request for a Hearing on the matter. If a Hearing request is received, the GREAT Academy Due Process Hearing Procedures shall be followed.
- F. If no request for a Hearing is received within the time provided, the student shall be dis-enrolled from school and shall be permitted to reenroll only when all requirements for enrollment are met.

### **7.7 Student Responsibilities**

Students have the responsibility to:

- A. Attend classes, daily and on time.
- B. Be prepared for each class with appropriate materials and assignments.
- C. Be properly attired.
- D. Exhibit respect toward others.
- E. Conduct themselves in a responsible manner.
- F. Pay required fees and fines.
- G. Refrain from violations of school, Student Behavior Handbook.
- H. Obey all GREAT Academy Board policies.
- I. Seek changes in school policies and regulations in an orderly and responsible manner, through appropriate channels.
- J. Cooperate with staff in the investigation of disciplinary cases and volunteer information when the student has knowledge relating to a serious offense.

### **7.8 Parent/Guardian Responsibilities**

Parents/guardians have the responsibility to:

- A. Make every effort to provide for the physical needs of the child.
- B. Communicate with instructional personnel when their child seems to be struggling academically.
- C. Teach their child to pay attention to those in authority and to obey rules.
- D. See that their child attends school regularly and promptly as mandated by the State of New Mexico's Compulsory Attendance Law.
- E. Report and explain absences and tardiness to the school.
- F. Encourage and lead the child to develop proper study habits at home.
- G. Participate in parent/guardian-teacher conferences to discuss their child's school progress and welfare.

- H. Keep informed of school policies and academic requirements of school programs.
- I. Be sure their child is appropriately dressed at school and school-related activities.
- J. Discuss report cards and school assignments with their child.
- K. Bring to the attention of school authorities any learning problems or condition that may relate to their child's education.
- L. Provide up-to-date home, work and emergency telephone numbers and other pertinent information to the school.
- M. Cooperate with school administrators and teachers.
- N. Be sure their child attends school tutorials when required or as the need arises.
- O. Provide copies of legal documents stating custody and visitation privileges in instances of divorce or separation.
- P. Demonstrate respect toward all school personnel.

### **7.9 Visitors on Campus**

All visitors, including parents/guardians, shall, as required by law, report to the administrative office and secure a visitor's pass upon entering the school building. Any individual found on campus without such a pass will be asked to report to the office and secure one. Refusal to do as requested could lead to law enforcement contact and criminal trespass charges.

## SECTION 8 – DISCIPLINARY CODE

The following consequences are proposed by the GREAT Academy Board of Directors and must be expected for each violation. Each consequence will depend on the severity of the violation and whether the violation is a first offense or a repeated act. The consequences for unacceptable behavior may vary as each administrator selects from a broad spectrum of consequences to include those listed here.

### 8.1 Consequences Include, But Are Not Limited to:

- A. **Staff and Student Conference:** School personnel will meet with the student in person.
- B. **Behavior or Attendance Contract:** Contracts entered into by the student and guardian when habitual misconduct or trancies have been documented by the administration. The breach of a contract may warrant a recommendation for long-term suspension and the GREAT Academy Due Process Hearing Procedures will apply.
- C. **Staff and Parent/Guardian Conference:** School personnel will communicate with parents/guardians by note, by telephone or in person.
- D. **Administrator and Student Conference:** The administrator will meet with the student in person.
- E. **Administrator and Parent/Guardian Conference:** The site administrator will communicate with the parent/guardian by note, by telephone or in person.
- F. **Administrator, Staff, Student and Parent/Guardian Conference:** All parties involved will participate in a personal conference.
- G. **Attendance Contract:** Student commits in writing to attend classes regularly and on time. The consequences of continued absence are specifically stated in contract.
- H. **Behavior Contract:** Student commits to more positive behavior in the form of a written contract.
- I. **Demerit:** A mark received for misconduct
- J. **Detention:** Retaining a student before or after school or during the lunch recess period.
- K. **In-School Suspension (ISS):** Removal of the student from regular classes and placement with school personnel for supervision.
- L. **Short-Term Suspension:** Removal of a student from classes and all school related activities for a period of time up to ten school days. Students whose presence poses a danger to persons or property are considered to be a disruption to the educational process and may be removed immediately from school or school-sponsored events. Local law enforcement authorities may participate in removal, if necessary.

- M. **Long-Term Suspension:** Removal of a student from school and all school-related activities for more than ten school days and the GREAT Academy Due Process Hearing Procedures will apply.
- 11-180 school days out of school
  - Required long-term Suspension Hearing within 10 school days of offense.
  - Length of long-term suspension time recommended by school administration, decision by Hearing Officer, appealed to Executive Director.
  - During interim time of offense to hearing date and subsequent decision by Hearing Officer, student may not be in school, on school grounds, or participate in extracurricular/co-curricular activities.
- N. **Expulsion:** A student who has been validly expelled from the GREAT Academy is not entitled to receive any educational services from the GREAT Academy permanently. Expelled or suspended students are also restricted from coming onto school grounds.
- O. **Restitution/Reimbursement:** Payment for items that have been damaged and/or stolen will be sought. This includes damage to the school facilities, bathrooms, lockers, equipment; damage or loss of school textbooks, materials and supplies for which the student and parents/guardians are responsible or damage to personal property of school employees or students or school neighborhood residents. Such matters may be referred to the local law enforcement authorities for further action.
- P. **Trespass Notice:** The individual shall be notified (by law enforcement authorities) that he/she has been denied access to all school properties.
- Q. **Referral for Legal Action:** Evidence of any illegal act or action by a student will be forwarded to the appropriate authority or law enforcement agency, i.e. police, sheriff, county, city, state or federal ordinance prohibiting all of the following acts.
- Arson (SS 30-17-5 NMSA 1978)
  - Assault (SS 30-3-1 NMSA 1978)
  - Bomb Threat (SS30-20-16 NMSA 1978)
  - Breaking and Entering (SS 30-14-8 NMSA 1978)
  - Criminal Damage to Property (Vandalism) (SS30-15-1 NMSA 1978)
  - Extortion (SS 30-16-9 NMSA 1978)
  - Possession of Alcohol by Minor (SS 60-7B-1 NMSA 1978)
  - Possession of Concealed Deadly Weapon (SS 30-7-2 NMSA 1978)
  - Possession of Controlled Substance (SS 30-31-23 NMSA 1978)
  - Robbery (SS 30-16-2 NMSA 1978)
  - Tobacco (SS 30-49-3 NMSA 1978)
  - Unlawful Carrying of a Deadly Weapon (SS 30-7-2 NMSA 1978)
- Any other violation of county, city/state, and/or federal ordinance or law will be communicated to the appropriate law enforcement agency.

## DEMERIT SYSTEM AND DISCIPLINARY CODE

### OFFENSES

#### **8.2 ARSON – 50 Demerits**

Maliciously, willfully, and/or neglectfully starting, by any means, a fire or causing an explosion on school property or at any school related activity.

#### **8.3 ASSAULT – 30 Demerits**

Any act, threat or menacing conduct which causes another to believe that he/she is in danger of receiving injury or harm.

#### **8.4 ASSAULT WITH FIREARM/KNIFE OR CUTTING OBJECT – 50 Demerits**

An unlawful attempt to physically threaten or harm another individual. Intending or performing assault with a weapon, instrument, or any means of force likely to produce bodily injury.

#### **8.5 BATTERY – 50 Demerits**

Any unlawful, intentional touching or application of force when done in a rude, insolent or angry manner.

- Battery with a Firearm
- Battery with a knife/cutting object
- Battery on a school official
- Battery with another weapon

#### **8.6 BOMB THREAT – 50 Demerits**

Falsely and maliciously stating to another either verbally or in writing that a bomb or other explosive has been placed in such a position that person or properties are likely to be injured or destroyed.

#### **8.7 BREAKING AND ENTERING – 50 Demerits**

Illegal or unauthorized entry into school facilities.

#### **8.8 BULLYING/INTIMIDATION/INSTIGATION – 15 Demerits**

Any act or speech that subjects person to indignity, humiliation, intimidation, physical abuse or threat of physical abuse, social or other isolation, shame or disgrace, whether verbal, written, or gestural. (See Section 17 – Anti-Bullying Policy)

#### **8.9 CELL PHONE/ELECTRONIC DEVICE/SEXTING – 15 Demerits**

Using cellular phones or other electronic devices during instructional time (calling, receiving calls, sending or receiving text messages, taking photographs, or use in any other manner that is in violation of this discipline handbook.

### **8.10 CHEATING – 15-30 Demerits**

Using or attempting to use a dishonest, unethical or unapproved method to gain unfair advantage in demonstrating competency in performing a skill, achieving a goal, or to misrepresent the attainment of knowledge.

### **8.11 CYBER-BULLYING, INTIMIDATION/INSTIGATION BY USE OF ELECTRONIC DEVICE OR SOCIAL NETWORKING OUTLET – 30 Demerits**

Any act by use of transmitted communication, either by electronic device, or other transmittal device that subjects persons to indignity, humiliation, intimidation, physical abuse or threat of physical abuse, social or other isolation, shame or disgrace. This also includes direct or indirect communication of social networking sites. Examples of cyber-bullying include:

- Posting slurs rumors or other disparaging remarks about a student or staff member on any website.
- Sending email, text, or instant messages that are harassing or threatening in nature.
- Taking and sending an unauthorized an/or unwanted photograph of a student or staff member.
- Using any unauthorized electronic transmission to threaten, intimidate, or harass by means of direct or indirect contact.

### **8.12 DAMAGE TO PRIVATE OR SCHOOL PROPERTY – 30-50 Demerits**

A student shall not steal, cause damage to or destroy school property or private property if on school grounds or during a school function.

### **8.13 DANGEROUS WEAPONS OR INSTRUMENTS**

A student shall not possess, use, transmit or conceal any object that might be considered a dangerous weapon or instrument of violence. This policy is enacted to implement the requirements of the Federal Gun Free Schools Act of 1995, 33 U.S.C. 3351.

**Weapon** – For the purpose of this policy, a “weapon” is any firearm, knife, explosive, or other object, even if manufactured for a nonviolent purpose, that has a potentially violent use, or any “look-a-like” object that resembles an object that has a potentially violent use, if under the surrounding circumstances, the purpose of keeping or carrying the object is for use, or threat of use, as a weapon.

- This list is not totally inclusive, but some examples are: sharp instruments, cutting instruments, cutting tools, knives, pipes, guns, ice picks, switchblades, brass knuckles, nunchakus, handguns, BB guns, pellet guns, shotguns, rifles, firecrackers, explosive devices, chemicals and gases including mace.

### **8.14 DISRUPTION OF SCHOOL AND/OR CLASS – 30 Demerits**

A student shall not engage in any conduct that may cause or create a substantial disruption or material interference with any school function, activity or purpose, or that interferes or creates a reasonable likelihood that it will interfere with the health, safety, well-being or rights of other students.

### **8.15 DRUGS, ALCOHOLIC BEVERAGES AND LOOK-A-LIKE DRUGS – 30 Demerits**

A student shall not possess, use, transmit, distribute, secrete, sell or be under the influence of any drug or alcoholic beverage of any kind with the exception of the student who is taking prescription medicine under the direction of a physician. The office and teachers must be informed in regard to prescription medication. This restriction shall refer to:

- The school grounds, during, before, or after school hours
- Off school grounds at a school activity
- On school buses or rented carriers
- Use prior to attending a school activity, function or event
- A student shall not knowingly possess, sell, make offer to sell, give, package or deliver a counterfeit controlled substance; nor shall he/she represent a counterfeit controlled substance by describing it as being the same physical or mental effect associated with use of a controlled substance; nor shall a student falsely represent a counterfeit controlled substance as a controlled substance.

### **8.16 DRUGS/SALE/POSSESSION OR DISTRIBUTION – 30-50 Demerits**

Being in possession of, selling or distributing any object used to store, process, inhale or ingest drugs (any substance capable of producing a change in behavior or altering a state of mind or feeling). This includes all controlled substances or any look-a-like substances.

### **8.17 DRUNKENNESS/DISORIENTATION – ALCOHOL OR DRUGS – 30 Demerits**

The physical, mental or emotional impairment of personal faculties caused by alcohol, the use of marijuana, hallucinogenic drugs, other abuse prone drugs, counterfeit drugs, controlled substances or any substance with an intoxicating effect.

#### **Definition of a substance with intoxicating/addictive effect:**

- A. A substance such as, but not limited to, permanent markers, hair spray, vanilla, liquid paper, gasoline, or caffeine pills used to produce an intoxicating effect.
- B. Drugs prescribed by the student's physician that are being taken according to the discretion of the prescription are exempt under this policy. NOTE: Such prescribed medications are to be kept in the health office and taken under the supervision of school personnel.

### **8.18 EXPLOSIVES – 50 Demerits**

The use, possession, or sale of explosive devices that are capable of injury to self or others.

### **8.19 EXTORTION – 30 Demerits**

Using intimidation or the threat of violence to obtain money, information, or anything else of value from another person.

### **8.20 FALSE ALARM – 30 Demerits**

Interfering with a fire control system or giving a false report, whether by means of a fire alarm or otherwise.

**8.21 FIGHTING – 30-50 Demerits**

The act of physical aggression towards another student or staff member.

**8.22 FIREWORKS/AMMUNITION – 30-50 Demerits**

The use, possession or sale of any incendiary device which may cause injury to self or others. Including but not limited to ammunition of any kind.

**8.23 FORGERY – 30-50 Demerits**

The act of falsifying a person's name or altering any school document and/or fraudulent use of school documents. Examples include notes from parents/legal guardians, teachers, and school personnel.

**8.24 GANG RELATED ACTIVITY – 30-50 Demerits**

Gang related activity can be intimidating to students, faculty, and the staff and is disruptive to the educational process. Although this list is not all inclusive, examples of inappropriate and unacceptable behaviors include such things as gang graffiti on school property, intimidation of others, gang fight and/or initiation rituals, and/or wearing gang attire or "colors," or gang symbols, "sagging" and communicating gang symbols. Gang related activity can be engaged by those in a gang, related to a gang or just those that are intrigued by gangs. Since gang behavior, symbols, and colors are variable and subject to rapid change, school administrators and staff must exercise judgment and their individual discretion based upon current circumstances in the school when evaluating gang related activity.

**8.25 HAZING/INITIATION – 30-50 Demerits**

To harass by requiring the performance of unnecessary, disagreeable, degrading or humiliating tasks. To require students to engage in activities which could potentially result in harm or bodily injury to an individual. To play abusive, humiliating tricks as criteria for membership.

**8.26 INSUBORDINATION – 10 Demerits**

A student shall not fail to comply with the directions of teachers, student teachers, aides, principals or other authorized school personnel. He/she shall not fail to comply with the rules and regulations of the school.

**8.27 LEAVING THE SCHOOL BUILDING/GROUNDS WITHOUT PERMISSION – 30 Demerits**

A student shall not leave the school grounds or building without being properly checked out by a parent or legal guardian.

**8.28 NON-EDUCATIONAL ITEM – 15-30 Demerits**

Any item that disrupts the educational process.

**8.29 OBSCENE MATERIALS/ITEMS/BEHAVIOR – 15-30 Demerits**

Displaying and/or the possession of indecent and/or offensive materials or items. This includes making gestures that are indecent or offensive in nature. Also included are pictures, drawings and images on clothing.

**8.30 OTHER SCHOOL RULES – 5-30 Demerits**

Acts of misconduct not specified herein shall also be subject to discretionary action by appropriate school personnel.

**8.31 PUBLIC DISPLAYS OF AFFECTION – 15 Demerits**

Inappropriate physical contact between students.

**8.32 PHYSICAL ASSAULT – 30 Demerits**

An unlawful attempt to threaten to do harm of a physical nature. Threatening physical harm to another or causing a present fear of imminent danger to the person by use of threats, gestures, verbal assaults, instigation of a physical nature.

**8.33 SEXUAL ASSAULT – 50 Demerits**

An unlawful attempt or threat to do harm of a sexual nature. Threatening physical harm to another or causing a present fear of imminent danger to the person by use of threats, gestures, verbal assaults, instigation of a sexual nature.

**8.34 SEXUAL BATTERY – 50 Demerits**

Inappropriate or unwanted touching of a sexual manner.

**8.33 SEXUAL HARASSMENT – 15-50 Demerits**

Behavior (including gestures) or words (oral or written) that are directed at a student or school personnel because of his/her sex that are uninvited, unwanted, or unwelcome which would cause the person of that sex to feel uncomfortable or offended or when the conduct by its nature is clearly unwelcome or inappropriate. Examples include, but are not limited to:

- A. Comments about body parts or rating a person's body
- B. Spreading of sexual rumors, stories or jokes
- C. Using sexual orientation as an insult
- D. Staring or pointing at a person's body parts
- E. Making obscene gestures
- F. Displaying of sexual materials
- G. Verbal sexual advances including subtle pressure for sexual activity
- H. Repeated or persistent unwelcome requests for dates, meeting, or other social interactions

**NOTE: If sexual touching occurs, the Sexual Battery policy can be enforced.**

**8.35 SKIPPING OR CUTTING CLASS – 15 Demerits**

Skipping or cutting class is defined as not being in the assigned classroom, study hall, lunch period, etc., but not leaving the school building/grounds.

**8.36 SMOKING/USE OF TOBACCO PRODUCTS – 15 Demerits**

The use of tobacco products, smoking, chewing or dipping. Possession of tobacco products on one's person or personal belongings such as backpacks, while at school, on school property, or at a school activity.

**8.37 STALKING – 30-50 Demerits**

Continual, unwanted, pursuing/attention.

**8.38 TARDINESS – 5 Demerits**

Arriving after the designated beginning of school/class.

**8.39 TECHNOLOGY CODE – 10-30 Demerits**

Engaging in any activity prohibited by the technology agreement

**8.40 TRESSPASSING/UNAUTHORIZED PRESENCE – 5-15 Demerits**

Entering or being on school grounds or in a school office without authorization.

**8.41 UNIFORM VIOLATION – 5 Demerits**

Any violation of the uniform policy (see Section 6)

**8.43 UNLAWFUL PHONE/VIDEO CAMERA PHOTOGRAPHING OF PRINTED MATERIALS PROHIBITED ACTS – 30 Demerits**

Use of any non-approved video production by means of videotapes, films photographs, exhibits, or any electronic transmitted images of any school materials that are strictly the property of The GREAT Academy is in violation of this discipline handbook.

**8.42 USE OF MUSIC PLAYERS – 5 Demerits**

Students are not permitted to listen to music from music players during instructional time.

**8.43 USE OF PROFANITY AND/OR OBSCENE LANGUAGE OR GESTURES – 10 Demerits**

A student shall not use any form of profanity, written or verbal. Included in this prohibition would be the use of obscene gestures, signs, pictures or publications, obscene language, phrase or partial phrases.

**8.44 VIDEO CELL PHONE/VIDEO CAMERA VOYERISM PROHIBITED ACTS – 30 Demerits**

Use of any non-approved video production by means of videotapes, films, photographs, exhibits, or any electronic transmitted images during school hours is prohibited. This includes, but is not limited to lewd or obscene images and videos, but also includes the transmission of any act that is prohibited by school policies or a state and federal law is in violation of this handbook.

## **8.45 DISCIPLINARY MEASURES**

Should a student behave in the unacceptable ways indicated in this discipline code, any of the following disciplinary measures may be enforced by the school.

1. Student conference.
2. Parent phone call/parent conference. Prior to a problem becoming quite serious, the parent(s)/guardian(s) will often be asked to come to the school to work with school officials. Many times a student will begin to show progress upon the involvement of the parent(s)/guardian(s) in the problem.
3. Assignment to Friday/Saturday School: This may be assigned on Friday or Saturday. The parent(s)/guardian(s) will be notified a day in advance when detention is assigned.
4. Work assignments beyond the regular course load when determined to be appropriate and practical.
5. In-school suspension: When an adequate place is available within the building, the Principal/Assistant Principal may assign students to in-school suspension, which allows a student to remain in school, but isolates the student from the rest of the students in attendance.
6. Suspension from school: Serious violations and continued offenses may lead to a suspension from school. Unless it involves an emergency removal, the parent(s)/guardian(s) will be notified in advance that the student is being suspended from school.
7. Referral to juvenile authorities or police: When a serious offense is involved, outside authorities may be called for assistance.
8. Removal from school by the parent(s)/guardian(s) on a temporary basis for the protection of the children involved, pending investigation of a situation which may be disruptive to the school program: This allows school officials to solve a potentially serious problem with the least amount of confusion.
9. Recommendation to be transferred to the Second Chance Program (alternative setting) for the remainder of the semester, remainder of the school year or the remainder of the calendar year.
10. Recommendation to the Superintendent for expulsion: Expulsion must be taken very seriously by the student and by the parent(s)/guardian(s). Students cannot remain in the school if they are a continuous threat to the health and safety of the other students and staff.

#### **8.46 SUMMARY OF DEMERIT ACCUMULATION**

- 1-15 Demerits - 1 day suspension. Students will be counseled. Parent(s)/guardian(s) will be contacted after 8. Incidents will be recorded on the behavior card. One day suspension.
- 16-30 Demerits - 3 day suspension. Letter mailed to parent(s)/guardian(s). Parent conference prior to student returning.
- 31-40 Demerits - 5 day suspension. Letter mailed to parent(s)/guardian(s). Parent conference prior to student returning. Behavior Contract will be enacted.
- 41-50 Demerits - 7 day suspension. Phone call/letter to parent(s)/guardian(s).
- 50 Demerits - 10 day suspension. Letter to parent(s)/guardian(s) explaining the consequences of 50 demerits. Recommendation to alternative setting (Second Chance Program) for the remainder of the semester, remainder of the school year or remainder of calendar year.

## **SECTION 9 – TECHNOLOGY USE BY STUDENTS**

### **Use of Technology Resources in Instruction Electronic Information Services User Agreement**

Details of the user agreement shall be discussed with each potential user of the electronic information services. When the signed agreement is returned to the school, the user may be permitted use of IT resources.

#### **9.1 Acceptable Use**

Each user must:

- A. Use the IT to support personal educational objectives consistent with the educational goals and objectives of the GREAT Academy.
- B. Agree not to submit, publish, display or retrieve any defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive or illegal material.
- C. Abide by all copyright and trademark laws and regulations.
- D. Not reveal home addresses, personal phone numbers or personally identifiable data unless authorized to do so by designated school authorities.
- E. Understand that electronic mail or direct electronic communication is not private and may be read and monitored by school-employed persons.
- F. Not use the network in any way that would disrupt the use of the network by others.
- G. Not use the IT for commercial purposes.
- H. Follow the GREAT Academy's code of conduct.
- I. Not attempt to harm, modify, add or destroy software or hardware nor interfere with system security.
- J. Understand that inappropriate use may result in cancellation of permission to use IT and appropriate disciplinary action up to and including expulsion for students.

#### **9.2 Personal Responsibility**

- A. Students will report any misuse of the IT to the administration or system administrator, as is appropriate.
- B. All students should understand that there are many services and products available for a fee. Students are personally responsible for any expenses incurred without GREAT Academy authorization.

#### **9.3 Network Etiquette**

Students are expected to abide by the generally acceptable rules of network etiquette.

- A. Be polite and use appropriate language. Do not send or encourage others to send abusive messages.

- B. Respect privacy. Do not reveal any home addresses or personal phone numbers or personally identifiable information.
- C. Avoid disruptions. Do not use the network in any way that would disrupt use of the systems by others.
- D. Observe the following considerations:
  - a. Be brief.
  - b. Strive to use correct spelling and make messages easy to understand.
  - c. Use short and descriptive titles for articles.
  - d. Post only to known groups or persons.

#### **9.4 Services**

The GREAT Academy specifically denies any responsibility for the accuracy of information. While the school will make an effort to ensure access to proper materials, the user has the ultimate responsibility for how IT is used and bears the risk of reliance on the information obtained.

## **SECTION 10 – DISCIPLINARY CONSIDERATIONS FOR STUDENTS RECEIVING SPECIAL EDUCATION SERVICES**

A student receiving special education services may be short-term suspended by the EXECUTIVE DIRECTOR, as long as the cumulative number of days suspended do not exceed ten days in a school year. If the student's behavior warrants long term suspension or expulsion, the multi-disciplinary team must meet to determine if the behavior that prompted the suspension or expulsion is related to or caused by the student's disability.

Students receiving special education services may not be long term suspended or expelled because of his or her disability or behaviors directly related to his/her disability without the district providing educational services as a part of a free and appropriate public education.

### **10.1 Infraction Related to a Student's Disability**

Within ten school days of suspension, the multi-disciplinary team will meet to determine the relationship between the behavior prompting suspension and the student's disability. If it is determined that the behavior that prompted the suspension is related to or caused by the student's disability, the student will be placed in an interim alternative educational setting for a period of forty-five school days. During this time the student shall receive access to general curriculum and special services to address the behavior noted as a concern. Placement in the interim alternative educational setting will be reviewed on or before the forty-fifth school day of placement. The multi-disciplinary team will then make a determination to continue the alternative setting for an additional forty-five school days or to return the student to his/her previous placement.

### **10.2 Infraction Not Related to a Student's Disability**

Within ten school days of suspension, the multi-disciplinary team will meet to determine the relationship between the behavior prompting suspension and the student's disability. If it is determined that the behavior that prompted the suspension is not related to or caused by the student's disability, the GREAT Academy Due Process Hearing Procedures will apply. If the Hearing Officer determines that a long-term suspension is the appropriate sanction, education services will be provided to a student receiving special education services at the interim alternative educational setting. Please note that the alternative placement will not exceed the maximum number of days a student has been long-term suspended.

### **10.3 Special Circumstances – Weapons, Drug Violations or Infliction of Serious Bodily Injury**

A student receiving special education services that violates the GREAT Academy policies regarding weapons or drugs will be suspended to an alternative interim educational setting. If a student receiving special education services inflicts serious bodily injury, he/she will be suspended to an alternative interim educational setting. Within ten school days of the administrator's decision to suspend, the multi-disciplinary team will meet to determine if the behavior that prompted the suspension is related to or caused by the student's disability. If the multi-disciplinary team finds that the behavior is not related to the disability, the procedures in section 8.45 will apply.

## **SECTION 11 – TOBACCO FREE SCHOOL POLICY**

All students are prohibited from possessing, distributing or using tobacco products on GREAT Academy property or during school sponsored or sanctioned events and activities.

### **11.1 Definition, Description and Restrictions**

Tobacco product: In this policy a tobacco product is defined as any form of tobacco – cigarettes, cigars, snuff, plug or leaf in either smoked or smokeless forms.

The possession, distribution or use of any tobacco product by students is prohibited at all times inside any building, on any property and in any vehicle which is owned, leased, rented or loaned to the school. The possession, distribution or use of any tobacco product by students at any school function is prohibited at all times.

### **11.2 Consequences**

Administrative discretion will dictate enforcement of this policy. Repeated violations may warrant short or long-term suspension. If necessary, legal action will be taken to remove violators.

## **SECTION 12 – DRUG POLICY**

### **12.1 For the purpose of this policy, “drugs” shall include, but not be limited to:**

- A. All controlled substances prohibited by law.
- B. All alcoholic beverages and items containing quantities of alcohol.
- C. Any prescription or over-the-counter drug, except those for which permission to use in school has been granted pursuant to board policy.
- D. Hallucinogenic substances.
- E. Inhalants.
- F. Counterfeit and look alike substances.

Students are prohibited from using, possessing, distributing, buying, selling or being under the influence of drugs, counterfeit (look-alike) drugs and from possessing, using or distributing drug paraphernalia while on school property or at school-sponsored activities, including transit and lodging.

If a staff member suspects that a student is under the influence of drugs during the school day, the student shall be referred to the school administration immediately. If a staff member suspects that a student is under the influence of drugs during a school sponsored activity, the student shall be referred to the activity sponsor or head coach immediately and the sponsor or head coach will contact the school administration. In situations where the students are a danger to themselves or others, administrative action shall be taken to provide a safe environment.

Certified drug dogs may be used for sweeps of lockers, student’s possessions and vehicles on a school campus at the discretion of the superintendent.

### **12.2 Consequences for Violation of Policy**

The consequences for being under the influence:

- A. Any student under the influence of drugs may be referred for medical treatment.
- B. The student will be suspended pending an investigation.
- C. The local law enforcement authorities may be notified and the student may be turned over to the local law enforcement authorities.
- D. Within five working days of the suspension, the student must schedule and/or undergo a diagnostic evaluation for drug dependency. This evaluation may include a chemical drug screen, such as, but not limited to, a urinalysis or hair follicle exam. The evaluation will be at the expense of the student or parent/guardian of the student. A copy of the evaluation will be provided to the Executive Director. The student may return to school at the discretion of the Executive Director or after an investigation into the matter, be referred to the GREAT Academy Due Process Hearing Procedures.

- E. If the student is permitted back into school after any violation, he/she will be placed on a discipline contract at the school site.

The consequences for being in possession:

- A. Any student in possession of drugs or drug paraphernalia will be suspended pending an investigation. If the investigation determines that long term suspension or expulsion is warranted, the GREAT Academy Due Process Hearing Procedures will apply.
- B. The student will be turned over to law enforcement authorities.
- C. Within five school days of the suspension, the student must undergo a diagnostic evaluation for drug or alcohol dependency. This evaluation may include a chemical analysis, such as, but not limited to, a urinalysis or hair follicle exam. The evaluation will be at the expense of the student or parent/guardian of the student. Evaluation results will be considered at the student's Due Process Hearing.
- D. If the student is permitted back into school after any violation, she/he will be placed on a discipline contract.

### **12.3 Suspicion of Drug Use**

If a staff member suspects that a student has begun to use drugs the student shall be referred to the Student Assistance Team and to the building administration to determine future courses of action. In situations where the students are a danger to themselves or others, administrative action shall be taken to attempt to provide a safe environment.

## **SECTION 13 – FIREWORKS**

### **13.1 Definition of Fireworks**

Fireworks are defined as any devices including, but not limited to chemical exothermic devices, smoke generators, fuses and any other device that yields smoke or is designed to yield smoke, with or without explosion.

### **13.2 Possession of Fireworks**

Possession of any firework, regardless of discharge, is prohibited on GREAT Academy property or during school sponsored or sanctioned events and activities. A student in possession of an explosive device, regardless of origin, on school property or in school vehicles may be reported to law enforcement authorities.

### **13.3 Consequences for Violation of Policy**

Administrative discretion will dictate consequences. Violations may warrant short or long-term suspension or expulsion. If necessary, legal action will be taken.

**SECTION 14 – STUDENTS PETITIONED FOR A FELONY, CHARGED WITH A FELONY OR CONVICTED OF A FELONIOUS ACT**

A student who is petitioned for a felony, charged with a felony or convicted of a felony or a felonious act may be subject to the GREAT Academy Due Process Hearing Procedures.

## **SECTION 15 – WEAPONS / FIREARMS**

### **15.1 Weapons Definition**

Weapons in this policy are defined as any firearm that is loaded or unloaded and any instrument that may cause bodily injury or loss of life. Weapons include, but are not limited to bows, any type of dagger, brass knuckles, dirk knives, butterfly knives, other gravity knives and all instruments that when thrust, launched or thrown can inflict injury or cause loss of life. Weapons also include slingshots and bludgeons. In addition, any other weapon such as a pistol, air rifle, paintball gun, pellet gun or potato gun and any explosive, regardless of size or construction, are strictly prohibited.

### **15.2 School Premises Definition**

School premises means any GREAT Academy facility such as the buildings and grounds, in or on which school or school related activities are being operated under the supervision of the GREAT Academy Board of Directors.

### **15.3 Presence of Weapons on School Premises**

The presence of weapons on school premises at any time not only creates unacceptable risks of injury or loss of life, but also creates a climate that undermines the educational process. Accordingly, it is the policy of the GREAT Academy to forbid the possession, custody and use of weapons by unauthorized persons on school premises and/or during school sponsored activities. The GREAT Academy seeks to create a safe learning and working environment and adheres to all local, state and national laws.

### **15.4 Violation of GREAT Academy Policy**

- A. Any student who violates this policy will be suspended and the GREAT Academy Due Process Hearing Procedures will apply. The student will be turned over to law enforcement authorities. If a school administrator or employee has reasonable cause to believe that a student is in possession of or has been in possession of a weapon on school premises, the administrator shall immediately report the student to a law enforcement agency. It is unlawful to carry a weapon including a “look-alike,” on school premises except by a Certified Law Enforcement Officer.
- B. Any student bringing or in possession of a weapon on school premises shall be recommended for suspension from the GREAT Academy for a period of not less than one year. The elements of this policy shall not deny rights to students covered under the Individuals with Disabilities Education Improvement Act (IDEIA) or Section 504 of the Rehabilitation Act of 1997.

### **15.5 Involvement in Bringing a Weapon on Campus**

Students will be held accountable for their involvement in situations where a weapon was brought on school premises. Students who are involved may receive consequences at the discretion of the Executive Director.

## **SECTION 16 – GANG ACTIVITIES / SECRET SOCIETIES**

The presence and activities of gangs and secret societies in the public schools create an atmosphere of intimidation in the entire school community. The short and long term effects of gangs and secret societies are disruptive to the educational process and are prohibited in the school.

### **16.1 Definitions**

A gang is any group of three or more persons, whose purposes include the commission of illegal acts and/or acts in violation of disciplinary rules of the school, including but not limited to intimidation, threats and violence.

A secret society is a social organization that requires its members to conceal certain activities from outsiders and members may be required to conceal or deny their membership.

For the purpose of this section, secret societies will be treated identical to gangs as warranted.

### **16.2 Prohibitions**

No student on or about school property or at any school activity shall:

- A. Wear anything that can be considered by the GREAT Academy or the Albuquerque Police Department as gang related is prohibited. This includes “sagging” clothing, bandannas, headwear, pocket chains, hair nets, jewelry, emblems, badges, symbols, signs, gang-related tattoos or other item(s) that evidence or reflect membership in or affiliation with any gang.
- B. Engage in any act, either verbal or nonverbal, including gestures, whistling or handshakes, showing membership or affiliation with any gang.
- C. Engage in any act in furtherance of the interest of any gang or gang activity, including but not limited to:
  1. Soliciting membership in or affiliation with any gang.
  2. Soliciting any person to pay for “protection” or threatening any person, explicitly or implicitly, with violence or with any other illegal or prohibited act.
  3. Painting, writing or otherwise inscribing gang-related graffiti, messages, symbols or signs, on school premises or on personal notebooks or backpacks or other items in the student’s possession.
  4. Engaging in violence, extortion or any other illegal act or other violation on school premises or at a school related activity.
  5. Soliciting any person to engage in physical violence against any other person.

### **16.3 Application and Enforcement**

- A. In determining, as part of the application and enforcement of this policy, whether acts, conduct or activities are gang related school officials are encouraged to exercise discretion and judgment based upon current circumstances in their schools, neighborhoods and areas.

- B. School officials shall work closely with local law enforcement officials in controlling gang-related activities. Local law enforcement personnel can provide school officials with information regarding gang activities in the area, including names and characteristics of local gangs.
- C. School officials will report instances of criminal acts to local law enforcement authorities for further action.

#### **16.4 Violation of Policy**

An administrator shall make the final decision on whether a student's dress and/or behavior are indicative of gang involvement. Students who violate this policy shall be subject to the full range of school disciplinary measures in addition to applicable criminal and civil penalties.

School officials will retain the right to seek monetary reimbursement from parents of students involved in acts of vandalism or graffiti for, but not limited to, removal and/or repair as result of vandalism or graffiti on school premises.

## SECTION 17 – ANTI-BULLYING POLICY

### 17.1 Harassment Definition

*“Harassment”* means knowingly pursuing a pattern of conduct that is intended to annoy, alarm or terrorize another person.

### 17.2 Bullying Definition

*“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.

### 17.3 Sexual Harassment Definition

*“Sexual Harassment”* means any unwelcome sexual advances, requests or sexual favors, or other inappropriate verbal, written, or physical conduct of a sexual nature. Sexual harassment may take place under any of the following circumstances:

- a. When submission to such conduct is made, explicitly or implicitly, a term or condition of obtaining an education; or
- b. Submission to or rejection of that conduct or communication by an individual is used to factor in decisions affecting that individual’s education; or
- c. That conduct or communication has the purpose of effect of substantially or unreasonably interfering with an individual’s education, or creating an intimidating, hostile or offensive educational environment.

### 17.4 Hazing Definition

*“Hazing”* means 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. Hazing includes but is not limited to:

- a. Any type of physical brutality such as whipping, beating, striking, branding, shocking, or placing a harmful substance on the body.
- b. Any type of physical activity such as sleep deprivation, exposure to weather, confinement in a restricted area, calisthenics or other activity that subject the student to an unreasonable risk or harm or that adversely affects the mental or physical health or safety of the student.
- c. Any activity involving the consumption of any alcoholic beverage, drug, tobacco product or any other food, liquid, or substance that subjects the student to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the student.

- d. Any activity that intimidates or threatens the student with ostracism, that subjects the student to extreme mental stress, embarrassment, shame, or humiliation, that adversely affects the mental health or dignity of the student or discourages the student from remaining in school.
- e. Any activity that causes or requires the student to perform a task that involves a violation of state or federal law, or school policies.

### **17.5 Racial Harassment Definition**

*“Racial Harassment”* consists of physical or verbal conduct relating to an individual’s race when the conduct:

- a. Has the purpose or effect of creating an intimidating, hostile, or offensive academic environment;
- b. Has the purpose or effect of substantially or unreasonably interfering with an individual’s academic performance; or
- c. Otherwise adversely affects an individual’s academic opportunities.

### **17.6 Notice of Prohibition Against Bullying and Anti-Bullying Interventions**

1. The prohibition against bullying shall be publicized by including the following statement in the student handbook(s):

“Bullying behavior by any student in The GREAT Academy is strictly prohibited, and such conduct may 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, 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:

  - a. Placing a student in reasonable fear of physical harm or damage to the student’s property; or
  - b. Physically harming a student or damaging a student’s property; or
  - c. 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.
    - i. Students and parents may file verbal or written complaints concerning suspected bullying behavior to school personnel and administrators. Any report of suspected bullying behavior will be promptly reviewed. If acts of bullying are verified, prompt disciplinary action may be taken against the perpetrator, up to and including suspension and/or expulsion.”

2. Staff will be reminded at the beginning of each school year about the Anti-Bullying Policy, as well as their responsibilities regarding bullying behavior. A copy of the policy will be disseminated annually.
3. The Anti-Bullying Policy will be available on The GREAT Academy website, and in all student, staff and parent handbooks.

### **17.7 Reporting Intimidation, Harassment, or Bullying Behavior**

1. 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.
2. The report may be made to any staff member. The staff member will assist the student in reporting to the Head Administrator or other personnel.
3. Teachers and other school staff who witness acts of bullying or receive student reports of bullying are required to promptly notify designated staff.
4. Reports should be done in writing using the Harassment, Intimidation, Bullying, or Hazing Complaint Form. A copy of this form will be submitted to the Safe School coordinator.
5. The GREAT Academy Head Administrator or designee is required to accept and investigate all reports of intimidation, harassment or bullying.
6. The GREAT Academy Head Administrator or designee is required to notify the parent or guardian of a student who commits a verified act of intimidation, harassment, or bullying of the response of the school staff and consequences that may result from further acts of bullying.
7. Nothing in this policy shall prevent any person from reporting directly to the Head Administrator/Executive Director.
8. 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.
9. The right to confidentiality, both of the complainant and the accused, shall be preserved consistent with applicable laws.
10. If harassment or bullying continues, the perpetrator will be immediately suspended and removed from the school, pending a long-term hearing.
11. To the extent permitted under the Family Educational Rights and Privacy Act (FERPA) school staff is required to notify the parent or guardian of a student who is a target of bullying of the action taken to prevent any further acts of bullying.

### **17.8 Investigating Intimidation, Harassment, or Bullying Behavior**

The GREAT Academy, or their designee will appropriately and promptly investigate all reports of harassment, intimidation, bullying, or hazing. 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.

1. The Head 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.
2. 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.
3. The school may take immediate steps to protect the complainant, students, teachers, administrators, or other school personnel pending the completion of an investigation.
4. The investigation shall be completed as soon as possible. The Head Administrator (or investigator) shall make a written report upon completion of the investigation. If the complaint involves the Head Administrator, the investigator shall file the report directly with the New Mexico Public Education Department, Educator Ethics Bureau. The report shall include a determination of whether the allegations have been sustained as factual and whether they appear to be violations of this policy. A copy of the completed report will be maintained by the Safe School Coordinator.

### **17.9 Consequences for Bullying**

1. Verified acts of bullying shall result in intervention by the Head Administrator or his/her designee that is intended to ensure that the prohibition against bullying behavior is enforced.
2. Bullying behavior can take many forms and can vary dramatically in how serious it is, and what impact it has on the targeted individual and other students. Accordingly, there is no one response to bullying. 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, or expulsion) is a matter for the professional discretion of the building Head Administrator.

### **17.10 Consequences for Knowingly Making False Reports**

1. False charges shall also be regarded as serious offenses and will result in disciplinary action or other appropriate sanctions.

## **Anti-Bullying included in Health Education and Other Curricula**

“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 the 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 behaviors, no matter the age. It is imperative that students are comfortable with understanding, describing and recognizing bullying behaviors, and then in the latter grades being able to analyze those behaviors and role play refusal skills. Our curriculum does recognize the importance of bully prevention skills.

In addition to anti-bullying behaviors and skills being taught in the Health curriculum, both the Character Counts! and Positive Behavioral Interventions & Support (PBIS) frameworks that are utilized at the school will reinforce the anti-bullying attitudes and expectations that the school encourages and enforces. PBIS is a school-wide system of support that includes proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Attention is focused on creating and sustaining primary (school-wide), secondary (classroom), and tertiary (individual) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all children and youth by making targeted behaviors less effective, efficient, and relevant, and desired behavior more functional.

All students will be required to read The GREAT Academy Bullying Policy and to sign The GREAT Academy Anti-Bullying Pledge.

### **17.11 Threats of Violence**

1. Threats of violence toward other students, school staff, or facilities generally are prohibited and may result in suspension or expulsion, regardless of whether the student has previously engaged in such conduct.
2. All employees and students are required to report evidence of threats of violence to their Head Administrator or other school staff. Such reports shall be investigated by the Head Administrator or designee. All such reports shall be documented by the Head Administrator.
3. In cases of threats that may constitute a violation of criminal law, the Head Administrator or designee shall notify law enforcement authorities.
4. Students who are charged with violation of this policy shall be placed on short-term suspension pending investigation of the charge(s). Those found, through a due-process hearing, to have violated this regulation shall be subject to discipline, including long-term suspension or expulsion. For Special Education students, administrators will consult with the Special Education Coordinator regarding the appropriate process.

## 17.12 Resources

1. New Mexico Public Education Department, School and Family Support Bureau – online <http://www.ped.state.nm.us> or phone: 505-827-1804
2. Anti-Bullying Policy rule 6.12.7 NMAC
3. School District Wellness Policy rule 6.12.6.6 NMAC
4. New Mexico Youth Risk and Resiliency Survey – online at <http://www.youthrisk.org/pdf/YRRS-2011-HS-E-Std.pdf>
5. National Youth Violence Prevention Resource Center, Government approved resources on prevention, intervention, & stats <http://www.safeyouth.org/scripts/topics/bullying.asp>.
6. OSEP Technical Assistance Center on Positive Behavioral Interventions & Supports – Effective School-wide Interventions – online at <http://www.pbis.org/school/default.aspx>.

## SECTION 18 – ATTENDANCE POLICY

### **The Great Academy will enforce the following to comply with NM State Compulsory Attendance Law:**

1. In addition to attendance being taken as students enter the building through the IdentiMetrics Finger-scanning system that interfaces directly with PowerSchool, all teachers will take attendance in every class and record it on the school's student data system within 15 minutes of established start time.
2. Students will be marked TARDY if they are not in class when the bell rings, at the establish start time for the class.
3. Students will be marked ABSENT 15 minutes after the established start time for each class if the tardy is not excused.
4. Teachers will keep attendance in a separate attendance book. This book is a legal document that is property of The GREAT Academy and must be presented upon request by the administrative staff of the school or district.
5. Three (3) unexcused tardies in a class will result in one (1) unexcused absence for that class.

### **18.1 Daily Student Attendance**

Daily attendance is mandatory for students to benefit most fully from the instructional program. However, the school recognizes that there are situations that cause a student to be absent from school. Students will be allowed up to (9) absences from a class per semester without penalty of loss of credit. Therefore, in accordance with guidelines, absences MAY be excused for the following reasons:

### **18.2 Excused Absences**

- Medical Appointment – (with note from Doctor)
- Illness – (not to exceed 3 days or a Doctor's note required)
- Diagnostic Testing
- Death of a family member
- Religious and /or cultural commitment
- Family emergency-with principal's approval
- All school related activities-not to exceed NMAA policy of 15 days per semester
- Extenuating circumstances with PRIOR approval from administration.
- Travel, not covered above with PRIOR approval from administration

### **18.3 Notification**

- It is the parent's/guardian's responsibility to notify the school's attendance office (505-792-0306) when a student is absent.
- Notification is to take place within 24 hours of the absence to be considered excusable should an appeal be required.
- Failure to notify within 24 hours will result in an unexcused absence.
- In cases involving partial day absence for medical appointments, etc. parents must request an off-campus authorization log located in the attendance office and obtain the pass in person or fax in a letter to be signed by the principal or designee.

### **18.4 Missed Work**

- It is the students' responsibility to request make-up work following an excused absence.
- Students may make-up missed work within 3 days of returning from an EXCUSED absence.

### **18.5 Responsibility of the School**

The school as a reporting agent has the responsibility of informing the parent/guardian of the student's non-attendance and arranging of parent conferences as necessary. As a rule, the following provision shall apply;

### **18.6 Loss of Academic Credit**

- Any student who accumulates **10** or more non-school related absences (excused or unexcused) in a **SEMESTER** will have the credit for that class **denied**. This will remove the need for parents/guardians to succumb to the pressure to call and cover for their student. In order to have the credit reinstated the student and their parent/guardian will be required to submit a Request for Credit Reinstatement in order for an appeal hearing to be scheduled. Parent/guardian will appear before an attendance committee to develop a plan for possible reinstatement of credit. Unexcused absences cannot be appealed and will not be considered in re-instatement hearings.
- The enforcement of this policy will be authorized by The GREAT Academy's Board of Directors. The GREAT Academy's IT Coordinator will set up the student data system to block automatically all academic credits for each course that student misses 10 classes in a semester or 30 tardies or the combination thereof.

### **18.7 Attendance Review Board**

The purpose of the Attendance Review Board is to consider special cases where, due to unusual circumstances such as prolonged illness, terminal illness of a parent, necessary family travel , or other special circumstance where a student might need to be absent more than ten (10) days, credit might be reinstated.

### **18.8 Early Identification**

Under the current Compulsory School Attendance Laws, school districts are required to maintain an attendance policy that provides for the early identification of students with unexcused absences and truancy while requiring intervention strategies to truants and habitual truants in an educational setting. It is suggested that schools develop a written protocol that requires school personnel to take appropriate action after three, five, seven and ten unexcused absences. Recommendations for the written protocol are as follows.

**A. Three unexcused absences:** When a child has accumulated three unexcused absences, school personnel shall inform the teacher to contact the family to address the concern. In addition, a Three Day Parent Absentee Notification Form/Letter shall be sent to the parent(s) or the legal guardian(s) of the child.

**B. Five unexpected absences:** When a child has accumulated five unexcused absences, school personal shall inform teachers to contact the family to address the concern. At this point, the social worker, school principal, assistant principal and/or counselor will arrange a meeting at the school with the parent or legal guardian to discuss the unexcused absences. A Five Day Absentee Notification Letter/Form will be sent to the child's parent(s) or legal guardian(s).

**C. Seven unexcused absences:** When a child has accumulated seven unexcused absences, school personal shall teachers to contact family to address the concern. At this point, the social worker, school principal, assistant principal and/or counselor will arrange a second meeting at the school with the parent or legal guardian to discuss the unexcused absences. At the second meeting, if a contact with the student and the parent has not been conducted, one shall be developed at this time concerning the alleged child being a truant. In addition, the Seven Day Absentee Notification Form will be sent to the child's parent(s) or legal guardian(s).

**D. Ten unexcused absences:** If a student has accumulated an equivalent of ten or more unexcused absences within a school year, the parent(s)/guardian(s) shall be given written notice by mail that the student is a habitual truant and is not in compliance with the Compulsory Attendance School Laws. At this time, the student shall be reported to the probation services office of the judicial district where the student resides for an investigation as to whether the student shall be considered to be neglected child or a child in a family in need of services because of habitual truancy.

As schools are required to provide intervention strategies that focus on keeping truants in an education setting, it suggested that the parent/student conferences be in accordance with the three and five absentee notification letters. Also, another intervention that can be explored by the teacher/administrator at the parent teacher conference is referring the child and their families to local community based programs. Reasons behind students missing school can then be more thoroughly explored as to the factor relating to issues with the child and the family.

## SECTION 19 – EDUCATIONAL RECORDS

### 19.1 Educational Records to be Maintained

The GREAT Academy maintains the following educational records directly related to students:

- A. Academic records.
- B. Personal information records.
- C. Disciplinary records.
- D. Attendance records.
- E. Health records.
- F. Progress records.
- G. Standardized testing records.

### 19.2 Access to Education Records

Access to education records is limited to:

- A. Parents/guardians (custodial and non-custodial) of students under 16.
- B. Parents/guardians (custodial and non-custodial) of students over 16 if the student is a dependent as defined by the Internal Revenue Service Code.
- C. Students.
- D. Officials of this school who have a legitimate educational interest.
- E. State and local officials to whom information is required to be reported.
- F. Certain testing organizations.
- G. Accrediting organizations.
- H. Appropriate persons in connection with an emergency.
- I. Law officers serving subpoenas or court orders.
- J. Any person with the written consent of the parent/guardian if the student is under 18 or the student if over 18.
- K. A school or schools in which a student seeks or intends to enroll.

### 19.3 Proper Maintenance of Educational Records

- A. The GREAT Academy requires that educational records be kept to an essential and relevant minimum. Records are reviewed at the end of each school year and non-essential or irrelevant material is deleted.
- B. The GREAT Academy limits the right of access to education records to the individuals identified above. If records contain information on more than one student, the right to inspect relates only to that portion of the record concerning that particular student.

- C. Records are available to both parents/guardians. In cases of divorce or separation, legal documents should be on file in the EXECUTIVE DIRECTOR's office if one parent/guardian is not to have access to the records.

Individuals have the right to challenge the contents of student records. Parents/guardians have the right to a hearing in the event there is incorrect information or inadequacies contained within the records. A formal request for a hearing should be made through the Executive Director.

**SECTION 20 – AMERICANS WITH DISABILITIES ACT  
SECTION 504 COMPLIANCE**

In order to fulfill its obligation under Section 504 and to be in compliance with the Americans with Disabilities Act, the GREAT Academy recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability will knowingly be permitted in any of the programs and practices in the school system.

The school has specific responsibilities under the act, which include the responsibility to identify, evaluate and, if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent/guardian disagrees with the determination made by the professional staff of the school, he/she has a right to a hearing with an impartial hearing officer. If there are questions, please feel free to contact the Director of Academics, at telephone number 505-792-0306.

## SECTION 21 – MANDATORY RESPONSES

Certain infractions require mandatory responses by school personnel. The consequences provided for any infraction are a minimum response. Severity of the offense will dictate the severity of the consequence.

ARSON	Restitution – Any Offense Long Term Suspension – Any Offense Legal Action – Any Offense
ASSAULT, AGGRAVATED	Short or Long–Term Suspension – Any Offense Legal Action – Any Offense
BATTERY, AGGRAVATED	Short or Long–Term Suspension – Any Offense Legal Action – Any Offense
BOMB THREAT	Long Term Suspension – Any Offense Legal Action – Any Offense
CHRONIC NON-PRODUCTIVITY	Short or Long–Term Suspension – Any Offense
EXTORTION	Restitution – Any Offense Short or Long–Term Suspension – Any Offense Legal Action – Any Offense
FIREARM VIOLATION	Expulsion for at least one year – Any Offense Legal Action – Any Offense
ROBBERY	Restitution – Any Offense Long Term Suspension – Any Offense Legal Action – Any Offense
CONTROLLED SUBSTANCE/POSSESSION	Short or Long–Term Suspension – Any Offense Legal Action – Any Offense
CONTROLLED SUBSTANCE DISTRIBUTION	Short or Long–Term Suspension – Any Offense Legal Action – Any Offense

CONTROLLED SUBSTANCE/USE

Short or Long-Term Suspension – Any  
Offense  
Legal Action – Any Offense

THEFT

Restitution – Any Offense  
Short or Long-Term Suspension  
Legal Action – Any Offense

VANDALISM/GRAFFITI

Restitution – Any Offense  
Short or Long-Term Suspension – Any  
Offense  
Legal Action – Any Offense

WEAPONS, POSSESSION

Long Term Suspension – Any Offense  
Legal Action – Any Offense

## SECTION 22 – STATE LAWS

County, city, state or federal ordinance prohibits all of the following acts. Some of the acts listed below have already been defined in this document. A reference is made after each act to the appropriate ordinance.

Aggravated Assault (§ 30–3–2 NMSA 1978)

Aggravated Battery (§ 30–3–5 NMSA 1978)

Arson and Negligent Arson (§ 30–17–5 NMSA 1978)

Assault (§ 30–3–1 NMSA 1978)

Assault; Battery: – School Personnel (§ 30–3–9 NMSA 1978)

Battery (§ 30–3–4 NMSA 1978)

Bomb Scares Unlawful (§ 30–20–16 NMSA 1978)

Breaking and Entering (§ 30–14–8 NMSA 1978)

Bribery or Intimidation of a Witness (§ 30–24–3 NMSA 1978)

Burglary (§ 30–16–3 NMSA 1978)

Compulsory School Attendance Law, (§ 22–12–1 NMSA 1978)

Computer Abuse (§ 30–45–4 NMSA 1978)

Computer Crimes (§ 30–16A–1 thru 30–16A–4 & 30–45–1 thru 7 NMSA 1978)

Computer Use, Unauthorized (§ 30–45–5 NMSA 1978)

Controlled Substance: possession prohibited (§ 30–31–23 NMSA 1978)

Criminal Damage to Property (§ 30–15–1 NMSA 1978)

Deadly Weapon on School Premises (§ 30–7–2.1 NMSA 1978)

Disorderly Conduct (§ 30–20–1 NMSA 1978)

Disruption / Public Meeting (§ 30–20–1 NMSA 1978)

Explosive Device (§ 30–7–19.1 NMSA 1978)

Extortion (§ 30–16–9 NMSA 1978)

False Alarm (§ 63–9D–11–1 NMSA 1978)

Free public schools: exceptions; withdrawing and enrolling: open enrollment (§ 22–1–4 NMSA 1978)

Indecent Exposure (§ 30–9–14 NMSA 1978)

Interference with Athletic Events (§ 30–20–18 NMSA 1978)

Interference with members of staff, public officials or the general public: trespass: damage to property; misdemeanors; penalties; (§ 30–20–13 NMSA 1978)

Larceny (Theft) (§ 30–16–1 NMSA 1978)

Possession of Alcohol by Minor (§ 60–7B–1 NMSA 1978)

Possession of Concealed Deadly Weapon (§ 30-7-2 NMSA 1978)

Public Nuisance (§ 30-8-1 NMSA 1978)

Receiving Stolen Property (§ 30-16-11 NMSA 1978)

Robbery (§ 30-16-2 NMSA 1978)

Tampering With Evidence (§ 30-22-5 NMSA 1978)

Unlawful Carrying of Deadly Weapon (§ 30-7-2 NMSA 1978)

Unlawful Carrying of Deadly Weapon on school premises (§ 30-7-2.1 NMSA 1978)

Use of Telephone to terrify, intimidate, threaten, harass, annoy or offend; penalty  
(§ 30-20-12 NMSA 1978)

All violations of county, city, state and/or federal ordinance or law will be communicated to the appropriate law enforcement agency.

**THE GREAT ACADEMY STUDENT BEHAVIOR HANDBOOK SIGN-OFF PAGE**

The undersigned parent/guardian and student state that:

- We have read The GREAT Academy Student Behavior Handbook and understand its terms and conditions.
- We understand it is our responsibility to be aware of and adhere to all standards, rules, and requirements of the school.
- We agree to be bound by the terms, conditions, rules and standards of The GREAT Academy Student Behavior Handbook.

\_\_\_\_\_  
Student Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Student Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent/Guardian Signature

\_\_\_\_\_  
Date